

**RULES OF GOVERNANCE
LINCOLN SAFE AND SUCCESSFUL KIDS INTERLOCAL BOARD**

ARTICLE I

AUTHORITY AND PURPOSE

1. Authority: The Interlocal Board has been created and established by and between the City of Lincoln, Nebraska, a municipal corporation (“City”) and Lancaster County School District 001, a/k/a Lincoln Public Schools (“LPS”) (collectively the “Participants”), pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq. (the “Act”) by entering into the Interlocal Cooperation Agreement for Lincoln Safe and Successful Kids (the “Interlocal Agreement”).

2. Purpose: The Interlocal ~~Agreement created no separate legal or administrative entity and as such does not establish and maintain a budget. The manner of financing the joint and cooperative undertaking is through the established budgets of the City and LPS on an agreed upon cost sharing basis. The Interlocal~~ Board will ~~oversee such financing of the cooperative undertaking and~~ function as a coordinating ~~body~~entity to ~~finance and~~ provide for the objective of additional security for LPS schools; contracting for and coordinating funding for behavioral health services for LPS students and their parents or legal guardians; and providing funding for non-classroom education opportunities for LPS students. ~~The Interlocal Board has a fiduciary duty to track and account for costs and revenues of the programs described above.~~ The duties of each of the Participants is set forth in the organizational documents of the Interlocal Board, specifically the Interlocal Agreement.

a. The Interlocal Board shall work cooperatively with the lead agencies (“Community Partners”) that operate Community Learning Centers (“CLCs”) within the City of Lincoln to maintain and advance the programs described in the Interlocal Agreement.

b. The Interlocal Board shall make the most efficient use of the powers of the Participants and arrange, coordinate and facilitate their cooperation with each other and other governmental units on a basis of mutual advantage and to thereby provide services in a manner that will best account with the geographic, economic, population, and other factors influencing the needs and development of the programs set forth in the Interlocal Agreement.

c. The Interlocal Board shall exercise any power, privilege or authority to facilitate the programs described in the Interlocal Agreement as shall be determined by the Interlocal Board to be necessary, desirable, advisable or in the best interests of the Participants in the manner and as provided for by the Act.

ARTICLE II

REPRESENTATIVES

1. Appointment: The Interlocal Board shall be governed by a Board of six Representatives (“the Interlocal Board”), three (3) of whom shall be representatives of the City and three (3) of whom shall be representatives of LPS. The City representatives shall be the Mayor of the City or his or her designated representative and two (2) members of the City Council appointed by the City Council (collectively “City Members”). The LPS representatives shall be three (3) members of the Lincoln Board of Education (“School Board”) appointed by the President of the School Board (collectively “LPS Members”). Each City Member and each LPS Member shall be collectively referred to as Representatives and separately as a Representative.

2. Term and Reappointment: Each Representative shall serve for a term of two (2) years for the City and a term of not more than two (2) years for LPS, or until his or her successor has been appointed and has qualified in the same manner as the original appointment. Any vacancy of a City Member shall be appointed by either the Mayor or City Council that made the original appointment. Any vacancy for a LPS Member shall be ~~appointment~~ appointed by the President of the School Board. A Representative shall be eligible for reappointment upon the expiration of his or her term. A Representative may resign or be removed for cause at any time by the Participant that made the appointment.

3. Compensation and Expenses: Representatives shall not be entitled to compensation for their services but shall be entitled to reimbursement of reasonable expenses paid or incurred in the performance of the duties imposed upon them in the discharge of their official duties.

ARTICLE III

OFFICERS

1. Officers Designated: The Interlocal Board officers shall be a Chairperson, Vice Chairperson, Secretary, and Treasurer. The Chairperson and Vice Chairperson shall be elected by the Interlocal Board among the Representatives and shall serve annual terms or until a successor is duly appointed or elected as set forth herein. Successive terms of office are permitted.

2. Recall, Resignation, Death, or Disability of Officers: Any officer may be recalled from their position at any meeting by a vote of the Interlocal Board according to the voting requirements in Article VI-3. If an officer resigns, dies, or becomes unable to perform his or her duties, such event will automatically create a vacancy in that office. The Board shall elect an officer possessing the requisite qualifications to fill any such vacancy by a vote of the Interlocal Board according to the voting requirements in Article VI-3.

3. Duties of Officers:

a. Chairperson. The Chairperson shall preside at all meetings of the Interlocal Board, plan, lead, and direct the work of the Interlocal Board, require reports, and perform such other duties as are normally associated with the office of Chairperson.

b. Vice Chairperson. The Vice Chairperson shall perform such duties as are assigned by the Chairperson and shall, in the absence of the Chairperson, perform all of the duties

assigned to the Chairperson, except for such duties assigned exclusively to the Chairperson.

c. Secretary. The Parks and Recreation Director or his or her designee shall have the responsibility to act as secretary and shall have charge of such books, documents, and papers as the Board may determine and may designate one or more employees of the City Parks and Recreation Department to assist in or carry out the duties described herein, including appointment of an administrative assistant to physically take the minutes, record the meetings of the Interlocal Board, give the required notices, record the votes, and perform such other ministerial duties as ~~the~~ shall be assigned from time to time.

