

MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, May 25, 2011, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10 th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Leirion Gaylor Baird, Michael Cornelius, Dick Esseks, Wendy Francis, Roger Larson, Jeanelle Lust, Jim Partington, Lynn Sunderman and Tommy Taylor; Marvin Krout, Nicole Fleck-Tooze, David Cary, Michael Brienzo, and Jean Preister of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Special Public Hearing Planning Commission Review Edition of the FY2010-11 thru 2015/16 Capital Improvements Program (CIP) and the FY2011-2014 Transportation Improvement Program

Chair Lynn Sunderman called the meeting to order and announced that the Open Meetings Act is posted in the back of the room.

This is a special public hearing on the City's six-year Capital Improvements Program and FY2011-2014 Transportation Improvement Program for the Lincoln Metropolitan Area (MPO) .

**THE PLANNING COMMISSION REVIEW EDITION
OF THE CITY OF LINCOLN
DRAFT SIX YEAR CAPITAL IMPROVEMENTS PROGRAM (CIP)
FOR FY 2010/11 - 2015/16.**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 12, 2010

Members present: Larson, Esseks, Partington, Cornelius, Taylor, Francis, Gaylor Baird, Lust and Sunderman.

Ex parte communications: None.

Staff presentation: **David Cary of Planning staff** gave a presentation and overview of the CIP. The CIP provides a multi-year list of proposed major capital expenditures for the city and is one of the most important responsibilities of municipal government. The city constantly looks ahead at how to improve major items such as roads, utilities, police, fire parks, libraries and other community buildings. "Capital improvements" consist of the acquisition of real property; the acquisition, construction, reconstruction, improvement,

extension, equipping, or furnishing of any physical improvement, but not routine maintenance work thereon; and equipment with a probable useful life of fifteen or more years. The CIP is not intended to be an all inclusive inventory of the capital needs for the upcoming six years. The City Charter assigns responsibility for assembling the CIP to the City Planning Department.

This process involves coordinating the assessment of the city's capital needs. Each City department projects their capital needs and creates an improvement program for the six year period. The individual requests are assembled by the Planning Department, which then becomes the CIP. Each project is evaluated for conformity with the Comprehensive Plan along with recent funding projections and revenue calculations. The CIP is updated annually. The Mayor's Capital Improvements Advisory Committee guides the development of the document. In accordance with the City Charter, the CIP is reviewed for conformity with the Comprehensive Plan by the Planning Commission. The Planning Commission makes a recommendation as to conformance and that recommendation, along with public testimony and comments, is passed on to the Mayor and City Council for consideration in budget discussions. Year one becomes the capital budget for FY 2010-11, beginning 9/01/10.

The Clerk then proceeded to call the individual department CIP's for public hearing.

A. Building & Safety: David Cary of Planning staff advised that the Building & Safety Department is requesting funding for a Fire Prevention Garage. This garage would be used to house specialized equipment for the Bureau of Fire Prevention. Much of this equipment is sensitive to cold so minimal heating is needed. There is also a requirement for a secure evidence storage area. This project has been in previous CIP's and is found to be in general conformance with the Comprehensive Plan.

Esseks inquired whether this means the project has been postponed in the past. Cary responded that it has been in the out years in previous CIP's. This \$150,000 would be spent beginning September 1, 2010, if it remains in year one.

Gaylor Baird noted that this is the second most costly item in the number of projects that draw on the general fund revenues, and she wondered whether it is believed that this project deserves that sort of priority and dedication. Cary acknowledged that the source of funding can always be further considered and discussed. In this case, it is difficult for Building & Safety to have a large capital budget so the general fund is the revenue source. It will be discussed during the budget process.

There was no other public testimony.

B. Finance Department:

1. Communications/911 Center: David Cary of Planning staff advised that the proposed CIP for the Communications/911 Center includes three projects designed to enhance operations over the six-year period. These projects include a new Emergency Communication Center, upgraded radio system and a Communications Command Post to provide support in the field. The three projects are part of a proposed Public Safety Bond Issue planned to go before voters in FY 2011/12. This proposed CIP is found to be in general conformance with the Comprehensive Plan.

There was no other public testimony.

2. Pershing Auditorium: David Cary of Planning staff advised that Pershing Auditorium's proposed CIP includes funds for the continued minimal maintenance of the Auditorium over the six-year period. There has been much discussion about the new arena facility, and with yesterday's vote, we now have direction with the arena so the future of Pershing will be discussed in more detail. We need to keep in mind that it will still need to be maintained and operable for at least the next 5-6 years before the new facility is up and running. This funding is for that purpose. This project was found to be in general conformance with the Comprehensive Plan.

