

**DIRECTORS' MEETING**  
**MONDAY, JANUARY 14, 2013**  
**555 S. 10<sup>th</sup> Street, Room 113**  
**2:00 p.m.**

**I. CITY CLERK**

**II. MAYOR & DIRECTORS CORRESPONDENCE**

**MAYOR**

1. NEWS RELEASE. Mayor presents November Award of Excellence to Harmony Jones, Amanda Laurenceau, Milly Shields, and Dylan Woldt, Ballard Pool lifeguards from the Parks and Recreation Aquatics Division.
2. NEWS RELEASE. New office and retail complex planned for West Haymarket.
3. NEWS RELEASE. Tree recycling continues at seven sites.

**III. DIRECTORS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE. Health Department reports two flu deaths, strongly recommends immunization.
2. Lincoln-Lancaster County Health Department, Board of Health, meeting minutes of December 11, 2012.
3. Lincoln-Lancaster County Health Department, December report, 2012.

**PLANNING COMMISSION**

1. Action by the Planning Commission, January 9, 2013.
2. Planning Commission Final Action final action.

**PLANNING DEPARTMENT**

1. Lincoln Metropolitan Planning Organization Community Travel Preference Survey.
2. Administrative approvals by the Planning Director from January 1, 2013 through January 7, 2013.

**IV. COUNCIL MEMBERS**

**V. CORRESPONDENCE FROM CITIZENS**

1. InterLinc correspondence from Rose Kuwamoto. Lincoln police in our high schools not a good idea.
2. Lincoln Electric System Legislative Guidelines, 2013.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** January 10, 2013

**FOR MORE INFORMATION:** Deb Weber, Lincoln Arts Council, 402-434-2787

**NOMINATION DEADLINE EXTENDED**  
**FOR MAYOR'S ARTS AWARDS**

Nominations will be accepted until **5 p.m. Monday, January 28** for the 35th annual Mayor's Arts Awards. The awards will be presented by the Lincoln Arts Council (LAC) the evening of Wednesday June 12 at the Lied Center. The Mayor's Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area. Nomination forms are available by calling the LAC at 402-434-2787 or printing a form from the LAC website, [www.artscene.org](http://www.artscene.org). A list of previous winners also is available at that website.

Winner in the following categories will be selected by a panel of arts professionals:

- The **Arts Organization Award** recognizes an arts group that has made significant contributions to Lincoln's arts community over a period of years.
- The **Artistic Achievement Award - Visual Arts** recognizes excellence and accomplishment in any of the visual arts, including theatre and film.
- The **Artistic Achievement Award - Youth** recognizes excellence and accomplishment in any arts discipline by a young person age 18 or younger.
- The **Artistic Achievement Award - Performing Arts** recognizes excellence and accomplishment in any of the performing arts, including film.
- The **Gladys Lux Education Award** recognizes special initiatives in or dedication to arts education and is endowed by the Gladys Lux Foundation.
- The **Heart of the Arts Award** recognizes an individual or organization for outstanding volunteer dedication to the arts or for making a major overall impact on the arts in Lincoln.
- The **Outstanding Event Award** recognizes a performance, exhibition or project in the previous year (2012) that will be notable in the community memory for years to come because of its content or cultural significance.
- The **Halcyon Allsman Benefactor of the Arts Award** honors an individual, family, organization or business making significant financial contributions to the arts.
- The **"Arts for Kids" Award** honors an individual from outside of the arts professions whose leadership has enhanced arts activities and experiences for children

Nominations from the previous year are automatically resubmitted, and updates to the 2012 nominations will be accepted. The public also is encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2012 for memorial recognition at the event.

Date: January 11, 2013

Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

**Mayor Beutler's Public Schedule**  
**Week of January 12 through 18, 2013**  
*Schedule subject to change*

Saturday, January 12

- Weight Watchers "One Amazing Day" celebration, remarks - noon, Weight Watchers, 2755 Jamie Lane, Suite 1

Monday, January 14

- Mayor's Award of Excellence presentation - 3 p.m., Council Chambers, County-City Building, 555 S. 10th St.
- Mayor's Neighborhood Roundtable meeting - 5:30 p.m., Mayor's Conference Room, County-City Building

Tuesday, January 15

- KLIN - 8:10 a.m.

Thursday, January 17

- KFOR - 7:45 a.m.

Friday, January 18

- Martin Luther King Jr. Freedom Breakfast 2013, remarks - 7:30 a.m., Embassy Suites, 1040 "P" St.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** January 11, 2013

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

**CITY INDEPENDENCE DAY CELEBRATION TO BE HELD JULY 3**

Mayor Chris Beutler today announced that the City's annual Uncle Sam Jam Independence Day celebration and fireworks show will be held Wednesday, July 3 at Oak Lake Park, 1st and Charleston streets. In case of inclement weather, the event will be moved to Friday, July 5.

The City has been able to reduce personnel costs the past two years by holding the celebration on a non-City holiday. Mayor Beutler said the City also has received positive comments from residents who enjoy having the nighttime fireworks show precede a day off work and those who enjoy family gatherings on July 4th.

The 2012 event was held July 3, and the 2011 event was held July 2. In 2010, rain caused the event to be moved to July 5. In 2009, the event was moved to July 3 to accommodate the Larry the Cable Guy show.

More information on the annual celebration will be available in June.

**PUBLIC WORKS AND UTILITIES DEPARTMENT**

555 S. 10th Street, Lincoln, NE 68508, 402-441-7548

**FOR IMMEDIATE RELEASE:** January 11, 2013

**FOR MORE INFORMATION:** Randy Hoskins, Asst. City Engineer, 402-450-1216

Steve Owen, Lincoln Water System, 402-441-5925

**PARKING TO BE TEMPORARILY ALLOWED ON LINCOLN MALL**

Beginning Monday, January 14, the City will allow parking on the north side of Lincoln Mall from 11th to 14th streets until parking along 14th Street on the west side of the Capitol is restored. Parking has not been allowed on the east side of 14<sup>th</sup> street from “H” to “K” since December 17 because of a water main replacement project. The contractor expects to finish that project by the end of the month.

Public Works and Utilities Director Miki Esposito said the temporary parking will be allowed to accommodate those attending hearings and other proceedings of the Nebraska Legislature. The legislative session started January 9.

The City will temporarily remove the “no parking” signs on the north side of Lincoln Mall, and the Lincoln Police Department has been notified of the change.

# Historic Preservation Commission

The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, **January 17, 2013**. The meeting will convene at **1:30 p.m.** in Room 214 in Development Services Center, 2<sup>nd</sup> floor, **County-City Building**, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

**January 17, 2013**

## **AGENDA**

1. Approval of HPC meeting record of December 20, 2012.
2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

## **HEARING AND ACTION**

3. Application by Sigma Alpha Epsilon Fraternity for designation of 635 N. 16<sup>th</sup> Street as a Landmark, in accord with LMC 27.57.120.
4. Application by Speedway Properties for a Certificate of Appropriateness for work at 6038 Havelock Avenue in the Havelock Avenue Landmark District.
5. Application by Scott Sullivan on behalf of Speedway Properties for work at 800 Q Street, the "Tool House" building in Haymarket Landmark District.
6. Application by Sinclair Hille on behalf of Lead Belly for work at 301 N. 8<sup>th</sup> Street, the Seaton & Lea Building, in the Haymarket Landmark District.

## **DISCUSSION**

7. Misc.
8. Staff Report.

**The Historic Preservation Commission agenda may be accessed on the Internet at**  
<http://www.lincoln.ne.gov/city/plan/bdscom/hpc/index.htm>

**For further information on Historic Preservation in Lincoln, visit**  
<http://www.lincoln.ne.gov/city/plan/hist/index.htm>



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

January 10, 2013

The Honorable Chris Beutler  
Mayor of Lincoln  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

Dear Mayor Beutler:

Annually we review key policy areas that may be the subject of legislation on a national, state, or local basis that are of concern and importance to the electric power industry and Lincoln Electric System (LES). Our Legislative Guidelines for 2013 were reviewed and approved by the LES Administrative Board at their regular meeting on December 21, 2012. A copy of the Legislative Guidelines is enclosed for your reference. These guidelines direct LES staff in interpreting and responding to legislative and regulatory issues as they arise.

I would be happy to meet with you at any time to further update you on our key local, state, or national concerns.

Sincerely,

A handwritten signature in cursive script that reads "Shelley R. Sahling-Zart".

Shelley R. Sahling-Zart  
Vice President & General Counsel

SRS:al

Enclosure

c: Kevin Wailes, Administrator and CEO  
Denise Pearce, Mayor's Office  
Rod Confer, City Attorney  
Lincoln City Council, w/o enclosure  
Bruce Bohrer, Lincoln Chamber of Commerce

Board agenda

Jan. 18, 2013  
Lincoln Electric System  
1040 O St.

9:30 a.m.

1. **Call to Order**
2. **Election of Officers for 2013**
3. **Approval of Minutes of the Dec. 21, 2012, Regular Meeting of the LES Administrative Board**
4. **Comments from Customers**
5. **Committee Reports**
  - A. Operations & Power Supply Committee
  - B. Budget & Rates Committee
  - C. Finance & Audit Committee
  - D. District Energy Corporation Report
6. **Administrator & CEO Reports**
  - A. Corporate Key Indicators – Benchmark Study Review
  - B. 2012 Preliminary Financial Review
  - C. 2012 Year-End Summary
  - D. State Legislative Report
7. **Chief Operating Officer's Reports**
  - A. Year-End Business Indicators
  - B. Contact Center Report
  - C. 2012 Sustainability Target Report
  - D. Power Supply 2012 Year-End Review
8. **Other Business**
  - A. Monthly Financial and Power Supply Reports
  - B. Miscellaneous Information
9. **Adjournment**

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**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** January 7, 2013

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

**MAYOR PRESENTS NOVEMBER AWARD OF EXCELLENCE**

Mayor Chris Beutler today presented the Mayor's Award of Excellence for November to a team of Ballard Pool lifeguards from the Parks and Recreation Aquatics Division. The team includes seasonal employees Harmony Jones, Amanda Laurenceau, Molly Shields, and Dylan Woldt.

The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today's City Council meeting.

The average age of the team members is only 23. Assistant Recreation Manager Holly Lewis nominated the team in the categories of customer relations and valor after she received an email from Darrell Fisher. Fisher had contacted the Mayor's office to praise the response of the lifeguards to a motor vehicle crash near Ballard Pool.

About 5 p.m. July 11, Fisher came upon a two-vehicle crash at North 66th Street and Logan, just southwest of Ballard Pool. He saw one vehicle was partially blocking a lane of North 66<sup>th</sup> Street, and he saw several young lifeguards running to the scene from the pool. After he parked his car, he approached the scene to help with first aid. He wrote:

"My assistance was not necessary; the several lifeguards had the situation well in hand, even though this crash resulted in multiple victims, seven in all, including young children. These young stalwarts immediately took charge of the scene, rendering first aid and administering to the care and comfort of those victims requiring attention, stabilizing the most seriously injured, and safeguarding the scene until Lincoln Fire and Rescue and Lincoln Police arrived to take charge."

Once the first responders arrived, Mr. Fischer said the lifeguards went back to work at the pool so quickly he did not catch their names or get to thank them. He said we often hear that our young people think only of themselves and are not committed to serve. At the accident scene, he said he saw everything to the contrary. He wrote: "These scenes are very chaotic, yet these young lifeguards demonstrated a calm and maturity well beyond their years!"

