MINUTES LINCOLN-LANCASTER COUNTY CONSOLIDATION TASK FORCE COUNTY-CITY BUILDING 555 SOUTH 10TH STREET, ROOM 210 FRIDAY, MAY 10, 2013

8:30 A.M.

Committee Members Present: Ann Post, Chair; Russ Bayer; Dick Campbell; Mike DeKalb; Jan Gauger; James Jeffers; Larry Lewis; Jean Lovell; Darl Naumann; W. Don Nelson; Kerry Eagan (Ex-Officio); and Trish Owen (Ex-Officio)

Committee Members Absent: Dale Gruntorad; Amanda McGill; and Larry Melichar

Others Present: Laurie Holman, Legal Counsel for the Legislature's Urban Affairs Committee; Carl Eskridge, City Council Chair; Jane Raybould, County Commissioner; and Ann Taylor, Lancaster County Clerk's Office

The Chair called the meeting to order at 8:30 a.m.

1 APPROVAL OF MINUTES OF APRIL 26, 2013 MEETING

MOTION: Campbell moved and Naumann seconded approval of the minutes. Bayer, Campbell, DeKalb, Gauger, Jeffers, Lewis, Lovell, Naumann, and Post voted aye. Gruntorad, McGill, Melichar and Nelson were absent from voting. Motion carried 9-0.

2 REPORT ON CITY PUBLIC WORKS & UTILITIES/COUNTY ENGINEER COOPERATION

A. Existing Cooperative Agreements

Roger Figard, City Engineer, said City Public Works & Utilities and County Engineering have a long history of working together. He said City and County jurisdictions are clearly defined in state statutes, ordinance, and practice and policy, so duplication of effort and overlap is fairly rare. Items that are truly a duplication, such as purchasing and personnel matters, have already been captured. Figard said areas of cooperation include:

- Coordination of projects
- Pooling of resources, such as federal funding, for projects
- Interlocal agreements for beltway projects
- Road maintenance

Nelson arrived at 8:40 a.m.

- Rural to Urban Transportation System Program (RUTS)
- Pavement markings
- Railroad Transportation Safety District (RTSD)
- Geographic Information System (GIS) and land base surveying

DeKalb said the Lincoln-Lancaster County 2040 Comprehensive Plan and the Long Range Transportation Plan are other examples of the way the City and County road systems are tied together.

B. Opportunities for Additional Cooperation

Figard identified a couple areas where there could be additional cooperative efforts or cost sharing:

- Sign and traffic signal shops
- GIS and land base surveying

Don Thomas, County Engineer, disseminated copies of a map that shows the areas where the City and County share maintenance (Exhibit A). Figard said the City and County have a similar arrangement with the Nebraska Department of Roads (NDOR), noting the City is responsible for surface maintenance of state highways that pass through the City of Lincoln.

DeKalb noted both departments run fleet maintenance/equipment shops and asked whether there would be any advantage to consolidating that function. Thomas said he would be hesitant to give up control of his equipment, which are critical to his operation. County Engineering currently has maintenance shops spread around the County. Figard added the City has three parts to vehicle maintenance: 1) Pickups and cars are maintained by the Police Garage; 2) Public Works' Fleet Services maintains the big trucks and equipment; 3) Maintenance of Solid Waste's equipment is handled through private service contracts. Thomas noted the County participated this year in a program in which Caterpillar will rebuild a motor grader. The cost is \$95,000, compared to \$220,000 for a new motor grader.

C. Pros and Cons of Consolidation

Figard cited the challenges to consolidation:

- Statutory requirements and organization rules (County Engineer is elected, City Public Works & Utilities Director is appointed, and City Engineer is in the classified service)
- Different regulatory standards
- Different governing authorities
- Serve constituents differently
- Political pressure for levels of service
- · Different sources of funding

In response to a question from DeKalb, Thomas felt both positions would still be needed if someone were appointed to oversee both departments. Figard said he does not see that there would be any savings in staff or salaries. Thomas said he believes oversight could be achieved without merging the two departments, noting some counties have a Road and Bridge Committee to provide oversight.

Raybould asked who is responsible for the design work in joint projects. Figard said it is generally whichever entity has the larger stake in the project.

Jeffers asked how many engineers each have on their staffs. Thomas said he has three. Figard said he has 45 staff in the design/construction area that work on some level of engineering or inspection out in the field. Eleven engineers are in Engineering Revolving. He noted the engineers also help manage and coordinate all the storm water bond projects and water main and sanitary sewer projects.

NOTE: Also present for the discussion was Doug Pillard, Design Division Head, County Engineering. Miki Esposito, City Public Works & Utilities Director, was unable to attend the meeting.

