

AGENDA
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, FEBRUARY 5, 2007
(Immediately Following Directors' Meeting)
COUNTY/CITY BUILDING
CONFERENCE ROOM 113

I. MINUTES

- *1. Minutes from Directors' Meeting of January 22, 2007.
- *2. Minutes from City Council Members' "Noon" Meeting of January 22, 2007.

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

- 1. Park & Recreation Advisory Board Meeting (Cook)
- 2. Internal Liquor Committee Meeting (Marvin/McRoy/Svoboda)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced

IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced

V. MISCELLANEOUS -

- *1. Discussion on use of Council staff time. (Patte Newman)

VI. CITY COUNCIL MEMBERS

VII. MEETINGS/INVITATIONS

- 1. Annual Meeting of the Great Plains Trails Network (GPTN) on Sunday, February 11, 2007 at 1:00 p.m. at the Bryan-LGH East Plaza Conference Center, 2nd Floor, 1600 South 48th Street - (See Invitation)
- 2. Face The Chamber Series: Governor's Chamber Address with Dave Heineman on Wednesday, February 14, 2007 - Registration begins at 11:45 a.m. - Noon to 1:00 p.m. at the Country Club of Lincoln, 3200 South 24th Street - \$15.00 per person (\$20.00 at the door) - RSVP by Feb. 12th - (See Invitation)

3. Lincoln Chamber of Commerce 'Business After Hours' on Thursday, February 22, 2007 from 4:30 p.m. to 6:30 p.m. at Embassy Suites, 11th & 'P' Streets - Admission: \$10.00 per person - RSVP by Feb. 21st - (See Invitation)
4. "Chamber Coffee" business and elected leader's policy forum, sponsored by Aquila, on Wednesday, February 7, 2007 from 8:00 a.m. to 9:00 a.m. at the Lincoln Chamber of Commerce, 1135 "M" Street, 3rd Floor - RSVP - (See E-Mail Invitation)
5. Lincoln Chamber of Commerce invites you to attend the following Ribbon Cuttings:- Please RSVP to Kathy Hale at 436-2385 or E-Mail: - (SEE ATTACHMENTS)
 - A.) A1 Tax and Accounting Service, 5220 S. 48th Street (by Godfathers) on Wednesday, February 14, 2007 at 3:30 p.m.
 - B.) West Gate Bank, 4955 "O" Street on Thursday, February 15, 2007 at 8:30 a.m.
 - C.) Southeast Community College, New Entrepreneurship Division, 285 S. 68th Street Place-Gallup Building on Wednesday, February 21, 2007 from 3:00 p.m. to 5:00 p.m., Program beginning at 4:00 p.m.
 - D.) QuickTEQ, 1028 "G" Street on Thursday, March 1, 2007 at 4:00 p.m.
 - E.) Surroundings, 221 Sun Valley Blvd., Suite A on Thursday, March 8, 2007 at 3:30 p.m.

VIII. ADJOURNMENT

***HELD OVER FROM JANUARY 29, 2007.**

MINUTES
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MONDAY, FEBRUARY 5, 2007
(Immediately Following Directors' Meeting)
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Council Members Present: Patte Newman, Chair; Dan Marvin, Vice-Chair; Jonathan Cook, Robin Eschliman, Annette McRoy, Ken Svoboda, Jon Camp.

Others Present: Ann Harrell, Mayor's Office; Dana Roper, City Attorney; Marvin Krout, Planning Director; Tammy Grammer, City Council Staff; and Deena Winter, Lincoln Journal Star Representative.

Meeting convened at 11:33 a.m.

Location Announcement of the Nebraska Open Meetings Act: A Copy of the Nebraska Open Meetings Act is Located on the Wall at the Rear of this Room

I. MINUTES

- *1. Minutes from Directors' Meeting of January 22, 2007.
- *2. Minutes from City Council Members' "Noon" Meeting of January 22, 2007.

Chair Patte Newman, by acclamation of the Chair, approved the minutes. No objections were offered.

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

1. **Park & Recreation Advisory Board Meeting** (Cook) — Mr. Cook stated I had another appointment at that time and was not able to attend. But, there was very little on the agenda, there were no committee reports so there was not much action to be taken.
2. **Internal Liquor Committee Meeting** (Marvin/McRoy/Svoboda) — Mr. Svoboda stated nothing to report. Ms. McRoy stated except for Legislative Bill #335 which is change provisions relating to civil protective custody this bill is moving forward for us being able to detain people for 72 hours.

