

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JANUARY 24, 2005
CONFERENCE ROOM 113**

I. MINUTES

- *1. Minutes from Directors' Meeting of January 10, 2005.
- *2. Minutes from Council Members' "Noon" Meeting of January 10, 2005.

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

- *1. Public Building Commission Meeting (Camp/Cook)
- *2. ISPC Meeting (Camp)
- *3. Motor Sports Task Force Meeting (McRoy)
- *4. Multicultural Advisory Committee (McRoy)
- *5. Citizens Meeting (Newman)
- *6. Board of Health Meeting (Svoboda)
- 7. Keno Human Services Prevention Advisory Board Meeting (McRoy)
- 8. Homeless Coalition Meeting (Newman)
- 9. Public Building Commission Meeting (Camp/Cook)
- 10. Motor Sports Task Force Meeting (McRoy)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MISCELLANEOUS - NONE

VI. CITY COUNCIL MEMBERS

VII. MEETINGS/INVITATIONS -

- 1. Annual Meeting of the YMCA of Lincoln on Thursday, February 3, 2005 at The Nebraska Club, 20th Floor, U.S. Bank Building, 233 South 13th Street - 5:00 p.m., Social Time - 5:30 p.m., Annual Meeting - RSVP by Jan. 31st to 434-9205 or by E-Mail - (See Invitation)

2. Downtown Master Plan Luncheon on Thursday, February 3, 2005 from 11:30 a.m. to 1:00 p.m. at Embassy Suites, 1040 "P" Street - Cost \$12.00 per person - RSVP by Jan. 31st to 434-6507 - (See Invitation)
3. The 34th Annual Junior Achievement Future Unlimited Awards Banquet on Thursday, February 3, 2005 at Embassy Suites, 1040 "P" Street - Dinner & Program begin at 6:30 p.m. - RSVP by Jan. 25th to 467-4479 or by e-mail - (See Invitation)
4. In conjunction with the League of Municipalities Mid-Winter Meeting in Lincoln, Kirkham Michael will be hosting a "Client Appreciation" dinner for your elected or appointed City officials and their guests - Dinner on Monday, February 14, 2005 at The Nebraska Club, 233 So. 13th Street, 20th Floor at 7:30 p.m. (cocktails available at 6:45 p.m.) - RSVP by Feb. 9th return enclosed card with names attending and dinner selection - (See Invitation)

VIII. ADJOURNMENT

***HELD OVER FROM JANUARY 17, 2005.**

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, JANUARY 24, 2005
CONFERENCE ROOM 113

Council Members Present: Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Glenn Friendt, Annette McRoy, Patte Newman; ABSENT: None

Others Present: Mark Bowen, Corrie Kielty, Ann Harrell, Mayor's Office; Dana Roper, City Attorney; Steve Hubka, Finance Department; Frank Delgado, Citizen; Joan Ray, Council Staff; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda; Deena Winter, Lincoln Journal Star representative.

I MINUTES

1. Minutes from Directors' Meeting of January 10, 2005.
2. Minutes from Council Members' "Noon" Meeting of January 10, 2005.

Mr. Werner requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes by acclamation. Jon Camp seconded the motion, which carried by unanimous consent of the Council Members.

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

1. PUBLIC BUILDING COMMISSION and the PBC SPECIAL MEETING: (Camp/Cook) Mr. Cook reported that the Special Meeting had been for the approval of the Construction Bid for the Health Department Expansion; and appointment of a Steering Committee which will approve minor changes to the contract. He reported that the bids had come in close to what had been hoped for (something in the seven million dollar range). Sampson was the low bid with \$6,574,000.00. Mr. Cook added that he thought Sampson was a company that could carry out the project well.

He stated that the Commission Members had added in a few optional items to the contract. One of the alternatives was on the parking lot. It would square it off and take out the existing connection parking lot and convert that area to green space. The Neighborhood Association is apparently in agreement with this concept as were the Health Department and the Parks Department, so that may be the best plan. Mr. Werner asked if that plan had to do with a road running through two homes? Mr. Cook replied that it did not, but eliminated the small parking lot and connector road that the Neighborhood Association had opposed.

He continued his report, stating that they had made a change to the shades option. The shades would not be Venetian blinds, but a kind easier to clean and longer lasting. They added a snow-melt system because the entrance is on the north side of the building so they're putting plastic tubes in to melt the snow; and EMS Control Points were added for about \$20,000. The new building will have a new control system, but the old building had none of that, so this created one complete system. This was all approved and they will be going forward with the project.

