

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, DECEMBER 19, 2005
CONFERENCE ROOM 113**

I. MINUTES

1. Minutes from Directors' Meeting of December 12, 2005.
2. Minutes from Council Members' "Noon" Meeting of December 12, 2005.
3. Pre-Council Meeting Minutes - RE: Floodplain & Drainage Issues - December 5, 2005.
4. Pre-Council Meeting Minutes -Executive Session - RE: K Street Real Estate Sale & Negotiations - December 12, 2005.
5. Pre-Council Meeting Minutes - RE: Assessed v. Appraised - December 12, 2005.

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

1. Public Building Commission (Camp/Cook)
2. Multicultural Advisory Committee Meeting (McRoy)
3. Board of Health Meeting (Svoboda)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MISCELLANEOUS -

1. Discussion and approval of Council 2006 calendar. - (See Attachments)
2. Committee appointments for internal auditor position.

VI. CITY COUNCIL MEMBERS

VII. MEETINGS/INVITATIONS

1. The 32ND Annual Albert W. Bauer Awards Banquet on Friday, January 27, 2006 at the Lincoln Fire Fighters Hall, 241 Victory Lane - Social hour at 6:30 p.m. - Dinner at 7:00 p.m. - Program at 8:00 p.m. - Tickets \$15.00 per person - RSVP by Jan. 6th - (See Letter of Invitation)

2. Lancaster County Youth Services Center would like to thank Dennis Banks for his 25 years of service. Please join us on Tuesday, December 27, 2005 from 12:00 p.m. to 5:00 p.m. at the Youth Services Center, 1200 Radcliff Street - (See Invitation)

VIII. ADJOURNMENT

CITY COUNCIL FORMAL MONDAY MEETING DATES - 2006

COUNCIL TENTATIVE SCHEDULE

<i>JAN</i>	<i>FEB</i>	<i>MAR</i>	<i>APR</i>	<i>MAY</i>	<i>JUNE</i>	<i>JULY</i>	<i>AUG</i>	<i>SEPT</i>	<i>OCT</i>	<i>NOV</i>	<i>DEC</i>
2 ND NO MTG	6 TH 1:30	6 TH 1:30	3 RD 1:30	1 ST 1:30	5 TH 1:30	3 RD 1:30	7 TH 1:30	4 TH Labor Day NO MTG	2 ND 1:30	6 TH 1:30	4 TH 1:30
9 TH 1:30	13 TH 1:30	13 TH 1:30	10 TH 1:30	8 TH 1:30	12 TH 1:30	10 TH 1:30	14 TH 1:30	11 TH 1:30	9 TH 1:30	13 TH 1:30	11 TH 1:30
16 TH MLK NO MTG	20 TH Pres.Day NO MTG	20 TH 1:30	17 TH 1:30	15 TH 1:30	19 TH 1:30	17 TH 1:30	21 ST 1:30	18 TH 1:30	16 TH 1:30	20 TH Holiday NO MTG	18 TH 1:30
23 RD 1:30	27 TH 5:30 NITE MTG	27 TH 5:30 NITE MTG	24 TH 5:30 NITE MTG	22 ND 5:30 NITE MTG	26 TH 5:30 NITE MTG	24 TH 1:30	28 TH 5:30 NITE MTG	25 TH 5:30 NITE MTG	23 RD 1:30	27 TH 5:30 NITE MTG	25 TH Holiday NO MTG
30 TH 5:30 NITE MTG				29 TH Memorial Day NO MTG		31 ST 5:30 NITE MTG			30 TH 5:30 NITE MTG		Jan 1 ST Holiday NO MTG

CITY CALENDAR

(Circled Dates Indicate Federal Holidays that City Offices are Closed)

Calendar for year 2006 (United States)