OTHER MEETINGS REPORTS: -

Ms. Eschliman reported there was a press conference about the Lincoln Cares program on the projects that they decided to fund and she held up a brochure. The projects are the Smoke Signal Statue Restoration, Hazel Abel Park Renovation, Pioneers Park Nature Center Artwork, Jamaica North Trail, Green Team, Youth Outdoor Adventure Program, Sunken Gardens Pathway

Lighting, and Parker's Pals Scholarships. Ann Harrell commented we have extra copies of the brochure and I will bring some down to the Council Office.

III. APPOINTMENTS/REAPPOINTMENTS -

MARK BOWEN - ABSENT

ANN HARRELL -

Ann Harrell stated you have a few appointments coming up on their Agenda that I did finally manage to get the paperwork filled out correctly.

IV. REQUESTS OF COUNCIL FROM MAYOR -

ANN HARRELL -

Ann Harrell stated Mark (Bowen) wanted me to give you an updated summary of the '2007 Key State Legislation Issues' and handed it out to Council. If you have any questions get back to me later today and I will research the answer or if it can wait you can talk to Mark (Bowen) that he should be back in a day or so. Noting, it is getting busy this was today's agenda for the session and then they have lots of committee hearings all week. *[See Attachment 'A']*

I also was supposed to ask you about whether or not you wanted a pre-council, Lynn Johnson will be bringing forward to you a lease purchase agreement. The Parks Department wants to install an alternative irrigation system at the Holmes and Ager Golf Courses so they can use ground water to water the golf courses as opposed to buying City water. They would need to purchase some equipment, pumps and so forth to do the installation and the lease purchase will be paid back by the same things they will accrue as a result of not buying City water but I'm not sure what's the pay back period time. Do you want a pre-council or would you prefer a memo on this issue? Council agreed on a memo. Ms. Harrell stated she will let Mark (Bowen) know.

Mr. Svoboda reported the Nebraska Innovation Zone Commission (NIZC) had a meeting last week preceded by a breakfast reception that a number of Senators attended. But, immediately after that we were given our Legislative Bills that NIZC is monitoring. They're wanting responses back to see if the Commission should do anything on Legislative Bill #7- 'Change the rights of the public regarding agenda items under the Open Meetings Act' introduced by Preister and five others that would prohibit meeting holders from requiring that members of the public be listed on the agenda prior to the beginning of the meeting in order to speak. He wants to know if the City has taken a position on this new legislation. Also, on LB392- 'Change provisions relating to

municipal counties' introduced by Mines and a number of others this bill would regulate the mergers of counties and cities of the metropolitan class, requiring a commission to plan and oversee consolidation and Municipal Counties created by mergers may also impose taxes. I understand Douglas County and Omaha are opposed to LB392 and I didn't know if we had a position on this legislation. LB488- 'Authorize an income tax credit for perpetual conservation easement donations' if we are going to take a stand on this bill at all which I did not see on the list. LB565- 'Adopt the Entertainment and Tourism Development Act' and it looks like we're supporting this bill and LB564 which is 'Change the Recreational Liability Act to restore the exclusion for local governments' and LB566 & LB567 are also part of that one. Ann Harrell stated she will check on the three and if she can't get the answer today they might have to wait until Mark (Bowen) gets back and I will have him call you. Mr. Svoboda stated okay.

MARK BOWEN - ABSENT

DANA ROPER - NO COMMENTS

V. MISCELLANEOUS -

*1. Discussion on use of Council staff time. (Patte Newman) — Ms. Newman stated I have told Tammy (Grammer) that absolute top priority right now is getting the minutes done. She is getting backed up because people are asking her to do some like major projects and I just wanted to run it by everybody to make sure that you respect her time. If you have something that you think is time sensitive Tammy (Grammer) does have certain priorities that I think that need to be held.

Ms. Newman stated we all received material in our packet regarding the Council Office budget. Do you know when this is due? Tammy Grammer stated there is a schedule in their packet this portion of it is due on February 16th. Ms. Newman questioned it looks like photocopying went up from 3000 to 6000 again and I don't know why that is happening. But, there's certain line items that are pretty drastic increases from what we actually paid a year ago and what is being budgeted in 2006-07. So, I would ask for more detail information and everyone review it and list it on the "Noon" Agenda next week for discussion. If we need to have a long term discussion because we have lost a position and I think we need to decide as a Council exactly where we want to be next year. Ms. Newman commented the question of Council would also be do we want to cut travel expenses and those type of things that we've discussed in the past, so make sure you bring your wish list to the meeting next week. Ms. McRoy requested a budget staff person attend the "Noon" Meeting next week as well to answer questions. Ms. Newman responded okay and asked Tammy (Grammer) to make those arrangements. Ms. Grammer stated okay.