Mr. Cook reported that the Steering Committee list would be distributed next week. He added that the Committee make-up could be changed if Council Members had additions or suggestions for membership.

Mr. Cook reporting on the main PBC meeting, noted that the little security office in the main lobby of the County-City Building will be a Homestead Exemption Room for a few months while the County Board goes through that tax process. It was noted that that had been the original use of the room in the past. Mr. Cook was not sure if it would ever be turned into a security office.

He noted also that the blinking light in Conference Room 113 would be taken care of soon. He informed Council that the "Authorized Personnel Only" signs should be posted in three locations. Mr. Cook thought they had decided on red signs with white lettering, but it turned out they were white with red lettering. Because of the concerns about the public drifting in -especially following Council Members into the office area from the Chambers, we'll have the sign out past Dana's seat or near the Council Office door. The Commission had also authorized a small table for the City/County reception area so if someone wants to view public records, they can set outside of the secured work area and still be supervised. He noted that Staff would have some leeway in determining who should be admitted regarding media, vendors, and those other than City Staff (including Mayoral Staff).

Mr. Cook stated that they had formed a committee to look at the position of the monitors and then they had met immediately afterward and made a decision. It was decided that the monitors will remain mobile, so 5-CityTV could bring them into Conference Room 113. During Council Meetings, they will be mounted to the edges of the dais all at the same height. Mr. Werner, in the midst of this detailed and eloquent report, made a motion that if Jonathan is ever Not on the Council, that he be given Linda Wilson's position on the Public Building Commission. [Laughter].

Mr. Cook continued his report noting that a strange issue, proposed by the Omaha Public Building Commission, was to pay the 5th Members of the Building Commission....an amount of perhaps \$100.00 per meeting. The proposal would also have the 5th Member, instead of being chosen by the entire Building Commission, be selected by a simple majority vote. The way it is now, if the Building Commission can't decide, then the governor appoints the 5th Member. He had no idea why the Omaha Public Building Commission thought this was important legislation, so they had sent back a question to them - "Why"? He noted that Linda Wilson didn't think it was worthwhile - paying the 5th Member might set a precedent for a lot of other boards - which might, if that were the direction we wanted to go, turn into a bigger deal. Omaha also wanted the 5th Member selection limited to a resident of the County.

Mr. Werner asked if there was an update on the Chairs. Mr. Cook reported that they have two samples, here for us to evaluate. One has a six-position stop for adjustment; one has only one other position from the standard sitting position. He noted that the six-position chair is a little more expensive, but his opinion was that the regular sitting position isn't very comfortable, but the first lock position is....so given how long we sometimes sit in them, he would prefer the one with more flexibility in adjustment choices. Neither Mr. Camp nor Mr. Cook could remember the difference in cost between the two options. This discussion continued only briefly.

2. ISPC(Camp) - Mr. Camp had a conflict of schedule - No Report.

3. MOTOR SPORTS TASK FORCE MEETINGS (Two Meetings) - (McRoy) Ms. McRoy reported that the meetings had been cancelled so they haven't met since December. The next meeting is scheduled for today at 5:00 p.m. and she planned to attend if the Council Meeting was over.

4. MULTICULTURAL ADVISORY COMMITTEE (McRoy) Ms. McRoy reported that they had heard the guest speakers, one representing LPED and the other being the State Farm Personnel Director. They had discussed economic development and recruitment of minorities by their organizations. They also discussed the number of minority employees within the City's personnel ranks. They wanted to go outside and look at what the Chamber of Commerce is recruiting by working with employees or employers when they go out and "sell" Lincoln to the different communities in the country. Right now, they're not doing anything to address that - unless they're asked specifically. The last time they were asked specifically was when State Farm came into Lincoln and brought in those jobs.

Ms. McRoy commented that the City had presented material from the '60s that they had used in minority recruitment - noting, thankfully, that we'll not be going back to those materials! What the big companies in Lincoln are doing is not much. Mr. Camp added that only about 10% of the State Farm personnel had relocated to Lincoln from Minnesota. Ms. McRoy reported that State Farm, as a corporation, has a lot of minority employees.