<2005 | 2007>

January 2006

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

6:☉ 14:☉ 22:☉ 29:☉

February 2006

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

5:☉ 13:☉ 21:☉ 28:☉

March 2006

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

6:☉ 14:☉ 22:☉ 29:☉

April 2006

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

5:☉ 13:☉ 21:☉ 27:☉

May 2006

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

5:☉ 13:☉ 20:☉ 27:☉

June 2006

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

3:☉ 11:☉ 18:☉ 25:☉

July 2006

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

3:☉ 11:☉ 17:☉ 25:☉

August 2006

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

2:☉ 9:☉ 16:☉ 23:☉ 31:☉

September 2006

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

7:☉ 14:☉ 22:☉ 30:☉

October 2006

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

7:☉ 14:☉ 22:☉ 29:☉

November 2006

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

5:☉ 12:☉ 20:☉ 28:☉

December 2006

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

5:☉ 12:☉ 20:☉ 27:☉

F.Y. 2006-07
TENTATIVE BUDGET CALENDAR

- | | |
|--------------------------|--|
| January 17 | Budget Office distributes budget preparation materials and instructions. |
| February 17 -
March 3 | Departments submit budget requests. |
| March 6 – March 31 | Finance Department meets with all departments to review budget submissions. |
| April 3 - April 28 | Budget Hearings with the Mayor. |
| May 1 – May 19 | Mayor briefs the City Council and makes final budget decisions. |
| May 22 - June 16 | Preparation of the Mayor's Recommended Budget. |
| June 16 | Mayor's Budget sent to the printer and City Council. |
| June 26 | Public release of the Mayor's Budget. |
| July 11 | Commons Budget Hearings (Tentative date) |
| July 5 – July 14 | City Council hearings with the Administration and departments. |
| July 17 | City Council votes on tentative changes to the Mayor's Budget. |
| August 1 | Publication of Budget Summary in media. |
| August 7 – 4:30 p.m. | Public hearing on the proposed Budget. |
| August 9 | City Council votes on final changes to the Mayor's Budget |
| August 20 | Deadline for the County Assessor to provide final property valuation to the City Budget Office |
| August 21 | City Council adoption of Budget |
| October 1 | Prior to October 15 City Council holds public hearing and adopts final tax rate |

11/21/05

From: Jonathan Cook

POTENTIAL 2006 COUNCIL HOLIDAYS

JAN 2	NEW YEAR'S DAY
JAN 16	MLK DAY
FEB 20	PRESIDENTS' DAY
MAY 29	MEMORIAL DAY
JULY 3	INDEPENDENCE DAY
SEPT 4	LABOR DAY
NOV 20*	THANKSGIVING
DEC 25	CHRISTMAS
JAN 1, 2007	NEW YEAR'S DAY 2007

THIS LIST MATCHES THE HOLIDAY SCHEDULE FOR 2005.

*NOV 27TH IS OPTIONAL DATE FOR THANKSGIVING. IF NOV 20TH IS ADOPTED NOW AND A CONFLICT ARISES LATER, IT COULD BE CHANGED TO THE 27TH.

THE SCHEDULE DOES NOT INCLUDE COLUMBUS DAY, MON, OCT 9TH, WHICH IS A FEDERAL AND STATE HOLIDAY BUT NOT A CITY HOLIDAY, OR THE WEEK OF VETERAN'S DAY (WHICH FALLS ON SAT, NOV 11TH IN 2006).

**MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, DECEMBER 19, 2005
CONFERENCE ROOM 113**

Council Members Present: Ken Svoboda, Chair; Patte Newman, Vice-Chair; Jonathan Cook, Dan Marvin; Annette McRoy, Robin Eschliman, Jon Camp (left early)

Others Present: Mark Bowen, Ann Harrell, Rick Hoppe, Mayor's Office; Dana Roper, City Attorney; Joel Pedersen, Assistant City Attorney; Don Herz, Finance Director; City Clerk Joan Ross; Tammy Grammer, City Council Staff; Deena Winter, Lincoln Journal Star Representative; and Coby Mach, LIBA.

I. MINUTES

1. Minutes from Directors' Meeting of December 12, 2005.
2. Minutes from Council Members' "Noon" Meeting of December 12, 2005.
3. Pre-Council Meeting Minutes - RE: Floodplain & Drainage Issues - December 5, 2005.
4. Pre-Council Meeting Minutes -Executive Session - RE: K Street Real Estate Sale & Negotiations - December 12, 2005.
5. Pre-Council Meeting Minutes - RE: Assessed v. Appraised - December 12, 2005.

