

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, OCTOBER 21, 2002
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

1. Minutes of Director's Meeting for October 14, 2002.
2. Minutes of "Noon" Council Members' Meeting for October 14, 2002.
3. Pre-Council Meeting Minutes - RE: Cable Access Rules - October 7, 2002.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. Homeless Coalition Meeting (Werner)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - NONE

IV. REQUESTS OF COUNCIL FROM MAYOR - NONE

V. MEETINGS/INVITATIONS

1. Come help us celebrate Jim Visger's Retirement – he has worked for the City of Lincoln for 40 years. He will be having coffee on Friday, November 15th from 2:00 p.m. to 4:00 p.m. at Engineering Services, 531 Westgate Blvd. – And a dinner on November 15th from 6:30 p.m. to 9:30 p.m. at the Isles Reception Hall in Havelock. They will be sending informational flyers out very soon. (See Invitations)
2. Please join us for the 2002 Nebraska Tax Research Council's 52nd Annual Meeting on Friday, November 15, 2002 at The Champions' Club in Lincoln! (707 Stadium Drive) – Cost is \$45.00 individual or \$150.00 for four seats – Coffee & rolls will be provided beginning at 9:00 a.m., followed by the morning Program at 10:00 a.m. – Cancellations accepted on or before November 12th - Please fill out RSVP form and send with payment. (See Invitation)

3. The International Council of Shopping Centers (ICSC) will hold an Nebraska Alliance Program Progress Through Partnership Meeting on Wednesday, November 6, 2002 - The meeting will run from 10:30 a.m. to 5:00 p.m. at the Hastings Holiday Inn, 2201 Osborne Dr. East, Hastings, NE – 402 -463-8387. (See Invitation for more details)
4. The Joint Meeting of the Lincoln City Council and the Omaha City Council - On Wednesday, October 30, 2002 from 2:00 p.m. to 4:00 p.m. - Will be held at the SAC Museum Conference Room just off Exit 426 on Interstate 80 - (See E-Mail from Mark Bowen)

VI. MISCELLANEOUS

1. Discussion on E-Mail from Cori Beattie, County Commissioners Office regarding the Joint LPS/City/County Meeting on November 12th, if there are any additional Agenda items for this meeting. (See E-Mail).

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, OCTOBER 21, 2002
CONFERENCE ROOM 113

Council Members Present: Jonathan Cook, Chair; Jon Camp, Vice Chair; Glenn Friendt, Coleen Seng, Ken Svoboda, Terry Werner; **ABSENT:** Annette McRoy.

Others Present: Mark Bowen (arrived late), Ann Harrell, Mayor's Office; Dana Roper, City Attorney; Carolyn Chaney, City of Lincoln's Washington Lobbyist; Don Herz, City Finance Director; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda; Nate Jenkins, Lincoln *Journal Star* representative.

I. MINUTES

1. Minutes of Director's Meeting for October 14, 2002.
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3. Pre-Council Meeting Minutes - RE: Cable Access Rules - October 7, 2002.

Chair Jonathan Cook requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes, as presented. The motion was seconded by Coleen Seng and the minutes were approved as presented by unanimous consensus of those Council Members present.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES -

1. HOMELESS COALITION MEETING (Werner) - No Report

OTHER MEETINGS - Ms. Seng commented on the many dinners and celebrations that Council Members had been attending over the last few weeks. Comments were made regarding several of the meetings, but none of any specificity.

III. APPOINTMENTS/REAPPOINTMENTS - Mr. Cook asked if Corrie [Kielty -most recent addition to the Mayoral Staff- replacing Kent Morgan, who has returned to his duties in the Planning Department] would be in charge of the Appointments/Reappointments. Ms. Harrell answered that she hadn't heard anyone say that the procedure would be changed from the current format which is under Joyce's management.

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen noted the final agenda for the upcoming Joint Lincoln/Omaha Council meeting and asked Council to have any additions or revisions to him as soon as they were able.