Ms. McRoy stated that LPED had received our comments very positively and will work on some things. Then they will come back to us and see where they are and what progress is being made that would help in recruiting minorities to Lincoln.

5. CITIZENS MEETING (Newman) Ms. Newman reported that she had 18 people there to hear Wynn Hjermted talk about the 48th & "O" Street issue. It was a really good discussion. We had four or five people who had come in at the beginning stating that they absolutely did not believe in condemnation had left saying 'use it sparingly, but use it at 48th & "O" Street'. It was a good open discussion.

6. BOARD OF HEALTH (Svoboda) Mr. Svoboda reported that they had accepted the annual report which he believed Council Members would have seen by now. They had an update on the Building Expansion. There were a few minor things with a quick update on the Capital Humane Society contract. Officers were elected with Larry Hudkins being elected the new Chairman of the Board of Health and Dr. Lisa Peterson elected as the new Vice-Chair.

Mr. Werner asked if elected officials could serve as Chairpersons on the Board of Health. Mr. Svoboda answered that the policy was changed a number of years ago when the Board went from an Administrative body to an Advisory Board. Prior to that no elected official could serve in the capacity of Chair.

Mr. Camp asked how the Board of Health is viewing the new Building Expansion project? Because we came in with a good \$6-700,000 savings on the bids, is there a desire by the Health Department then to take those savings elsewhere, or has there been talk about making the project more economical and reducing the bonds? Mr. Svoboda answered that information had been related that they will be as prudent as they possibly can. They are not looking at those savings going into other Health Department functions. If there are savings, the savings will go to the bonds.

7. KENO HUMAN SERVICES PREVENTION ADVISORY BOARD (McRoy) Ms. McRoy reported that the Advisory Board had met last week. They had about \$54,000 to give out and they distributed it down to the last penny. That disbursement will go to JBC this Friday for approval; then it will be coming to Council and County Board at the appropriate dates for final approval. Keno funds are down - which, Ms. McRoy added, had nothing to do with the smoking ban, but rather just reflects the natural market place. We only had the \$54,000 as compared to the approximately \$70,000 last year. The requests had totaled \$106,000 so there had been a lot of tough decisions to make.

8. HOMELESS COALITION (Newman) Ms. Newman reported that she had missed that meeting, but they are joining together with the Continuum of Care to try to eliminate meetings that might be over-lapping in content. The first joint meeting will be this month.

OTHER MEETINGS - Mr. Svoboda reported that he and Terry had attended the Officials Committee meeting last week. It was just a specially called meeting where we approved some language on the U.S. Highway 77 Corridor Freeway Standards in regards to Old Cheney Road. This is what we have already done as a Council and the County Board is about to do. Mr. Werner added that it will not come before the Council, but the County Board will probably pass it now.

Mr. Cook asked then, if the language that was approved, is in keeping with what Council has already done rather than what, perhaps, is being recommended. Mr. Svoboda said that was exactly so. Ms. Newman asked if the Council's concerns had been addressed. Mr. Svoboda assured her that they had.

III. APPOINTMENTS/REAPPOINTMENTS - None at this time. There will be a new list next week.

IV. REQUESTS OF COUNCIL FROM MAYOR - Mr. Bowen asked Mr. Hubka to come forward to talk about the Budget Instructions which have gone out to Departments following the January meeting with Council.

Mr. Hubka gave a brief over-view of the formula that City Departments were being instructed to follow in individual departmental 2005-06 Budget preparations. After input received from Council at the January meeting and discussion with the Mayor, Mr. Hubka had gone through a process of calculation based on the five-year forecast given to Council in December and the input received from Council. Mr. Hubka gave the outline for budget instructions that went out to the Departments:

Council Input with Sufficient Consensus to be included in the Budget:

Add an Internal Auditor

No New Programs - Including Police and Fire Staffing

Reduce General Fund Contribution to C.I.P. to the current year's level

Nothing is off the table for possible cuts

No assurance from Council that any kind of property tax increases would be supported for any purpose.