Mr. Fisher was in law enforcement for more than 30 years, but said he could not have handled the scene any better. He wrote: "I was thoroughly impressed with their command presence and their ability to control and take charge of this hectic scene. In my humble opinion, they represented the City of Lincoln in the finest tradition and should receive the Mayor's Award of Excellence."

**-more-**

**Award of Excellence**  
**January 7, 2013**  
**Page Two**

In addition to recognizing Jones, Laurenceau, Shields and Woldt, Lewis also praised the rest of the Ballard staff who stayed where they were assigned and continued to follow all safety measures. They include Helen Creger, Kara Guittar, Jay Hongsermeier and Pat Zierke.

The other categories in which employees can be nominated are loss prevention, safety and productivity. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee's job description. All City employees are eligible for the Mayor's Award of Excellence except for elected and appointed officials. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: personnel) or from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program.

All nominations are considered by the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a \$50 gift certificate, a day off with pay and a plaque. Because the November winners are seasonal employees, they will not receive a day off with pay. All monthly winners and nominees are eligible to receive the annual award, which comes with a \$250 gift certificate, two days off with pay and a plaque.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** January 8, 2013

**FOR MORE INFORMATION:** Dave Landis, Urban Development, 402-441-7606

Josh Berger, S2W, 402-405-1823

**NEW OFFICE AND RETAIL COMPLEX  
PLANNED FOR WEST HAYMARKET**

Mayor Chris Beutler announced today that the City has awarded the right to construct a commercial building in the West Haymarket area to Scott-Woodbury-Wiegert (S2W). S2W was the only respondent to an invitation for redevelopment proposals issued by the City's Urban Development Department. The new \$16.8 million, 80,000-square-foot office complex will be built on the southwest corner of "P" and Canopy streets, two blocks south of the Pinnacle Bank Arena. It will fill one-quarter of the block.

"We are extremely pleased to have an additional high quality developer in the West Haymarket," Beutler said. "The new office building with ground-floor retail space will bring another great development and great tenants to this very unique district."

"We are excited to get started on the construction of this new office complex that will be home to a local corporate headquarters," said Zach Wiegert of S2W. He said S2W is working with the anchor tenant and will announce more details as part of the groundbreaking ceremony later this year.

The West Haymarket Joint Public Agency will now begin the process to build a parking garage directly west of and adjoining the S2W development. The garage will include about 900 stalls and will accommodate additional development on the block. Two other parking garages that were part of the first phase of the redevelopment are in various stages of design or construction and will be built in the two blocks between the S2W development and the arena.

More information on the West Haymarket developments and Pinnacle Bank Arena is available at [haymarketnow.com](http://haymarketnow.com) and [pinnaclebankarena.com](http://pinnaclebankarena.com).

**PUBLIC WORKS AND UTILITIES DEPARTMENT**  
Recycling Office, 2400 Theresa Street, Lincoln, NE 68521, 402-441-7043

**FOR IMMEDIATE RELEASE:** January 8, 2013

**FOR MORE INFORMATION:** Gene Hanlon, Recycling Coordinator, 402-441-7043

**TREE RECYCLING CONTINUES AT SEVEN SITES**

Holiday tree recycling continues through Sunday, January 13 at seven City sites. Hofeling Enterprises has donated its services and has already begun grinding the trees into wood chips. Trees are being accepted at the following sites:

- Ballard Park, 3901 N. 66th St.
- Oak Lake Park, three blocks south of Cornhusker on 1st Street
- University Place Park, 50th and Garland streets
- Holmes Lake Park, parking lot west of the north softball field
- Tierra Park, 29th and Tierra Drive
- Woods Park, 31st and "J" streets, southeast corner of the parking lot
- Hofeling Enterprises, 2200 S. Folsom Court (8 a.m. to 5 p.m. weekdays)

The wood chip mulch is available at no cost on a first-come, first-served basis at Hofeling Enterprises. Residents may pick up the mulch from 8 a.m. to 5 p.m. weekdays at 2200 S. Folsom Court.

For more information, visit [recycle.lincoln.ne.gov](http://recycle.lincoln.ne.gov).

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

**FOR IMMEDIATE RELEASE:** January 8, 2013

**FOR MORE INFORMATION:** Judith A. Halstead, MS, 402-441-8001  
Health Director

Tim Timmons, RN, 402-441-8056  
Communicable Disease Program Supervisor

**FOR IMMEDIATE RELEASE:** January 8, 2013

**FOR MORE INFORMATION:** Judith Halstead, MS, Health Director, 402-441-8001  
Tim Timmons, RN, Communicable Disease Program Supervisor, 402-441-8056

**HEALTH DEPARTMENT REPORTS TWO FLU DEATHS,  
STRONGLY RECOMMENDS IMMUNIZATION**

The Lincoln-Lancaster County Health Department (LLCHD) today confirmed that two deaths have recently occurred in Lancaster County related to influenza, and the number of flu cases is very high. Health Director Judy Halstead said the adult and child who died were not immunized, and she strongly recommends that all individuals age six months and older have a flu immunization as soon as possible if they have not done so already.

- Influenza is a highly infectious disease of the lungs that can cause mild to severe illness and lead to death. Symptoms include fever, cough, sore throat, fatigue, chills and achiness. Vaccination is the primary method for preventing influenza, and full protection occurs about two weeks after vaccination. Those needing a vaccine should contact their health care providers or find a community flu immunization location. Flu vaccination is especially important for those at high risk of having serious complications and those who live with or care for people at high risk. They include:
  - Children under age five (especially those under two years of age)
  - Adults age 65 years and older
  - Pregnant women
  - People who have certain conditions including asthma, neurological and neuro-developmental conditions, chronic lung disease, heart disease, blood disorders, diabetes, kidney disorders, liver disorders, metabolic disorders, obesity, a weakened immune system and those under age 19 who receive long-term aspirin therapy

It's also important for individuals living in nursing homes and other long-term care facilities to get vaccinated. People who care for those at high risk for complications from flu include:

- Health care workers
- Household contacts of persons at high risk for complications from the flu
- Household contacts and caregivers of children under age five, especially those under six months of age who are at high risk but are too young to get vaccinated.

Individuals also can reduce their risk of getting and spreading influenza by staying home when they have symptoms and by avoiding people who have symptoms. It's also recommended that individuals wash hands thoroughly and frequently and cover their mouths and noses with a tissue or sleeve when they cough or sneeze.

The LLCHD will provide flu vaccine to low-income, uninsured adults and certain uninsured children. To be eligible for a flu vaccine at the Health Department, children must be between six months and 18 years of age and meet one or more of these criteria:

- have Medicaid coverage
- have no health insurance or are under-insured
- be an American Indian and/or Alaskan Native

LLCHD requires appointments for flu vaccinations. For more information, call 402-441-8065 or visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: health).

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

Board of Health  
December 11, 2012

I. ROLL CALL

The meeting of the Board of Health was called to order at 5:02 PM by Karla Lester at the Lincoln-Lancaster County Health Department. Members present: Doug Emery, Lisa Peterson, Ed Schneider, Brent Smoyer, Heidi Stark, Marcia White, Tim Sieh (ex-officio) and Karla Lester.

Members Absent: Jacquelyn Miller, Brittany Behrens (ex-officio) and Trish Owen (ex-officio).

Staff Present: Judy Halstead, Charlotte Burke, Mike Heyl, Tim Timmons, Chris Schroeder, Scott Holmes, Gwendy Meginnis, Jeff Chambers, Kathy Cook; Andrea Haberman and Elaine Severe.

II. APPROVAL OF AGENDA

Dr. Lester asked if there were any additions or corrections to the Agenda.

Motion: Moved by Dr. Peterson that the Agenda be approved as mailed. Second by Mr. Smoyer. Motion carried by acclamation.

APPROVAL OF MINUTES

Dr. Lester asked if there were any additions or corrections to the Minutes.

Motion: Moved by Mr. Smoyer that the November 13, 2012 Minutes be approved as mailed. Second by Dr. Peterson. Motion carried by acclamation.

III. PUBLIC SESSION

DEPARTMENT REPORTS

A. Health Director Update

Ms. Halstead stated flu activity continues to increase in the community. It is showing up earlier than in past years. The Department is encouraging individuals to get their flu vaccine.

Ms. Halstead stated the 2013 Legislative session begins on January 9, 2013.

Training was provided to staff and the City Department legislative liaisons. Jeff Kirkpatrick will be the primary lobbyist for the City and Gordon Kissel and Joe Kohout are the lobbyists for Lancaster County.

Dr. Lester asked for an update on Medicaid expansion. Ms. Halstead stated it was written as a part of the Affordable Care Act and the Governor does not support the expansion of Medicaid. She stated the County continues their discussions on Medicaid expansion and voted to recommend the expansion of Medicaid in Nebraska.

#### IV. CURRENT BUSINESS (Action Items)

##### A. Repeal of Outdated Lincoln Municipal Code 8.16 - Contagious and Infectious Disease

Mr. Timmons stated staff are requesting the elimination of LMC 8.16 - Contagious and Infectious Diseases because it contains out dated concepts and provisions. He noted LMC 8.18 was put into place in 2007 and addresses the best practice legal requirements regarding the control of infectious and communicable diseases in the community.

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Motion: Moved by Dr. Stark that the Board of Health approve the repeal of Lincoln Municipal Code 8.16 - Contagious and Infectious Disease and forward it to the Lincoln City Council for repeal. Second by Ms. White. Motion carried by a 7-0 roll call vote.

##### B. Proposed Appointments to the Food Advisory Committee

Mr. Holmes stated two vacancies exist on the Food Advisory Committee and staff are recommending the appointment of Linda Major and Eric Bahm to the Committee. Ms. Major & Mr. Bahm served on the Responsible Beverage Server Training Task Force and both have agreed to serve on the Food Advisory Committee if appointed.

Motion: Moved by Dr. Schneider that the Board of Health approve the appointment of Linda Major and Eric Bahm to the Food Advisory Committee. Second by Mr. Smoyer. Motion carried by a 7-0 roll call vote.

##### C. Proposed Revisions to Lincoln Municipal Code 8.24 - Noise Control Ordinance to Clarify Government Services

Mr. Schroeder reviewed the proposed revisions to the Noise Control Ordinance. He stated the Lincoln Police Department has requested the modification on Section 140 as they are in the process of trying to locate a training facility. The City Attorney and staff are also recommending the ordinance be updated to contain language similar to the other health codes regarding the appeal of Health Director decisions. Staff and the Law Department are recommending the decisions be appealed to the District Court. The final revision relates to program reports. Currently, reports are presented to the Air Pollution Control Advisory Board and then to the Board of

Health. Staff are recommending reports go directly to the Board of Health.

Motion: Moved by Ms. White that the Board of Health approve the revisions to the Lincoln Municipal Code 8.24 - Noise Control Ordinance and forward the revisions to the Lincoln City Council for approval. Second by Mr. Smoyer. Motion carried by a 7-0 roll call vote.

V. CURRENT BUSINESS (Information Items)

A. City Wellness Program Update

Ms. Kamble provided an update on the City's Wellness Program. Championed by Mayor Beutler, the Program began one year ago with the support of the City Department Directors. A Wellness Committee was formed with representatives from each City Department and the Committee meets monthly. A Health Risk Appraisal was administered to all City employees in March, 2012. Results of the appraisal were compiled and priorities identified. A second appraisal will be conducted in the Spring of 2013 and results compared. The Committee is in the process of developing wellness plans for various departments. Ms. Kamble highlighted some of the Departments' activities and policy changes. One policy change included marking "Fit Pick" options in City vending machines.

