

**DIRECTORS' MEETING**  
**MONDAY, MARCH 11, 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. Storytimes to focus on vision care at the Lincoln City Libraries.
2. NEWS RELEASE. New parking meter installation to begin Wednesday, March 7, 2013.
3. NEWS RELEASE. Check out Teen Tech Week @ Libraries.

**WEST HAYMARKET JOINT PUBLIC AGENCY**

1. The West Haymarket Joint Public Agency originally scheduled to meet in room 303 of the County-City Building will now be held in Council Chamber on March 7<sup>th</sup>, 3:00 p.m.

**III. DIRECTORS**

**FINANCE**

1. Correspondence pertaining to the City of Lincoln Comprehensive Annual Financial Report.
  - a) Memo from Steve Hubka, Finance Director, regarding the City of Lincoln Comprehensive Annual Financial Report;
  - b) Auditor BKD's letter to Mayor Beutler and the Lincoln City Council; and
  - c) Comprehensive Annual Financial Report for the fiscal year ended August 31, 2012 on file in the City Council office.

**HEALTH DEPARTMENT**

1. NEWS RELEASE. Appointments available for household hazardous waste collection.

**PLANNING COMMISSION**

1. Action by the Planning Commission on March 6, 2013.
2. Planning Commission Final Action of March 6, 2013.

**PLANNING DEPARTMENT**

1. Administrative approvals by the Planning Director from February 26, 2013 through March 4, 2013.

**URBAN DEVELOPMENT**

1. Memo from David Landis, Urban Development Director, regarding the West Haymarket P Street and Canopy Street Redevelopment.

**IV. COUNCIL MEMBERS**

**V. CORRESPONDENCE FROM CITIZENS**

1. Letter from the Board of Directors of the American Institute of Architects, Lincoln Chapter, expressing concern of design review procedures on Project Oscar

## LINCOLN CITY LIBRARIES

136 S. 14th Street, Lincoln, NE 68508, 402-441-8500

**FOR IMMEDIATE RELEASE:** March 4, 2013

**FOR MORE INFORMATION:** Vicki Wood, Lincoln City Libraries, 402-441-8565

### STORYTIMES TO FOCUS ON VISION CARE

Lincoln City Libraries is observing Save Your Vision Month with preschool storytimes focusing on eyes and how to care for them. Staff from Ameritas Group Division will also be on hand to provide information to parents about vision care.

These special storytimes are scheduled for 10:30 a.m. on the following dates:

- Tuesday, March 19, Anderson Branch Library, 3635 Touzalin Avenue
- Thursday, March 21, Gere Branch Library, 2400 S. 56th Street
- Tuesday, March 26, Gere Branch Library
- Wednesday, March 27, Anderson Branch Library

For more information about Lincoln City Libraries and library events, visit [lincolnlibraries.org](http://lincolnlibraries.org). Or call 402-441-8500.

**URBAN DEVELOPMENT DEPARTMENT**

Parking Services, 850 "Q" Street, Lincoln, NE 68508, 402-441-7275

**FOR IMMEDIATE RELEASE:** March 5, 2013

**FOR MORE INFORMATION:** Scott Vrbka, Parking Services, 402-441-4623

**NEW PARKING METER INSTALLATION TO BEGIN WEDNESDAY**

The City will begin installing 1,400 new "smart" parking meters downtown Wednesday, March 6. Duncan Parking Solutions and three teams from Republic Parking will install the meters, and they hope to have the project completed by Monday, March 11.

Duncan Parking Solutions arrived in Lincoln February 19 and has been programming the meters for each location and testing their use for credit cards and coins. Duncan Solutions also had to replace and install new retainer plates in order for the new meter mechanisms to fit in the meter housing. The new meters will be solar-powered and programmable and will accept credit, debit and pre-paid parking cards and dollar coins in addition to dimes and quarters.

The City maintains about 2,300 parking meters downtown. The new meters will be installed generally in the area bounded by 7th, 16th, "M" and "R" streets. New meters also will be installed in the Haymarket lot north of "O" street and on 14th and "W" streets on the UNL campus. Some of the meters will be multi-space meters.

Beginning Monday, March 11, the hourly rate at all downtown meters will increase from 50 cents to \$1, the first meter rate increase since 1995. After the rate change, City-owned parking garages will be the cheapest downtown parking option.

The new Liberty brand meters from Duncan Solutions cost about \$500 each and another \$6,000 for management and training. The expense is covered through the City parking fund, and no General Fund tax dollars are being used. The City Council approved the new meters and the rate increase as part of the budget process.

For more information on downtown parking, call Parking Services at 402-441- PARK (7275) or visit [parkandgo.org](http://parkandgo.org).

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***MEDIA NOTE: If you would like to cover the meter installation, contact Scott Vrbka, Interim City Parking Manager, at 402-441-4623 or Tony Bisesi, Republic Parking General Manager, at 402-441-4613.***

## LINCOLN CITY LIBRARIES

136 S. 14th Street, Lincoln, NE 68508, 402-441-8500

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

**FOR MORE INFORMATION:** Vicki Wood, Lincoln City Libraries, 402-441-8565

### **CHECK OUT TEEN TECH WEEK @ LIBRARIES**

Lincoln City Libraries is observing Teen Tech Week March 10 through 16 to showcase the wide variety of outstanding technology the libraries have to offer teens. Services include online homework help, e-books, audio books, databases and more. Teens visiting four or more times during the week will be entered into a drawing to win an iTunes gift card.

The Pew Internet and American Life project found that 93 percent of teens go online to use social networking sites, find news and information, share content they create and look for health information.

“Teens need to know that the library is a trusted resource for accessing information,” said Library Director Pat Leach. “Librarians are the experts who can help them develop the skills they need to use electronic resources effectively and efficiently.”

Teen Tech Week, a national initiative sponsored by the Young Adult Library Services Association, is aimed at teens, parents, educators and other concerned adults. The purpose of the initiative is to ensure that teens are competent and ethical users of technologies, especially those that are offered through libraries such as DVDs, databases, audio books, and video games.

More information about Teen Tech Week and related activities is available at [lincolnlibraries.org](http://lincolnlibraries.org).

**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** West Haymarket JPA March 7 meeting room location change

The West Haymarket Joint Public Agency (JPA) public meeting at 3 p.m. Thursday, March 7, originally scheduled to be in room 303 of the County-City Building, will now be held in Council Chambers, first floor, County-City Building.

David Norris  
Citizen Information Center  
City of Lincoln  
(402) 441-7547

**Mary M. Meyer**

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**From:** Janice L. Folkner  
**Sent:** Tuesday, March 05, 2013 8:49 AM  
**To:** Council Packet  
**Cc:** Steve D. Hubka; Peggy Tharnish; Jane L. Tillman  
**Subject:** City of Lincoln Comprehensive Annual Financial Report  
**Attachments:** Memo for Council Packet - CAFR 2012.pdf; 2012 CAFR CITY OF LINCOLN,NE.pdf; 2012 City Audit Communication Letter.pdf

Please see attached documents in regards to the City of Lincoln Comprehensive Annual Financial Report.

Thank you.

*Janice Folkner*

EXECUTIVE SECRETARY TO DIRECTOR | FINANCE ADMINISTRATION | 555 S. 10TH ST | LINCOLN, NE 68508  
P 402-441-7411 | F 402-441-8325 | [jfolkner@lincoln.ne.gov](mailto:jfolkner@lincoln.ne.gov)



# Memo

To: Members of the City Council  
From: Steve Hubka, Finance Department  
Date: 3/5/2013  
Re: City of Lincoln Comprehensive Annual Financial Report

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Attached to this memo are the following items:

- Comprehensive Annual Financial Report for the year ended August 31, 2012
- Single Audit Report on the Expenditure of Federal Funds
- Auditor's Letter to the Mayor and City Council

If you have questions about this information, please let me know.

The Honorable Mayor, Members of  
the Audit Committee and Management  
City of Lincoln, Nebraska

As part of our audit of the financial statements and compliance of the City of Lincoln, Nebraska (City) as of and for the year ended August 31, 2012 and our audits of the financial statements of the City of Lincoln, Nebraska Solid Waste Management Fund (Solid Waste), Community Health Permanent Endowment Fund (CHE), Emergency Medical Services Fund (EMS), and Lincoln Parking System (Parking), we wish to communicate the following to you.

## AUDIT SCOPE AND RESULTS

### **Auditor's Responsibility Under Auditing Standards Generally Accepted in the United States of America and the Standards Applicable to Financial Audits Contained in Government Auditing Standards Issued by the Comptroller General of the United States and U.S. Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations**

An audit performed in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Nonprofit Organizations* is designed to obtain reasonable, rather than absolute, assurance about the financial statements and about whether noncompliance with the types of compliance requirements described in OMB Circular A-133 that could have a direct and material effect on a major federal program occurred. In performing auditing procedures, we establish scopes of audit tests in relation to the financial statements taken as a whole. Our engagement does not include a detailed audit of every transaction. The 2012 audits of the financial statements and compliance of the City were performed in accordance with the standards described in this paragraph. Our engagement letter more specifically describes our responsibilities.

An audit performed in accordance with auditing standards generally accepted in the United States of America is designed to obtain reasonable, rather than absolute, assurance about the financial statements. In performing auditing procedures, we establish scopes of audit tests in relation to the financial statements taken as a whole. Our engagement does not include a detailed audit of every transaction. The 2012 audits of Solid Waste, CHE, EMS and Parking were performed in accordance with the standards described in this paragraph. Our engagement letter more specifically describes our responsibilities.

These standards require communication of significant matters related to the financial statement and compliance audits that are relevant to the responsibilities of those charged with governance in overseeing the financial reporting process. Such matters are communicated in the remainder of this letter or have previously been communicated during other phases of the audit. The standards do not require the auditor to design procedures for the purpose of identifying other matters to be communicated with those charged with governance.

Audits of the financial statements and compliance do not relieve management or those charged with governance of their responsibilities. Our engagement letter more specifically describes your responsibilities.