3 GUIDELINES FOR PUBLIC PARTICIPATION

The Chair suggested the Task Force decide on specific guidelines for public comment.

MOTION:

Bayer moved and Campbell seconded to allow five minutes of public comment at the end of each agenda topic and ten minutes of public comment at the end of the meeting. Bayer, Campbell, DeKalb, Gauger, Jeffers, Lewis, Lovell, Naumann, Nelson and Post voted aye. Gruntorad, McGill and Melichar were absent from voting. Motion carried 10-0.

4 INTRODUCTION AND PRELIMINARY DISCUSSION WITH KAREN AMEN, FACILITATOR

Karen Amen, Facilitator, introduced herself to the group and discussed the role of a neutral facilitator. She also disseminated a worksheet and summary of responses to a questionnaire she had sent to Task Force members (Exhibits B & C). The questionnaire posed the following questions:

- What would you like the outcome of this process to be in order to feel that it was worth your time, attention and expertise?
- What are the 2-4 most important content issues currently facing the Task Force? (Content refers to the charge, information, opinions, analyses, recommendations, decisions, etc.)
- What advice or requests do you have of the facilitator related to the process?

Amen noted several of the Task Force members had indicated they would like to delve more deeply into the intent of the City Council and County Board. She asked Jane Raybould and Carl Eskridge, who serve as Chair and Vice Chair of the City-County Common, respectively, why the two bodies wanted to explore consolidation options at this time, adding they are free to give their sense of the driving forces, without necessarily speaking in an official capacity for the two bodies.

Raybould said she is driven by budgets. She said the budget deficit was \$4,200,000 her first year on the County Board. Last year the deficit was \$6,700,000. This year the County is facing \$9,200,000 deficit. Raybould said the County Board did not have preconceived notions going into this process but wanted to initiate discussion and look at departments, based on functionality. She said the County Board had identified what it thought the parameters should be in a letter. **NOTE:** The letter, dated November 13, 2012, was from the County Board to the City Council (Exhibit D).

Eskridge said the City Council is also concerned with budgets and efficiencies, although the County's needs in that area may be greater at this time. He noted the City Council has three new members and said he does not know what their expectations may be. Eskridge said the driving force for him is looking at how we do business and whether there could be additional efficiencies. He said he doesn't believe the City and County are at the point of complete consolidation but believes it could occur at some point in the future.

Raybould noted the City-County Common had identified four areas it would like the Task Force to explore for possible merger or additional cooperative efforts: 1) City Public Works & Utilities and the Lancaster County Engineer's Office; 2) Lincoln Police Department (LPD) and the Lancaster County Sheriff's Office; 3) City Clerk's Office and County Clerk's Office; and 4) City Attorney's Misdemeanor Prosecution Division and the Lancaster County Attorney's Office. She said the Task Force has brought those departments in to talk about their operations and believes the Task Force is right on task for fulfilling the County Board and City Council's expectations.

Eskridge added that the understanding was that the Task Force might identify other potential areas for consolidation.

Campbell said Lincoln is identified by state law as its own class of city and said that area may be more changeable than the County classifications. He said having information about those constraints would be more helpful, such as does there have to be a Sheriff or a County Engineer.

Nelson said he doesn't believe the Legislature has the political tolerance to truly grant home rule status to the City and County. **NOTE:** Home rule shifts much of the responsibility for local government from the state legislature to the local community. A county that adopts a home rule charter has the ability to amend its governmental organization and powers to suit its needs.

Laurie Holman, Legal Counsel for the Legislature's Urban Affairs Committee, explained that "Dillon's Rule" applies for determining a local government's authority (see information regarding "Dillon's Rule" in the March 8, 2013 minutes). She added the Urban Affairs Committee plans to do an interim study on home rule.

Eagan disseminated a summary of state statutes relating to county consolidation legislation (Exhibit E).

Brief discussion took place regarding the decision-making process, roles and responsibilities.

There was consensus to seek additional information on: 1) State laws; 2) City's classification; and 3) Scope of the authority.

