

**AGENDA**  
**CITY COUNCIL ORGANIZATIONAL MEETING**  
**MONDAY, NOVEMBER 9, 2009**  
**(Immediately Following Directors' Meeting)**  
**COUNTY/CITY BUILDING**  
**CONFERENCE ROOM 113**

**I. MINUTES**

1. Minutes from Directors' Meeting of November 2, 2009.
2. Minutes from City Council Organizational Meeting of November 2, 2009.

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

1. Lincoln Partnership for Economic Development Investors' Meeting (Camp/Spatz)
2. Nebraska Innovation Zone Commission Meeting (Camp)
3. Joint Budget Committee Meeting (Emery/Hornung)

**OTHER MEETINGS REPORTS:**

**III. APPOINTMENTS/REAPPOINTMENTS - To Be Announced**

**IV. REQUESTS OF COUNCIL FROM MAYOR - To Be Announced**

**V. MISCELLANEOUS -**

1. Discussion on the Mayor's proposal for handling requests for information.  
(See Attachments)

**VI. CITY COUNCIL MEMBERS**

**VII. MEETINGS/INVITATIONS -**

1. Lincoln Chamber of Commerce invites you to attend the following Ribbon Cutting: -  
Please RSVP to Kathy Hale at 436-2385 or E-Mail: - -  
A.) Comfort Chiropractic, 2655 S. 70<sup>th</sup> Street, Suite E on Tuesday, November  
10, 2009 at 4:00 p.m.

2. 48ROCK Topping Out Celebration-Completion of Lincoln's First LEED Gold Certified Development project on Friday, November 6, 2009 at 2436 North 48<sup>th</sup> Street - 12:00 p.m. to 6:00 p.m., Open House - 2:00 p.m., Ribbon Cutting - (See Invitation)
3. Preservation Association of Lincoln Brown Bag - Mayor Helen Boosalis: My Mother's Life in Politics - Speaker: Beth Boosalis Davis, Author on Tuesday, November 10, 2009 at Noon at the Museum of Nebraska History, 15<sup>th</sup> & "P" Streets - (See Invitation)

## **VIII. ADJOURNMENT**

## Tammy J. Grammer

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**From:** Jonathan A. Cook  
**Sent:** Wednesday, November 04, 2009 12:43 AM  
**To:** Doug Emery; Jon Camp; John Spatz; Jayne L. Snyder; Adam A. Hornung; Eugene W. Carroll  
**Cc:** Rick D. Hoppe; Tammy J. Grammer  
**Subject:** Re: Information Requests  
**Attachments:** Draft Language for Executive Order on Information Requests,09-02-2009.doc;  
ATT00001..htm

All,

This proposal does not say that responses will be copied to all council members. The mayor just said that on Monday. I think that replies from staff should be provided only to the council member requesting the information, unless that council members requests that it be provided to all council members. I'd like to discuss this on Monday.

Jonathan

(Tammy, this goes with our Organizational Meeting item for next Monday where will will discuss the Mayor's proposal for handling requests for information. Thanks.)

On Oct 30, 2009, at 9:35 AM, Rick D. Hoppe wrote:

Council

In order to better serve the Council and ensure adequate and prompt response, the Mayor is drafting an EO so that Departments have the same understanding of how Council information requests should be handled. Since it involves the Administration's interactions with Council members, we would like to seek your advice and input on the attached. I hope we can discuss in more detail at this Monday's organizational meeting or the following week.

Thanks.

R.

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<Draft Language for Executive Order on Information Requests,09-02-2009.doc>

## Draft Language for Executive Order on Information Requests from City Council

When responding to requests for information from the City Council, it is the policy of this administration to be as open and transparent as possible within the limitations of our resources and applicable law.

Information requests from City Council members to city staff come in many forms and to several levels of staff. For example, these requests may be made during open council meetings, through written requests (both via email and letter), during informal discussions, or when city staff and City Council members are meetings regarding city activities.

It is the policy of this administration to respond to every request for information from a City Council member in a timely manner. When a request for information is made, the city staff involved must immediately notify his or her department director of the request. The department director will immediately notify the Mayor's Office in writing, by outlining the information requested by the City Council member. Mayor's Office approval is not required in order for department directors to follow this policy. In order to avoid misunderstanding, city staff should ask that the request be in writing from the City Council member to clarify the scope of the request, the type of information being requested, and the time frame for responding to the request.