- (1) Public Notice. The Parks and Recreation Director or his or her designee shall be responsible for giving the required public notice regarding each meeting of the Board and shall be responsible for maintaining a record of all votes taken by the Board. He or she shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting in accordance with the Open Meetings Act, Neb. Rev. Stat. § 84-1411(4), as amended.
- (2) Official Records. The minutes of the Interlocal Board and all resolutions and other official documents shall be kept on file in the City Clerk's office of the City of Lincoln, Nebraska, and the City Clerk is hereby designated the official record keeper of the Interlocal Board. The Interlocal Board shall be subject to the requirements of the Nebraska Public Records Act, Neb. Rev. Stat. §§ 84-712 et seq., as amended.

~~_____~~ d. Treasurer. The City Finance Director shall serve as a non-voting ex officio treasurer of the Interlocal Board. ~~All funds of the Interlocal Board shall be paid to the Treasurer, who shall not commingle such money with any other money under his or her control.~~

- ~~(1) — The Chairperson or Treasurer may sign, all checks, drafts, warrants or other instruments for paying out or expending money by the Interlocal Board. Any such authorization by the Treasurer shall be in writing and filed with the City Clerk.~~
- ~~(2) —~~ The Treasurer shall in general perform all ~~other~~ duties incident to the office of Treasurer and such other duties as shall be assigned by the Interlocal Board.

- ~~(3) — In the event that there is no treasurer's bond that expressly insures the Interlocal Board against loss resulting from fraudulent, illegal, negligent, or otherwise wrongful or unauthorized acts or conduct by or on the part of any person authorized to sign checks, drafts, warrants, or other instruments in writing, there shall be procured and filed with the Finance Director, together with the written~~

~~authorization filed with the Finance Director, a surety bond, effective for protection against the loss, in such form and penal amount and with such corporate surety as shall be approved in writing by the signed endorsement thereon of any two (2) officers of the Interlocal Board other than the Treasurer. The Finance Director shall report to the Board at each meeting any such bonds filed, or any change in the status of any such bonds, since the last previous meeting of the Board.~~

ARTICLE IV

EMPLOYEES OR AGENTS LEGAL SERVICES

~~1. Employees or Agents: The Interlocal Board may obtain the services of employees or agents of the City or LPS that either Participant may agree or contract to provide, and the Interlocal Board may employ or obtain the services of technical experts and such other officers, agents, and employees as it may require and shall determine their qualifications, duties, compensation, and terms of office.~~

~~2. Financial and Legal Services: The City will provide legal services as needed to the City Members of the Interlocal Board, and LPS will provide legal services as needed to the LPS Members of the Interlocal Board. The Interlocal Board may employ counsel for LPS as additional legal counsel or may retain outside counsel upon the recommendation of or with the advice and consent of the City Attorney, provided Participants agree to a cost share for outside counsel in advance of retaining such services. ~~Unless otherwise provided by the Interlocal Board, the City may provide financial services to the Interlocal Board under this Agreement, with said costs to be evenly divided and paid by each of the Participants provided the costs for such financial services are approved in advance as a part of each Participant's annual budgeting process.~~~~

ARTICLE V

COMMITTEES

1. Establishment: The Interlocal Board at any properly noticed meeting may by a vote of the Representatives according to the voting requirements in Article VI-3 establish and appoint standing committees, temporary committees, and advisory committees. Such advisory committees or other committees may include community stakeholders and members of the public in accordance with any approval by the Interlocal Board.

2. Appointment of Committee Officers and Members: Whenever a permanent or temporary committee is established, by a vote of the Representatives according to the voting requirements in Article VI-3 the Interlocal Board shall designate its membership and name one member as committee head and shall specify the delegated powers and duties of such committee.

ARTICLE VI

MEETINGS

1. Interlocal Board Meetings: The Interlocal Board shall have an annual meeting ~~in June of each year, which shall involve the election of officers. In April of each year, the Interlocal Board shall meet to adopt a budget that shall be submitted to City and LPS for approval.~~ The Interlocal Board shall meet at times established by vote of the Interlocal Board and shall meet upon call of the Chairperson or any two (2) Representatives of the Interlocal Board. Notice of the meeting and agenda shall be provided to each Representative and reasonable advance publicized notice prior to each such meeting by the Interlocal Board shall be provided pursuant to Neb. Rev. Stat. § 84-1411, as amended. In the event that the necessity arises for an emergency meeting without reasonable advance notice, the nature of the emergency shall be stated in the minutes and any formal action taken in the meeting shall pertain only to the emergency.

The Interlocal Board shall also give public notice of the meeting pursuant to Neb. Rev. Stat. § 84-1411, as amended. Public notice shall be given by posting a notice of the meeting on the official bulletin board of the City in the County-City Building, 555 South 10th Street, Lincoln, Nebraska, under the heading of "PUBLIC NOTICE OF MEETING," maintaining an agenda in the office of the City Clerk which shall be available for inspection by the public, and by posting on the City's website. All meetings shall be conducted in accordance with the Open Meetings Act, Neb. Rev. Stat. §§ 84-1407 et seq., as amended.