Public Testimony

Coby Mach appeared on behalf of **LIBA** in a neutral capacity. He pointed out that there are some things in this proposed CIP that need further consideration in light of the arena bond passing last night. He acknowledged that we do not want to see the building deteriorate, but there are some things such as curtains, for example, that perhaps could be postponed and those expenses saved. Also as an example, the folding chairs – perhaps the City Council should consider whether or not those chairs are something that could be used in the new arena or if we truly have to purchase them at this time. Mach expressed appreciation to the community for yesterday's vote.

C. Fire and Rescue: David Cary of Planning staff advised that the Fire and Rescue CIP includes five projects. These projects involve one new fire station; a relocated fire station; a replaced third station; an educational, training and fleet service campus to enhance operations; and a general use fire station modifications and repairs project. All projects are proposed to be part of a Public Safety Bond Issue planned to go before voters in FY 2011/12. All projects are found to be in general conformance with the Comprehensive Plan.

Esseks noted that there have been some real changes from the previous two CIP's in such important questions as the number of new stations and the location of new stations. In light of the provisions in the Comprehensive Plan under Public Safety, Esseks believes it important to have some discussion as to why these changes have occurred. Cary stated

that the changes are based on the Fire Department's determination of the best use of their capacity to fund certain projects. These projects are definitely being funded by a future bond issue requiring voter approval. There have been many discussion within the Fire Department on the best locations for fire stations and whether they should be replaced, based on fire response times. He is certain that their discussions have informed them on the changes in the proposed projects.

Esseks pointed out that two years ago, there was going to be a new Station 16 as well as Station 15. Here he sees only Station 15 and wants to know what happened to Station 16.

John Huff, Assistant Fire Chief, offered that the Fire Department is constantly monitoring response times, which is what drives everything they do. They are looking for opportunities to maximum utilization of existing personnel and resources and minimize capital outlay. It became apparent that if we relocated Station 10 on Adams Street to a location further north and east, we could improve the response time significantly. By relocating Station 10, they did not have to add Station 16. The Fire Department believes that a relocation is more cost effective than a new and additional facility. Station 15 would be the next to be built. The Fire Department continues to try to number them sequentially by priority. By relocating Station 10, the response times are improved and Station 15 becomes the location at Eiger Drive and Hwy 2.

Esseks inquired as to the last time the Fire Department was able to build a new station. Huff believes that would have been Station 14 in the Highlands in 1995. They have tried to maintain the existing facilities with some improvements throughout the operating budget, so they have not had any capital investment for quite a long time.

Gaylor Baird pointed out that these are urgent and important projects, especially new fire stations. She knows they are slated for 2011-12, but we need to be aware of the compromise in service that we all face until these stations are built. On a regular basis, the Planning Commission receives comments back from the Fire Department on projects that involve annexation on exterior parts of the city stating that, "There is a lack of fire facilities in the area that does not allow the Fire Department to provide timely emergency response that the community expects to receive". This is an urgent issue for our community.

Huff suggested that as we continue to reach further and further, we need to add facilities to continue to provide rapid response.

There was no other public testimony.

D. Lincoln City Libraries: **David Cary of Planning Staff** advised that the Lincoln City Libraries are proposing five projects in the six year CIP. The largest single project in the Department's proposed capital improvement program is the replacement of the Bennett Martin Library in FY 2014/15. This project is proposed for a combination of a general obligation (GO) bond and other financing, likely to include private fund raising. The

Bookmobile is planned to be replaced in 2010/11, new HVAC systems are proposed in both the Gere branch and the Anderson branch in 2010/11 and 2011/12 respectively, and the Bethany branch is slated for a roof replacement in 2012/13. These projects are found to be in full or general conformance with the Comprehensive Plan.

There was no other public testimony.

E. Lincoln Electric System (LES): David Cary of Planning staff advised the Lincoln Electric System's proposed \$272 million capital program embodies a substantial investment in electrical power supply and distribution for the community over the six-year period. Underground Distribution, with the majority going to new residential and commercial development, new transformers and meters, and power supply, including LES's investment in the Laramie River Station, account for the largest portions of the program. This year's LES program is significantly higher than last year's program with implementation of Smart Grid technology such as advanced metering infrastructure, new base load generation startup costs for a future plant, and environmental equipment at the Laramie River Station accounting for most of this increase. There is a question on the level of impact new and replaced transmission lines will have on the built environment based on whether or not they are installed above or below ground, and based on their exact locations. Other review boards staffed by the Planning Department will have an opportunity to review these projects and advise the community as needed. All projects are found to be in general conformance with the Comprehensive Plan.

Gaylor Baird asked Cary to speak to the issue of the built environment from a planning perspective. Cary stated that some of the locations are in an area of the city that is not easily redone as far as the electrical system is concerned – existing buildings, housing, infrastructure – unlike in a newly developed area that is very often buried power lines. The point being made in the staff report is how those projects in the built environment are going to be discussed with the community and planned out and implemented. The staff report points out that there are other review boards – Historic Preservation Commission, Nebraska Capitol Environs Commission – that will have opportunities to review some of the specific projects in the built environment.