## **Qualitative Aspects of Significant Accounting Policies and Practices**

### *Significant Accounting Policies*

The City's significant accounting policies are described in Note 1 of the Comprehensive Annual Financial Report (CAFR). The significant accounting policies of Solid Waste, CHE, EMS and Parking are described in Note 1 of the respective audited financial statements. The following accounting policies and practices are of significant importance to the City's financial statements:

- *Fund accounting and the reconciliation of the governmental fund and government wide financial statements*
- *Determination of potential component units, including the inclusion of the West Haymarket Joint Public Agency in the City's CAFR*

### *Alternative Accounting Treatments*

No matters are reportable

### *Management Judgments and Accounting Estimates*

Accounting estimates are an integral part of financial statement preparation by management, based on its judgments. The following areas involve significant areas of such estimates for which we are prepared to discuss management's estimation process and our procedures for testing the reasonableness of those estimates:

- *Accrued closure/post-closure care costs – Solid Waste*
- *Allowance for uncollectible accounts – City, Solid Waste and EMS*
- *Net ambulance services revenue – EMS*
- *Other post-employment benefits (OPEB) – all reports*
- *Valuation of investments – City and CHE*
- *Determination of Investment in Joint Venture balance – City*
- *Unearned revenue - Parking*

### *Financial Statement Disclosures*

The following areas involve particularly sensitive financial statement disclosures for which we are prepared to discuss the issues involved and related judgments made in formulating those disclosures:

- *Fund balance classifications (GASB 54) – City*
- *Commitments and contingencies – City*
- *Subsequent events – City and Parking*

### **Audit Adjustments**

During the course of any audit, an auditor may propose adjustments to financial statement amounts. Management evaluates our proposals and records those adjustments which, in its judgment, are required to prevent the financial statements from being materially misstated. Areas in which adjustments were proposed and recorded include:

- *Investment advisory fees payable and investment income – CHE*
- *Inventory - EMS*

### **Auditor’s Judgments About the Quality of the City’s Accounting Principles**

No matters are reportable

### **Disagreements with Management**

No matters are reportable

### **Difficulties Encountered in Performing the Audit**

No matters are reportable

### **Other Material Written Communications**

Listed below are other material written communications between management and us related to the audit:

- *Management representation letter (attached)*
- *Communication letter to the Board of Trustees – CHE*

### **OTHER MATTERS**

We observed the following matters and offer these comments and suggestions with respect to matters which came to our attention during the course of the audit of the financial statements. Our audit procedures are designed primarily to enable us to form an opinion on the financial statements and, therefore, may not bring to light all weaknesses in policies and procedures that may exist. However, these matters are offered as constructive suggestions for the consideration of management as part of the ongoing process of modifying and improving financial and administrative practices and procedures. We can discuss these matters further at your convenience and may provide implementation assistance for changes or improvements if you require.

#### *Documentation of Standard Accounting Procedures*

During our testing at various City departments, we noted that not all departments maintain documentation of their standard accounting policies and procedures. We recommend each department maintain formal documentation of such procedures in the event of an unexpected absence of the primary individual performing the procedures.

### *Restrictive Endorsement of Checks Received*

The City's internal policies and procedures suggest that checks received at all City departments be restrictively endorsed at the time of receipt to strengthen internal controls over cash inflows. During our internal control walkthrough testing, we identified several checks which did not include this restrictive endorsement. We suggest management emphasize to all City departments the importance of restrictively endorsing checks received and adhering to all other policies and procedures.

### *New Accounting and Auditing Standards*

#### **Statement on Auditing Standards No. 122, Clarification and Recodification**

In October 2011, the AICPA released Statement on Auditing Standards No. 122, *Clarification and Recodification*, commonly known as the Clarity Standards. The Clarity Standards will be effective for the City's audit for its fiscal year ending August 31, 2013. While the Clarity Standards primarily clarify existing standards, they include one new set of requirements likely to have a significant impact on your audit.

The Clarity Standards introduce the concept of a "group audit". A group audit is an audit of an organization consisting of multiple components. Components can be separate legal entities such as subsidiaries or joint ventures, but may also include various operating segments, divisions, or departments. The group audit performance and communication requirements are significantly more extensive than required in the past.

Implementation of the group audit requirements may require additional audit time once they become effective. As we evaluate our approach to applying these requirements to your audit, we will let you know how this affects you and BKD.

#### **Governmental Accounting Standards Board Statement No. 60**

The Governmental Accounting Standards Board (GASB) has issued Statement No. 60, *Accounting and Financial Reporting for Service Concession Arrangements*, to improve financial reporting by addressing issues related to service concession arrangements (SCAs), which are a type of public-private or public-public partnership. As used in this Statement, an SCA is an arrangement between a transferor (a government) and an operator (governmental or nongovernmental entity) in which (1) the transferor conveys to an operator the right and related obligation to provide services through the use of infrastructure or another public asset in exchange for significant consideration and (2) the operator collects and is compensated by fees from third parties.

Statement No. 60 is effective for the City's fiscal year ending August 31, 2013.

#### **Governmental Accounting Standards Board Statement No. 61**

The Governmental Accounting Standards Board (GASB) has issued Statement No. 61, *The Financial Reporting Entity-Omnibus – An Amendment of GASB Statements No. 14 and No. 34*, to improve financial reporting for a governmental financial reporting entity. The requirements of GASB Statements No. 14 and No. 34 were amended to better meet user needs and to address reporting entity issues that have arisen since the issuance of those Statements.

Statement No. 61 is effective for the City's fiscal year ending August 31, 2013.

### **Governmental Accounting Standards Board Statement No. 62**

The Governmental Accounting Standards Board (GASB) has issued Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, to incorporate into the GASB's authoritative literature certain accounting and financial reporting guidance that is included in pre-November 30, 1989 FASB and AICPA pronouncements, which does not conflict with or contradict GASB pronouncements. This Statement also supersedes Statement No 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, thereby eliminating the election provided in paragraph seven of that Statement for enterprise funds and business-type activities to apply post-November 30, 1989, FASB Statements and Interpretations that do not conflict with or contradict GASB pronouncements.

This statement will eliminate the need for financial statement preparers and auditors to determine which FASB and AICPA pronouncement provisions apply to governments, thereby resulting in a more consistent application of applicable guidance in financial statements of governmental entities.

Statement No. 62 is effective for the City's fiscal year ending August 31, 2013.

### **Governmental Accounting Standards Board Statement No. 63**

The Governmental Accounting Standards Board (GASB) has issued Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. This Statement amends the net asset reporting requirements in GASB Statement No. 34 and other pronouncements by incorporating deferred outflows of resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets. This Statement provides guidance for reporting net position within a framework that includes deferred outflows of resources and deferred inflows of resources, in addition to assets and liabilities, which was not addressed in previous accounting guidance.

Statement No. 63 is effective for the City's fiscal year ending August 31, 2013.

### **Governmental Accounting Standards Board Statement No. 65**

The Governmental Accounting Standards Board (GASB) has issued Statement No. 65, *Items Previously Reported as Assets and Liabilities*. This Statement establishes accounting and financial reporting standards that reclassify certain items that were previously reported as assets and liabilities as deferred outflows or deferred inflows of resources, or as current period outflows or inflows of resources. The requirements of this Statement will improve financial reporting by clarifying the appropriate use of deferred outflows of resources and deferred inflows of resources to ensure consistency in financial reporting.

Statement No. 65 is effective for the City's fiscal year ending August 31, 2014.

### **Governmental Accounting Standards Board Statement No. 68**

The Governmental Accounting Standards Board (GASB) has issued Statement No. 68, *Accounting and Financial Reporting for Pensions, an amendment of GASB Statement No. 27*. This Statement improves accounting and financial reporting by state and local governments for pensions, by revising certain measurement and disclosure requirements with the intent of providing decision-useful information, supporting assessments of accountability and interperiod equity, and enhancing transparency. Governments with pensions need to closely evaluate the impact of this Standard, as the revisions outlined by GASB may require many governments to recognize a much larger pension liability than is being currently reported.

Statement No. 68 is effective for the City's fiscal year August 31, 2015.

*Accounting Standards Currently Being Proposed by GASB*

**Economic Conditions Reporting: Financial Projections**

The Governmental Accounting Standards Board (GASB) is deliberating the issuance of a new standard that would require governments of all types and sizes to include forward-looking information (projections) in their financial statements to provide an assessment of fiscal sustainability. The Board has issued Preliminary Views for this proposed standard and deliberation is expected to continue throughout 2013. We suggest the City evaluate the impact this standard may have on the financial statement preparation and reporting process, and submit comments to GASB expressing any suggestions or concerns.

\* \* \* \*

This communication is intended solely for the information and use of management, the Mayor, Members of the Audit Committee and City Council and others within the organization and is not intended to be and should not be used by anyone other than these specified parties.

*BKD, LLP*

February 25, 2013



**FINANCE DEPARTMENT**

555 South 10th Street Suite 103 Lincoln, NE 68508  
402-441-7411 fax: 402-441-8325 lincoln.ne.gov

February 25, 2013

**BKD, LLP**  
Certified Public Accountants  
1248 "O" Street, Suite 1040  
Lincoln, Nebraska 68508

We are providing this letter in connection with your audit of our financial statements as of and for the year ended August 31, 2012, and your audit of our compliance with requirements applicable to each of our major federal awards programs as of and for the year ended August 31, 2012. We confirm that we are responsible for the fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America. We are also responsible for adopting sound accounting policies, establishing and maintaining effective internal control over financial reporting, operations and compliance, and preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, the following:

1. The financial statements referred to above are fairly presented in conformity with accounting principles generally accepted in the United States of America for each opinion unit included therein.
2. We have made available to you:
  - (a) All financial records and related data.
  - (b) All minutes of meetings of the governing body held through the date of this letter.
  - (c) All significant contracts and grants.