B. Summer Food Program Report

Mr. Heyl stated the Program completed its 32<sup>nd</sup> year of operation. The Program operated May 30, 2012 to August 10, 2012 and served 91,835 meals to eligible children in the community. Highlights included: 29 sites were located in the highest need areas, 42% of the meals were served to non-white children, and menu planning and preparation were done through Lincoln Public Schools. Vehicles for transportation of the meals were provided by the Food Bank of Lincoln and Anderson Ford. The Department also partnered with the Food Bank of Lincoln to deliver backpacks at eight sites over eight weeks. This was an extension of the Food Bank's Friday Backpack Program that provides back packs with food for the weekends during the school year. Since the reimbursement from the Department of Education/USDA is not adequate to cover the cost of the program, staff solicited financial support from the community to assist with the costs. Grants and donations were received from various sources in the community.

VI. FUTURE BUSINESS

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Essential Service #9 - Evaluate effectiveness, accessibility, and quality of personal and population-based health services

Upcoming legislation that may Impact public health

Dr. Schneider requested information on Vita; Statistics for the February meeting.

VII. ANNOUNCEMENTS

Mr. Emery expressed his thanks and appreciation to Ms. Halstead and the staff at the Health Department for their good work stating, "We are a better City because of the good work the Health Department does".

Next Regular Meeting - January 8, 2013 - 5:00 PM.

VIII. ADJOURNMENT

The meeting was adjourned at 5:55 PM.

Elaine Severe  
Recording Secretary

Heidi Stark  
Vice-President

## DEPARTMENT REPORT DECEMBER, 2012

### HEALTH DIRECTOR

- The Health Director provided training to Department staff and City legislative liaisons for the upcoming Legislative Session. The session begins January 9, 2013. Staff will review and monitor legislation relative to the City, the County, and the Department.
- The Lancaster County Medical Society is producing a video about their Medication Assistance Program. The video was filmed at various sites in the community including the Health Department. The video features Health Department employees, community physicians, the Community Health Endowment and the Lancaster County Board.
- The Combined City/County Campaign for the Untied Way, Community Health Charities and the Community Services Fund for Nebraska is complete. City and County employees donated \$224,689.00 to the campaign. This represents a \$20,000.00 increase over last year's donations.
- Employee of the Month - Jenny Madden - Community Health Services - Laboratory

### ANIMAL CONTROL

Animal Control Stats

	Sep 10 -Nov 10	Sep 11- Nov 11	Sep 12- Nov 12
<b>Pet Licenses Sold</b>	<b>13,678</b>	14,082	14,978
<b>Cases Dispatched</b>	4156	5738	5888
<b>Investigation</b>	4637	6210	6288
<b>Animals Impounded</b>			
<b>Dogs</b>	489	422	399
<b>Cats</b>	567	472	327
<b>Court Citations Issued</b>	148	49	101
<b>Warnings/Defects Issued</b>	662	2908	3455
<b>Bite Cases Reported</b>	117	118	114
<b>Attack Cases Reported</b>	16	9	15
<b>Dogs Declared (PPD, DD,V)</b>	50	20	24
<b>Animal Neglect Investigations</b>	170	133	142
<b>Injured Animal Rescue</b>	174	213	183

<b>Wildlife Removal</b>	116	117	123
<b>Dead Animal Pickup</b>	465	670	556
<b>Lost and Found Reports</b>	590	637	676
<b>Phone Calls</b>	11,286	11,772	12,610
<b>Average Response Time (in mins)</b>	26	24	18

- This year Animal Control responded to a higher number of bat calls. From January 1, 2012 through December 13, 2012. Officers had responded to 901 bat calls over half of which were sent in for rabies testing. Of those sent in for testing, 9 tested positive for rabies. The actual percentage of bats testing positive compared to bat calls remains low, however we take several precautions to avoid any public health risk and the need for post bite rabies vaccinations.
- Pet license sales are up slightly compared to the same months last fiscal year. A licensing promotion is currently being discussed and a kick off planned for the first part of the year. We have approximately 62,000 licensed dogs and cats in the Lincoln City limits. According to the US Pet Census and the American Association of Veterinarians population formulas, we should have approximately 142,000 dogs and cats in Lincoln.
- Defect tickets and citations are up from a year ago representing a continued focus on pet license renewals that have become delinquent and forgotten or ignored by pet owners.
- A presentation was made to the Lincoln Downtown Optimist Club in December. Several topics were discussed regarding pets, local ordinances, bites, attacks, wildlife and responsible pet ownership. Club members had several questions and were very interested in the operations of Animal Control.
- The Animal Control Division has been exploring the benefits of having automatic vehicle and officer location capacity. This is somewhat new technology, however, it already being discussed and tested in the City. Use of this technology should increase efficiencies in officer response, safety among officers, and help with dispatch (knowing officer location).
- Animal Control Officers assisted the NE State Patrol with an injured dog on Interstate 80. Officers responded to a hit and run call where an injured dog was left in a vehicle at the scene of the accident.
- The Division Manager continues to meet twice a month with Robert Downey from the Capital Humane Society. Mr. Downey is assisting with the interviews for the Animal Control Officer position. The Division Manager attends and participates in the monthly Problem Resolution Team meetings held the last Thursday of every month.
- The number of animals (dogs and cats) taken to the shelter continues to decrease. This is

a positive trend and could suggest more pets are being reunited with their owners before being taken to the shelter. This may be a reflection of more dogs and cats wearing their tags and better feral cat management.

## **COMMUNITY HEALTH SERVICES**

### **MATERNAL-CHILD HEALTH SERVICES FEDERAL GRANT**

- Supervisors and staff from Maternal-Child Health services, IFM, and a consultant from the NDHHS/Division of Public Health continued to research a data exchange solution for the new Maternal, Infant, and Early Childhood Home Visiting (MIECHV) grant. This is a federally-funded, state-administered grant awarded to LLCHD, in part, because of the success MCH staff has had in our pilot project since 2008. Funds are authorized by the Affordable Care Act. MCH is required to use an evidence-based model of home visiting for the grant. As reported previously, MCH utilizes the Healthy Families America model of home visiting, which has been shown to lower the incidence of child maltreatment. MCH and IFM are required to build an electronic exchange of demographic and benchmark data required by MIECHV. Examples of benchmark topics include; prenatal care, parental use of alcohol, maternal depression, breastfeeding, immunizations, health insurance (for mom and infant), emergency department visits (for mom and infant), maltreatment reports to CPS, parental support & knowledge of learning & development, parental emotional well-being, the child's communication level, domestic violence, and employment & education level of adults in the household.

### **STAFF DEVELOPMENT**

- CHS staff members were asked to participate in a Survey Monkey questionnaire related to their preferences for 2013 education sessions. The topics which were considered the most interesting to staff included; health care costs/budgets (what is required for us to remain financially sound), national/state health care reform updates, standards of practice for case management, legal aspects of practice (e.g. documentation, subpoenas, consent, privacy, testimony, etc.), and clinical updates on STI services and lab tests. Marj Determan, Ruth Shubert, Brenda Monroe and Thurman Hoskins comprise the staff development team this year.
- CHS and Dental Health & Nutrition Division supervisors developed a training series on workplace safety in response to requests by 1<sup>st</sup> floor Customer Relations staff. Our goal is safe customer care. The training will include topics such as prevention, conflict resolution/de-escalation, crisis communication, personal safety, procedures, expectations/responsibilities, and de-briefing. Trainings will take place in January and February 2013.

- The Customer Relations Supervisor, Amber Woods, worked with Rajeana Harris, Customer Support Specialist for the NDHHS/Division of Children & Family Services to develop an updated training on presumptive eligibility and Medicaid application processes. The training was designed for registration staff, nurses, and LLCHD interpreters. The training will take place on January 2, 2013. Amber is also working with Southeast Community College on a medical coding training for Customer Relations staff. The target date for this training is late winter/early spring.

**REFUGEE HEALTH ASSESSMENT CHANGES**

- The Public Health Clinic is funded through NDHHS/Division of Public Health to provide health assessment and immunization services for refugees, asylees, Cuban/Haitian entrants, and certain Amerasians for Vietnam. We were notified that within the new grant year, requirements for lab tests will include an interferon gamma release assay for refugees age five and older, HIV tests for refugees of all ages (previously only those 13 – 64 years of age), Strongyloidiasis testing, Schistosomiasis testing for those from Sub-Saharan Africa, and a Varicella titer on refugees aged 19 and older. The Public Health Clinic Supervisor, Bernice Afuh, is working with lab staff and external lab providers to prepare for this change. In FY 2011-12, we served 464 individuals who made 1,454 clinic visits through the Refugee Health Assessment Clinic.

**DENTAL HEALTH & NUTRITION**

**DHNS Monthly Report for November 2012**

**WIC Monthly Report**

**Caseload (Participation):** (301 Report)

<b>Total</b>	3860
<b>Main</b>	2954
<b>LMEP</b>	300
<b>Cornhusker Clinic</b>	606

**Food: Reported as of July 2012**

<b>Food Monthly Obligations</b>	\$214,896.27
<b>Food Pkg Avg.</b>	\$ 61.15
<b>Women</b>	\$ 39.92
<b>Infants</b>	\$ 139.35
<b>Children</b>	\$ 40.93

### **Dental**

- During the month of November, dental staff provided 768 patient visits for 514 clients. This is an increase of 57 patient visits when compared to November 2011. For the current fiscal year to date, dental staff has provided an additional 325 patient visits when compared to FY 11-12.
- Beginning January 3, 2013, the dental clinic will expand clinic hours on Thursday evenings until 8:00 p.m. targeting children and families with convenient after school and evening hours, in addition to responding to the growing need for dental services, while attempting to minimize wait time for urgent and routine dental care.
- Community outreach activities for November included school screenings at Eastridge, Calvert, and Norwood Park Elementary and Waverly schools. In addition, approximately 70 Early Head Start children participated in a Fluoride Varnish Program at the Head Start Development Center, receiving dental assessments, tooth brushing instructions and fluoride varnish applications.