Chair Ken Svoboda, by acclamation of the Chair, approved the minutes. No objections were offered.

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

1. **Public Building Commission (Camp/Cook)** — Mr. Cook reported they had their usual Health Department change orders.

They had an update on the Hall of Justice building. They have a maintenance agreement on the elevators, it's about \$434 less than our current one, the contract is about \$3,000 maybe a little bit more. It is for nine elevators, it is a little expensive because they have been renovating now due to the flood, the equipment is newer and should cost less to maintain.

The Environmental Site Assessment issue with 'K' Street was here which he thinks has been addressed in their amendments to the sales agreement.

There was discussion about issues relating to 'K' Street on what is or is not legal to do. The bonds cannot be called before October 15, 2006, but you can escrow the money early for it. The money from the sale could be used for replacement facility if it's cash only and if the payment was fair market value than the bonds could transfer to any facility or the building could be used for a qualified purpose keeping the bonds in place. They did not get a clarification on

District Energy Corporation (DEC), he thinks that has already been discussed here. The DEC could legally provide energy, they would have to change their articles on corporation because they currently only provide energy for public use. Regarding parking, there are limits on what parking could be provided to a private entity. They could lease some spaces to a private entity but no more than 10% which would be 40 something spaces and even lease to private individuals who would pay a monthly rent.

They approved art work which he passed around pictures of some. This is approving a replacement of the art work in the County/City Building.

The Public Building Commission local language they sent clarifying language to the City and County Law Departments regarding insurance. There has been some confusion over who has to buy insurance for what things and they have joint facilities so this makes sure that is clarified which they are also putting it in the interlocal. They have been trying to do things the way the language reads but it is good to get it officially approved.

They're working on space utilization for the Courthouse Plaza and Sinclair Hille will draw up the plans for it. The majority of the building is spoken for already.

They approved a survey on the 233 Building parking lot for parking lot resurfacing.

The Sheriff's Office is back in the Hall of Justice building. Sheriff Wagner came to visit them which was something they were not expecting, he gave them a memorandum since than has been updated. Sheriff Wagner was wanting to send a memorandum to all the departments to say basically most employees could not use the 911 doors between the buildings. They had some discussion about it and the Public Building Commission approved 3-1 which Larry Hudkins was not present. Mr. Cook stated he voted against it to limiting the access because he thinks the employees want to be able to go through those doors. But, right now as he understands it that maybe implemented January 1st, they have already received a letter from all the employees in the City Law Department saying this is really an outrageous thing to have done and he agrees. They will probably hear more about it because there are a lot of employees who will be inconvenient that go back and forth between the buildings regularly.

2. **Multicultural Advisory Committee (McRoy)** — Ms. McRoy stated she did not attend this meeting. Mr. Marvin stated he attended the meeting for about 25 minutes because he had another meeting scheduled.

Mr. Marvin stated copies available of the Mayor's television broadcast of the Hate Crimes Program. One thing that he picked up from it was that Lincoln had eleven hate crimes recorded over a period of a year and compared it to other cities like Denver when they had seven. He thinks the general consensus was that rather than Lincoln having a higher number of actual hate crimes, Lincoln just does a better job of being proactive and reporting them.

3. **Board of Health Meeting (Svoboda)** — Mr. Svoboda reported they had a brief discussion about the kennel contract which they all have seen and read about already. So that is moving forward in one direction or another. They did some strategic planning in a couple of different areas, no action was taken and nothing coming before Council.

OTHER MEETINGS REPORTS: - NONE

III. APPOINTMENTS/REAPPOINTMENTS - Rick Hoppe had none to report.

IV. REQUESTS OF COUNCIL FROM MAYOR -

MARK BOWEN -

Mark Bowen stated the Mayor requested a Council representative to work with her on the auditor position. Following discussion, Mr. Svoboda appointed Patte Newman and Jon Camp to be the Council representatives for the internal auditor position committee.

The Mayor also requested that Council have a representative on the "M" Class Committee. Ms. McRoy commented she had worked on most of it, but she suggests that another Council Member outside of her join that committee as well. Ms. McRoy indicated she will continue but she would like someone else as well because she has been too close to the process. Mr. Bowen commented supposedly that was substantially different than what was passed so they need discussion on whether they want to proceed with any changes. Mr. Svoboda commented so continue reviewing and possible changes. Following discussion, Mr. Svoboda appointed Annette McRoy once again and Dan Marvin to be the Council representatives on the 'M' Class Committee.