With that input, we issued budget instructions for tax and tax subsidized funds:

- **Submitted Budget should be prioritized down to 96% of the current year's amount.** Mr. Hubka noted that this would be extra painful compared to a normal year, because within that 96%, an extra pay-period will have to be absorbed. That will probably be equivalent for most departments at something like 94% of budget. Mr. Camp wondered, because the Library Bond taking that \$1-2 million savings, why does that make it painful. Instead of paying down the library bonds... Mr. Hubka answered that the gap already included the revenue from the allocation of those bonds. Mr. Werner commented that he thought dollars had been set aside for the 27 pay periods. Mr. Hubka stated that they had - without those dollars set aside, it would be worse.
- **The submittals were capped at the amount required to restore current services,** based on the fact that Council had requested no new programs be added to or requested for the budget. That will be very difficult.
- **For non-tax funds, departments were asked to submit budgets prioritized down to 100% of the current year amount,** so they will have to also absorb an extra pay-period plus the inflationary increases. Even though it's 100% they'll still have to come up with possible reductions to achieve 100%.
- **Again, we asked that they only submit a budget with current services with no new programs or staff.**

Other Items: In light of what we know departments will be having to submit, a number of FTE's will likely need to be hung out there in order for us to get to these percentages. We'll have to tighten up the hiring review process for all departments so we can begin leaving positions vacant - especially in those funds that are tax and tax subsidized. It will not exempt the non-tax funds because there are many jobs, such as laborers and equipment operators and account clerks and others that, if they're left open in a non-tax fund, could possibly be filled by somebody from one of the tax funds.

The goal is to not have lay-offs, when it's all said and done, and there are cuts that are made. Ms. McRoy asked about the instance of John Dale who just retired as the Assistant Library Director - is that an example of a position that would be left open? Mr. Hubka answered that could be very possible. He answered Ms. McRoy's inquiry as to whether or not the third person in line wouldn't just automatically move up by stating that they would have to take a hard look at leaving the positions open - with no one moving up. It's never easy when departments are told to leave positions open.

Mr. Werner noted that this was a good start on the budget process. And it is that - just a start and we'll go from there. His question was at what point did Mr. Hubka feel it would be beneficial to have another work session for Council Members. Mr. Bowen noted that they had talked about that and were thinking about sometime after the departments have submitted their proposed budgets would be a good time.

Mr. Friendt asked, considering these assumptions, if Mr. Hubka could give Council a summary of the gap? Mr. Hubka stated that he could give Council a verbal outline of what that is. He had gone in and taken out some of the new programs and half of the contribution to the Police and Fire Pension and had left half; he had taken out new officers and fire fighters in the gap and adjusted the C.I.P. down to current year levels - with those adjustments the gap was about 4.3 million dollars. So, those were easy calculations without cutting current services. That is what he had used as a basis in coming up with the percentages required.

Mr. Camp stated that he would like to make a suggestion. As we talk about savings, many times we use the word "pain"...maybe we could, instead, say we're working on efficiencies and working on behalf of the taxpayer. Using the term "pain" seems to be a poor psychological approach. Mr. Hubka commented that when departments complain, he would tell them that. [Laughter] Ms. McRoy stated that she agreed with Mr. Camp, adding that this is a difficult task. Mr. Bowen commented that they were 'reductions'. Mr. Cook noted that they weren't necessarily efficiencies. Mr. Werner suggested hiring a linguist to come in and determine proper verbiage. [Laughter] This discussion ebbed into a quiet, but not a painful, end.

Mr. Cook asked if we couldn't discuss the budget calendar. The August 8th Council meeting had been scheduled as a 1:30 meeting, but with the public hearing on the budget scheduled for that date, it should be scheduled as a night meeting. Council, after a brief discussion, determined that the August 8th Council Meeting should be moved to a night meeting and scheduled for 4:30 p.m. rather than the usual 5:30 p.m. meeting start time. The August 29th scheduled Night Meeting would remain a night meeting. It was agreed not to have Pre-Council's or Directors or "Noon" Meetings on the August 8th Meeting date. Whether to include the Open Mike Session at the Budget Hearing meeting (2nd Tuesday) would be determined by the Chair at a time nearer the August 8th date.

Mr. Bowen passed out material on the City Projects Seeking Federal Funding in FY 2006. He noted that the Highway TEA-21 Reauthorization (FY 2005-2010) was so stated because Congress didn't finish the Highway Authorization bill last year, so there is a separate category. [Mr. Bowen went on to review the other "City Projects Seeking Federal Funding in FY2006" list - See Attachment A]

Mr. Bowen handed out to Council an updated listing of the Primary Legislative Initiatives which the City will be watching closely as they would impact municipal governments directly. (See Attachment B) Mr. Bowen also handed out a listing of other bills being tracked by the City which would directly impact the City of Lincoln if adopted. [See Attachment C] Mr. Bowen suggested that if Council had questions on these bills to contact Ms. Kielty for further updates.