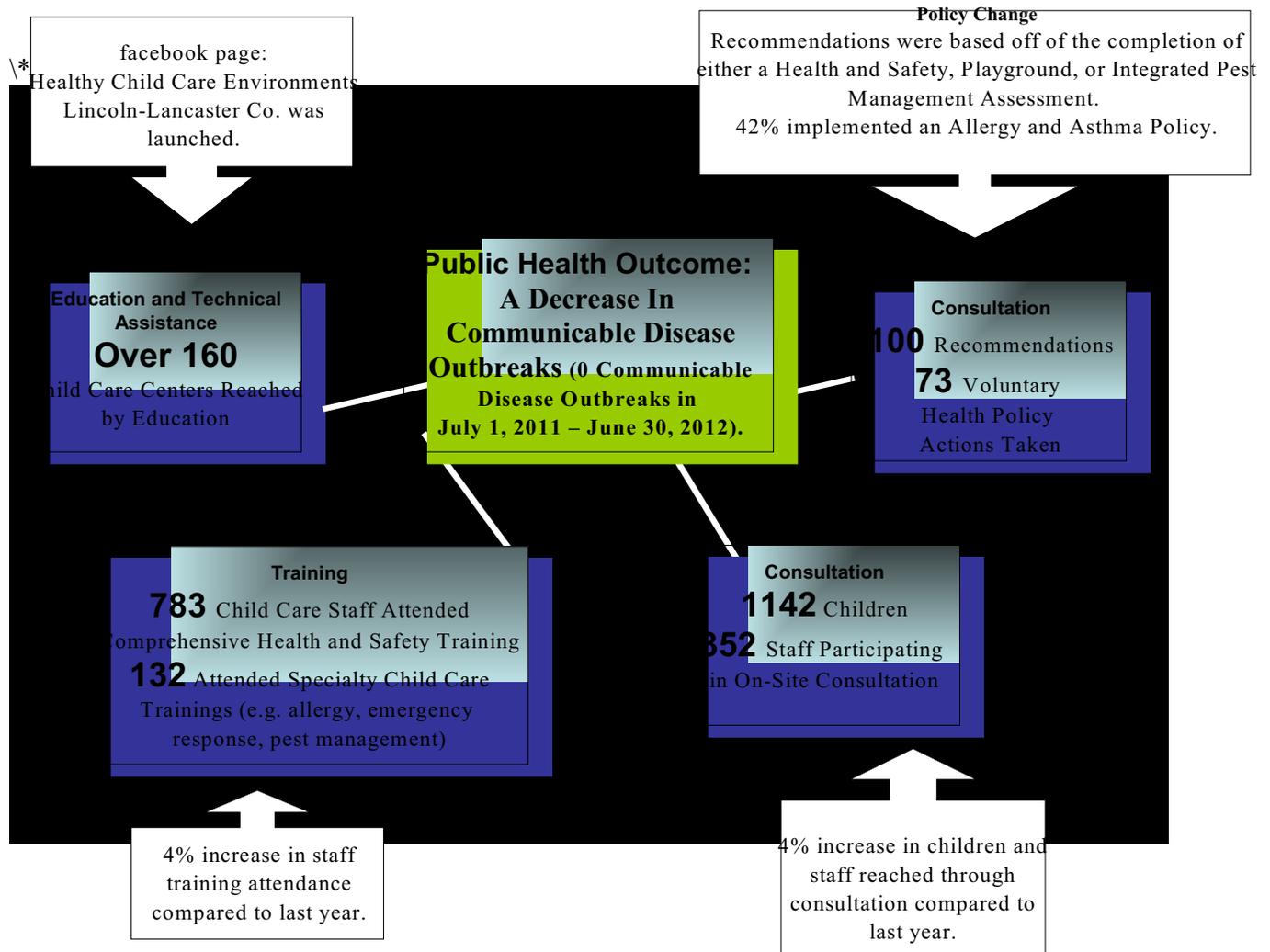
## **ENVIRONMENTAL PUBLIC HEALTH**

### **Child Care Health Consultation Services**

- LLCHD's Child Care Health Consultation Services protect the health of children, their families and our community by preventing communicable disease outbreaks that originate in child care settings. Simply put, children are more susceptible to communicable disease than adults. Many child care centers lack adequate health and safety practices, especially those sites that serve low income or racial/ethnic minority families. Improving the training of staff, updating policies, and obtaining input from skilled health professionals decrease the incidence of disease and improves health and safety in child care centers. Through implementation of the Child Care Health Consultation Services with the assistance of Nebraska Health Care Funding Act dollars we have reduced the frequency of outbreaks and the number of children and families impacted.
- The Lincoln Municipal Code 8.14 requires health and safety training for child care center staff every two years. The two hour training includes health information such as illness prevention and exclusion, diapering, hand washing, and food safety. The training is revised every two years to keep the interest of the participants and increase subject matter retention. The training is designed as an interactive experience called "Outbreak." Through video clips and hands-on activities, participants must solve the mystery of "Who, What and Where spread the diarrheal illness?"

- Last February a Child Care Emergency Response training was provided. A model Child Care Emergency Response Handbook was created by the Snohomish Health District Child Care Health Program and Snohomish County Department of Emergency Management. The Lancaster County Emergency Management and the Lincoln-Lancaster County Health Department Child Care Health Consultant Program was provided permission to revise and edit this handbook. The purpose of this handbook is to give child care personnel step-by-step procedures on how to respond to an emergency situation during the first 30 minutes. The handbook has instructions specific to each emergency. Not all child care facilities are similar therefore the online handbook must be individualized for each child care program, taking into account the resources available, the surrounding community, and the characteristics of the facility itself. The handbook may be accessed on the web:

<http://lincoln.ne.gov/city/health/envIRON/cehpi/pdf/CCCEmergencyPolicyModel2012.doc>



## **Water Program**

### **Water Wells**

- In 2011, the Lincoln Municipal Code was updated. Since 1936, the City of Lincoln has had an ordinance regulating private wells. The Well Code was updated to enhance the Department's efforts to protect human health and groundwater from contamination. In Fiscal Year 2012, a total of 550 wells were permitted.

### **Well Sampling Results**

- In Fiscal Year 2012, 447 water samples were collected and tested for the presence of Nitrates. Of these samples, 80 (18%) had Nitrate levels between 5 ppm and 10 ppm. A total of 15 (3%) tested above the EPA's Maximum Contaminant Level (MCL) of 10 ppm.
- 471 samples were tested for the presence of Coliform bacteria, of which 46 (11%) were positive. Of the 46 positive Coliform samples, 3 (1%) were positive with E. coli. (E. Coli is the standard that confirms contamination from fecal material.
- As part of the Well Program, the Department was able to assure seven existing wells that did not meet current standards and could be considered a threat to the groundwater were decommissioned.

### **Drought Effects**

- In the summer of 2012 due to the drought, the City implemented Water Restrictions which included the restriction of watering lawns on a daily basis to water lawns on an every other day basis with no lawn watering allowed on Monday.
- Individuals and business that had their own permitted wells were not effected by these restrictions. The Department provided the Lincoln Water System and the Lincoln Police Department current information about the location of all permitted well owners in the city.

## **HEALTH DATA & EVALUATION**

- As has been reported by the CDC the flu season is off and running a little earlier than in most years. Several states have widespread flu outbreaks and Nebraska has reported that flu cases are "sporadic" in the state. As you know, Tim Timmons e-mails his weekly flu updates about the local flu situation and we also have had several confirmed cases of flu in Lincoln and Lancaster County. However, the good news is that the flu cases tend to be mild at this time. Also, most of the cases are not reported among the elderly, a particularly vulnerable group. In fact, most cases are occurring in the five and under population, and school absences due to influenza-like-illnesses (ILI) are not unusually high at this time. Of note, when you view the monthly numbers of communicable disease

you will not see large numbers of cases of flu. The reason is that once we know flu is present in the community, providers are not asked to send cases to the Nebraska Public Health Laboratory for confirmation.

- Still, based on past history, we cannot predict whether the flu will become more virulent or whether widespread outbreaks will occur in future months. In a typical year, flu cases peak in January or February and flu cases are common into April and sometimes May. Therefore, we will continue to stress that everyone six months and older who hasn't gotten flu vaccine should do so as soon as possible. The strains in this year's flu vaccine do match the types of flu circulating so that is the best possible way to avoid coming down with the flu. The recommendation is that everyone 6 months and older seek flu vaccine. recommendation is especially true for the young (those 6 months to 59 months), persons over 50 and individuals with a major health condition such as asthma, heart disease or diabetes. The annual flu vaccine includes dead or weakened strains of the three (trivalent) most common types of flu circulating in the prior year. This year there are several vaccination options, depending on a person's age and health condition: 1) for those 6 months and older, the regular trivalent inactivated vaccine given intramuscularly, 2) for healthy people ages 2 to 49 who are not pregnant there is a nasal spray vaccination with a live, weakened (attenuated) virus, 3) for those 18 to 64 who don't like needles there is an intradermal trivalent vaccine that uses a very small needle and 4) for persons 65 and older, there is a high-dose (four times the antigens) vaccination to stimulate the body's immunity producing cells. While scientists are working on a long-lasting flu vaccine, until one is fully developed everyone should seek a flu vaccination every year.
- HDE staff members, mainly Raju, are building dashboards to be available to the public and you will see some of the prototypes in future meetings. In the meantime, remember that we welcome any requests for data from Board members.

## **HEALTH PROMOTION & OUTREACH**

### **Tobacco Prevention Program**

#### **Tobacco Compliance**

- Staff coordinated a tobacco retailer compliance check with the Lincoln Police Department and youth volunteers. Two sales out of 44 attempts to purchase were made for a 4.5% noncompliant rate (95.5% compliant). For 2012, a total of 28 sales out of 367 attempts to purchase were made for a 7.6% noncompliant rate (92.4% compliant).
- Staff coordinated a tobacco retailer compliance check with the Lancaster County Sheriff's Office and youth volunteers. Two sales out of 19 attempts to purchase were made for a 10.5% noncompliant rate (89.5% compliant). For 2012, a total of three sales out of 40 attempts to purchase were made for a 7.5% noncompliant rate (92.5% compliant).

- Three LPD officers were trained in the Tobacco and ID Check Program. These officers will provide the three times per year program to employees of businesses that sell tobacco products. Staff works with tobacco retailers to encourage them to send employees to these trainings as a way to help prevent the illegal sale of tobacco to minors.

### **Education**

- Staff provided tobacco prevention education to the Lancaster County Prevention Leadership which includes representatives from all the county and city high schools. This group focuses on substance abuse prevention including tobacco. The group received information on the Great American Smokeout, the Surgeon General's Report on Preventing Tobacco Use Among Youth and Young Adults, the tobacco-free parks policy, the Nebraska Tobacco Quitline, and general tobacco education information. LLCHD tobacco prevention staff participate in the Lancaster County Prevention Leadership Group meetings which include representatives from the public schools in Malcolm, Waverly, Norris, and Raymond Central.
- Staff presented to City fire and housing inspectors on the smoke-free housing brochure. The brochures will be given to landlords that do not have a smoke-free housing policy. Staff contact information is provided on the brochure, and inspectors can refer landlords, managers, or owners to LLCHD tobacco prevention staff for technical assistance.
- The Team Up! Tell A Friend initiative has expanded to the Salvation Army, F Street Recreation Center, Park Middle School, Malone Center, Culler Middle School, and Malcolm School. Evaluations of impact are currently being conducted. This project was originated by the LLCHD Tobacco Prevention Program in the spring of 2010 and uses middle school aged youth to provide positive tobacco prevention messages to their peers in middle schools, community centers and youth serving organizations. These youth from a variety of cultures offer a view of tobacco through a series of portraits of themselves. Norris Middle School and Malcolm Public School have participated in this project for the past two years. Raymond Central will join the initiative in 2013.

### **INFORMATION & FISCAL MANAGEMENT**

- Information and Fiscal Management is conducting a review of billing and receivables work processes and practices to identify and implement opportunities to improve efficiency and effectiveness. Goals include improvements in the work processes, greater accountability and tools that allow managers to monitor the process and identify problems early.
- Information Management is working closely with Community Health Services to determine the best method(s) to implement data collection and documentation for performance outcomes for our home-based Maternal Child Program.



**\*\*\* ACTION BY PLANNING COMMISSION \*\*\***  
**January 9, 2013**

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 9, 2013, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, (402) 441-7491.