V. MEETINGS/INVITATIONS - Noted Without Significant Comment

VI. MISCELLANEOUS -

1. Discussion on E-Mail from Cori Beattie, County Commissioners Office regarding the Joint LPS/City/County Meeting on November 12th. Are there any additional Agenda items for this meeting. Council members seemed confused regarding this request for additional agenda items for the LPS/City/County Meeting. The confusion stemmed from whether or not this was a request for items for the Common Agenda as well. (The November Comon Meeting will be held immediately following the Joint LPS Meeting.) Staff explained that this item was a request for Agenda items for the LPS Joint meeting only. *[None of the Council members offered any additional items for inclusion on that Agenda. This information will be forwarded to Cori Beattie (who is preparing the Agenda) prior to the October 25th dead-line.]*

Mr. Cook brought up the issue of calling items together at the formal Council meeting. There was a discussion regarding this issue. It was finally determined that the Bond Issues would be called separately from the Impact Fee and Water Rate issues. These two items (Impact Fees and Water Rates) would be called together. Mr. Cook noted that Peter Katt might be at today's meeting to request a delay of the Impact fee hearings because he believes November 4th is too soon.

Mr. Cook noted that the Parks & Rec Community Forum has been moved from November 16th to Saturday, November 23rd. The Forum will be held from 8:30 a.m. to Noon at the Auld Rec Center. Council Members noted this information for their calendars. This will be placed on the Attend Sheet for Council's further consideration.

Mr. Cook called Ms. Carolyn Chaney, Lincoln's Washington D.C. Lobbyist, forward to make a presentation, which was not scheduled on the Agenda.

Ms. Chaney noted that it had been two years since her last update because of the events of September 11th last year. But, given the House and Senate's recess last week, with no session until a lame duck session on November 12-14, she had this time to come to Lincoln to offer an update.

She commented that she wished she could report what they'd accomplished this year, but so far, we haven't been able to accomplish much - that is anything concrete. There have been some good successes in various appropriations bills, but they haven't been finished. What Congress did as they left town last week, was to go through with "continuing resolutions". This means that they just basically take the appropriations levels from the year before and carry them forward. What they call a 'stripped down version' is with no ear-marks for any other kinds of funding that wasn't in last year's budget.

Thus far, we've had Senator Nelson's help for general provisions for \$5,000,000 in the Beltway. But, that is only on the Senate side. We have \$2,000,000 for the Antelope Valley Flood Control project. That has won both House and Senate, so hopefully we would be able to keep that. We also have \$1,000,000 in the Senate for the Antelope Valley Overpass, but not in the House. Part of this is because the Transportation Communities Systems Preservation (TCSP) is a very small account. The House had very few ear-marks for this account....and they were in the couple hundred thousand dollar range. So, that still remains open, given that there have been only two appropriations bills that were passed (the Defense Appropriations and the Military Construction Appropriations). Otherwise, all the

other thirteen bills are still outstanding. Congress is not sure whether they're going to do what they call a "continuing resolution" when they come back (the resolution would go out until next year (February or March), or if they might do what is called an omnibus bill, which would be taking all of the outstanding appropriations bills and putting them into a package where the staffs will informally, in the next couple of weeks, to try to put some kind of a package together.

The problem with any of these appropriations is that Congress never passed the Budget Resolution. It's just been a really dysfunctional year, all the way around....worse than normal! Washington seems not to be able to move on anything. Part of this is because it is an election year. The Senate is in a one-vote split situation, so they haven't been able to do much. The House is becoming dysfunctional in its own way because there are some factions within the Republican Party that are not agreeing on things. What happened with the appropriations is that we drug on and on with the supplemental appropriation, which was supposed to help with some of the September 11th issues such as Homeland Security and some of the bio terrorism issues.

Ms. Chaney noted that she did not know how, but they will continue to talk to the delegation, to encourage them to get the funds for our projects. She encouraged Council Members, when they had occasion to visit with the Senators and Congressmen, to urge them to keep pushing for these allocations.

She noted that her crystal ball says that there will be some kind of ear-marked funds, someday. They can call it what they want, but she couldn't imagine that they aren't going to do some kinds of projects. However, part of what they did was to 'do' these bills so they could announce them before elections...even if they aren't real at this point. (Not *our* delegation....they'd never do that!!...but the Appropriations Committee people.) [Laughter] That's part of why they pushed ahead with these bills even though they knew there would be no conference reports, which are issued when the House and Senate come together.