Information requests should normally be honored within the time frame of the request. There are exceptions to this general rule. If the information request requires the compilation of an extensive amount of information, requires the gathering of information which historically has not been kept in any form, requires significant cost and expense to reformat or make accessible, or would seriously disrupt the normal workflow in a city office, city staff is directed to determine this at the outset of responding to the request and consult with the department director. The department director will decide, in every case, whether the request should be responded to in the requested time frame, in whole or in part. If a decision is made that to respond in such a time frame would be in whole or in part unreasonable, or if the request violates applicable law, the department director is to then consult with the Mayor's office prior to notifying the requesting City Council member of a decision. After this consultation, the department director will notify the City Council member in writing of the decision about when and how the information requests is to be made available. Any decision not to comply with a request for information from a City Council member, as requested and when requested, should be made and communicated in writing within two days of the request, and such a written response to the City Council member shall include the reasons for denying or modifying the request.

No request for information from a City Council member should be denied if the City Council provides additional financial resources to expeditiously accomplish the purpose of sharing information, unless the request cannot be legally accommodated.

Department directors are responsible for confirming with the legal department if they are unsure as to whether there are legal constraints on providing requested information.

Department directors are encouraged to work directly and diligently with City Council members on the shaping and timing of information requests.

**MINUTES  
CITY COUNCIL ORGANIZATIONAL MEETING  
MONDAY, NOVEMBER 9, 2009**

**Present:** Doug Emery, Chair  
John Spatz, Vice Chair  
Jayne Snyder  
Adam Hornung  
Jon Camp  
Gene Carroll  
Jonathan Cook

**Others Present:** Rick Hoppe, Aide to the Mayor  
Rod Confer, City Attorney

Chair Emery called the meeting to order at 2:33 pm and announced the location of the Open Meetings Act.

**I. MINUTES**

1. Minutes from Directors' Meeting of November 2, 2009.
  2. Minutes from City Council Organizational Meeting of November 2, 2009.
- With no corrections, additions, or deletions the above minutes approved by acclamation.

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

**1. Lincoln Partnership for Economic Development Investors' Meeting Camp/Spatz**

Spatz stated through the Regional Innovation Grant study twelve counties of southeast Nebraska are seen as one of the best in the nation for reasons including: good rail access; interstate location; diverse industries; business costs; low unemployment; young population; and good technology. Concerns include: low wages; regional innovation not being capitalized but Innovation Campus should help in this area. Overall very well compared to the rest of the nation.

**2. Nebraska Innovation Zone Commission Meeting Camp**

The meeting was cancelled.

**3. Joint Budget Committee Meeting Emery/Hornung**

Emery stated they discussed funds distribution, which will be presented to the City Council and County Board. Looking at possibly funding specific areas, with clear goals, tangible targets, being results oriented. Mostly not a problem, but some agencies may not fit into the categories and will be dropped at the end of this two year cycle. Trying to insert into preventative programs.

Hornung added it's prioritization, and not having program duplications. If two similar programs identify a great area need possibly they could figure out their own niche. Need good understanding of what we expect out of organizations providing services for our community.

## **OTHER MEETINGS REPORTS:**

### **III. APPOINTMENTS/REAPPOINTMENTS**

None

### **IV. REQUESTS OF COUNCIL FROM MAYOR**

Hoppe stated the continuing quest is for a more performance and outcome based organization. Have met on data/information needed. Close to a set valuable, to be used in December meetings. Departments will give indicator data to know what we do well, not as well, and what it means in terms of prioritizing programs.

Some data indicators come from departments where it is subjective and requires community input. Such as, how many people watch Channel 5, learning from CIC? Items on neighborhood quality of life need citizen data. Will meet with the Public Policy Center, taking suggestions to fashion into a potential survey. Hoppe distributed data gathered by Chandler, Arizona. (Filed in Office) Numerous cities try to measure effectiveness with citizens.

In the past the Public Policy Center has worked on policy questions, but this is a performance measurement, a scientific survey devoted to how well we're doing, not what we should be doing. This data will be transferred to the City Council regarding what policy should we pursue. And what is the data, or what are the citizens telling us on what they think we do well, or not do well in.

Camp asked about cost, recalling part of the budget being deleted. Hoppe replied they want a scientific survey under \$30,000. Did budget for the public process/the facilitator-meetings, some policy work, and a Citizens Satisfaction Survey. If the Policy Center cannot get a grant will not do. On the Citizens Satisfaction Survey want to spend less than \$40,000. Camp asked if the \$40,000 could be used to pay half a year's salary for a City Council researcher? Hoppe stated the City decides but unsure it would be better than insuring decision makers have needed data to determine if we perform as we should.