**\*\*PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

**AGENDA**

**WEDNESDAY, JANUARY 9, 2013**

**[Commissioner Cornelius absent]**

Approval of minutes of the regular meeting held December 12, 2012. **\*\*APPROVED, 5-0 (Sunderman, Corr and Scheer abstained; Cornelius absent)\*\***

**1. CONSENT AGENDA:**  
**(Public Hearing and Administrative Action)**

**CHANGE OF ZONE:**

Page 01 1.1 Change of Zone No. 10014A, an amendment to the Northwoods Plaza Planned Unit Development to allow 150 dwelling units and 176,900 square feet of commercial floor area in the underlying B-2 zoned area, on property generally located at N. 84<sup>th</sup> Street and Holdrege Street.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Tom Cajka, 402-441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**  
**Removed from Consent Agenda and had separate public hearing.**  
**Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated December 21, 2012, 6-2 (Sunderman, Lust, Weber, Hove, Gaylor Baird and Scheer voting 'yes'; Corr and Francis voting 'no'; Cornelius absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, February 4, 2013, 3:00 p.m.**

**CHANGE OF ZONE WITH RELATED ITEMS:**

Page 13 1.2a Change of Zone No. 12033, amending Title 27 of the Lincoln Municipal Code (Zoning Ordinance) to reformat Chapter 27.72 (Height and Lot Regulations) and to include regulations that were not carried over from Chapter 27.71 to 27.72; to provide clarification as to how uses are regulated by amending Chapters 27.02 Definitions, 27.06 Use Groups, 27.39 H-1 Interstate Commercial District, 27.62 Conditional Uses, 27.63 Special Permits, 27.69 Signs, 27.72 Height and Lot Regulations.  
**Staff recommendation: Approval**  
**Staff Planner: Christy Eichorn, 402-441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**  
**Planning Commission recommendation: APPROVAL, 8-0 (Cornelius absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, February 4, 2013, 3:00 p.m.**

Page 13 1.2b Miscellaneous No. 12018, amending the City of Lincoln Design Standards by amending Chapter 3.5 (Landscaping and Screening) to provide clarification regarding screening requirements for motorized vehicle repair and service facilities.  
**Staff recommendation: Approval**  
**Staff Planner: Christy Eichorn, 402-441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**  
**Planning Commission recommendation: APPROVAL, 8-0 (Cornelius absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, February 4, 2013, 3:00 p.m.**

**PERMITS:**

Page 87 1.3 Special Permit No. 12038, for the authority to sell alcoholic beverages for consumption on and off the premises, on property generally located at N. 70<sup>th</sup> Street and Vine Street (836 N. 70<sup>th</sup> Street). \*\*\* **FINAL ACTION** \*\*\*  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**  
**Removed from Consent Agenda and had separate public hearing.**  
**Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated December 17, 2012, 8-0 (Cornelius absent).**  
**Resolution No. PC-01315.**

Page 97 1.4 Special Permit No. 12039, for construction of a parking lot in a residential district with a reduction of the front yard setback, on property generally located at S. 49<sup>th</sup> Street and Randolph Street. \*\*\* **FINAL ACTION** \*\*\*  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Paul Barnes, 402-441-6372, [pbarnes@lincoln.ne.gov](mailto:pbarnes@lincoln.ne.gov)**  
**Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated December 31, 2012, 8-0 (Cornelius absent).**  
**Resolution No. PC-01314.**

**MISCELLANEOUS:**

Page 105 1.5 Street & Alley Vacation No. 12009, to vacate the north-south alley between West O Street and West Monroe Street, east of SW 44<sup>th</sup> Street, generally located at SW 44<sup>th</sup> Street and West O Street.  
**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Paul Barnes, 402-441-6372, [pbarnes@lincoln.ne.gov](mailto:pbarnes@lincoln.ne.gov)**  
**Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 8-0 (Cornelius absent).**  
**Public Hearing before City Council will be scheduled when the provisions of Chapter 14.20 of the Lincoln Municipal Code have been satisfied.**

Page 109 1.6 Street & Alley Vacation No. 12010, to vacate the north 12 feet of Prescott Avenue lying between the east right-of-way line of S. 48<sup>th</sup> Street and the west right-of-way line of S. 52<sup>nd</sup> Street, generally located at S. 48<sup>th</sup> Street and Prescott Avenue.  
**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**  
**Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 8-0 (Cornelius absent).**  
**Public Hearing before City Council will be scheduled when the provisions of Chapter 14.20 of the Lincoln Municipal Code have been satisfied.**

**2. REQUESTS FOR DEFERRAL:**

- Page 117
- 2.1 County Change of Zone No. 12038, from AG Agricultural District to AGR Agricultural Residential District, on property generally located at NW 126<sup>th</sup> Street and W. Bluff Road.  
**Staff recommendation: Applicant has requested to continue public hearing until January 23, 2013.**  
**Staff Planner: Sara Hartzell, 402-441-6371, [shartzell@lincoln.ne.gov](mailto:shartzell@lincoln.ne.gov)**  
**Applicant's request for deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, January 23, 2013, 1:00 p.m.**

**3. ITEMS REMOVED FROM CONSENT AGENDA: (See Items 1.1 and 1.3 above)**

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**COMPREHENSIVE PLAN WITH RELATED ITEMS:**

- Page 119
- 4.1a Comprehensive Plan Conformance No. 12022, to review the proposed declaration of surplus property as to conformance with the 2040 Comprehensive Plan, generally located at West B Street and S. Folsom Street.  
**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Christy Eichorn, 402-441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**  
**Had public hearing.**  
**Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 8-0 (Cornelius absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, February 4, 2013, 3:00 p.m.**
- Page 119
- 4.1b Change of Zone No. 12039, from P Public Use District to R-2 Residential District, on property generally located at West B Street and S. Folsom Street.  
**Staff recommendation: Approval**  
**Staff Planner: Christy Eichorn, 402-441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**  
**Had public hearing.**  
**Planning Commission recommendation: APPROVAL, 8-0 (Cornelius absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, February 4, 2013, 3:00 p.m.**

**PERMITS:**

4.2 Appeal to Administrative Amendment No. 12061 to Special Permit No. 2771,  
Page approving an adjustment to the side yard setback from 15 feet to 10 feet for  
127 Lot 25, Pine Lake Addition, generally located at Westshore Drive and Eiger  
Drive. **\*\*\* FINAL ACTION \*\*\***  
**Staff recommendation: Approval of the Administrative Amendment and  
Denial of the Appeal**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**  
**\*\*WITHDRAWN BY THE APPLICANT\*\***

**MISCELLANEOUS:**

4.3 Waiver No. 12025, to waive the requirement of the Land Subdivision  
Page Ordinance for the installation of sidewalks, on property generally located at  
139 S. 27<sup>th</sup> Street and Ridge Drive. **\*\*\* FINAL ACTION \*\*\***  
**Staff recommendation: Denial**  
**Staff Planner: Christy Eichorn, 402-441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**  
**\*\*WITHDRAWN BY THE APPLICANT\*\***

**5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**CHANGE OF ZONE WITH RELATED ITEMS:**

5.1a Change of Zone No. 12036, to designate the Myron Wheeler House as a  
Page Historic Landmark, on property generally located at S. 17<sup>th</sup> Street & D  
155 Street (1717 D Street).  
**Staff recommendation: Approval**  
**Staff Planner: Ed Zimmer, 402-441-6360, [ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)**  
**Had Public Hearing.**  
**Planning Commission recommendation: APPROVAL, 8-0 (Cornelius  
absent).**  
**Public Hearing before City Council tentatively scheduled for Monday,  
February 4, 2013, 3:00 p.m.**

5.1b Special Permit No. 12037, for Historic Preservation of the Myron Wheeler  
Page House for use of the premises as three residential dwelling units, on  
169 property generally located at S. 17<sup>th</sup> Street & D Street (1717 D Street).  
**\*\*\* FINAL ACTION \*\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Ed Zimmer, 402-441-6360, [ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)**  
**Had Public Hearing.**  
**Planning Commission 'final action': CONDITIONAL APPROVAL, as set  
forth in the staff report dated December 27, 2012, as revised, 8-0  
(Cornelius absent).**  
**Resolution No. PC-01316**

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**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM  
NOT ON THE AGENDA, MAY DO SO**

\* \* \* \* \*

**PENDING LIST:** *none*

**Planning Dept. staff contacts:**

Stephen Henrichsen, *Development Review Manager* . 402-441-6374 . . . . [shenrichsen@lincoln.ne.gov](mailto:shenrichsen@lincoln.ne.gov)  
David Cary, *Long Range Planning Manager* . . . . . 402-441-6364 . . . . . [dcary@lincoln.ne.gov](mailto:dcary@lincoln.ne.gov)  
Paul Barnes, *Planner* . . . . . 402-441-6372 . . . . . [pbarnes@lincoln.ne.gov](mailto:pbarnes@lincoln.ne.gov)  
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Brian Will, *Planner* . . . . . 402-441-6362 . . . . . [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Ed Zimmer, *Historic Preservation Planner* . . . . . 402-441-6360 . . . . . [ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)

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**The Planning Commission meeting  
which is broadcast live at 1:00 p.m. every other Wednesday  
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.**

\* \* \* \* \*

**The Planning Commission agenda may be accessed on the Internet at  
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

**PLANNING COMMISSION FINAL ACTION  
NOTIFICATION**

**TO :** Mayor Chris Beutler  
Lincoln City Council

**FROM :** Jean Preister, Planning

**DATE :** January 10, 2013

**RE :** Notice of final action by Planning Commission: January 9, 2013

Please be advised that on January 9, 2013, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

**Resolution No. PC-01314**, approving Special Permit No. 12039, with conditions, requested by Temple Baptist Church, to construct a parking lot within a residential zoning district to serve an existing church, including a waiver of the front yard setback requirement from 25 feet to 15 feet along Randolph Street and from 25 feet to 14 feet along South 49<sup>th</sup> Street, on property generally located at South 49<sup>th</sup> Street and Randolph Street.

**Resolution No. PC-01315**, approving Special Permit No. 12038, requested by Hampton Enterprises on behalf of Abby Normal, LLC, for authority to sell alcoholic beverages for consumption on and off the premises on property generally located at 836 North 70<sup>th</sup> Street.

**Resolution No. PC-01316**, approving Special Permit No. 12037, requested by Kevin Rhinehart, to allow the Myron Wheeler House which is proposed to be designated as a landmark, to be used as a three unit multi-family dwelling, on property located at 1717 D Street. (*Note: The associated Change of Zone No. 12036 to designate the Myron Wheeler House as a Landmark will be scheduled for public hearing before the City Council on February 4, 2013.*)

This is final action unless appealed to the City Council by filing a notice of appeal with the City Clerk within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at [www.lincoln.ne.gov](http://www.lincoln.ne.gov) (Keyword = PATS). Use the "Search Selection" screen and search by application number (i.e. SP12039, SP12038, SP12037). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

**Jean Preister**

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**From:** Michele M. Abendroth  
**Sent:** Monday, January 07, 2013 4:23 PM  
**Subject:** Lincoln MPO Travel Preference Survey

## **Lincoln Metropolitan Planning Organization Community Travel Preference Survey**

The Lincoln MPO is working with Nelson\Nygaard Consulting to develop a transportation options strategy to help Lincoln residents and those commuting to Lincoln take transit, bike, walk, and share rides. This survey is an essential first step in understanding current interests, issues, and barriers to using sustainable modes of transportation for commuters and students in the Lincoln-Lancaster region.

The survey is intended for a broad audience. It will be distributed to: (1) University students, faculty, and staff; (2) major employers such as the State of Nebraska offices; (3) neighborhood associations; and (4) other community list serves to reach all corners of the Lincoln MPO area.

