

THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD  
MONDAY, DECEMBER 21, 2007 AT 10:30 A.M.

The Meeting was called to order at 10:30 a.m. Present: Council Chair Marvin; Council Members: Camp, Cook, Emery, Eschliman, Spatz, Svoboda; City Clerk, Joan E. Ross.

Council Chair Marvin asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

APPROVING A TEMPORARY EARLY RETIREMENT INCENTIVE PROGRAM AND ESTABLISHING ELIGIBILITY REQUIREMENTS, ENROLLMENT PERIOD, REQUIRED RETIREMENT DATE AND INCENTIVE AMOUNTS FOR THE FY 2008 - 2009 BUDGET - PRIOR to reading:

COOK Moved amendment #1 of Bill No. 07R-245 as follows: 1. on page 2, delete the word "At" at the end of line 16 and all of lines 17, 18, 19, and 20; 2. On page 2, delete the word "At" at the end of line 25 and all of lines 1,2,3, and 4 on page 3; 3. on page 3, delete the word "At" at the end of the line 9 and all of lines 10,11,12, and 13' and 4. Replace Attachment A, Application and Agreement, with the substitute Attachment A attached hereto.

Seconded by Eschliman & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

ESCHLIMAN Moved amendment #2 of Bill No. 07R-245 as follows: 1. On page 1, at the end of line 4, and add the word and.; 2. On page 1, after line 4 add the following language: WHEREAS, the establishment of the temporary early retirement incentive program set forth herein is contingent upon a minimum of thirty (3) eligible employees electing to participate in the program. 3. On page 1, in paragraph 2, at the end of line 16. strike the semicolon, insert a comma and the following language: provided, however that a minimum of thirty (30) eligible employees must elect to participate in the early retirement incentive program prior to the expiration of the May 2, 2008 enrollment period. In the event that thirty (30) employees do not elect to participate by May 2, 2008 this matter will again be considered for affirmative vote by the City Council.; 4. Replace Attachment A, Application and Agreement, with the substitute Attachment A attached hereto.

Seconded by Cook & carried by the following vote: AYES: Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: Camp.

CLERK Read the following resolution, introduced by Robin Eschliman, who moved its adoption:

A-84665 WHEREAS, the City Council passed Resolution No. A-84228 on February 5, 2007 approving a temporary early retirement incentive program, which ended May 7, 2007; and

WHEREAS, the City desires to establish another temporary early retirement incentive program for application to Fiscal Year 2008-2009; and WHEREAS, the establishment of the temporary early retirement incentive program set forth herein is contingent upon a minimum of thirty (30) eligible employees electing to participate in the program.

NOW, THEREFORE, be it resolved by the City Council of the City of Lincoln, Nebraska:

There is hereby established a temporary early retirement incentive program consisting of the following terms and conditions, and those specified in the attached "Application and Agreement", attached hereto as Attachment A and made a part hereof by reference.

1. Eligibility. Employees eligible to participate shall be any regular employee in pay ranges prefixed with the letters A, B, C, E, M, N, and X who has attained the age of 55 and has completed 20 or more years of service with the City and any regular employee in the above pay ranges age 62 or older at the time of adoption of this program or any employee in the above pay ranges who will meet these eligibility requirements by October 15, 2008;
2. Participation. Employee participation in the temporary early retirement incentive program is strictly voluntary on the part of eligible employees; provided, however that a minimum of thirty (30) eligible employees must elect to participate in the early retirement incentive program prior to the expiration of the May 2, 2008 enrollment period. In the event that thirty (30) employees do not elect to participate by May 2, 2008 this matter will again be considered for affirmative vote by the City Council.
3. Application to Participate. Any eligible employee wishing to participate in the temporary early retirement incentive program shall complete an Application and Agreement in the form of Attachment A to this resolution during the time the temporary early retirement incentive program is in effect.
4. Enrollment Period. Eligible employees are required to enroll in the temporary early retirement incentive program by completing an Application and Agreement at any time after passage of this resolution and February 15<sup>th</sup>, 2008 to obtain the maximum incentive

amount as set forth in the Application and Agreement in Attachment A hereto; otherwise employees who apply after February 15<sup>th</sup>, 2008 but no later than May 2<sup>nd</sup>, 2008 shall be eligible to receive the secondary level of incentive as outlined in the Application and Agreement found in Attachment A.