3. We have informed you of all current risks of a material amount that are not adequately prevented or detected by City procedures with respect to:
  - (a) Misappropriation of assets.
  - (b) Misrepresented or misstated assets, liabilities, net assets, or fund balances.
4. We acknowledge our responsibility for the design and implementation of programs and controls to prevent and detect fraud.
5. Except as disclosed to you, we have no knowledge of any known or suspected:
  - (a) Fraudulent financial reporting or misappropriation of assets involving management or employees who have significant roles in internal control.
  - (b) Fraudulent financial reporting or misappropriation of assets involving others that could have a material effect on the financial statements.
6. Except as disclosed to you, we have no knowledge of any allegations of fraud or suspected fraud affecting the City, received in communications from employees, customers, regulators, suppliers, or others.
7. Except as reflected in the financial statements, there are no:
  - (a) Plans or intentions that may materially affect carrying values or classifications of assets and liabilities.
  - (b) Material transactions omitted or improperly recorded in the financial statements.
  - (c) Material gain/loss contingencies requiring accrual or disclosure, including those arising from environmental remediation obligations.
  - (d) Events occurring subsequent to the balance sheet date through the date of this letter requiring adjustment or disclosure in the financial statements.
  - (e) Related party transactions, balances, arrangements or guarantees.
  - (f) Agreements to purchase assets previously sold.
  - (g) Violations of law, regulations, contracts, grants or requirements of regulatory agencies for which losses should be accrued or matters disclosed in the financial statements.
  - (h) Unasserted claims or assessments that our attorneys have advised us are probable of assertion.
  - (i) Restrictions on cash balances or compensating balance agreements.

- (j) Guarantees, whether written or oral, under which the City is contingently liable.
8. Adequate provisions and allowances have been accrued for any material losses from:
- (a) Uncollectible receivables.
  - (b) Reducing obsolete or excess inventories to estimated net realizable value.
  - (c) Sales commitments, including those unable to be fulfilled.
  - (d) Purchase commitments in excess of normal requirements or above prevailing market prices.
9. Except as disclosed in the financial statements, we have:
- (a) Satisfactory title to all recorded assets, and they are not subject to any liens, pledges or other encumbrances.
  - (b) Complied with all aspects of contractual and grant agreements, for which noncompliance would materially affect the financial statements.
10. Except for the matters noted directly below, we have not been designated as a potentially responsible party (PRP or equivalent status) by the Environmental Protection Agency (EPA) or other cognizant regulatory agency with authority to enforce environmental laws and regulations.

No provision has been made for any material loss that is probable from environmental remediation liabilities associated with the StarTran bus barn or Food Bank spill site. We believe any loss associated with these sites will be immaterial to the City of Lincoln and that this treatment is reasonable based on available information and that the liabilities and related loss contingencies and the expected outcome of uncertainties have been adequately disclosed in the City's financial statements.

11. With regard to deposit and investment activities:
- (a) All deposit, repurchase and reverse repurchase agreements and investment transactions have been made in accordance with legal and contractual requirements.
  - (b) Disclosures of deposit and investment balances and risks in the financial statements are consistent with our understanding of the applicable laws regarding enforceability of any pledges of collateral.

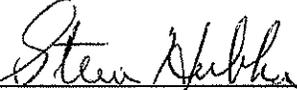
- (c) We understand that your audit does not represent an opinion regarding the enforceability of any collateral pledges.
12. We acknowledge that we are responsible for compliance with applicable laws, regulations and provisions of contracts and grant agreements.
  13. We have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that have a direct and material effect on the determination of amounts in our financial statements or other financial data significant to the audit objectives.
  14. We have identified and disclosed to you any violations or possible violations of laws, regulations and provisions of contracts and grant agreements whose effects should be considered for recognition and/or disclosure in the financial statements or for your reporting on noncompliance.
  15. We have taken or will take timely and appropriate steps to remedy any fraud, abuse, illegal acts or violations of provisions of contracts or grant agreements that you or other auditors report.
  16. We have a process to track the status of audit findings and recommendations.
  17. We have identified to you any previous financial audits, attestation engagements, performance audits or other studies related to the objectives of your audit and the corrective actions taken to address any significant findings and recommendations made in such audits, attestation engagements or other studies.
  18. With regard to federal awards programs:
    - (a) We have identified in the schedule of expenditures of federal awards all assistance provided (either directly or passed through other entities) by federal agencies in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, interest subsidies, commodities, insurance, direct appropriations or in any other form.
    - (b) We have identified the types of compliance requirements described in the *U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement* regarding activities allowed or unallowed; allowable costs/cost principles; cash management; Davis-Bacon Act; eligibility; equipment and real property management; matching, level of effort, earmarking; period of availability of federal funds; procurement and suspension and debarment; program income; real property acquisition and relocation assistance; reporting; subrecipient monitoring; and special tests and provisions that are applicable to each of our federal awards programs. We have identified to you our interpretations of any applicable compliance requirements subject to varying interpretations.

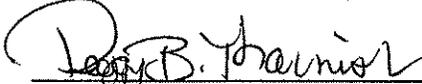
- (c) We are responsible to understand and comply with the requirements of laws, regulations, contracts and grants applicable to each of our federal awards programs and have disclosed to you any and all instances of noncompliance with those requirements occurring during the period of your audit or subsequent thereto to the date of this letter of which we are aware. We believe the City has complied with all applicable compliance requirements.
- (d) We are responsible for establishing and maintaining effective internal control over compliance to provide reasonable assurance we have administered each of our federal awards programs in compliance with requirements of laws, regulations, contracts and grants applicable to those programs.
- (e) We have made available to you all contracts and grant agreements, including any amendments, and any other correspondence or documentation relevant to each of our federal awards programs and to our compliance with applicable requirements of those programs.
- (f) The information presented in federal awards program financial reports and claims for advances and reimbursements is supported by the books and records from which our financial statements have been prepared.
- (g) Amounts claimed or used for matching were determined in accordance with the applicable OMB Circular regarding cost principles.
- (h) We have monitored any subrecipients to determine that they have expended federal awards in accordance with applicable laws and regulations and have met the audit and other requirements of OMB Circular A-133.
- (i) We have taken appropriate corrective action on a timely basis after receipt of any subrecipient's auditor's report that identified findings and questioned costs pertaining to federal awards programs passed through to the subrecipient by us.
- (j) We have considered the results of any subrecipient's audits received and made any necessary adjustments to our books and records.
- (k) We have disclosed to you any communications from grantors and pass-through entities concerning possible noncompliance with the applicable compliance requirements for each of our federal awards programs, including any communications received from the end of the period of your audit through the date of this letter.
- (l) We have identified to you any previous compliance audits, attestation engagements and internal or external monitoring related to the objectives of your compliance audit, including findings received and corrective actions

taken to address any significant findings and recommendations made in such audits, attestation engagements or other monitoring.

- (m) We are responsible for taking corrective action on any audit findings.
19. The financial statements disclose all significant estimates and material concentrations known to us. Significant estimates are estimates at the balance sheet date which could change materially within the next year. Concentrations refer to volumes of business, revenues, available sources of supply, or markets for which events could occur which would significantly disrupt normal finances within the next year.
  20. The fair values of financial and nonfinancial assets and liabilities, if any, recognized in the financial statements or disclosed in the notes thereto are reasonable estimates based on the methods and assumptions used. The methods and significant assumptions used result in measurements of fair value appropriate for financial statement recognition and disclosure purposes and have been applied consistently from period to period, taking into account any changes in circumstances. The significant assumptions appropriately reflect our present intent and ability to carry out specific courses of action relevant to and inherent in those assumptions.
  21. The supplementary information required by the Governmental Accounting Standards Board, consisting of management's discussion and analysis and schedules of funding progress and employer contributions, has been prepared and is measured and presented in conformity with the applicable GASB pronouncements, and we acknowledge our responsibility for the information. The information contained therein is based on all facts, decisions and conditions currently known to us and is measured using the same methods and assumptions as were used in the preparation of the financial statements. We believe the significant assumptions underlying the measurement and/or presentation of the information are reasonable and appropriate. There has been no change from the preceding period in the methods of measurement and presentation.
  22. With regard to supplementary information:
    - (a) We acknowledge our responsibility for the presentation of the supplementary information in accordance with the applicable criteria.
    - (b) We believe the supplementary information is fairly presented, both in form and content, in accordance with the applicable criteria.
    - (c) The methods of measurement and presentation of the supplementary information are unchanged from those used in the prior period.

- (d) We believe the significant assumptions or interpretations underlying the measurement and/or presentation of the supplementary information are reasonable and appropriate.
23. We have received opinions of counsel upon each issuance of tax-exempt bonds that the interest on such bonds is exempt from federal income taxes under the Internal Revenue Code of 1986, as amended. There have been no changes in the use of property financed with the proceeds of tax-exempt bonds, or any other occurrences, subsequent to the issuance of such opinions, that would jeopardize the tax-exempt status of the bonds. Provision has been made, where material, for the amount of any required arbitrage rebate.

  
\_\_\_\_\_  
Steve Hubka, Interim City Finance Director

  
\_\_\_\_\_  
Peggy Tharnish, City Controller

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

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

**FOR MORE INFORMATION:** Dan King, Environmental Health Specialist, 402-441-8084

## **APPOINTMENTS AVAILABLE FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION**

Lincoln and Lancaster County residents can now make appointments for a household hazardous waste collection event from 9 a.m. to 1 p.m. Friday, March 15. Reservations can be made by calling 402-441-8021. Callers will be asked to identify the types and approximate quantity of waste they plan to bring, and they will receive details on the location of the collection. A limited number of reservations will be accepted, and business waste will not be accepted.

Accepted items include pesticides, paint thinners, stains, polishes and waxes, turpentine, oil-based paint, pool cleaning chemicals, flea and tick powders, rodent poison, charcoal starter fluids, mixed or old gasoline, items containing mercury such as thermometers, upholstery cleaners, CFLs, grease removers and brake or power steering fluids. A complete list of accepted items is available at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: household).

Items NOT accepted include latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics and batteries. For information on recycling these and other materials check the "Guide to Recycling" at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: recycle).

The household hazardous waste program is partially funded by the Nebraska Department of Environmental Quality.

**\*\*\* ACTION BY PLANNING COMMISSION \*\*\***  
**March 6, 2013**

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 6, 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.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, March 6, 2013, from 12:00 noon - 12:45 p.m. in Conference Room 113 of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska, for a briefing by Planning staff on "City of Lincoln Sidewalk and Pedestrian Way Policies".