Ms. Chaney explained other issues currently being considered, such as Homeland Security, which she described as being a mess trying to fold twenty-two agencies into one - especially now with the recent issue of presidential flexibility regarding personnel involved. She detailed some of the concerns on acquiring funds for the Antelope Valley Project, noting that the administration is stating that there would be no 'new start projects' receiving funds. Ms. Chaney noted that for us, with the Antelope Valley project having been worked on for over 10 years, it was not a new project, but an on-going labor for many years.

Besides this concern, at this time, there is in Washington a problem surrounding the Corp of Engineers and what they have and haven't done over the years; and how much they've padded things and what the costs have been. The Senate wants to do a big reform; the House is not as enamored to do that. But there are a lot of problems with the Corp, so the Administration has decided to halt all new projects -anything that has not gone into construction yet- until a time when the problems can be resolved. For the last two years, Ms. Chaney's office has worked hard to over-come that. With the Nebraska Senators' help, they got \$300,000 for this year. The Administration, again this year, did not recognize that \$300,000 as breaking the new-start trend. So, what happened was we were able to over-come again. Both the House and Senate did \$2,000,000 which is not the \$3,000,000 that we requested, but it's \$2,000,000 more than the Administration asked for....so that's a plus up from their budget line.

Ms. Chaney continued her report touching on issues regarding the Highway & Transit funding, and Beltway appropriations as well as local control of those funds in prioritizing projects.

She mentioned the issue of having the ethanol to be included in the Trust Fund monies. She reported that the governor is adamantly opposed to that and he is going to be chairman of the Governors' Conference that handles the Trust authorization. Usually the Governors' Conference is a work-horse in trying to get some of these things done.

She noted that she would be speaking with the City Directors this week to line up what everyone sees as the issues that are important to Lincoln. That's also where the Beltway and other Highway funding will be proposed. Congressman Bereuter started the whole Beltway studies with the last T-Bill. We'll figure out a strategy that best shows that ours are the best projects ever. Ms. Chaney confided that funding issues in Washington have become very bureaucratic. Ms. Chaney then opened the session for Questions and Answers with Council Members.

Council concerns included establishing a better communications bridge between the Council Office and Ms. Chaney's Washington office. It was agreed that Council would be included in the electronic updates Ms. Chaney's Office routinely sends to her clients with highlights on concerns specific to Lincoln.

Other concerns discussed were funding for alternative (multi-mode and mass transit) transportation programs, the Antelope Valley project, local interaction with the Corp of Engineers, and the number, size and type of City's Ms. Chaney represents and how Lincoln's concerns and needs compare to those cities.

Mr. Cook next called Mr. Don Herz, City Finance Director, forward for a briefing on the Water System Rates and related Bond Issues. Mr. Herz explained that the City could issue up to \$20,000,000 in water bonds. Mr. Herz noted that the current rates are optimal and encouraged Council to take swift action. Ensuing discussion covered such in-house concerns as the appropriate date for introduction and the proper procedures for calling the items for public hearing. It was agreed to have the 1st Reading on the 28th of October, the 2nd Reading on November 4th with Public Hearing, and the 3rd Reading and Action with the Emergency Clause on November 18th. The meeting format, including whether or not to call the Water Rates and the Impact Fees together for the public hearing, was again discussed.

VII. COUNCIL MEMBERS

JON CAMP - Mr. Camp passed out copies of the Governor's Proclamation declaring October 24, 2002 as U.N. Day. He added that this year, the theme is "Global Response to Terrorism". He noted that when the proclamation ceremony was held last week at the rotunda, there had been a diverse group of community leaders focusing on what is happening here in Nebraska in that regard.

JONATHAN COOK - Mr. Cook noted that he believed everyone has read through, carefully, the LES Budget summary. He asked if any one of the Council Members had any major questions. None did.

GLENN FRIENDT - Mr. Friendt asked if Council could have Ms. Chaney lobby our government to pay our U.N. bill. It was noted that the bill had been paid. The arrears are paid and now the debate is over whether the current payment should be made at the first of the year or the end of the year. Mr. Cook thought since we were paid up, *now* we could leave. [Laughter]

ANNETTE McROY - Absent

COLEEN SENG - No Further Comments

KEN SVOBODA - Mr. Svoboda asked if the Council wanted to entertain discussion on the Landmark legislation which was on the Agenda for public hearing today. There was a brief discussion regarding the issue and its presentation date before Council.

TERRY WERNER - No Further Comments

ANN HARRELL - No Further Comments

MARK BOWEN - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 1:02 p.m.

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