5. Retirement Date. Any eligible employee who enrolls in the temporary early retirement incentive program shall be required to retire from City employment between September 1, 2008 and October 15<sup>th</sup>, 2008.
6. Early Retirement Incentive.
  - A. Any eligible employee who enrolls in the temporary early retirement incentive program by no later than February 15<sup>th</sup>, 2008, shall receive the maximum incentive level consisting of the following:
    - (1) For eligible employees with up to 20 years of service, the City will contribute to the eligible employee's Post Employment Health Plan (PEHP) premium account \$7500 and an additional 15% of the eligible employee's accrued sick leave balance over and above the sick leave amount the eligible employee would normally receive at retirement. ~~At the option of the eligible employee, the additional 15% of accrued sick leave will either be paid as 5% cash and 10% to the PEHP premium account or the entirety of the additional 15% paid to the eligible employee's PEHP premium account;~~
    - (2) For eligible employees with 20 to 25 years of service, the City will contribute to the eligible employee's Post Employment Health Plan (PEHP) premium account \$12,500 and an additional 25% of the eligible employee's accrued sick leave balance over and above the sick leave amount the eligible employee would normally receive at retirement. ~~At the option of the eligible employee, the additional 25% of accrued sick leave will be either paid as 10% cash and 15% to the PEHP premium account or the entirety of the additional 25% paid to the eligible employee's PEHP premium account;~~
    - (3) For eligible employees with more than 25 years of service, the City will contribute to the eligible employee's Post Employment Health Plan (PEHP) premium account \$17,500 and an additional 35% of the eligible employee's accrued sick leave balance over and above the sick leave amount the eligible employee would normally receive at retirement. ~~At the option of the eligible employee, the additional 35% of accrued sick leave will be either paid as 10% cash and 25% to the PEHP premium account or the entirety of the additional 35% paid to the eligible employee's PEHP premium account.~~
  - B. Any eligible employee who does not enroll by February 15<sup>th</sup>, 2008, but does enroll in the temporary early retirement incentive program between February 16<sup>th</sup>, 2008 and May 2<sup>nd</sup>, 2008, shall receive the secondary level of retirement incentive as follows:
    - (1) For eligible employees with up to 20 years of service, the City will contribute to the eligible employee's Post Employment Health Plan (PEHP) premium account \$5,000 and an additional 10% of the eligible employee's accrued sick leave balance over and above the sick leave amount the eligible employee would normally receive at retirement will be paid to the eligible employee's PEHP premium account;
    - (2) For eligible employees with 20 to 25 years of service, the City will contribute to the eligible employee's Post Employment Health Plan (PEHP) premium account \$10,000 and an additional 20% of the eligible employee's accrued sick leave balance over and above the sick leave amount the eligible employee would normally receive at retirement will be paid to the eligible employee's PEHP premium account;
    - (3) For eligible employees with more than 25 years of service, the City will contribute to the eligible employee's Post Employment Health Plan (PEHP) premium account \$15,000 and an additional 30% of the eligible employee's accrued sick leave balance over and above the sick leave amount the eligible employee would normally receive at retirement will be paid to the eligible employee's PEHP premium account.

7. Compliance with Law. The temporary early retirement incentive program is intended to fully comply with all applicable provisions of the Age Discrimination in Employment Act (ADEA) and the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C.A. Sections 621-634.

Introduced by Robin Eschliman

Seconded by Spatz & carried by the following vote: AYES: Cook, Emery, Eschliman, Marvin, Spatz; NAYS: Camp, Svoboda.

**ADJOURNMENT**            **11:07 A.M.**

CAMP            Moved to adjourn the City Council meeting of December 21, 2007.  
Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.  
So ordered.

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Joan E. Ross, City Clerk

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Judy Roscoe, Senior Office Assistant