Ms. Newman commented we discussed whether we wanted to write a letter or do a Resolution for the interpretation and the County Board passed a Resolution that basically endorsed the concept of a standard for national interpretation. The City Attorney's Office has drafted something on it and we will go ahead and bring that forward as a Resolution like the County Board did rather than write a letter.

VI. CITY COUNCIL MEMBERS -

JON CAMP - NO COMMENTS

JONATHAN COOK - NO COMMENTS

ROBIN ESCHLIMAN - NO COMMENTS

DAN MARVIN - NO COMMENTS

ANNETTE McROY - NO COMMENTS

PATTE NEWMAN - NO COMMENTS

KEN SVOBODA - NO COMMENTS

VII. MEETINGS/INVITATIONS - Listed on the Attend Sheet for February 5th.

VIII. MEETING ADJOURNED - Approximately at 11:50 a.m.

***HELD OVER FROM JANUARY 29, 2007.**

cm020507/tjg

City of Lincoln
2007 Key State Legislation Issues
February 1, 2007 Update

Improve the Highway Allocation Formula for Local Roads - Seek a more fair return of taxes collected from cities/counties for vehicle registration, motor vehicle sales tax, and state gas tax distributed through the Highway Distribution Formula. The City is supportive of the following:

- LB403, as amended [Schimek] to change the allocation of sales revenue and road funds.
- LB305 [Fischer] to require that sales and use taxes from leased motor vehicles, trailers, and semitrailers be credited to the Highway Trust Fund and the Highway Allocation Fund.
- LB439 [Raikes] to create a Task Force to examine the Highway Allocation Formula
- LB41, as amended [Hudkins] to increase the state gas tax. (The City and many other entities testified in support at the Revenue Committee hearing. The Revenue Committee has since voted to kill it.)

Amend the Recreational Liability Act - In October 2006, a State Supreme Court ruling overturned 25 years of liability protection from lawsuits resulting from voluntary recreation activities on public property. The Court ruling creates the possibility for the city to be subject to millions of dollars of potential lawsuits. The City seeks to restore the long-standing exclusion for local governments by amending state law to provide immunity from lawsuits resulting from recreational activities on public property. The City is supportive of the following:

- LB564 [Friend] Change the Recreational Liability Act to restore the exclusion for local governments.

Seek Authority to Create Redevelopment Districts for Economic Growth, Tourism Expansion and Building Infrastructure. The City is supportive of the following:

- LB562 [Adams] to authorize local options to finance infrastructure in redevelopment areas.
- LB565 [Avery] the Entertainment and Tourism Development Act.
- LB697 [Nelson] the Entertainment Tourism and Development Act.
- LB131 [Raikes] calls for a University Research and Corridor Master Plan.
- LB435 [Raikes] would provide for a Nebraska State Fair Park Master Plan.

Support state funding and initiatives that reduce the reliance on local property taxes and avoid further pressure on property taxes. The City is supportive of the following:

- LB530 [Nantkes] would clarify distribution of state funds dealing with storm water management plan
- LB534 [Schimek] the urban storm drainage program would grant cities local authority to help pay for the federal mandate in ways other than property taxes. The federal government has mandated requirements on cities to enforce a storm water management program, but not provided funding to pay for the program. The City, along with other cities, seeks state authority to allow cities to pay for the federally mandated regulations without relying on property taxes.
- LB182 [Kruse] to provide additional funds for public transit (StarTran).
- LR6CA [Avery] a constitutional amendment to allow for a more diverse investment of funds by public endowments such as the Community Health Endowment.
- State Dealer Licensing Requirement on Large Vehicle Sales - Change the requirement to allow more competitors to bid on large utility vehicles.
- The City generally opposes legislation that narrow the sales tax base. This is because the City of Lincoln relies more on revenue from sales tax than from property taxes to fund local government.

Reduce Duplication of Public Process- Allow the Capital Improvement Program (CIP) to serve as the Nebraska Department of Road's requirement for the 1 and 6 Highway Program. The City is supportive of the following:

- LB277 [Mines] would eliminate redundant paperwork.

Exempt Critical Infrastructure from Open Records Law - To protect critical public infrastructure networks, diagrams and plans the City seeks to exempt these items from freedom of information requests. The City is supportive of the following:

- LB135 [Fulton] seeks to provide confidentiality to critical security information of the city's water infrastructure.