Gaylor Baird inquired whether staff has a strong preference for burying as opposed to above ground. Cary would not say it is a strong preference, but staff wants to look at each project on a case-by-case basis and look at the impacts of above versus below ground.

There was no other public testimony.

F. Aging: David Cary of Planning staff noted that the Aging Partners department is within the Mayor's Office and is proposing one project in the six years of the CIP programming period. The capital program totals approximately \$3.8 million for the construction of a new Northeast ActiveAge Center, including planning work to develop a strategy to best serve the Lincoln community. The new facility is programmed for the third

and fourth year of the CIP. Funding for the program consists of City General Revenue funds, funding from Lancaster County, and Other Funding made up largely of private donations. No funds are requested in FY 2010/11. This project is found to be in general conformance with the Comprehensive Plan.

There was no other public testimony.

G. Police Department: **David Cary of Planning staff** advised that the proposed capital program for the Police Department involves five projects – relocation of the LPD K9 Training Facility; a study for a new assembly station in south Lincoln and construction of that facility; and a master plan for a new LPD Garage-Maintenance & Repair Facility and construction of that facility. The first project is shown in 2010/11 using Other Financing to relocate the existing K-9 facility. The Team Assembly Station, Phase I, II, & III, and the LPD Garage, Maintenance and Repair Facility are part of a proposed Public Safety Bond Issue planned to go before voters in FY 2011/12. All projects are found to be in general conformance with the Comprehensive Plan.

Lust inquired as to the specific source of the “other financing” for the canine unit. Cary believes that it is a grant that they have received. They have been waiting for that to materialize in order to determine the location.

There was no other public testimony.

H. Urban Development: **David Cary of Planning staff** advised that the Urban Development Department's proposed CIP includes twelve projects totaling over \$23 million over the six-year period. The funding for the program consists of Community Improvement Financing (or Tax Increment Financing), Community Development Block Grants, Revenue Bonds, City General Revenue funds, and Service Charges. This is the third year that Parking projects, which were formerly part of the Public Works and Utilities CIP, are part of Urban Development's CIP. Notable projects included in the Urban Development CIP are the Civic Plaza project at 13th and P Streets, the Centennial Mall reconstruction project, and a Streetscape design project for M and 11th Streets in Downtown Lincoln. The Urban Development CIP is found to be in full or general conformance with the Comprehensive Plan.

Esseks expressed an interest in the Havelock revitalization project. **David Landis, Director of Urban Development**, stated that the most active part of that is the facade program, which is the new piece. There is a surface parking lot that the City maintains; they have done some streetscape work already; but the piece that is now in progress is to link the merchants there with the other design palate for Havelock Avenue. We have told the merchants that there are some things we would like them to do for which Urban Development has grants available; secondly, there are other things that Urban Development wants to participate in with their participation in return, including the facade, awnings, updating signage, palate of design put together by Scott Sullivan, etc. There are

almost 20 businesses participating in one form or another. You can now see the beginning of that project and it will take a year or more, but when it is done it will be a very handsome improvement of the street face and creation of recurring design up and down the street that will be attractive for the neighborhood and the business district.

Gaylor Baird was curious about the N. 27th Redevelopment projects. Landis stated that this is one of the TIF districts in which they simply use the TIF proceeds on a year by year basis, so there was not a front-loading of resources, but the span of 15 years of the district itself. It generates now because of the growth over time of \$713,000 a year. Currently, we have four locations where we have reached out to property owners. It is required upon us to do an appraisal. We are not permitted to simply ask for a price. We have to start from a market based number. We have done four appraisals for locations and properties along that area and we have had conversations with three of those owners and he is encouraged on all three fronts and hopes to be able to do those transactions. The most logical is to demolish the structures. These are blighted structures, and even an empty green lot would be a better purpose for the land than the kinds of structures there currently. When they are demolished and zoned for business, it is possible that the market place comes back and says they will pay for the lot that is now vacant. Here are the mathematics of how this works – we pay for a blighted structure, we pay for the demolishing, we then have a much more commercially attractive opportunity to jump start private investment that is not taking place now to get investment there and on those sites. The money that we use is the money that we have from the TIF district up and down that realm. That money comes to us because of the growth in that area.