Mr. Bowen stated they need to set up a date for the next Budget Meeting. The instructions with their targets will be going out by January 17th, 2006 and so they need to have in a final form at least by the 9th and they would like to have the Council give them some direction before that date. Following discussion, Council agreed to have their next Budget Meeting on Wednesday, January 4th from 3:00 p.m. to 5:00 p.m. in the Mayor's Conference Room.

Mr. Svoboda commented with that being done this go ahead and take care of the remainder of the Council calendar for 2006 which they discussed at the Retreat last week. Does anybody have any changes that they would like to make to the calendar? Following discussion, Council made changes to their calendar for 2006 of July 3rd holiday with no meetings and moving the Thanksgiving holiday to November 27th with no meetings and changing November 20th to the night meeting. Council adopted the calendar with these changes. Chair Ken Svoboda, by acclamation of the Chair, approved the Council calendar for 2006 as amended.

Joel Pedersen (City Attorney's Office) stated for 'K' Street issue they have a lot of Motions-To-Amend. He thinks one of the things that may have sort of dropped out of the discussion was the ordinance itself which is very significant because it sort of reaps the surplus designation being there was a project that followed the original surplus in 1987. So just to inform and give a background for the entire discussion that's the first and foremost question is really answering yes or no is this a surplus property. The purchase agreement got to be the subject of a lot of the proposed amendments. Mr. Pedersen went over the Amendments with Council. Mr. Pedersen stated his hope today was that amendment #4 would address the concerns that were raised, when he drafted that his intent was not to over reach, he thinks if they were to act today amendment #4 has a reasonable chance. He thinks amendments #2 & #3 addresses some other concerns that are unrelated to the purchase agreement but get you back to a City Council vote where you can have an update on a lot of the concerns that go into details. If we come back to you with that for a vote he thinks a lot of the concerns and practicalities for implementing this agreement will be more easily answered at that point. Mr. Pedersen stated if amendments #2, #3 & #4 are passed he is in a position that its got a fighting chance. Mr. Svoboda commented they wanted to get a fee for what it was that Joel (Pedersen) felt comfortable with and he thinks they've got that, if #2,#3 & #4 passes as amendments they've got a reasonable chance of it being signed by the other party and if it goes beyond that than they have a mess.

V. MISCELLANEOUS -

1. Discussion and approval of Council 2006 calendar. - (See Attachments) — [Discussed this issue earlier.] (See that discussion)
2. Committee appointments for internal auditor position. — [Discussed this issue earlier.] (See that discussion)

VI. CITY COUNCIL MEMBERS

ANNETTE McROY - NO FURTHER COMMENTS

DAN MARVIN - NO FURTHER COMMENTS

PATTE NEWMAN -

Ms. Newman stated that Annette (McRoy) and I have been sitting down with Margaret Blatchford (City Attorney's Office) and Mike Merwick (Building & Safety Director). She has copies of an International Property Maintenance Code report one for each Council Member if they can read it over. She thinks maybe they need to talk about it when they come back, it basically updates the Building Code for Commercial property and Annette and I added an addition to that too which they can talk about. Ms. Newman commented you cannot copy it, it is confidential information.

KEN SVOBODA - NO FURTHER COMMENTS

JON CAMP - ABSENT

ROBIN ESCHLIMAN -

[Ms. Eschliman handed out a survey to Council.] Ms. Eschliman mentioned she cleaned up the survey that she sent to Council the other day, so this is a shorter, cleaner, easier to understand version of it. There is basically three things on it, the top reasons why companies move to Lincoln, why the employers in those companies think that their employees are coming to live in Lincoln and take a job with them and home buyers in general who could either be employees or employers the reasons that they are giving for moving into town.

JONATHAN COOK - NO FURTHER COMMENTS

VII. MEETINGS/INVITATIONS - Listed on the Attend Sheet for December 19th.

VIII. MEETING ADJOURNED - Approximately at 12:31 p.m.

cm121905/tjg