Snyder spoke highly of departments involved in gathering evidence and data. She added Council receives emails/phone calls but those are not representative of what is seen when looking at evidence based question data. Staff worked hard in revamping and restating some of the indicators.

### **V. MISCELLANEOUS**

#### **1. Discussion on the Mayor's Proposal for Handling Information Requests**

Cook commented the Mayor stated if a request made to City staff the reply would go to all Council Members. Somewhat uncomfortable as we interact with staff continually. It should be more discretionary on sending to all, plus do not want to read feedback to all Members questions. Spatz agreed, adding probably most requests are phone questions. Are we to ask departments to formalize this request type? Hoppe replied the Mayor's office does not hear these, nor wants to. Emery thought that applied to a formal RFI but sometimes it's just as easy to call and get information. But if you're not having that kind of Director response then put in the RFI process.

Camp questioned if all director inquiries go to the Mayor's Office? He's talked to directors, and they will not talk without speaking to the Mayor's Office. Hoppe stated this is not happening to the degree you may think. Think you felt some directors needed the Mayor's Office permission to talk

with you. If there was a misunderstanding between directors and a Council Member we want to be clear as to their responsibilities and obligations. Never said to notify the Mayor's Office and ask permission to answer questions. Some directors Councilman Camp talked to did feel the need to talk to the Mayor's Office in light of the request scope. But, if a phone call to a director results in an answer, great. No need that colleagues or the Mayor's Office needs to know. If you request several project data pages which may take time, think appropriate to ask, or notify, the Mayor's Office so they have an idea of how their time is allocated.

Camp stated he remembered Owen meeting with a couple Council Members and this arose and she responded it was the Mayor's Office policy. Maybe it's changed. Hoppe commented that's why this policy clearly states, and is written, to say they specifically do not have to ask.

Cook stated to avoid misunderstanding the City staff should request in writing that Council clarify the request scope, but not for a telephone call. Hoppe said if it needs to be clarified would do, this wasn't for Council to write down phone conversations. Cook commented if a phone call and expect an easy answer, that's everyday business. If requesting in writing, email, would be copied to the Mayor's Office. The issue is when the reply is sent it goes to the one Councilman, not to the Council as a whole, unless he/she wants to share as a whole.

Emery would like to see the response go to the Council Chair and he/she decides whether to disseminate to everyone. If there is trouble getting information from a Director those requests should go to the Chair with the Chair dealing with the Mayor's Office to expedite or clear up any potential issues. Would trust the Chair to decide what would be of value to everyone.

Cook added any Council Member can issue an RFI, and the copy which comes back goes on the Director's Agenda, with a copy to everyone. Staff assigns an RFI number. Do differentiate from those and Council emails not of particular interest to the rest of the Council.

Hornung thought this couldn't be made more complicated. For a call to a director, or staff, do they report to the Mayor? Hoppe replied if a small information request the Mayor's office discourages. If a policy question, or significant work, the Mayor's Office would like to hear. Emery commented anyone who hears that they have to go to the Mayor's Office before answering, call the Council Chair. Hoppe agreed. Emery added the Chair intercedes making sure it is not an issue. Hornung asked if simply asking a question should we assume it goes to the Mayor? Cook added any contact with staff the Council assumes the Mayor should be aware, except the Law Department. Law works for us and when questioned the City Attorney should not be obligated to report? Confer replied he works for the City, advises the Council and Mayor. Interpreted as the Mayor is entitled to know what Council asks of the City Attorney. Hornung asked if a two way street, the City Attorney would tell Council if the Mayor is considering an ordinance?

Cook said it's not what his obligations are to the rest of the City, it's whether it's an obligation to inform the Mayor's Office, saying which Council Member called on what. Hoppe added it has to be asked as opposed to point of information. Hornung asked if the other Council Members won't receive? Cook commented if Members make phone calls, or small emails, does not get copied. If a RFI process, is copied to the Chair, and through the process. Carroll stated if it's work product that produced for the staff, then it doesn't matter if there's a question and a quick response. But, if a work product is produced do think Members should receive. Hornung thought some may be try to conceal, or operate, under some level of being anonymous for a short while. Spatz stated his



motivation is that he has enough emails to respond to. Hornung commented maybe he doesn't want everyone to see his request.

Emery stated will put on the agenda next week for continuation.

#### **VI. CITY COUNCIL MEMBERS**

No comments.

#### **VII. MEETINGS/INVITATIONS**

See invitation list.

#### **VIII. ADJOURNMENT**

Chair Emery adjourned the meeting at 2:57 p.m.