Gaylor Baird expressed interest in the Centennial Mall project and what that entails, which is found in both the Urban Development and Parks CIP's. Landis explained that the opportunities to do Centennial Mall came from Urban Development's own analysis of an existing TIF district that did not include the mall per se. But we understood that at the end of the 15 years we would have resources not planned for the area between this building and the State Capitol. We realized that we would have resources for extending the boundaries of the Centennial Mall. The City Council has altered the boundaries of that district so that the money collected can now be used for the Centennial Mall. The request to change the boundaries comes from Urban Development. It does away with the steps, which have been a safety hazard; it does away with the fountains that have been vandalized; it has added ornamental lighting; it has landscaping. The design has been done because of the Parks Department. Parks will be responsible for the transition to the private sector fund-raising.

Gaylor Baird believes there are a lot of really exciting projects included in the CIP, many of which support the Downtown Master Plan, such as the Civic Plaza, which has the possibility of transforming the Downtown community and creating space where people come together for recreation and cultural activities. The M Street corridor, which not only

has visual impact on Downtown, contributes to enhancing pedestrian access and eventually bicycle access Downtown and connects Antelope Valley to the Haymarket. Gaylor Baird is glad to see that these projects are rated in conformance.

Landis explained that the tool that will be used for both is actually the same tool used in Centennial Mall. The resources exist in the form of resources available in an existing TIF district, the boundaries of which, if modified, would make those resources available. This is true for Civic Plaza and the M Street Promenade. There are two parts to M Street – the promenade, which is a significant investment in pedestrian friendly usage of M Street linking Antelope Valley with the Haymarket. The second aspect is the “park block” aspect. Here the city has control of two of those 11 blocks that would be the easiest and most achievable opportunities to use that idea of a Master Plan. The money that you see identified exists, but it exists for a project on the other side of M Street without a plan to be used and would be accessible to do the design aspect of the promenade.

Esseks asked Landis to describe the boundaries of the area along N. 27th where progress is now being made. Landis believes it is from O Street north, perhaps stopping at Cornhusker Highway.

Lust noted that one of the projects slated to begin in 2010-11 is public parking garages in the Haymarket District. With the passage of the Arena bond, is this part of the step of spurring development in the area or do you expect any developer to want to build parking garages? Landis stated that it is meant to be a spur to development, but it is not meant to be the West Haymarket Arena area development. There are needs downtown for parking, whether we did the arena or not. Last year, we were allowed to include a parking structure in the CIP on 13th to 14th, P to Q, next to the Civic Plaza. We are working on about 600 stalls. This CIP project is a second garage in the Haymarket area. There are three locations being considered. This parking garage is meant very much to spur development. It won't be full, but parking can be a tool that is a magnet for development. There was no other public testimony.

I. City-County Health Department. The Health Department did not submit a CIP for this planning period.

J. Parks and Recreation: David Cary of Planning staff advised that the proposed capital improvements to the City's parks and recreation system are projected to cost over \$46 million over the six-year period. General obligation (GO) bonds, general revenue, revenue bonds, keno funds, transportation enhancement funds, impact fees, and the Parks & Rec repair/replacement fund account for the majority of funds programmed for the CIP. Funds from private sources are also being shown for a substantial portion of the six year improvement program. Athletic fees and tennis fees account for the balance. A general

obligation (GO) "Quality of Life Bond Issue" request amounting to \$19.9 million is requested for 2013/14 for various improvements to the Parks & Recreation system. All projects are found to be in full or general conformance with the Comprehensive Plan.

Esseks commented that he lives in the northeast and there is a park associated with Kahoa Elementary that needs to be rehabilitated. The children are getting splinters from the jungle gym there. Esseks inquired whether that park will be repaired at some point. Cary advised that there is a general program for neighborhood park facility repair and maintenance and replacement.

JJ Yost of Parks & Recreation acknowledged that there have been discussions about alternative uses or joint uses for that park facility, but there are no definite plans at this time. He agreed that there is a need for renovation of the playground and it is on a list of facilities identified for repair and replacement but this one is a little bit down on that list, approximately three or four years out for rehabilitation. There are 85 playgrounds in the system with an average life span of about 20 years, so we need to be doing about three or four playgrounds a year. Financially, we are not able to do that – we are only able to do one or two per year. Yost agreed to take a closer look at moving Kahoa up the list.

Gaylor Baird inquired whether there are places in the parks that have inadequate lighting for safety. Yost responded in the affirmative. The Parks Department gets requests quite frequently from neighbors or neighborhood associations wanting additional lighting in parks, primarily associated with playgrounds. By design, neighborhood parks typically do not have lighting within them. We only program lighting for community and regional parks that have more drive-in or programmed uses. However, there are some exceptions – there are parks that have lighting where there is a real need for safety. This year, the Lincoln Cares Program is funding solar lighting applications at a couple of parks with need for lighting by the playground. Yost pointed out that when you add lighting, you add operation costs and long term maintenance costs. Parks is looking at alternative sources and materials.