**\*\*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, MARCH 6, 2013**

**[Commissioner Weber absent]**

Approval of minutes of the regular meeting held February 20, 2013. **\*\*APPROVED, 7-0 (Francis abstained; Weber absent)\*\***

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

**PERMITS:**

- Page 01 1.1 Special Permit No. 1816C, for soil excavation, on property generally located at NW 40th Street & W. Vine Street. **\*\*\* FINAL ACTION \*\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Sara Hartzell, 402-441-6371, [shartzell@lincoln.ne.gov](mailto:shartzell@lincoln.ne.gov)**  
**Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated February 19, 2013, 7-0 (Weber and Scheer absent).**  
**Resolution No. PC-01321.**

**MISCELLANEOUS:**

Page 15  
1.2 Street & Alley Vacation No. 13002, to vacate Schmidt Drive from W. Denton Road to S. 1st 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, subject to the provisions of Chapter 14.20 of the Lincoln Municipal Code, 7-0 (Scheer declaring a conflict of interest; Weber absent).**  
**Public Hearing before City Council will be scheduled when the provisions of Chapter 14.20 have been satisfied.**

2. **REQUESTS FOR DEFERRAL: None.**

3. **ITEMS REMOVED FROM CONSENT AGENDA: None.**

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

**ANNEXATION WITH RELATED ITEMS:**

Page 21  
4.1a Annexation No. 12002, to annex approximately 25 acres, more or less, generally located at S. 70th Street and Yankee Hill Road.  
**Staff recommendation: Approval**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**  
**Had public hearing.**  
**Planning Commission recommendation: APPROVAL, 7-0 (Sunderman declaring a conflict of interest; Weber absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, March 25, 2013, 5:30 p.m.**

Page 21  
4.1b Change of Zone No. 05068C, an amendment to The Woodlands at Yankee Hill Planned Unit Development, for a change of zone from AG Agriculture District to R-3 Residential PUD District, for expansion of the area of the PUD by approximately 25 acres, more or less, on property generally located at S. 70th Street and Yankee Hill Road; for a Planned Unit Development district designation; and for approval of a revised development plan which proposes certain modifications to the Zoning and Land Subdivision Ordinances to allow an additional approximately 60 dwelling units in the underlying R-3 zoned area.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**  
**Had public hearing.**  
**Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated February 20, 2013, 7-0 (Sunderman declaring a conflict of interest; Weber absent).**  
**Public Hearing before City Council tentatively scheduled for Monday, March 25, 2013, 5:30 p.m.**

**PERMITS:**

4.2 County Special Permit No. 13007, to allow a tower which exceeds the maximum district height for meteorological use to gather wind and weather data, on property generally located between W. Gage Road and W. Hallam Road on S.W. 29th Street. **\*\*\* FINAL ACTION \*\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Sara Hartzell, 402-441-6371, [shartzell@lincoln.ne.gov](mailto:shartzell@lincoln.ne.gov)**  
**Had public hearing.**  
**Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated February 22, 2013, 8-0 (Weber absent). Resolution No. PC-01322.**

\* \* \* \* \*

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

\* \* \* \* \*

**PENDING LIST:**

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.  
**(2-20-13: Planning Commission voted 8-0 to continue public hearing on April 17, 2013 at the request of the applicant.)**

**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)  
Michael Brienzo, *Transportation Planner* . . . . . 402-441-6369 . . . . . [mbrienzo@lincoln.ne.gov](mailto:mbrienzo@lincoln.ne.gov)  
Tom Cajka, *Planner* . . . . . 402-441-5662 . . . . . [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)  
Christy Eichorn, *Planner* . . . . . 402-441-7603 . . . . . [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)  
Brandon Garrett, *Planner* . . . . . 402-441-6373 . . . . . [bgarrett@lincoln.ne.gov](mailto:bgarrett@lincoln.ne.gov)  
Stacey Groshong Hageman, *Planner* . . . . . 402-441-6361 . . . . . [shageman@lincoln.ne.gov](mailto:shageman@lincoln.ne.gov)  
Sara Hartzell, *Planner* . . . . . 402-441-6371 . . . . . [shartzell@lincoln.ne.gov](mailto:shartzell@lincoln.ne.gov)  
David Pesnichak, *Transportation Planner* . . . . . 402-441-6363 . . . . . [dpesnichak@lincoln.ne.gov](mailto:dpesnichak@lincoln.ne.gov)  
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)

\* \* \* \* \*

**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** : March 6, 2013

**RE** : Notice of final action by Planning Commission: March 6, 2013

Please be advised that on March 6, 2013, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

**Resolution No. PC-01321**, approving Special Permit No. 1816C, with conditions, requested by Noel L. and Gloria J. Chadd, for the excavation of soil, sand and gravel for a period of three years, on property generally located at N.W. 40<sup>th</sup> Street and West Vine Street.

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. SP1816C). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.



# Memorandum

**Date:** ♦ March 5, 2013  
**To:** ♦ City Clerk  
**From:** ♦ Jean Preister, Planning Dept.  
**Re:** ♦ Administrative Approvals  
**cc:** ♦ Teresa McKinstry

This is a list of the administrative approvals by the Planning Director from February 26, 2013 thru March 4, 2013:

**Waiver No. 12023**, approved by the Planning Director on February 26, 2013, requested by Lincoln Federal Savings Bank, to extend the time for two years to install sidewalks for Northview 7<sup>th</sup> Addition. The improvements shall be completed by February 26, 2015. Property is generally located at N. 24<sup>th</sup> St. and Northview Rd.

**Administrative Amendment No. 13003**, approved by the Planning Director on February 27, 2013, requested by Fire Brothers Development, LLC, to extend the time for two years to install street trees for Baron's Ridge 3<sup>rd</sup> Addition and landscape screen for Baron's Ridge 1<sup>st</sup> Addition. The improvements shall be completed by February 27, 2013. Property is generally located at NW. 1<sup>st</sup> St. and Highland Blvd.

**Administrative Amendment No. 13008** to Change of Zone No. 05004A, Pine Garden Planned Unit Development, approved by the Planning Director on February 27, 2013, requested by ESP, Inc., to delineate building envelopes for Lots 2 and 3, Block 1, to reallocate commercial floor area to Lot 2, and to revise General Notes 1 and 2 accordingly, on property generally located at the northwest corner of S. 84<sup>th</sup> St. and Old Cheney Rd.

Q:\shared\wp\teresa\AA weekly approvals.wpd

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



**TO: City Council Members**  
**FROM: David Landis, Director**  
**DATE: March 6, 2013**  
**RE: West Haymarket - P Street and Canopy Street Redevelopment Project**

At City Council on Monday, I shared with you that the Historic Preservation Commission had voted 5 to 0 to support the Oscar Project in West Haymarket as a “good neighbor” to the Historic Haymarket. Councilwoman Schimek alluded to concerns expressed by the Urban Design Committee that the design did not meet their standards.

In error, I did not share with you a memo that was written by Ed Zimmer to the Mayor’s Office and City Council about the design review. I had understood that you had already received this memo and, therefore, I did not read it at the meeting or pass it on. I am including this memo for your review and to be shared as you see fit.

The Historic Preservation Commission would normally be the design review board that reviews and advises on TIF project within this proximity of the Historic Haymarket District. However, Urban Design Commission has been brought in to the West Haymarket discussion and review process. The developer will be working with the City to address the concerns raised by the Committee. While the Olsson Associates and Scott, Woodbury, Wiegert does not intend to start over on the building design, they do intend to address the Committee’s biggest concerns about comfort, safety, and functionality of the public plaza space. The development team will take the plaza design back to the joint Historic Preservation Commission/Urban Design Committee for review and comment before Urban Development, Planning, and the Mayor’s Office will approve the final design.

I do wish to stress the importance of moving forward with this project in order to get to the next step of the design phase. As you may realize, the developer is further along than many developers are at this stage of the redevelopment process. Urban Development feels that the developer will address more of the Committee’s concerns, if given the opportunity over the coming weeks.

Thank you for your support of this project.



C/O: AIA Nebraska  
335 North 8<sup>TH</sup> Street, Suite A  
Lincoln, NE 68508  
[www.aialincoln.org](http://www.aialincoln.org)

March 6, 2013

To: City Council Members and Mayor of the City of Lincoln

Dear Mayor and Council Members,

On behalf of the Board of Directors of the American Institute of Architects, Lincoln Chapter, we are writing to express concern of the design review procedures involving Project Oscar in the new West Haymarket Development. The addition of this important project will be a major contributor to the successful development of the District, and should be something of which the City and all Lincoln residents should be proud of for years to come.

It has come to our attention that the Urban Design Committee voted 6-1 not to recommend approval of the publically-oriented design elements which will be the recipient of \$2.25 million in tax increment financing. Yet, the project appears to be moving forward pending approval by the City Council, despite the overwhelming objection of the Urban Design Committee.

As we understand, the Urban Design Committee reviewed this project late in design development and was not able to undertake the customary review process offering comments for the design. Then later reviewed the revised design and vote for approval. Instead, the design was reviewed and voted for in a rush on Thursday, February 28 as the City Council's first review was imminent on the following Monday, March 4. It appears that the Urban Design Committee's vote and comments were not presented to the City Council for their understanding.

This expedited process also did not allow members of the Lincoln community, including AIA Lincoln members, an opportunity to become informed and offer public testimony at City Council. We understand a similar expedited and

abbreviated review process occurred for the review of the Downtown Civic Plaza on 13<sup>TH</sup> & P Streets. Important public projects like these deserve a full public review, incorporation of the Urban Design Committee's thoughtful insights, and the opportunity for the community at large to become informed and offer testimony at City Council.

The new West Haymarket, and specifically project Oscar represent a unique opportunity to complement the existing Haymarket, expanding a treasured part of the City of Lincoln. We believe that the final approval process should be temporarily suspended until alternative design proposals have been presented and approved by the Urban Design Committee. This approach will insure the successful "fit" of this project into the West Haymarket, and its enjoyment by both tenants and citizens for decades to come.

Sincerely,  
Board of Directors  
The Lincoln Chapter of the American Institute of Architects

Contact: Cleve Reeves, AIA  
AIA Lincoln Communications Chair  
creeves@bvh.com  
402-475-4551

**DIRECTORS' AGENDA  
ADDENDUM  
MONDAY, MARCH 11 , 2013**

**I. CITY CLERK**

**II. MAYOR & DIRECTORS CORRESPONDENCE**

**MAYOR**

1. Mayor Beutler's public schedule for the week of March 9<sup>th</sup> through March 15, 2013.

**III. DIRECTORS**

**CITIZENS INFORMATION CENTER**

1. City of Lincoln snow removal update, Sunday, March 10, 2013.
2. City of Lincoln snow removal update, Monday, March 11, 2013, 5:00 a.m.