2. Quorum: In order for the Interlocal Board to take an action or transact any Interlocal Board business at any meeting of the Interlocal Board, a quorum of a minimum of (i) two (2) of the three (3) LPS Members must be present and (ii) two (2) of the three (3) City Members must be present.

3. Voting: Votes shall be taken by roll call and in rotating alphabetical order. Each Representative shall have one (1) vote on matters before the Interlocal Board. Except as may otherwise be provided herein, all actions of the Interlocal Board shall require a minimum affirmative vote of (i) two (2) of the three (3) LPS Members entitled to vote and (ii) two (2) of the three (3) City Members entitled to vote.

4. Conflict of Interest: If a Representative has a conflict of interest regarding any matter that is before the Interlocal Board for discussion, deliberation or action, he or she shall report such conflict of interest to the Chairperson prior to any discussion or deliberation by the Board on the matter. The Chairperson shall determine whether there is a conflict of interest. If the Chairperson rules that there is a conflict of interest, the member shall abstain from all discussion, deliberation, voting or other action on the matter. If a member of the Board is present when a question is put and the member refuses to cast an affirmative or negative vote, his or her refusal to cast an affirmative or negative vote on the pending question shall be recorded as a negative vote, unless such member has declared a conflict of interest and abstained from all discussion and voting. Under the Nebraska Political Accountability and Disclosure Act a conflict of interest exists when, in the discharge of duties, a Representative would be required to take any action or make any decision that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of

the public. See Neb. Rev. Stat. § 49-1499, as amended.

5. Reference Guide for Board Meetings: Robert's Rules of Order, Newly Revised, shall be used for guidance in resolving questions regarding the procedure or conduct of meetings in the absence of a controlling Rule of Governance or applicable law.

6. Right of Public to Appear: In accordance with provisions of Neb. Rev. Stat. § 84-1412, as amended, the public shall have the right to attend meetings of the Interlocal Board and to speak on matters related to Board business. The Board maintains the right to conduct meetings without permitting members of the public to speak as long as the Board complies with the Open Meetings Act. Any person may appear before and address the Board concerning any item on the agenda for that meeting, if permitted by the Chairperson. ~~Further, any person may appear before and address the Board at any scheduled meeting on any matter concerning the Board and not on the agenda by notifying the Secretary at least twenty four (24) hours in advance of the meeting at which the person desires to address the Board.~~ A time limit of five (5) minutes shall be placed upon each individual appearance before the Board. The Chairperson shall have the right to prohibit multiple appearances by persons presenting needlessly repetitious or redundant testimony.

7. Closed Session: Closed sessions will only be held for the reasons stated and under the terms and conditions set forth in Neb. Rev. Stat. § 84-1410, as amended.

ARTICLE VII

MINUTES

1. Content of Minutes: The Interlocal Board shall maintain minutes of all meetings; copies of minutes, names and addresses of all appointees, including appointment date expiration date, shall be maintained in the Office of the City Clerk and open to public inspection upon request. Minutes shall be kept of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

2. Votes Recorded: All votes of the Interlocal Board shall be duly recorded and kept as part of the minutes for each meeting of the Board.

3. Approval: The minutes of the previous Interlocal Board meeting shall be approved by the Interlocal Board according to the voting requirements in Article VI-3.

4. Public Record: The minutes shall be public record and open to public inspection during normal business hours at the Office of the City Clerk, County-City Building, 555 South 10th Street, Lincoln, Nebraska.

5. Availability: Minutes shall be written and available for inspection prior to the next convened meeting.

ARTICLE VIII

SUSPENSION AND AMENDMENT OF RULES

1. Suspension: Any of these Rules of Governance may be suspended by the unanimous vote of Representatives present and voting, with the exception of the requirements of a quorum, voting, minutes, the requirements of the Open Meetings Act, or any other requirement imposed by law or the Interlocal Agreement.

2. Amendments: Any rule may be amended or rescinded in whole or in part by unanimous vote of Representatives present and voting after notice given at least two (2) days prior to the meeting at which such amendment or rescission is to be acted upon.

ARTICLE IX

RECOMMENDED ORDER OF BUSINESS FOR REGULAR MEETINGS

1. Call to order.
2. Determination of a quorum present.
3. Statement of the location where a copy of the Nebraska Open Meetings Act is posted and accessible to the public.
4. Approval of minutes of previous meeting. Minutes will not be read unless a request is made, but will be distributed in writing before each meeting.
5. ~~Unfinished business.~~
6. ~~New business.~~ Items for Board consideration (new business and unfinished business).
7. ~~Public comment~~ Announcements.
8. Adjournment.

ARTICLE X

FISCAL YEAR

The fiscal year of the Interlocal Board shall begin on the first day of September and end on the last day of August in the next year.

THE FOREGOING RULES OF GOVERNANCE WERE ADOPTED THIS _____ DAY OF _____, 2021~~18~~.

LINCOLN SAFE AND SUCCESSFUL
KIDS INTERLOCAL BOARD

By: _____
Chairperson