Please help us distribute the survey link below to members of your organization. Forward this notice to your contacts within your organization or distribute the survey by copying and pasting the link below into an email or e-newsletter. The survey will remain open until February 1<sup>st</sup>. Survey results will be available on the Lincoln MPO website in late February.

*Please take a minute to complete the "community travel preference survey" by February 1<sup>st</sup>.*

**Community Travel Preference Survey Link for Distribution:** <https://www.surveymonkey.com/s/ZZPYX2W>

***Your participation is greatly appreciated!***

Please contact me if you have any questions.

**Mike Brienzo, Transportation Planning**  
Lincoln MPO / Lincoln-Lancaster Planning Department  
555 South 10th Street / Suite 213  
Lincoln, NE 68508  
Phone: (402) 441-6369  
email: [mbrienzo@lincoln.ne.gov](mailto:mbrienzo@lincoln.ne.gov)





# Memorandum

**Date:** ♦ January 8, 2013  
**To:** ♦ City Clerk  
**From:** ♦ Teresa McKinstry, Planning Dept.  
**Re:** ♦ Administrative Approvals  
**cc:** ♦ Jean Preister

This is a list of the administrative approvals by the Planning Director from January 1, 2013 thru January 7, 2013:

**Administrative Amendment No. 12061** to Special Permit No. 277I, Pine Lake Community Unit Plan, approved by the Planning Director on January 7, 2013, requested by Benjamin Hynek, to adjust the side yard setback adjacent to the north lot line of Lot 25, Pine Lake Addition, from 15' to 10'. The adjustment applies only for the extent of the approximate 4' x 18' proposed addition, otherwise the setback is not adjusted for the remainder of the side yard and it remains at 15'. At the request of the applicant, this approval supersedes the previous approval of December 7, 2012. Property is generally located near S. 84<sup>th</sup> St. and Pine Lake Rd.

**Administrative Amendment No. 12067** to Special Permit No. 207C, Homestead Health Care, approved by the Planning Director on January 7, 2013, requested by Architectural Design Associates, to allow an addition to the existing nursing home and revise the existing parking lot, on property generally located at S. 54<sup>th</sup> St. and LaSalle St.

C:\WINDOWS\Temporary Internet Files\Content.Outlook\ZOS3ZN0R\AA weekly approvals (6).wpd

City/County Planning Department  
555 S. 10<sup>th</sup> Street, Rm. 213  
Lincoln NE 68508  
(402) 441-7491



## Mary M. Meyer

---

**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Tuesday, January 08, 2013 9:24 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Rose Kuwamoto  
**Address:** 5500 R Street  
**City:** Lincoln, NE 68504-3426

**Phone:** 402-802-1915  
**Fax:**  
**Email:** [rose.kuwamoto@yahoo.com](mailto:rose.kuwamoto@yahoo.com)

**Comment or Question:**

I read in the Lincoln JournalStar that one of our council members wants to put Lincoln police in our high schools. NOT A GOOD IDEA. They will not stop someone bent on hurting people. Columbine had officers in there school & they did not stop the students from being killed. Mandatory education about guns & needless violence, letting both students & teachers know they can speak out about things they suspect without fear of reprisal from other students and/or management. Better mental health screening and mandatory referral of students who by their behavior, statements or actions to need counseling. There are other options than arming a school.



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

January 10, 2013

Carl Eskridge, Chair  
Lincoln City Council  
Members of the Council  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

Dear Chair Eskridge and Council Members:

Annually we review key policy areas that may be the subject of legislation on a national, state, or local basis that are of concern and importance to the electric power industry and Lincoln Electric System (LES). Our Legislative Guidelines for 2013 were reviewed and approved by the LES Administrative Board at their regular meeting on December 21, 2012. A copy of the Legislative Guidelines is enclosed for your reference. These guidelines direct LES staff in interpreting and responding to legislative and regulatory issues as they arise.

I would be happy to meet with you at any time during the year to further update you on our key local, state, or national concerns.

Sincerely,

A handwritten signature in blue ink that reads 'Shelley R. Sahling-Zart'. The signature is written in a cursive style.

Shelley R. Sahling-Zart  
Vice President & General Counsel

SRS:al

Enclosure

c: Kevin Wailes, Administrator and CEO  
Rod Confer, City Attorney  
Mayor Chris Beutler



2013

## LINCOLN ELECTRIC SYSTEM LEGISLATIVE GUIDELINES

The Lincoln Electric System (LES) Administrative Board and staff recognize that state and federal legislation and regulations on a wide variety of issues can impact LES customer/owners. These Legislative Guidelines are established and adopted by the LES Administrative Board.

LES' mission is to be a progressive leader, partnering with the community to maximize energy value and quality of life in an environmentally responsible manner. In order to further our mission, LES must actively monitor and participate in the legislative and regulatory processes that impact, or may impact, LES operations and customers.

These Guidelines identify areas of key concern on a local, state, and national policy basis. LES must assume an active and responsible role in these issues to represent and protect the interests of its customer/owners. These Guidelines also provide general identification and guidance for LES staff and information on our positions to the general public.

The Guidelines specifically address legislative and regulatory issues on a policy basis. Some of these issues are of temporary concern, but many are regularly scrutinized by judicial, legislative, and regulatory bodies and require continuous review.

The LES Executive Team will 1) monitor local, state, and federal legislative and regulatory actions pursuant to these Guidelines, 2) take actions to preserve or advance these values, and 3) report developments concerning them to the Board's Legislation and Government Affairs Committee and to the LES Administrative Board.

These Guidelines are available to anyone upon request. They are routinely distributed to legislative and regulatory agencies, elected and appointed officials, trade associations, and other community interest groups.

### **LES VISION:**

**Striving to be the world's best energy company.**

### **LES MISSION:**

**LES is a progressive leader,  
partnering with the community to maximize energy value  
and quality of life in an environmentally-responsible manner.**

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## **1. Advanced Metering**

- ▶ LES supports the development of Advanced Meter Infrastructure and other technologies that can increase operational efficiency, reduce costs, and increase the availability of information and services for the benefit of our customers.

## **2. Environment**

### 2.1 Clean Air

- ▶ LES supports implementation of federal clean air regulations in a manner that will achieve and maintain technologically-feasible emission reductions while providing planning certainty for electric utilities and equal opportunity for economic growth in all regions. LES also supports a well-defined regulatory environment that allows long-term planning, reasonable implementation timelines, cost-effective resource choices, efficient use of energy and a stable energy environment for our customers.
- ▶ LES supports state clean air initiatives that are no more stringent than federal standards.
- ▶ LES supports restraint in the application of New Source Performance Review for existing facility modifications where efficiency, environmental, and economic benefits are possible.
- ▶ LES supports cost-effective utilization of Best Available Control Technology (BACT) to achieve air emissions reduction.
- ▶ LES supports federal or international protocols that are economically feasible, based on sound scientific data, and applicable to all countries, including developing countries.

### 2.2 Climate Change

- ▶ LES supports voluntary greenhouse gas initiatives that are consistent with objectives to ensure an adequate and reliable supply of reasonably priced electricity.
- ▶ LES acknowledges that one of the most significant environmental issues facing today's policymakers is the role emissions of greenhouse gases plays in global climate change, including emissions from the combustion of fossil fuels, among others. As Congress considers legislation to address climate change, LES supports the following principles which are consistent with those established by the American Public Power Association Climate Change Task Force:

- Economy-wide application to all industry sectors with an enhanced focus on energy efficiency and conservation;
- Ensure that any legislative greenhouse gas emission reduction programs are consistent with commercially available technologies and take into consideration the financial impact on and the ability of consumers to afford such programs;
- Recognition of regional differences that can impact the fairness and effectiveness of greenhouse gas emission reduction programs;
- Allow credit for early voluntary actions taken to reduce greenhouse gas emissions; and
- Expansion of federal support for research, development and deployment of cost-effective technologies to reduce, capture, transform, transport or sequester greenhouse gas emissions from all economy-wide emission sources.

### 2.3 Cap-and-Trade

- ▶ LES has concerns about cap-and-trade proposals due to the lack of commercially viable technology to capture and sequester CO<sub>2</sub>. LES supports the following parameters for cap-and-trade proposals:
  - Allowances should be allocated to existing sources and should not be required to be purchased at auction. Allowances should also be allocated on a consistent basis. Electricity generation is responsible for approximately 40 percent of the nation's CO<sub>2</sub> emissions and should, therefore, receive 40 percent of the allowances.
  - Mandated caps should be at levels and within timeframes that can be feasibly met with commercially available technology and resources. Caps for electric utilities should not be more stringent than other industries in future years.
  - While LES opposes auctioning of allowances, any net proceeds from auctioning of allowances should be targeted for research and development, energy efficiency, and mitigation of cost impacts on consumers.
  - Legislation should allow for broad availability of greenhouse gas offsets for allowances for projects that achieve emission reductions, including reductions in CO<sub>2</sub> equivalent emissions from other sources.

## 2.4 Hazardous Materials

- ▶ LES supports adoption at the state level of legislative and regulatory requirements for the handling of hazardous materials that are no more stringent than federal requirements.
- ▶ LES supports interstate cooperation and planning for the safe, orderly, and environmentally responsible disposal of solid and hazardous wastes.
- ▶ LES supports "Hazardous Waste" designation and disposal requirements that are based on scientific evidence.

## 2.5 Wildlife and Environmental Protection

- ▶ LES supports scientific review of federal, state, and local wildlife and environmental protection regulations to assess their effectiveness and validity in preserving wildlife and natural or ecologically sensitive areas while balancing the necessity of providing for basic human services.
- ▶ LES supports the Endangered Species Act and the periodic reevaluation of endangered species designations.

# 3. **Financial**

## 3.1 Insurance Pooling

- ▶ LES supports the principle of allowing Nebraska's political subdivisions to participate in self-insurance pools, either locally or nationally, if such participation would provide sufficient liability protection and be cost-effective for LES customer/owners.

## 3.2 Taxes

- ▶ LES supports tax policy that does not inordinately burden the public power industry or its customer owners either directly or through fuels and production taxes. LES does not support taxes on electricity for the purpose of funding non-energy related programs or purposes.
- ▶ LES supports continuing exemptions from sales and use taxes on utility fuels, transactions between utilities, and services, as well as the exemption from sales tax on construction labor for generation, transmission, and distribution facilities.

### 3.3 Tax-Exempt Financing

- ▶ LES supports continuation of cost-effective access to capital markets for tax-exempt financing, without undue restrictions.
- ▶ LES opposes any new limits that reduce, eliminate, or cap the ability of municipalities and municipal utilities to utilize tax-exempt financing as it would result in significant cost increases for LES customers, or impact the marketability of existing or future municipal bonds.
- ▶ LES opposes any reduction in the Build America Bonds subsidy.

### 3.4 Financial Reform

- ▶ LES supports the exemption from the Commodities Future Trading Commission margin and reporting requirements of non-speculative hedging by publicly-owned electric utilities through energy-related swap agreements.

## 4. **Intra-Industry Dispute Resolution**

- ▶ LES supports the coordination of all public power legislation and regulations and the resolution of intrastate industry disputes through the Nebraska Power Association whenever possible.