**PARKS AND REC**

1. Invitation to press conference to kick off the 2013 Lincoln Cares and 2 for Trees Programs, Thursday, March 14, 2013, 10:00 a.m., at Eiseley Library, 1530 Superior Street.
2. Parks and Recreation Advisory Board meeting agenda for March 14, 2013.
  - a) Minutes of Parks and Recreation Advisory Board meeting of February 14, 2013.

**PLANNING DEPARTMENT**

1. Memo from Ed Zimmer, Planner, Historic Preservation, regarding Design Boards' Responses to Project Oscar. Erroneously omitted from the Directors' Meeting agenda of March 11<sup>th</sup>.
  - a) Memo from David Landis, Urban Development Director, regarding West Haymarket - P Street and Canopy Street Redevelopment Project. (Also listed on Directors' Meeting Agenda, 03.11.13, Urban Development, No.1)
2. Notice of cancellation of the Urban Design Committee on March 13, 2013.

**IV. COUNCIL MEMBERS**

**V. CORRESPONDENCE FROM CITIZENS**

1. Letter from Lincoln Federal Savings Bank requesting withdrawal of impact fee appeal currently on the pending list. Also, letter from Lincoln-Lancaster County Planning Department, dated 01.22.13, attached.
2. Lincoln Electric System meeting agenda for Friday, March 15, 2013.

Date: March 8, 2013

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

**Mayor Beutler's Public Schedule**  
**Week of March 9 through 15, 2013**  
*Schedule subject to change*

Monday, March 11

- Mayor's Award of Excellence presentation - 3 p.m., City 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, March 12

- International visitors from Armenia - 2:30 p.m., Mayor's Conference Room
- Mayor's Multicultural Advisory Committee meeting - 4 p.m., Mayor's Conference Room

Thursday, March 14

- News conference on Lincoln Cares and Two for Trees - 10 a.m., Eiseley Branch Library, 1530 Superior Street

**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** Snow removal update

## **CITY OF LINCOLN SNOW REMOVAL UPDATE**

**A COMPLETE VOICE REPORT IS AVAILABLE AT 402-441-7783. THIS NUMBER IS FOR NEWS MEDIA USE ONLY.**

**For more information:**

**Public Works Snow Center -- 402-441-7644**

**Citizen Information Center -- Diane Gonzolas cell 402-525-1520**

**Date: Sunday, March 10, 2013**

**Time: 4 p.m.**

City crews have been out since about 9 this morning plowing and spreading materials on emergency snow routes and main arterials. Parking bans are not in effect at this time. Drivers are urged to use caution, especially in the outlying areas where blowing snow is causing visibility problems. The Lincoln Police Department reports about 31 accidents from midnight to 4 p.m. today.

Public Works is keeping an eye on the weather, and crews will be working on the streets all night. Morning traffic is expected to be lighter with Lincoln Public Schools on spring break this week. Again, parking bans are not in effect at this time, but if you need to be out, please drive carefully.

Please stay informed on the status of snow operations in Lincoln. Additional information is available at [lincoln.ne.gov](http://lincoln.ne.gov) and in the blue pages of your phone directory. If you have questions, you may call the Public Works Snow Center at 402-441-7644.

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**Mary M. Meyer**

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**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** snow removal update

## **CITY OF LINCOLN SNOW REMOVAL UPDATE**

**For more information:**

**Public Works Snow Center -- 402-441-7644**

**Citizen Information Center -- Diane Gonzolas cell 402-525-1520**

**Date: Monday, March 11, 2013**

**Time: 5 a.m.**

City crews plan to begin snow removal in the residential areas about 8 this morning. Parking bans are not in effect at this time, but residents are asked to move parked cars off the streets to help with the snow removal operation. Crews have been out all night removing snow from emergency snow routes, arterials and bus routes. They began spreading salt about 3:30 a.m. Streets are slick, and drivers are urged to use caution. The Lincoln Police Department reports about 66 accidents yesterday, but only three since midnight.

Please stay informed on the status of snow operations in Lincoln. Additional information is available at [lincoln.ne.gov](http://lincoln.ne.gov) and in the blue pages of your phone directory. If you have questions, you may call the Public Works Snow Center at 402-441-7644.

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**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** Lincoln Cares and 2 for Trees Press Conference

Dear Lincoln City Council and Lincoln Parks and Recreation Advisory Board members:

We would like to extend an invitation to each of you to join us for a press conference to kick off the 2013 Lincoln Cares and 2 for Trees programs. The press conference will be held on Thursday, March 14<sup>th</sup>, at 10:00 a.m. at the Eiseley Branch Library located at 1530 Superior Street. If you will be able to join us, please let me know by email or by contacting me at the number below.

Thank you!

*Angela Chesnut*

Executive Secretary to the Director  
Lincoln Parks & Recreation  
2740 A Street  
Lincoln, NE 68502  
(402) 441-8264  
[achesnut@lincoln.ne.gov](mailto:achesnut@lincoln.ne.gov)



## **NOTICE OF ADVISORY BOARD MEETING**

**TO:** Parks and Recreation Advisory Board, Mayor, City Council, City Clerk, Media  
**FROM:** Lynn Johnson, Director, Lincoln Parks & Recreation Department  
**MEETING DATE:** **March 14, 2013**  
**LOCATION:** **Parks & Recreation Dept. (Large Conference Room)**  
**TIME:** **4:00 – 5:30 p.m.**  
**CHAIR:** Anne Pagel

---

### **A G E N D A**

1. **Call to Order and Recognition of 'Open Meetings Act'**
2. **Introduction of New Board Member Larry Hudkins**
3. **Approval of Minutes:** \* February 14, 2013 meeting
4. **Comments from Public for Items Not Listed on the Agenda**
5. **Committee Reports:**
  - A. **Fees & Facilities Committee – Susan Deitchler (Chair) 488-4224**
    - No Report
  - B. **Futures Committee – Bob Ripley (Chair) 471-0419 or 488-5131**
    - No Report
  - C. **Golf Report**
    - Rounds and Revenue Report
    - Golf Advisory Committee Report
  - D. **Executive Committee – Anne Pagel (Chair) 402-540-9194**
    - No Report
6. **Staff Report**
  - Review of Department Budget Outcomes and Indicators
  - Review of Updated Park Mowing Maps
7. **Announcements:**
  - 2013 Lincoln Cares and 2 for Trees News Conference at 10:00 a.m. on Thursday, March 14<sup>th</sup> at Eiseley Branch Library, 1530 Superior Street
  - Roses! Roses! Roses! Seminar on Saturday, April 6<sup>th</sup>
  - Sherman Field Rededication on Thursday, April 17<sup>th</sup>
  - Dedication of "Jan's Emma" Sculpture at Jan Pitsch Green on Sunday, April 21<sup>st</sup>

*\* Denotes Action Items*

# MINUTES

## *Parks & Recreation Advisory Board Meeting*

Parks & Recreation Conference Room

Thursday, February 14, 2013

### **Members Present:**

Molly Brommond	Justin Carlson	Jim Crook	Susan Deitchler
Todd Fitzgerald	Peter Levitov	Cleo Mullison	Anne Pagel
Trent Reed	Jeff Schwebke	Joe Tidball	

### **Members Absent:**

Jonathan Cook	Caitlyn Do	Karen Hand	Larry Hudkins
Robert Ripley			

### **Staff Members Present:**

Lynn Johnson, Director	Jerry Shorney, Superintendent
Terry Genrich, Outdoor Education	Nancy Furman, Pioneers Park Nature Center
Dale Hardy, Golf Administrator	Angela Chesnut, Executive Secretary

**Recognition of 'Open Meetings Act':** As per law, Chairperson Anne Pagel announced that the Board follows the regulations of this Act, as posted.

\* **APPROVAL OF MINUTES:** A motion was made by Susan Deitchler and seconded by Justin Carlson to approve the minutes of the December 13, 2012 meeting with the additional notation under the Golf Report section, that Jane Raybould also volunteered to serve on the Golf Committee, however she is now no longer a member of the Advisory Board. ***Minutes were approved by unanimous vote of members present, with no additional corrections or additions.***

### **PUBLIC COMMENTS FOR ITEMS (other than those listed on the current Agenda):**

Chairperson Anne Pagel introduced Trent Reed as a new member of the Parks & Recreation Advisory Board, who replaces Dennis Sheer. Larry Hudkins is also a new member who will replace Jane Raybould from the County Board. Chairperson Pagel announced that Caitlyn Do has resigned as a student member. The Department will look into a replacement for her.

### **COMMITTEE REPORTS**

#### **Fees & Facilities Committee - Susan Deitchler, Chair - 488-4224**

- \* **Review of proposed fees for wedding sites, rental facilities, and pools:** Susan Deitchler brought forward, from the Committee, a recommendation for adoption for fee schedules for the pools, wedding locations in parks, Auld Pavilion, the cross country course at Pioneers Park, labor charges for special events in parks, the community room at the Jayne Snyder Trails Center, and the Union Plaza amphitheater. At certain intervals the fees and facilities programs are reviewed and updated. Specific facility fee increases were reviewed with an annual revenue increase of \$17,125. Questions and discussion was held between board members and staff regarding various facilities and rates.
- Director Johnson noted that the Department attempts to stay at market rate or at the lower end of market rate range, with labor costs at a cost recovery. Fee increases for pools are proposed every other year, with a 3% to 5% increase for cost recovery. Star City Shores, University Place, Highlands are about at 100% cost recovery, while neighborhood pools last

year were around 55%. Eden is the most attended neighborhood pool which comes closest to cost recovery, while Airpark on a cost recovery per swim costs the most typically due to the large size of the facility and the subsidy to run. Cost recovery over all pools combines to approximately 85%.