Gaylor Baird asked whether the Parks Department considers crime statistics. Yost stated that Parks does take advice from the Police Department on where lighting would be advisable for recreational areas.

Coby Mach, appeared on behalf of **LIBA**. He acknowledged that the Planning Commission's purpose is to determine whether the projects are in conformance with the Comprehensive Plan, and that today, LIBA is not commenting on the proposals for Libraries or the new active age centers because they want to do more study. LIBA is also not commenting on the new fire stations because they have been invited to join the Fire Chief in some discussions and studies.

But, in relation to the Parks Department, LIBA recognizes that our parks, trails, bridges, and neighborhood amenities need to be maintained; however, LIBA questions the philosophy behind the Comprehensive Plan itself, which indicates that there should be one park for

every one square mile of residential property. Since the Comprehensive Plan is coming up for review later this summer, LIBA suggests that the community consider: 1) is a city park for every square mile a realistic venture that the City should continue to pursue; 2) can the taxpayers afford to continue to maintain those parks – in the last 15 years, the amount of park land has grown in Lincoln by 64%; and 3) would Lincoln be better off creating expansive, larger parks that are easier to maintain and require fewer personnel, thus reducing the expenditure but maintain a park system of which we can be proud? Mach agreed that what is before the Planning Commission today does comply with the Comprehensive Plan, but suggested that it is a good time to perhaps start reviewing the overall policy.

Larson inquired as to how much of the 64% increase in park land was donated land. Mach did not have that information, but the Urban Land Institute has done a comparison and found that in the average city, there are 19 acres of park land per 1,000 population. In Lincoln, we have 27 acres per 1,000 residents, but how much of that was donated, he did not know.

Esseks expressed interest in LIBA's proposal, but he believes it could have very serious implications, both good and bad. One of the selling points for Lincoln is that there is a lot of good park space. We need some evidence that we could go to a different ratio. Mach reiterated that LIBA is not making a proposal today – just presenting some “thought-starters” as we head into a study of the Comprehensive Plan. LIBA is happy to discuss all thoughts.

K. Public Works and Utilities: The Public Works and Utilities Department's capital program includes projects for seven divisions: (1) StarTran; (2) Streets and Highways; (3) Watershed Management; (4) Street Maintenance Operations; (5) Water; (6) Wastewater; and (7) Solid Waste Operations.

1. StarTran: David Cary of Planning staff explained that StarTran's six-year, \$12.5 million proposed capital improvement program is funded largely through Federal transportation money with \$10.4 million in funds, with the balance coming from City general revenue funds and special reserves. The largest single capital item is the accumulation of funds for replacement of 20 buses in 2015. No General Revenue funds are programmed in the first year of this year's CIP. All projects are found to be in full or general conformance with the Comprehensive Plan.

Sunderman inquired why the replacement of 15 buses in 2011 doesn't show any dollar amount. Cary explained that the funding for that was accounted for in previous budgets. StarTran is showing it in this CIP due to a timing issue in the actual purchasing of the buses for the purpose of showing as much information as desirable for the federal agencies.

There was no other public testimony.

2. Streets and Highways: David Cary of Planning staff advised that the Streets and Highways capital program proposed by Public Works & Utilities identifies a program totaling \$155.8 million over the six year programming period, a decrease from last year's CIP. These projects range from resurfacing projects to pedestrian facilities to system management programs to the construction of major new roadway facilities.

With the adoption of the 2030 Comprehensive Plan in November of 2006, a list and map of specific street projects were included as part of the Plan. The "Streets and Highways" CIP submittal has been closely coordinated with the 2030 Comprehensive Plan which was used in determining Comprehensive Plan conformity.

A variety of Federal, State and City revenues are utilized to fund the program, including Impact Fees that began 2003, City Wheel Tax revenues, and Federal transportation funds. The Public Works & Utilities Department anticipates decreasing Highway Allocation Funding (gas tax revenues) over the next six years that will ultimately reduce the City's ability to obtain future available Federal transportation funding.

The notable projects in the first year of the program include continuing the Antelope Valley roadway improvements, the Southwest 40th Viaduct, widening Old Cheney Road from 70th to 82nd Street, and arterial street projects within impact fee districts.

All projects are found to be in full or general conformance with the Comprehensive Plan.

Francis inquired whether the funds allocated for the East Beltway are for acquisition of land. **Thomas Shafer of Public Works** advised that those funds are being set aside for corridor protection – for negotiating the purchase of property. The East Beltway is a joint project with the County, thus \$500,000 a year to take advantage of opportunities that may come about. Francis suggested that this funding is reactionary as opposed to proactive. Shafer agreed that it would be used in response to some sort of building permit being filed. The right-of-way costs will be much more in excess of \$250,000/year for six years. Hopefully some day we will have the funds to finish the project and that right-of-way money will be there. The only property acquired so far is Tractor Supply – they had filed for corridor protection and left a piece open for building the interchange, and that is the only piece that Shafer is aware of that has been purchased.