After this briefing, Mr. Cook noted that there is a bill regarding public input at meetings. Ms. Kielty stated that she was having the Law Department review that bill right now. Mr. Roper stated that it was bad [in reference to Council's recently initiated "open mike" limitations policy]. It allows people to speak at every meeting and it requires minutes from closed sessions...although they are not public record. Ms. Newman asked if that included having an open mike on the floor of the Unicameral? Mr. Roper did not know that it effects the Unicameral. [Laughter] In response to a question from Mr. Cook, Mr. Roper stated that the time to be allotted to each speaker was not addressed in the proposed legislation.

Mr. Werner asked if the City would have representatives at the public hearings on these bills. Ms. Kielty noted that some have already had hearings and either letters were sent or there had been a City representative giving testimony at the hearings. She added that she always made sure that if anyone wanted to offer testimony, they would be advised of the hearing times and dates. Council reviewed several miscellaneous bills briefly before moving on to other agenda items.

Before leaving the issue, however, a brief discussion ensued regarding individual Council Members testifying before the Legislature. Consensus of Council was that if the individual Council Member presented his testimony as being on behalf of the Council, the entire Council should have discussed and had a majority agreement that the views to be expressed did represent the Council's view as a body. If an individual Council Member chose to represent his or her own views, as long as that fact was made clear, of course, they would be free to do so. Mr. Bowen requested that if a Council

Member planned to testify in opposition to any Administrative supported legislation to let the Administration know of their intentions and concerns prior to testifying. Council agreed that this would be appropriate.

V. MEETINGS/INVITATIONS - Noted Without Significant Comment.

VI. MISCELLANEOUS - None

VII. COUNCIL MEMBERS -

JON CAMP - No Further Comments

JONATHAN COOK - Mr. Cook commented on the individual Council Members office doors being open when they arrived at the Council Office this morning. He requested Staff to contact the PBC and make sure that the Night Maintenance Crew were informed that all of the doors should be locked before they left the Council area after cleaning. Ms. Ray asked if Council would like to have her investigate the issue further. They decided that it would not be necessary, but did request that the master keys to Council Offices be moved from the current location to a more secured area in the office. Staff complied with this request immediately following the meeting.

Mr. Cook also noted that the first Pre-Council on the schedule this morning had been a mere reading of the material and commented that what the presentation should do would be to offer an opportunity for Council Members' questions to be answered. He thought that this issue had been addressed some time ago, but perhaps it was time for a reminder to Departments that if Council wants to read the material, the Departments can just forward the information to Council and save the time of everyone involved. It was noted by Ms. McRoy, in defense of City Staff, that the presentation this morning had not been made by City Staff, but by an outside entity and they would not be aware of our policy. Mr. Werner commented that Joan could relay that message to pre-council presenters from the private sector. Ms. Ray agreed that this could be done and indicated that she would notify outside presenters that Council would prefer to have the materials prior to the meeting and have the presenter be prepared to answer questions Council might have after reviewing that material.

Mr. Cook noted that the authorized access which had also been a concern has been addressed. The Public Building Commission had placed the signage for authorized personnel only and Mr. Cook noted that Staff would have the discretion to determine who, besides City Staff members and elected officials (i.e. reporters, equipment repairmen, office supply deliveries, etc) should be authorized and allowed entry into the secured office area.

GLENN FRIENDT - No Further Comments

ANNETTE McROY - Ms. McRoy noted that there was an agenda item today regarding C.S.I. funding and Kit Boesch had asked if she needed to be here for that item. Ms. McRoy had told her that she did not think so, but that she was more than welcome to come. Council noted that they had been briefed on the issue at the Common and agreed that it wasn't necessary for Ms. Boesch to be in attendance at this meeting.

PATTE NEWMAN - No Further Comments

KEN SVOBODA - No Further Comments

TERRY WERNER - No Further Comments

MARK BOWEN - No Further Comments

ANN HARRELL - No Further Comments

CORRIE KIELTY - No Further Comments

DANA ROPER - No Further Comments

VIII. MEETING ADJOURNED - Approximately 12.15 a.m.

cm012405/jvr