- Centers fees for after school recreation are typically increased annually in order to avoid a significant increase on budgets on a biannual basis. Other school age program providers in the community were surveyed, which shows Parks Centers typically toward the bottom for fees. Due to the areas of Center location it is felt that they should be made affordable. Most of the programs are close to 100% cost recovery, which is the goal for the school age programs.
- Gym fees, adaptive recreation, class fees, facility rentals, fitness fees, and program fee schedules were reviewed and additional details were provided for clarification. It was requested that future presentation of fee increases are more clearly identified with detailed explanations for programs and specific uses per unit.
- Additional discussion was held regarding pool fees, coupons, and attempts at improved cost recovery and attendance. Lynn Johnson noted that the pools have historically been priced using a three-tier scale, with Star City Shores at one price, Woods, Uni, and Highlands have another price, and the neighborhood pools have all been priced the same. The three lesser attended pools are Ballard, Belmont, and Airpark. Discussions were also held regarding pricing for earlier or later swim time fees in an effort to increase attendance, tracking any changes for a period of time for determination of future fee proposals.

***A motion was made by Susan Deitchler and seconded by Justin Carlson to approve the new fees as proposed and discussed for wedding sites, rental facilities, and pools. Motion carried by unanimous vote of members present.***

**Futures Committee - Bob Ripley (Chair) 471-0419 or 488-5131**

No Report.

**Golf Report:**

- **Rounds and Revenue:** Golf Administrator Dale Hardy reported that there were 1,233 rounds during the month of January, which seems high although the 10-year average is actually over 1,600. In February through the 14<sup>th</sup>, there have already been 941 rounds. Fiscal year rounds are still down approximately 9%, with revenue down by 5.5% from one year ago.
- The special that began in early November for \$100 ten-round punch cards, have sold 127. The Golf Committee approved the sale of \$50 five-round punch cards due to golfer concerns regarding expiration of March 31<sup>st</sup>. Sales of the new card have reach 28.
- All 62 leagues are returning this season. Golf Pros and the committee are currently working on filling vacant times, with tournaments coming in as usual. The new Holmes clubhouse is scheduled to open in late April, with promotions being planned for tournament scheduling.
- The Golf Committee recently created three sub-committees consisting of Marketing & Promoting, Grounds & Facilities, and Budget & Finance. Each sub-committee has met once, with good representation from all of the golfing organization.

- **\* Review of Proposed Golf Fees:** Administrator Hardy informed the Board that there is actually no fee increase, although new fees are being proposed for an 18-hole twilight fee for weekends beginning three hours before sunset, and a 9-hole spectator fee and rider fee. It was noted that the Golf Committee chose to forgo fee increases until the sustainability study has been completed, with any increase proposal to be considered next year at this time following recommendations from the study. The final addition to the fee structure included authorization for the Director of Parks & Recreation or designated representative to create unique pricing for specials or tournaments based on market value.

***A motion was made by Todd Fitzgerald and seconded by Susan Deitchler to approve the recommended adoption of the 2013 fee schedule for Lincoln City Golf Courses. Motion carried by unanimous vote of members present. Golf Committee Fitzgerald added that this is a very active committee and sub-committees, and suggested that there would be a lot of correspondence to the Board as they are dedicated to making the golf program relevant in the city. Pioneers will be celebrating 83 years this summer, and Holmes will be celebrating 50 years with a celebration in conjunction with the opening of the new club house; Highlands is also celebrating 20 years, and Ager 46(?).***

With the departure of Jane Raybould from the Board, Chairperson Pagel asked if there were any volunteers to take her position on the Golf Committee. Trent Reed stepped forward and was welcomed and thanked for his support.

#### **Executive Committee - Anne Pagel (Chair) - 570-9194**

- It was noted that Iron Horse Park has been renamed Bill Harris Iron Horse Park. Mary Sue Harris and Bill Harris' family worked with Mayor Beutler for the outcome. Lynn Johnson reported that work is underway to modify the archway sign, along with an addition of a bronze plaque in recognition of Mayor Bill Harris. The family will be making a contribution that will establish an endowment for future repair and replacement of the site. A dedication is being planned for either May 11<sup>th</sup> or May 12<sup>th</sup> for a rededication and an unveiling of the plaque and/or sign with the family in attendance.
- Parks & Recreation Advisory Board representatives on the Golf Committee are Todd Fitzgerald and Cleo Mullison, and now with the addition of Trent Reed.

#### **Staff Report:**

##### **Bowling Lake Accessible Fishing Pier Project:**

- Lynn Johnson provided an update on the Bowling Lake project as a partnership between the Nebraska Game and Parks Commission and the Lincoln Parks & Recreation Department for several years. NGPC made a significant investment to the lake with dredging to add depth and fishing amenities to create an urban fishery. The City Council has now approved an agreement with NGPC to provide \$250,000 for an accessible fishing pier on both the north and south side of the existing walkway, along with an ADA shelter and restroom. When the lake was redesigned, a structure was installed to keep rough fish out of the lake, however, with a large storm event and silting of pumping system causing the pump to burn out. Part of the provided funds will allow for additional valves and minimize the down time of the pump.

### **Pioneers Park Nature Center 50<sup>th</sup> Anniversary:**

- Director of the Pioneers Park Nature Center Nancy Furman discussed Lincoln's well known treasure of Pioneers Park, adding that in 1963, 40 acres was designed for the Nature Center, at the time a bird sanctuary. This year will celebrate 50 years, growing from the original 40 acres to 685 acres now. The celebration will also bring more awareness to the public of the Nature Center and all that is offered, with over 12,000 school children annually. The April newsletter will highlight the activities.
- April 27<sup>th</sup> will be Natures Market, with 20 booths selling plants, food, crafts, etc., along with entertainment, an outdoor handmade bench auction and watering can silent auction.
- May 18<sup>th</sup> is Coffee House on the Prairie cosponsored by the Meadowlark Coffee House, with music provided.
- June 22<sup>nd</sup> – an herbal festival with a workshop presenter from Handover, Mass., with 10-12 tables for tasting and sampling varies ways for using herbs.
- July is on hold pending the Pinewood Bowl concert schedule, with hopes for a free time to hold a small Concert in the Pines for an evening of music.
- September 27<sup>th</sup> will be Beer, Brats, and Bison, as a fundraiser.
- October is the annual Spook-Tacular Event, with families and children in costume attending skits that are nature related.
- November will be the very first Prairie Run, with a path through the prairie for a children's run and an adult run.
- Social media will be used for promotion of all events, as well as flyers in numerous locations.

### **Idylwild Master Planning:**

- Lynn Johnson reminded the Board of the action before the City Council last fall accepting a donation on behalf of Valentino's for improvements to Idylwild Park and the boulevard on Idylwild Drive. In March or April, a master planning effort will be initiated with the East Campus Neighborhood to develop plans for improvements to Idylwild Drive and Park. Several residents of the neighborhood have shown concern regarding a name change to Valentino's Park. A renaming recommendation may be forthcoming in recognition of the gift. A recommendation to the neighborhood may be Valentino's Park at Idylwild or something similar, in order to ease concerns over losing the historic reference to Idylwild.

### **Near South Park:**

- Parks & Recreation staff are in the process of removing the brick artwork at the Near South Park. Jerry Shorney noted that a call was received from an individual who had previously purchased a donor brick in the park, and he reassured that the plaza area bricks will not be removed. An agreement was signed by the artist for removal of the piece of public art that was structurally jaded, and remove it from service. Columns will then be restructured to rebuild the fence. The neighborhood has been very patient with the Park being closed for nearly a year while this project was being prepared, and it is hoped that it will be reopened by April.

### **Calendar of Events:**

- Danielle Conrad has put together a calendar of events for the Department and the Foundation for 2013, with encouragement to attend whenever able. Highlighted by Lynn was the April 17<sup>th</sup> rededication of Sherman Field with recent improvements.

## Announcements:

- Peter Lavitov complimented the Winter/Spring Program Guide recently published, with a job well done. Also, an article in the January issue of Prairie Fire was somewhat critical of the plantings in Union Plaza and that it was not, and encouraged members to review. A final comment was in regard to initiating discussion for having lights on the Union Plaza trail, due to safety issues for walkers and bikers. Lynn offered to take the item to the Fees & Facilities Committee. He also concurred regarding the Prairie Fire article and noted that the Union Plaza plantings were very much prairie inspired, and perhaps the author did not recognize the young prairie plants and the fact that they are spaced accordingly for appropriate growth, and will look more like prairie as they mature and fill out. A response was suggested, with Lynn acknowledging that perhaps Dennis Scheer or his staff may be working on something. The same article author had submitted a letter to the editor after the Union Plaza was opened, with a response presented at that time.
- Anne Pagel reminded of a November request for individuals to attend an evaluation program for Open Studios, which Anne and Bob did attend. Center Pointe also had staff program participants in attendance, which all determined to be a success and learning opportunity.
- Todd Fitzgerald updated members that the Golf Sustainability Study would be starting soon. Some of the concerns heard from the community is that the study was to eliminate courses, however as a clarification, the study is to evaluate efficiency and how to improve the golf courses, and ultimately how to compete with public courses.
- A question was posed regarding the Civic Plaza project and the 57' art glass tower. Lynn Johnson reported that the construction documents should be completed in the next two to three weeks and the site improvement should be out to bid soon after. The goal is to have the project finished by late summer. The P Street streetscape enhancement project, which may interface with the Civic Plaza improvements, could potentially slow the project, but it is still hopeful for a completion by the end of summer. Lynn also mentioned that the Futures Committee will be working on a ten year facility and program strategic or master plan, and will begin talking about programs and facilities on a quadrant by quadrant basis, then will bring back a ten year plan for the Board to review.

There being no further business, the meeting adjourned at 6:00 p.m.



# ROSES! ROSES! ROSES!

Saturday, April 6, 2013 ~ 1:00-3:30p.m.

\*Rain date of April 7, 2013 ~ 1:00-3:30 p.m.\*

Hamann Rose Garden / Strolling Garden

Everything you've wanted to know about roses but were afraid to ask!

A "bootcamp" on Rose growing in Lincoln, Nebraska. Six 20-minute sessions covering topics on the horticulture of roses! Luann Finke of Finke Gardens and Bertine Loop of KZUM "How's It Growing", Along with Lincoln Parks & Recreation Public Gardens Staff - Alice Reed, Steve Nosal, Steve Harris, Mike Fallon, Jenny Hruska, instructing on topics including:

-  Spring Pruning of Hybrid Tea Roses
-  How to Sharpen Rose Pruning Tools
-  Floral Arrangements
-  Shrub Rose Selection and Care
-  Selecting Ornamental Roses for Lincoln's Growing Zones
-  How to Install New Rose Bushes

*Wear your fanciest garden hat and be eligible for a prize!*

Sign-In will begin at 12:30 p.m. on April 6<sup>th</sup> ~ Refreshments, snacks, and informational packets will be provided.