Esseks noted that the CIP for sidewalk maintenance and repair is 50% less than it was last year. He wanted to know why there has been a decrease in priority given to sidewalk maintenance. Shafer indicated that it is due to lots of competing needs and very limited funds. This last winter was very hard on infrastructure in terms of streets. The lack of maintenance that we put towards arterials caught up with us this winter. We decided that we still needed to make sidewalks somewhat of a priority but that money needed to be shifted. It's a priority balancing act – do we put it on arterials or sidewalks? It's the balance that came about through working with the Mayor's Capital Improvements Advisory Committee.

Gaylor Baird inquired whether it is the lack of maintenance that caused so many potholes or the extreme weather and machines used to clear snow. Shafer stated that it is undoubtedly the lack of maintenance. Shafer then explained how a pothole forms, and the City has been unable to do crack sealing and overlays to keep moisture out. The City did 14.8 miles of arterial rehabilitation from 2005-09. There is a need to do 60 miles a year. "We reaped in what we sowed."

There was no other public testimony.

3. Watershed Management: David Cary of Planning staff explained that the proposed Watershed Management CIP contains approximately \$45 million in improvements over the six year period. The passage of three general obligation (GO) bond issues (in FY 2010/11, FY 2012/13, and FY2014/15) would constitute the bulk of the funding for these improvements. The remaining watershed management projects are proposed to be funded through State/Federal Funds and Other Financing. These projects include city subsidy to storm drainage construction in paving districts, preliminary planning efforts, miscellaneous storm sewer improvements, implementation of watershed master plan projects, water quality projects, stream rehabilitation, floodplain/floodprone engineering and projects, and the continued development of a Comprehensive Watershed Master Plan. All projects are found to be in full or general conformance with the Comprehensive Plan.

There was no other public testimony.

4. Street Maintenance Operations: David Cary of Planning staff explained that the Street Maintenance Operations' proposed CIP involves the replacement of the HVAC system and electrical lighting at the 3180 South Street facility and the 3200 Baldwin Ave. facility, the resealing of the roof at the 901 North 6th Street facilities, and a new salt storage shed at 3200 Baldwin Ave. All projects were found to be in general conformance with the Comprehensive Plan.

There was no other public testimony.

5. Water Supply and Distribution: David Cary of Planning staff stated that the proposed Lincoln Water System CIP contains approximately \$100 million in water supply, treatment, storage and distribution improvements over the six-year period. This is a higher total amount compared to last year's CIP. Included in this year's submittal are projects intended to enhance water services to the existing City, while others will serve developing areas of Lincoln. The CIP has been prepared based upon information and recommendations contained in the 2030 Comprehensive Plan and 2002 Lincoln Water System Facilities Master Plan. Funding sources for projects include community improvement financing (TIF), revenue bonds, utility revenues, and impact fees. This proposed CIP assumes a 5% per year increase in water utility rates. It should be noted that a comprehensive rate study of the City's utilities is underway and the findings of that study will be discussed later this year.

Continued in this year's program is more general programming of projects intended to serve growth in the community in years 2 through 6 of the program. Specific programming of funding for these projects will be identified as planning and need become more apparent in future years. At this time, \$18.5 million in impact fees and revenue bond funding has been programmed for a list of potential projects that total \$27.8 million in costs. Notable in the first year of the Water program is the limited amount of funding available for capital projects.

All proposed projects are found to be in general conformance with the Comprehensive Plan.

There was no other public testimony.

6. Wastewater: David Cary of Planning staff advised that the proposed Lincoln Wastewater CIP contains approximately \$66.8 million in projects, encompassing both the Theresa Street and Northeast Treatment Plants, construction of new sanitary sewer mains, and the selective replacement of existing mains over the six-year period. This amount is similar to last year's program, but is significantly lower than previous CIP programs. The CIP has been prepared based on information and recommendations contained in the 2030 Comprehensive Plan and the recently adopted Lincoln Wastewater Facilities Master Plan. Funding sources for projects include community improvement financing (TIF), revenue bonds, utility revenues, and impact fees. This proposed CIP assumes a 5% per year increase in wastewater utility rates. It should be noted that a comprehensive rate study of the City's utilities is underway and the findings of that study will be discussed later this year.

Continued in this year's program is more general programming of projects intended to serve growth in the community in years 3 through 6 of the program. Specific funding for projects will be identified as planning and need become more apparent in future years. At this time, \$5.1 million in impact fees, revenue bonds, and utility revenues have been programmed for a list of potential projects that total \$23.2 million in costs.

All projects are found to be in either full or general conformance with the Comprehensive Plan.