## 5. **Personnel Issues**

### 5.1 Health and Safety

- ▶ LES supports enforcement of safety and health policies, procedures, and practices that comply with the primary, substantive requirements of the Occupational Safety and Health Administration (OSHA). However, the exemption from OSHA for governmental entities should continue.
- ▶ LES supports legislation regulating scrap copper sales or criminalizing copper theft. Thefts of copper from LES facilities are not only a monetary loss, but in many instances have created potentially unsafe work conditions for LES personnel and the public.

### 5.2 Human Resources

- ▶ LES supports legislation and regulations that enhance benefits that can be provided to LES employees on a nondiscriminatory basis without excessive administrative costs or paperwork, but opposes legislation at the state level mandating benefits beyond those required under federal law.

## 6. **Power Supply**

### 6.1 Energy Efficiency and Conservation

- ▶ LES supports continued promotion of energy efficiency and conservation, upgraded equipment efficiencies, and demand side management, through rate design, thermal and lighting efficiency standards (indoor and outdoor), financially justified customer incentives, local and national research, customer information and technical assistance.
- ▶ LES supports continued research and development of generation, transmission, and energy storage technologies with increased efficiencies to control or reduce fuel consumption and emissions.
- ▶ LES supports efficiency in the production, delivery, and use of energy. LES supports consolidated sustainability programs, including renewable energy, demand-side management, energy efficiency and conservation.

### 6.2 Fuels & Transportation

- ▶ LES supports federal and state legislation and/or regulations that foster competition and eliminate artificial pricing structures within the railroad and natural gas industries in order to ensure the lowest compensatory fuel rates for all consumers.
- ▶ Regardless of whether competition exists, LES supports legislation and regulation to require railroads to disclose their actual costs to provide shipping services and to charge shipping rates that are fair, reasonable, and non-discriminatory while allowing a reasonable rate of return on capital investment in relation to the actual costs.
- ▶ LES supports changes in regulatory proceedings to require railroads to prove that their rates are fair, reasonable and non-discriminatory, as is common for other utilities and monopolies.
- ▶ LES supports effective federal regulatory oversight that protects all captive shippers.
- ▶ LES supports an efficient and cost-effective rate relief methodology for small and medium sized rail shippers.
- ▶ LES supports captive shipper access to rate component and structure information that is tendered in competitive rate situations.
- ▶ LES supports repeal of laws that exempt the railroad companies from antitrust injunctive damages and damage remedies.

- ▶ LES supports mandatory reliability standards for the railroads with regard to deliveries of coal to coal-fired power plants.

### 6.3 Federal Hydropower Preference

- ▶ LES supports retention of existing federal preference laws, the federal power marketing agencies, and protection of power users' interests in multi-purpose projects. LES opposes an open auction of the federal PMAs to the highest bidder. If Congress determines to sell the PMAs, LES can only support sale or transfer of the PMAs to current preference customers.
- ▶ LES supports river operating procedures and practices that adequately consider the importance of renewable hydro power on electric system reliability and the regional economy as well as for operation of thermal power plants along rivers.

### 6.4 Federal Power Rates

- ▶ LES supports retention of wholesale rates based upon costs of construction, interest and amortization established for each facility related to the production of electric power at the time of its introduction to the power system. Rates for peaking power should reflect its resource utilization and value relative to firm load pattern service.

### 6.5 Non-Utility Generation

- ▶ LES supports electrical interconnections between existing utility systems and qualifying cogeneration, small power production, and other non-utility generation facilities, as administered by policy guidelines adopted by the LES Administrative Board, as well as regional transmission organizations, and the North American Electric Reliability Corporation (NERC).

### 6.6 Nuclear

- ▶ LES supports the cooperation of federal, state and local officials in ensuring that stringent safety precautions and monitoring are undertaken to assure compliance with all federal regulations for the generation of nuclear energy, the transport and storage of spent nuclear fuel, and disposal of low-level radioactive waste from Nebraska's two nuclear plants.
- ▶ LES supports state or federal direction to provide for the safe, efficient, and cost-effective disposal of low-level radioactive wastes.
- ▶ LES supports the development of next generation standardized nuclear reactors that could be effective in reducing greenhouse gases.

- ▶ LES supports the consolidation and streamlining of an effective permitting process for the next generation of nuclear generation projects.

## 6.7 Renewable Resources

- ▶ LES supports the research and continuing development of cost-effective renewable energy facilities in Nebraska in order to take advantage of Nebraska's renewable resource potential and foster sustainable economic growth.
- ▶ LES supports the inclusion of new and existing hydroelectric resources within the definition of renewable energy resources.
- ▶ LES supports the implementation of federal and state incentives at both the utility and customer levels to promote greater development of renewable energy facilities that do not jeopardize electric system reliability.
- ▶ LES does not support federal or state firm mandates that would impose minimum levels of renewable energy in a utility's resource mix, such as a Renewable Portfolio Standard, but does support the establishment of statewide or utility goals to achieve greater utilization of renewable energy resources that do not jeopardize electric system reliability.
- ▶ LES supports federal and state renewable energy incentives for public power that are comparable to those available to investor-owned utilities and other private developers, including sales tax credits and exemptions.
- ▶ LES supports legislation that provides for development and export of renewable energy while protecting public power's status and not adversely affecting the State's electric reliability or competitive rates.

## 6.8 Resource Planning

- ▶ LES supports individual utilities and their governing bodies retaining responsibility for the planning and implementation of resources, using sound Integrated Resource Planning techniques to satisfy their energy and capacity requirements in a cost-effective manner that is consistent with local public policy.
- ▶ LES supports Integrated Resource Planning processes based on sound, local costs and which exclude arbitrary adders and externalities.
- ▶ LES supports financially justified federal funding that is consistent with sound budget development practices for continued research and demonstration in distributed generation technologies, such as fuel cells, microturbines, photovoltaics, and energy storage, among others.

- ▶ LES supports participation in power supply and transmission coordination on a regional and state basis to: 1) enhance the reliability of the state and regional interconnected systems; 2) identify future power supply resource options; 3) optimize existing resources; and 4) facilitate the economical sale and exchange of energy.
- ▶ LES supports supply adequacy regulations that incorporate: 1) regional planning reserve standards; 2) verification of generation capability; 3) after-the-fact verification of compliance; and 4) penalties for noncompliance.

## 6.9 Transmission Access

- ▶ LES supports broad access to transmission for wholesale transactions that meets the following requirements:
  - a) Transmission rates that have a relationship to costs and reflect the type of service requested with non-firm or curtailable rates lower than firm capacity rates; and
  - b) NERC reliability standards, guidelines and operating practices are followed.
- ▶ LES supports the specific and targeted expansion of federal authority and financially justified funding for development of a regional and national bulk transmission system. This expansion should be directed toward the improved reliability of the system, the long term capability to deliver economic resources to load centers, and utilization of renewable energy.
- ▶ LES supports the full recognition of existing transmission agreements and contracts and preservation of the physical transmission rights. These “grandfathered” arrangements represent a fundamental and long term investment by and economic benefit to LES customers.
- ▶ LES supports regional allocation of new bulk transmission construction projects based upon the following principles: (i) only projects that have a benefit/cost ratio greater than one for long-term economic value, based on quantifiable factors, should be eligible for regional cost allocation; (ii) the allocation of costs should be based on cost distributions which provide a long-term benefit/cost ratio of greater than one for all regional participants; and (iii) cost allocation should include an “after the fact analysis” to determine, and correct if necessary, unintended cost impacts that create financial winners and losers resulting from operation of the new facilities.
- ▶ LES supports federal legislation regarding regional transmission organizations (RTOs) if it is a) applicable to all existing and developing transmission organizations, b) provides a mechanism to contain the organizational, capital, and

operating costs of RTOs, and c) mandates RTO stakeholder participation and authority at the board of director level.

- ▶ LES supports efforts to promote communication and coordination between RTOs, inter-regional transmission planning efforts, and appropriately designed inter-regional project cost allocation mechanisms.
- ▶ LES supports state legislation to clarify Nebraska electric utilities' right of first refusal with regard to the construction of new transmission facilities in Nebraska.

#### 6.10 Wholesale Power Markets

- ▶ LES supports the development of competitive wholesale power markets.
- ▶ LES supports open access to infrastructure to stimulate the marketing of electricity as a commodity including viable trading hubs, regional transmission organizations (RTOs), and removal of transmission barriers. While recognizing that some price volatility is inherent in the developing electricity markets, LES remains concerned that some price spikes may be the result of market manipulation and transmission constraints that are allowed to persist to capture inordinate market power.
- ▶ LES supports mandatory supply adequacy for both planning and operating reserves.

### 7. **Products & Services**

#### 7.1 Communications

- ▶ LES supports the ability of municipalities to utilize municipal infrastructure to provide telecommunication services and opposes legislation that prohibits municipalities from providing such infrastructure and service in their communities.
- ▶ LES supports open access by any entity to public utility communications infrastructure when available, such as dark fiber, and partnerships with other providers to enhance the reliability and breadth of communications services to consumers and to enhance economic development.
- ▶ LES supports the Utilities Telecommunications Council's (UTC) and the American Public Power Association's (APPA) efforts to oppose all Federal Communications Commission (FCC) spectrum reallocation proposals that adversely affect the reliability of communications systems used by electric utilities.

## 7.2 Customer Service

- ▶ LES supports fair, reasonable, and nondiscriminatory policies that provide customers with due process, adequate time, and consideration of individual circumstances in the payment of electric bills.
- ▶ LES supports utility cooperation in assisting federal, state, and local social service agencies that provide financial assistance for essential energy needs.

## 7.3 Economic Development

- ▶ LES supports activities that recognize the positive role public power plays in any effort to enhance sustainable economic development in the Lincoln area and throughout Nebraska.

## 7.4 Electric Transportation

- ▶ LES supports continued research, development, and commercialization of plug-in and other hybrid electric vehicles that are practical and cost-competitive.
- ▶ LES supports research into the impact of plug-in hybrid electric vehicles on existing and future electric distribution systems and demand-side management opportunities.

## 7.5 Rates/Pricing of Services

- ▶ LES supports cost-based rates combining embedded and marginal costing principles as applicable. Low cost-based rates represent a major competitive advantage and economic incentive for business and other economic development for the Lincoln area and throughout Nebraska.
- ▶ LES rates reflect, to the extent practicable, the cost of providing service to each class of electric consumer, and to appropriate levels of usage within the class. The process used to adopt LES rates is an open, public process.
- ▶ LES opposes mandated feed-in tariffs to incent renewable energy development.
- ▶ LES opposes using customer electric utility bills as a collection vehicle for third-party loans or programs.

## **8. Public Ownership**

- ▶ LES supports continued public ownership of Nebraska power systems to maintain the low cost, efficient, responsive customer owned systems developed through the past 70+ years.
- ▶ LES supports existing eminent domain authority and opposes modifications that weaken the condemnation authority of public utilities or municipalities.

## **9. Public Partnerships**

- ▶ LES supports the continued ability of public entities to create joint ventures with both public and private entities with the authority to plan, develop, finance, and operate energy projects in their mutual interests.

Adopted: December 21, 2012

**DIRECTORS' AGENDA  
ADDENDUM  
MONDAY, JANUARY 14, 2013**

**I. CITY CLERK**

**II. MAYOR & DIRECTORS CORRESPONDENCE**

**MAYOR**

1. NEWS RELEASE. Nomination deadline extended for Mayor's Arts Awards.
2. Mayor Beutler's public schedule for the week of January 12, 2013 through January 18, 2013.
3. NEWS RELEASE. City Independence Day celebration to be held July 3<sup>rd</sup>.
4. NEWS RELEASE. Parking to be temporarily allowed on Lincoln Mall.