For additional information, please contact Steve at 402-441-8267 or e-mail [snosal@lincoln.ne.gov](mailto:snosal@lincoln.ne.gov)

All proceeds will go to support the Hamman Rose Garden and Strolling Gardens!

Please detach bottom portion and return with registration fee to Lincoln Parks and Recreation Department • 2740 A Street • Lincoln, NE 68502



ROSES! ROSES! ROSES! 2013 Pre-Registration Form

\$20/person Pre-Registration ~ \$25/person Day of Event (Cash or Check only)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: (      ) \_\_\_\_\_

Payment Type:

Cash

Check      Please make checks payable to Lincoln Parks & Recreation

Credit/Debit (Pre-Registration Only):

Card Name: \_\_\_\_\_

Card Number: \_\_\_\_\_

Exp Date: \_\_\_\_\_ / \_\_\_\_\_      CID: \_\_\_\_\_

## PLANNING DEPARTMENT MEMO

TO: Mayor's Office  
City Council

DATE: March 4, 2012

FROM: Ed Zimmer

RE: Design Boards' Responses to Project Oscar

Josh Berger of S2W presented the "Project Oscar" redevelopment project to the Historic Preservation Commission (HPC) on Feb. 21<sup>st</sup> and to the Urban Design Committee (UDC) yesterday, Feb. 28<sup>th</sup>.

The original intention was to hold the meeting of the 21<sup>st</sup> as a joint meeting of both design boards but UDC did not have a quorum present in the snowstorm of Feb. 21<sup>st</sup>. All 7 members of UDC assembled for the special meeting on Feb. 28<sup>th</sup>.

Historic Preservation Commission voted 5-0 to recommend the project's modern design as a "good neighbor" to Historic Haymarket, appropriate to its West Haymarket location.

Urban Design Committee had a robust discussion and members stated diverse opinions about the overall style of the building. After discussion, they agreed the building's style was not a matter on which they needed to express a Committee opinion.

UDC adopted a motion by a vote of 6-1, stating they were unable to recommend Project Oscar because of urban design concerns regarding the covered public plaza, especially for its impact on the pedestrian experience adjacent to the plaza on P Street and on Canopy Street, or visiting the covered plaza, in terms of safety, comfort, and desirability as a public use space.

**TO: City Council Members**  
**FROM: David Landis, Director**  
**DATE: March 6, 2013**  
**RE: West Haymarket - P Street and Canopy Street Redevelopment Project**

At City Council on Monday, I shared with you that the Historic Preservation Commission had voted 5 to 0 to support the Oscar Project in West Haymarket as a “good neighbor” to the Historic Haymarket. Councilwoman Schimek alluded to concerns expressed by the Urban Design Committee that the design did not meet their standards.

In error, I did not share with you a memo that was written by Ed Zimmer to the Mayor’s Office and City Council about the design review. I had understood that you had already received this memo and, therefore, I did not read it at the meeting or pass it on. I am including this memo for your review and to be shared as you see fit.

The Historic Preservation Commission would normally be the design review board that reviews and advises on TIF project within this proximity of the Historic Haymarket District. However, Urban Design Commission has been brought in to the West Haymarket discussion and review process. The developer will be working with the City to address the concerns raised by the Committee. While the Olsson Associates and Scott, Woodbury, Wiegert does not intend to start over on the building design, they do intend to address the Committee’s biggest concerns about comfort, safety, and functionality of the public plaza space. The development team will take the plaza design back to the joint Historic Preservation Commission/Urban Design Committee for review and comment before Urban Development, Planning, and the Mayor’s Office will approve the final design.

I do wish to stress the importance of moving forward with this project in order to get to the next step of the design phase. As you may realize, the developer is further along than many developers are at this stage of the redevelopment process. Urban Development feels that the developer will address more of the Committee’s concerns, if given the opportunity over the coming weeks.

Thank you for your support of this project.

## Jean Preister

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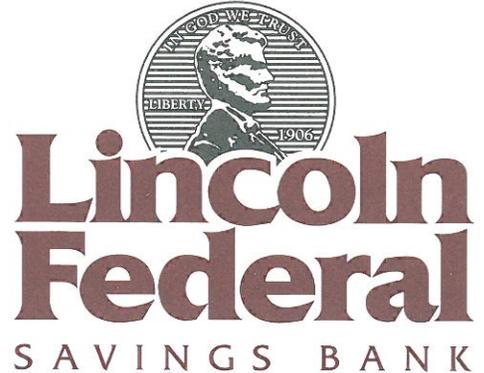
**From:** Michele M. Abendroth  
**Sent:** Friday, March 08, 2013 1:44 PM  
**To:** Adam Rupe; adamm@citywaverly.com; Allan Eurek; Amanda Bauman; Andrew Hartman; Ann Bleed; awilkason@hotmail.com; Barbara van den Berg; Becky Martin; Camilla Rice; Catherine Ward; Charla Rasmussen; Dallas A. McGee; Dan Rosenthal; Dana Rodriguez; David Landis; David R. Cary; Deena Winter; Derek W. Contreras; Edith Hayes; Gregory Gustafson; Gus P.; Gus Ponstingl; Holly Johnson; Ian Singh; Jason Stege; Jean Preister; Jill Becker; John Badami; John Kaslon; John Newcomer; Jon Yoachim; Jordan Pascale; Joyce Coppinger; Joyce Ebmeier; Keith Tenhulzen; Ken Fougeron; Kevin Andersen; Kristin Holmes; Lindsay Burford; Lori Houle; Lynnette Nelson; Marvin S. Krout; Megan Patent-Nygren; Mike Wicht; Nathan Morris; Nicholas Bergin; rkuzelka1@unl.edu; Ron Wick; Ryan Knollenberg; Sarah Hanzel; Scott Hatfield; Scott Sandquist; Scott Svyskocil; Stacey L. Hageman; Stuart Long; Terrence Lage; tuland@downtownlincoln.org; Tyler Mainquist; Wade Schuldt; Zachary White; Gill Peace; JoAnne Kissel; MaryAnne Wells; Michele Tilley (chocolatecake@neb.rr.com); Michelle Penn; Peter Hind; Scott Sullivan  
**Subject:** Urban Design Committee

The **March 13, 2013** Urban Design Committee meeting has been cancelled.

If you have any questions, please feel free to call the Planning Department at 441-7491.

### **Michele Abendroth**

Lincoln/Lancaster County Planning Department  
555 South 10th Street, Suite 213  
Lincoln, NE 68508  
402-441-6164



March 7, 2013

City Council  
City of Lincoln  
555 South 10th Street  
Lincoln, Nebraska 68508

RE: Impact Fee Appeal of Lincoln Federal Savings Bank and Stonebridge Creek LLC

Dear Members of the City Council:

On behalf of Lincoln Federal Savings Bank and Stonebridge Creek, LLC, please consider this letter a request that the impact fee appeal currently on your pending list and filed January 11, 2010 be withdrawn. This request for withdrawal is based upon a letter dated January 22, 2013 from Stephen Henrichsen of the Lincoln/Lancaster County Planning Department; a copy of which is attached hereto as Exhibit "A" and incorporated herein by said reference. If you should have any questions please feel free to contact me.

Yours very truly,

Leo Schumacher  
CEO/President

JMR/jdr

cc: Rick Peo, City Attorney's Office  
Stephen Henrichsen, Lincoln/Lancaster County Planning Department  
Michaela Dugan, Public Works & Utilities Department

**Lincoln:**  
1101 "N" St. 68508  
7001 "O" St. 68510  
2501 S. 48th St. 68506  
2810 Copper Ridge Dr. #1 68516  
2401 Superior St. 68521  
4500 S. 70th St. #100 68516

**Omaha:**  
673 N. 132nd St. 68154

**Fremont:**  
415 E. 6th St. 68025

**Blair:**  
1822 Washington St. 68008

**Hastings:**  
631 W. 2nd St. 68901

**Holdrege:**  
720 Fourth Av. 68949

**North Platte:**  
1002 S. Dewey 69101

**McCook:**  
221 Norris Av. 69001

**Benkelman:**  
524 Chief St. 69021



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LINCOLN-LANCASTER COUNTY  
PLANNING DEPARTMENT  
555 South 10th Street Suite 213 Lincoln, NE 68508  
402-441-7491 fax: 402-441-6377 lincoln.ne.gov



January 22, 2013

J. Michael Rierden  
645 M Street, Suite 200  
Lincoln, NE 68508

RE: Impact Fee Appeal of Lincoln Federal Savings Bank and Stonebridge Creek LLC

Dear Mike:

As we previously discussed, the City recommends that you withdraw this Impact Fee Appeal and if you do, you will retain your right to file an appeal in the future. This Impact Fee Appeal has been on the City Council pending list since January 11, 2010. The City Council desires to remove old and inactive items from the pending list. After consultation with Rick Peo, City Attorney and Michaela Dugan, Impact Fee Administrator, staff agreed that an impact fee appeal on this property could be filed in the future.

The initial appeal was a result of a letter from the Impact Fee Administrator, requested by the Lincoln Federal Savings, on the impact fee exemption designation of land in Stonebridge Creek, generally southwest of Alvo Road and N. 27<sup>th</sup> Street. This determination was then appealed by Lincoln Federal Savings Bank within ten days per the Impact Fee ordinance section on appeals. However, since the letter of the Impact Fee Administrator is not a "final determination" nor associated with any permit, the provision of Lincoln Municipal Code Section 27.82.110 (i) requiring an appeal in 10 days doesn't apply. By withdrawing the appeal now, you will still have the opportunity to appeal a future determination with another action such as a building permit. You will also have the ability to ask for a new determination letter and file an appeal on that action. Since a building permit hasn't been approved and finalized on the land in question, there will still be a chance for an appeal in the future.