Esseks inquired about the possibility of a new treatment facility in the west or southwest. He sees no reference in the CIP. **Gary Brandt, Utilities Coordinator for Wastewater and Solid Waste**, stated that a new treatment facility is not foreseen in the Wastewater Facility Master Plan adopted as part of the Comprehensive Plan for a considerable number of years, based upon the growth in the city and the efforts that would need to be made in the plan for the sanitary sewer system to handle the peak flows in a different manner. That is not in the plan for a long time.

Larson inquired as to the progress with the northeast treatment facility that is moving

generally south and east. Brandt explained that will be completed within the plan period. They are currently in phase two of that trunk sewer extension from Fletcher to just south of the trail on the south side of the Lancaster County Event Center near Salt Creek. Phase three extends further south and phase four will end up at 98th and O Streets. Larson confirmed that in the six year plan it will reach 98th and O Streets. Brandt agreed. It is project #316 and #317.

There was no other public testimony.

7. Solid Waste Operations: David Cary of Planning staff advised that the proposed capital improvements for the Solid Waste Operations program include projects related to the Bluff Road Sanitary Landfill, the North 48th Street Landfill and Transfer Station, and the Solid Waste Management System. The CIP totals approximately \$27.7 million over the six-year period which is an increase from last year.

Notable projects include liner and leachate collection systems for new phases and final caps for older phases of the Bluff Road landfill, development of a landfill gas collection system, expansion of recycling facilities, park development for the N 48th Street landfill after closure, and a new access road paving project to serve the Bluff Road Landfill site. All projects are found to be in general conformance with the Comprehensive Plan.

Larson inquired whether we are getting any methane gas production out of the landfill. Gary Brandt stated that the landfill has generated methane every day from the day it started. We are not collecting the landfill gas and utilizing it at this time. We do have a project under design to collect the landfill gas and flare that gas initially. The further step is how to develop the utilization of that product. That collection system is anticipated to be constructed this summer and into the winter.

There was no further public testimony.

Partington believes it appears that Public Works and Utilities has made the necessary and appropriate compromises between new investment and maintenance of infrastructure, except in roads. That just seems to be such a big issue that no one can come to grips with. Cary agreed that roads is a very big issue. It is something that many different committees and the community have been talking about for many years. In this current CIP we have learned that we do have an issue with the decrease in funding sources and growing needs. It is something that needs to be addressed and it is being addressed as well as possible at this time. It needs to be addressed on the revenue side as well as prioritization of projects.

Esseks wondered whether it is so important that it may be time for a special task force. Cary stated that there have been many task forces in recent years with some good ideas. We do have good information.

This concluded the public hearing on the Capital Improvements Program.

**THE DRAFT FY2011-2014
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)
FOR THE LINCOLN AND LANCASTER COUNTY AREA
(LINCOLN MPO).
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 12, 2010

Members present: Larson, Esseks, Partington, Cornelius, Taylor, Francis, Gaylor Baird, Lust and Sunderman.

Ex parte communications: None.

Staff presentation: **Mike Brienzo of Planning staff** appeared on behalf of the Lincoln Metropolitan Planning area (MPO), which is also the City of Lincoln. The Transportation Improvement Program (TIP) is a document that is assembled every year to coordinate with the development of several CIP's. It is a document that is required if a project is to be developed using federal funds, so any transportation projects that would like to pursue federal funding are placed in this program, which must be accepted by the Federal Highway Administration as a viable document. This Planning Commission hearing is a step in that process.

The TIP reflects projects that are gathered from the state, the county and the city and other coordinating agencies in the planning area for the MPO, which is the entire county. It is a four-year document with fiscally constrained projects.

Brienzo explained that there is a slight change from last year. The first four years of the TIP have always been adopted and the fifth and sixth years were for informational purposes. This year the program focuses on just four years. All of the projects in the TIP are available for funding and implementation. The TIP is a outgrowth of the transportation plan contained in the Comprehensive Plan.

The purpose of the Planning Commission review is a finding of conformity. The proposed program has been reviewed by the MPO Technical Advisory Committee and, on May 6, 2010, the proposed program was found to be in compliance with federal regulations and is an outgrowth of the transportation plan.

Upon recommendation of the Planning Commission, comments will be gathered and the program will be taken to the MPO policy board made up the Mayor, representatives of the City Council and County Board and a representative of the state. From that point it becomes an active document.

There was no further public testimony.

This concluded the public hearing on the TIP.

**THE PLANNING COMMISSION REVIEW EDITION
OF THE DRAFT SIX-YEAR CAPITAL IMPROVEMENTS PROGRAM (CIP).**

ACTION BY PLANNING COMMISSION:

May 12, 2010

Esseks moved to approve the staff recommendation for a finding of full or general conformance with the Comprehensive Plan, seconded by Francis.