**III. DIRECTORS**

**PLANNING DEPARTMENT**

1. Historic Preservation Commission meeting agenda for January 17, 2013.

**IV. COUNCIL MEMBERS**

**V. CORRESPONDENCE FROM CITIZENS**

1. Copy of LES Legislative Guidelines letter to Mayor Beutler.
2. Lincoln Electric System meeting agenda for January 18, 2013. Full agenda and support materials can be found at [www.les.com](http://www.les.com).

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** January 10, 2013

**FOR MORE INFORMATION:** Deb Weber, Lincoln Arts Council, 402-434-2787

**NOMINATION DEADLINE EXTENDED**  
**FOR MAYOR'S ARTS AWARDS**

Nominations will be accepted until **5 p.m. Monday, January 28** for the 35th annual Mayor's Arts Awards. The awards will be presented by the Lincoln Arts Council (LAC) the evening of Wednesday June 12 at the Lied Center. The Mayor's Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area. Nomination forms are available by calling the LAC at 402-434-2787 or printing a form from the LAC website, [www.artscene.org](http://www.artscene.org). A list of previous winners also is available at that website.

Winner in the following categories will be selected by a panel of arts professionals:

- The **Arts Organization Award** recognizes an arts group that has made significant contributions to Lincoln's arts community over a period of years.
- The **Artistic Achievement Award - Visual Arts** recognizes excellence and accomplishment in any of the visual arts, including theatre and film.
- The **Artistic Achievement Award - Youth** recognizes excellence and accomplishment in any arts discipline by a young person age 18 or younger.
- The **Artistic Achievement Award - Performing Arts** recognizes excellence and accomplishment in any of the performing arts, including film.
- The **Gladys Lux Education Award** recognizes special initiatives in or dedication to arts education and is endowed by the Gladys Lux Foundation.
- The **Heart of the Arts Award** recognizes an individual or organization for outstanding volunteer dedication to the arts or for making a major overall impact on the arts in Lincoln.
- The **Outstanding Event Award** recognizes a performance, exhibition or project in the previous year (2012) that will be notable in the community memory for years to come because of its content or cultural significance.
- The **Halcyon Allsman Benefactor of the Arts Award** honors an individual, family, organization or business making significant financial contributions to the arts.
- The **"Arts for Kids" Award** honors an individual from outside of the arts professions whose leadership has enhanced arts activities and experiences for children

Nominations from the previous year are automatically resubmitted, and updates to the 2012 nominations will be accepted. The public also is encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2012 for memorial recognition at the event.

Date: January 11, 2013

Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

**Mayor Beutler's Public Schedule**  
**Week of January 12 through 18, 2013**  
*Schedule subject to change*

Saturday, January 12

- Weight Watchers "One Amazing Day" celebration, remarks - noon, Weight Watchers, 2755 Jamie Lane, Suite 1

Monday, January 14

- Mayor's Award of Excellence presentation - 3 p.m., Council Chambers, County-City Building, 555 S. 10th St.
- Mayor's Neighborhood Roundtable meeting - 5:30 p.m., Mayor's Conference Room, County-City Building

Tuesday, January 15

- KLIN - 8:10 a.m.

Thursday, January 17

- KFOR - 7:45 a.m.

Friday, January 18

- Martin Luther King Jr. Freedom Breakfast 2013, remarks - 7:30 a.m., Embassy Suites, 1040 "P" St.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** January 11, 2013

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

**CITY INDEPENDENCE DAY CELEBRATION TO BE HELD JULY 3**

Mayor Chris Beutler today announced that the City's annual Uncle Sam Jam Independence Day celebration and fireworks show will be held Wednesday, July 3 at Oak Lake Park, 1st and Charleston streets. In case of inclement weather, the event will be moved to Friday, July 5.

The City has been able to reduce personnel costs the past two years by holding the celebration on a non-City holiday. Mayor Beutler said the City also has received positive comments from residents who enjoy having the nighttime fireworks show precede a day off work and those who enjoy family gatherings on July 4th.

The 2012 event was held July 3, and the 2011 event was held July 2. In 2010, rain caused the event to be moved to July 5. In 2009, the event was moved to July 3 to accommodate the Larry the Cable Guy show.

More information on the annual celebration will be available in June.

**PUBLIC WORKS AND UTILITIES DEPARTMENT**

555 S. 10th Street, Lincoln, NE 68508, 402-441-7548

**FOR IMMEDIATE RELEASE:** January 11, 2013

**FOR MORE INFORMATION:** Randy Hoskins, Asst. City Engineer, 402-450-1216

Steve Owen, Lincoln Water System, 402-441-5925

**PARKING TO BE TEMPORARILY ALLOWED ON LINCOLN MALL**

Beginning Monday, January 14, the City will allow parking on the north side of Lincoln Mall from 11th to 14th streets until parking along 14th Street on the west side of the Capitol is restored. Parking has not been allowed on the east side of 14<sup>th</sup> street from “H” to “K” since December 17 because of a water main replacement project. The contractor expects to finish that project by the end of the month.

Public Works and Utilities Director Miki Esposito said the temporary parking will be allowed to accommodate those attending hearings and other proceedings of the Nebraska Legislature. The legislative session started January 9.

The City will temporarily remove the “no parking” signs on the north side of Lincoln Mall, and the Lincoln Police Department has been notified of the change.

# Historic Preservation Commission

The City of Lincoln Historic Preservation Commission will hold a public meeting on Thursday, **January 17, 2013**. The meeting will convene at **1:30 p.m.** in Room 214 in Development Services Center, 2<sup>nd</sup> floor, **County-City Building**, 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

**January 17, 2013**

## **AGENDA**

1. Approval of HPC meeting record of December 20, 2012.
2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

## **HEARING AND ACTION**

3. Application by Sigma Alpha Epsilon Fraternity for designation of 635 N. 16<sup>th</sup> Street as a Landmark, in accord with LMC 27.57.120.
4. Application by Speedway Properties for a Certificate of Appropriateness for work at 6038 Havelock Avenue in the Havelock Avenue Landmark District.
5. Application by Scott Sullivan on behalf of Speedway Properties for work at 800 Q Street, the "Tool House" building in Haymarket Landmark District.
6. Application by Sinclair Hille on behalf of Lead Belly for work at 301 N. 8<sup>th</sup> Street, the Seaton & Lea Building, in the Haymarket Landmark District.

## **DISCUSSION**

7. Misc.
8. Staff Report.

**The Historic Preservation Commission agenda may be accessed on the Internet at**  
<http://www.lincoln.ne.gov/city/plan/bdscom/hpc/index.htm>

**For further information on Historic Preservation in Lincoln, visit**  
<http://www.lincoln.ne.gov/city/plan/hist/index.htm>



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

January 10, 2013

The Honorable Chris Beutler  
Mayor of Lincoln  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

Dear Mayor Beutler:

Annually we review key policy areas that may be the subject of legislation on a national, state, or local basis that are of concern and importance to the electric power industry and Lincoln Electric System (LES). Our Legislative Guidelines for 2013 were reviewed and approved by the LES Administrative Board at their regular meeting on December 21, 2012. A copy of the Legislative Guidelines is enclosed for your reference. These guidelines direct LES staff in interpreting and responding to legislative and regulatory issues as they arise.

I would be happy to meet with you at any time to further update you on our key local, state, or national concerns.

Sincerely,

Shelley R. Sahling-Zart  
Vice President & General Counsel

SRS:al

Enclosure

c: Kevin Wailes, Administrator and CEO  
Denise Pearce, Mayor's Office  
Rod Confer, City Attorney  
Lincoln City Council, w/o enclosure  
Bruce Bohrer, Lincoln Chamber of Commerce

Board agenda

Jan. 18, 2013  
Lincoln Electric System  
1040 O St.

9:30 a.m.

1. **Call to Order**
2. **Election of Officers for 2013**
3. **Approval of Minutes of the Dec. 21, 2012, Regular Meeting of the LES Administrative Board**
4. **Comments from Customers**
5. **Committee Reports**
  - A. Operations & Power Supply Committee
  - B. Budget & Rates Committee
  - C. Finance & Audit Committee
  - D. District Energy Corporation Report
6. **Administrator & CEO Reports**
  - A. Corporate Key Indicators – Benchmark Study Review
  - B. 2012 Preliminary Financial Review
  - C. 2012 Year-End Summary
  - D. State Legislative Report
7. **Chief Operating Officer's Reports**
  - A. Year-End Business Indicators
  - B. Contact Center Report
  - C. 2012 Sustainability Target Report
  - D. Power Supply 2012 Year-End Review
8. **Other Business**
  - A. Monthly Financial and Power Supply Reports
  - B. Miscellaneous Information
9. **Adjournment**

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**MINUTES**  
**DIRECTORS' MEETING**  
**MONDAY, JANUARY 14, 2013**

**Present:** Carl Eskridge, Chair; Gene Carroll; Jonathan Cook; Doug Emery; Lloyd Hinkley; and DiAnna Schimek

**Absent:** Jon Camp, Vice Chair

**Others:** Joan Ross, City Clerk; Trish Owen, Deputy Chief of Staff; and Denise Pearce, Senior Policy Counsel

Chair Eskridge opened the meeting at 2:00 p.m. and announced the location of the Open Meetings Act.

**I. CITY CLERK**

In outlining the formal agenda Ross stated there are no liquor applications today. Items No. 17 and 18 are for different types of items, Motor Fuels and Police Clothing, and should they be called separately? Eskridge thought to call separate, with agreement of other Council Members. Ross then stated on page 5, Items No. 24, 25, and 26, involve a Funding Agreement, Construction Engineering Services, and a Program Agreement, does Council want these Items called separately? Emery thought to call together, with agreement of other Council Members. Continuing, Ross stated on Item No. 28 do have a Motion to Amend, No. 1, to reflect the renaming. She inquired if there were any questions.

**II. MAYOR & DIRECTORS CORRESPONDENCE**

**MAYOR**

1. NEWS RELEASE. Mayor presents November Award of Excellence to Harmony Jones, Amanda Laurenceau, Milly Shields, and Dylan Woldt, Ballard Pool lifeguards from the Parks and Recreation Aquatics Division.
  2. NEWS RELEASE. New office and retail complex planned for West Haymarket.
  3. NEWS RELEASE. Tree recycling continues at seven sites.
- No Comment

Owen stated nothing from the Mayor's Office.

**III. DIRECTORS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE. Health Department reports two flu deaths, strongly recommends immunization.
  2. Lincoln-Lancaster County Health Department, Board of Health, meeting minutes of December 11, 2012.
  3. Lincoln-Lancaster County Health Department, December report, 2012.
- No Comment

**PLANNING COMMISSION**

1. Action by the Planning Commission, January 9, 2013.
  2. Planning Commission Final Action final action.
- No Comment

**PLANNING DEPARTMENT**

1. Lincoln Metropolitan Planning Organization Community Travel Preference Survey.
2. Administrative approvals by the Planning Director from January 1, 2013 through January 7, 2013.

No Comment

**IV. COUNCIL MEMBERS**

No additional comments from Council Members.

**V. CORRESPONDENCE FROM CITIZENS**

1. InterLinc correspondence from Rose Kuwamoto. Lincoln police in our high schools not a good idea.
2. Lincoln Electric System Legislative Guidelines, 2013.

No comment

Chair Eskridge adjourned the meeting at 2:04 p.m.