However, the reason for the original postponement of the appeal still applies – the City and the applicant would like to work out a revision to the original annexation agreement for this property as the best way to resolve the infrastructure financing for this area. That discussion can begin once Lincoln Federal is ready to resume development planning, which has been on hold for several years.

If you have any questions, please feel free to call me. Otherwise, if your client agrees, please send the City Council a letter withdrawing the impact fee appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Henrichsen".

Stephen Henrichsen, Development Review Manager  
Lincoln/ Lancaster County Planning Department

CC: Michaela Dugan, Miki Esposito, Public Works and Utilities Department  
Rick Peo, City Attorney's Office  
Marvin Krout, Planning Department





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

**AGENDA**  
**LES ADMINISTRATIVE BOARD**  
Friday, March 15, 2013 – 9:30 A.M.  
LES Board Room  
1040 “O” Street

**9:30 A.M.**

- 1. Call to Order**
- 2. Approval of Minutes of the February 15, 2013 Regular Meeting of the LES Administrative Board**
- 3. Comments from Customers**
- 4. Committee Reports**
  - A. Operations & Power Supply Committee
  - B. Finance & Audit Committee
    - \*1. 2013 Bond Issue, LES Resolution 2013-1
  - C. Personnel & Organization Committee
    - \*1. Amendment to Employees’ Retirement Plan, LES Resolution 2013-2
    - \*2. Amendment to LES Deferred Compensation Plan, LES Resolution 2013-3
  - D. Budget & Rates Committee
- 5. Administrator & CEO Reports**
  - A. State Legislative Report
  - B. Revenue Adjustment Mechanism Discussion
  - C. Annual Self-Insured Health & Dental Insurance Review
  - D. Enterprise Risk Management (ERM) Risk Appetite Statement
- 6. Chief Operating Officer’s Reports**
  - A. Reliability Compliance Update
  - B. Ten-Year Transmission and Substation Plan
  - C. 2013 Performance Indicators
- 7. Other Business**
  - A. Monthly Financial and Power Supply Reports
  - B. Miscellaneous Information
- 8. Adjournment**

\* Denotes Action Items

**Next Regular Administrative Board meeting Friday, April 19, 2013.**

**MINUTES**  
**DIRECTORS' MEETING**  
**MONDAY, MARCH 11, 2013**

**Present:** Carl Eskridge, Chair; Jon Camp, Vice Chair; Lloyd Hinkley; Gene Carroll; and Jonathan Cook

**Absent:** Doug Emery; and DiAnna Schimek

**Others:** Joan Ross, City Clerk; and Rick Hoppe, Chief of Staff

Chair Eskridge opened the meeting at 2:04 p.m. and announced the location of the Open Meetings Act.

**I. CITY CLERK**

Ross stated on today's agenda, pages 2 and 3 with 4 liquor license applications. Will call the liquor applications, and managers, together. On pg. 3 with Items 19, 20, and 21, should these be called together? Eskridge agreed to call together.

Ross stated, a reminder, under 3<sup>rd</sup> Reading, pg. 5, Item 30 has a Motion to Amend, a substitute agreement, Item 31 has a Motion to Amend, substitute agreement, Item 32 the same, substitute attachments A. On pg. 6, Item 35 has a Motion to Amend, substitute agreement. On pg. 7, under Pending, received a letter from Mike Rierden asking to withdraw Item 42, requiring a motion and vote.

**II. MAYOR & DIRECTORS CORRESPONDENCE**

**MAYOR**

1. NEWS RELEASE. Storytimes to focus on vision care at the Lincoln City Libraries.
2. NEWS RELEASE. New parking meter installation to begin Wednesday, March 7, 2013.
3. NEWS RELEASE. Check out Teen Tech Week @ Libraries.  
No comments

**WEST HAYMARKET JOINT PUBLIC AGENCY**

1. The West Haymarket Joint Public Agency originally scheduled to meet in room 303 of the County-City Building will now be held in Council Chamber on March 7<sup>th</sup>, 3:00 p.m.  
No comments

**III. DIRECTORS**

**FINANCE**

1. Correspondence pertaining to the City of Lincoln Comprehensive Annual Financial Report.
  - a) Memo from Steve Hubka, Finance Director, regarding the City of Lincoln Comprehensive Annual Financial Report;
  - b) Auditor BKD's letter to Mayor Beutler and the Lincoln City Council; and
  - c) Comprehensive Annual Financial Report for the fiscal year ended August 31, 2012 on file in the City Council office.  
No comments

**HEALTH DEPARTMENT**

1. NEWS RELEASE. Appointments available for household hazardous waste collection.  
No comments

## **PLANNING COMMISSION**

1. Action by the Planning Commission on March 6, 2013.
2. Planning Commission Final Action of March 6, 2013.  
No comments

## **PLANNING DEPARTMENT**

1. Administrative approvals by the Planning Director from February 26, 2013 through March 4, 2013.  
No comments

## **URBAN DEVELOPMENT**

1. Memo from David Landis, Urban Development Director, regarding the West Haymarket P Street and Canopy Street Redevelopment.  
No comments

## **IV. COUNCIL MEMBERS**

### **JON CAMP**

Camp would like to discuss the Experian Building. Hoppe stated he and Camp have exchanged emails regarding Experian. Camp stated, 2 words in the September 7, 2010 media release said, government subdivisions. A paragraph on the City and basically the only item in all our discussions.

Hoppe thought they discussed the numbers as we didn't have clients/potential lessees. Camp stated the article spoke about the City, with engineering there. Helped LPS after their fire. Hoppe replied in phase 2 we'd help fill the building. Meanwhile looked at potentially renting. Camp asked where is that mentioned? Hoppe said also doesn't say anything on renting to LPS. Camp replied 2 years, not a 15 year potential lease.

Hoppe stated do think we discussed with a number of folks in terms of this is a possibility if not filling with City employees. The benefit being the open 35,000 square feet. It could benefit at the State level, if we're the low bid, and local taxpayers to have someone fill the space.

Camp stated he wanted to keep on the tax roles, \$1250 to \$2050 taxes paid by Experian rather than City taxpayers and schools subsidizing it. But, it was justified, in a few years, the City needed the space. Now, offering to a State agency for possibly a 5 year, plus 2 - 5 year options. Basically ties up to 15 years.

Hoppe replied, as you say, the 2 - 5 year pieces optional. We scheduled space for Lincoln Fire and Rescue, consolidate administration, the quarter master program in the NSC. Requires a 3 million renovation, but not funded. Can't do now, so didn't seem 5 years would be huge in the scope of putting the money together.

Camp stated lot of backup to justify not presenting to the City Council and citizens, when Experian was discussed. Hoppe stated your interruption, believe we've been consistent. Camp said different words, but not fair to the private sector/taxpayers. Off the tax roles and now trying to compete with businesses. Hoppe stated you have the option to vote against, if we get the bid. Camp added thoughts are the City can go into private sector's business, and cost taxpayers. The 3 million renovation is totally different than presented.

Hoppe stated an expansive view of government versus private sector. Governments cooperate all the time to save money, leasing space is one. In town there's leases between government entities. We're not the only ones. The County rents space at Trabert Hall, we do space over the old police building to the State. Believe the State has rented to other entities. Importantly, we do cooperative efforts such as an Interlocal Agreement

for Information Services with the County. Theoretically could be provided by the private sector.

Hoppe added, we can define broadly and say, anything government offers, which can be provided by the private sector shouldn't have agreements. But, not sure that's a benefit to the taxpayers.

Camp stated all your examples different than Experian, which was an affirmative purchase, taking a private building off the tax roles. Partially justified to help Experian stay. The rest was to be for City services. But you said we can fill, and put other City property back on the tax role. Disagreed then, and still do, but nonetheless the City has it. To affirmatively buy a 350,000 square foot building, taking off the tax roles cost the schools, County, and all subdivisions \$150,000 to \$250,000 a year in taxes. Plus the renovation costs. Uncalled for. Let the private sector do. If the State needs space they can buy, or go to the private sector. Suddenly, the City makes a proposal. Totally inequitable to the private sector.

Hoppe replied have heard your point, you disagree. Hinkley added he would argue the purchase, but the taxpayer would be left with 350,000 square feet sitting vacant. Letting it sit is unfair to citizens. Would rather, as we have the space, go to government than private industry. Camp disagreed. Private industry goes on the tax roles. Hinkley stated he doesn't see the building having a mix. Camp commented Experian has now. Hinkley asked if he would you rather have vacant? Camp replied frankly looks like the end is justifying the means. No discussion on buying and being a leaser, landlord, to non-City government agencies. It was City, and City subdivisions. A multi year move putting other properties on the tax role. Experian would stay with a 5 to 7 year lease, spend \$300,000 on renovations. Hinkley stated, sounds as if arguing we shouldn't have bought. Camp replied if we made a mistake still doesn't justify competing with the private sector, people who pay taxes.

Hoppe added all things mentioned happened. We have a creative plan to fill, but as mentioned didn't have money to finish the fire portion leaving open square footage to potentially rent to HHS. Camp stated, again, you said this will work out, and remembers saying you'll not the money to renovate. Now, admitting, saying we'll take out of the private sector who may have the ability to lease their property. Hoppe replied you put your spin on this, which is fine, but do not agree with your assessment. There are properties which will be back on the roles as a result of these moves. Some projects will go forward, pumping millions in our economy. Understand your objection, but point out the jobs saved in Experian important to the community then. People in the business community said yes, this makes sense. Camp said they weren't sold on the City being a landlord. You would have had major property owners saying no way. We took businesses out of taxpaying buildings who now they're suffering. He added, a situation which puts a blemish on City government competing with the private sector. Cannot continue, need to get government back to basics; police, fire and infrastructure. Not owning property, being landlords, and expanding into the private domain.

Hoppe stated, we haven't been as expansive as you're suggesting. This opportunity presented itself. Camp added we know the jail is coming up, along with Pershing. Now hear, guess we have extra space so let's lease it. Doesn't justify. Embarrassed to the taxpayers for the City's actions.

Eskridge asked for any other questions.

## **V. CORRESPONDENCE FROM CITIZENS**

1. Letter from the Board of Directors of the American Institute of Architects, Lincoln Chapter, expressing concern of design review procedures on Project Oscar

No comment

## **VI. ADJOURNMENT**

Chair Eskridge adjourned the meeting at 2:19 p.m.