Cornelius agreed with the concerns expressed by Esseks about the Public Works allocation of funds to sidewalk maintenance. The Comprehensive Plan calls for consistent maintenance and rehabilitation of sidewalks in our community. We are not decreasing the number of sidewalks we have by 50%. We have the same or greater amount of sidewalks. We are already running a backlog in maintenance, and a 50% cut does not reflect the Comprehensive Plan.

Cornelius moved to amend to find that the Project #0181 of the Public Works & Utilities CIP, Streets and Highways Division, for "Sidewalk Maintenance and Repair", is not in conformance with the Comprehensive Plan, seconded by Esseks.

Sunderman does not disagree that sidewalks are falling behind and the funding is necessary; but he disagrees to pull out one item. Street maintenance itself is way behind. He believes that many items could be pulled out of this entire package and micro manage the staff's efforts to balance the budget, but he is hesitant to go down that path.

Larson agreed with Sunderman. We should not micro manage and he will vote against the amendment.

Esseks believes that in order for the Planning Commission to have a real impact in representing the public, they should look not just at individual projects but also at prioritization. The sidewalks where he lives are in crummy shape and children are using them every day to and from school. We need to make a point here that "consistent maintenance of sidewalks" should be a high priority public purpose.

Lust stated that while she agrees that a 50% cut in sidewalk maintenance is not in the best interest of the city or in the goals we have set forth in the Comprehensive Plan, she believes that we have to recognize that what we are dealing with is a limited budget and

the gentleman that testified made it very clear that we are way behind on street maintenance and that all of the pothole problems are a result of lack of maintenance. She is concerned with calling out one item and saying that it is not in conformance because of the budget cut when there are other urgent needs that are not being funded adequately. The Planning Commission is not being asked to address concerns about the funding. We are just being asked whether a project is in conformance with the Comprehensive Plan.

Taylor commented that this has been a persistent problem and it is getting worse. It is a very major part of our infrastructure. This is a serious red flag that signals some serious problems with our infrastructure. This is a very precarious time, but he will not support the amendment. Perhaps the Commission should find some other way or avenue to approach this concern. We need to find a way to address this issue.

Partington commented that sometimes in the process, smaller projects like sidewalks can fall behind in terms of priority, and that is frustrating because in many cases they don't move them up. However, he does not believe it is the Planning Commission's role to solve that problem – it's more the role of the administration.

Gaylor Baird agrees that the Planning Commission focus is not the budget, but it is the role of the Planning Commission to comment on conformity with the Plan, and anyone would look at the sidewalk issue and say it is not in conformance. She will vote in favor of the amendment because it is the Planning Commission's job to highlight these concerns. While sidewalks seem small, they are sort of the skeleton of our community and they are really important for connectivity and the health of our community. They are a very visible, tangible project that citizens can wrap their arms around. A lot of the projects are things that the public will never see. From a public citizen perspective, sidewalks are a big deal and would be something that as a governmental entity we'll hear a lot of feedback upon if they are not in good shape. While there are balancing acts to be weighed in the funding decisions, she does not believe it is unwise to highlight this issue as a body that looks at conformance with the Comprehensive Plan.

Francis stated that she is inclined to vote against the amendment, but would hope that this discussion will be brought to the City Council to look at this issue in greater detail when considered in the budget.

Motion to amend to find Project #0181, "Sidewalk Maintenance and Repair," not in conformance with the Comprehensive Plan failed 4-5 (Esseks, Cornelius, Taylor, and Gaylor Baird voting 'yes'; Larson, Partington, Francis, Lust and Sunderman voting 'no').

Sunderman appreciates the discussion about sidewalks because it is a testing ground for what is happening on the entire budget – there is a balancing act. Maybe it is appropriate that we are going to be getting into the Comprehensive Plan review quickly and some of these things can be discussed. Sunderman extended appreciation to staff for their work on this CIP.

Main motion for finding of full or general conformance with the Comprehensive Plan carried 9-0: Larson, Esseks, Partington, Cornelius, Taylor, Francis, Gaylor Baird, Lust and Sunderman voting 'yes'.

**THE DRAFT FY2011-2014
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)
FOR THE LINCOLN AND LANCASTER COUNTY AREA
(LINCOLN MPO).**

ACTION BY PLANNING COMMISSION:

May 12, 2010

Lust moved to approve the staff recommendation for a finding of general conformance with the Comprehensive Plan, seconded by Francis and carried 9-0: Larson, Esseks, Partington, Cornelius, Taylor, Francis, Gaylor Baird, Lust and Sunderman voting 'yes'.

There being no further business, the meeting was adjourned at 2:35 p.m.

Note: These minutes will not be formally approved by the Planning Commission until their regular meeting on June 2, 2010.