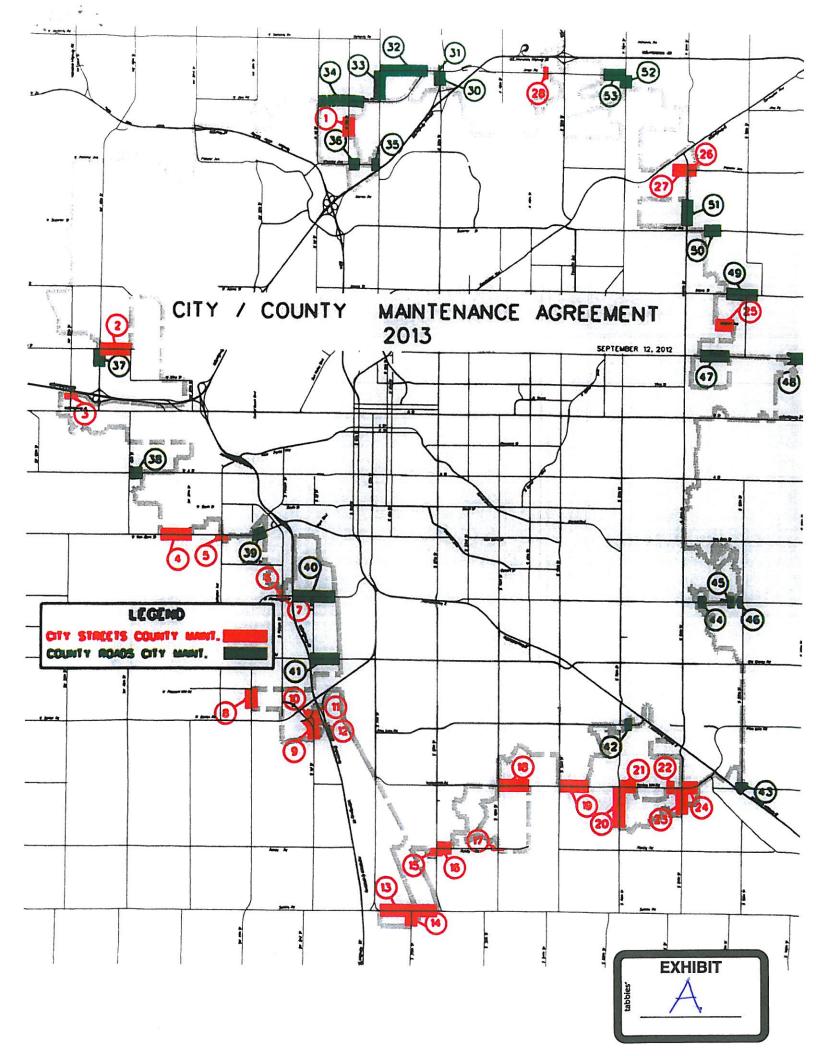
Bayer exited the meeting at 10:25 a.m.

Amen said she will send a proposed outline of the final product and process to Task Force members before the next meeting. She also suggested the Task Force consider a larger meeting room and extending the meetings from two to three hours.

5 ADJOURNMENT

There being no further business the meeting was adjourned at 10:28 a.m.

Submitted by Ann Taylor, Lancaster County Clerk's Office.





Lincoln Lancaster County Consolidation Task Force: Designing the Process

Worksheets for Group Discussion Friday, May 10, 2013

Agenda Topics for Process Design

- 1. Charge to Task Force
- 2. Questionnaire Responses
- 3. Group Camaraderie, Cohesion, Commitment to Each Other
- 4. Making Decisions
- 5. Roles and Responsibilities
- 6. Approach and Basic Design
 - Includes general timeline
- 7. Logistics

Additional Considerations

- · Logistics and Locations
- · Several short meetings or one longer meeting?
- Next Steps

Lincoln Lancaster County Consolidation Task Force: Facilitated Decision-Waking Process Responses to Preliminary Questionnaire as of Thursday, May 9, 2013

Question 1: What would you like the outcome of this process to be in order to feel that it was worth your time, attention and expertise?

- The report out of the committee should be based on realistic
 recommendations that take into account operational, legal and fiscal impacts.
 If no economic savings can be realized, or no operational efficiencies gained,
 total consolidation should not be recommended to the elected bodies. Rather
 it should be stated that rather than consolidation of the two departments they
 should look at interlocal opportunities for cooperation.
- Offer valid suggestions for consolidation provided the consolidated agency (or services):
 - i. continues to meet the expected needs of the constituency
 - ii. is at least as effective as the two separate agencies / services
 - iii. the services are provided more efficiently
- I want to feel like we have been thorough, whether or not we have substantial recommendations. I also want to feel like we have thought outside of the box. It is possible that we don't find any consolidations that make sense.
- A consensus of findings of 1) if any consolidation of any agencies is appropriate. 2) if so, what potential savings in time, staff and money may be there. 3) if not, are there areas of potential interlocals or sharing of duties that may help.
- I would like to see the committee recommend both long term and short term
 consolidations. I would like to see positive short term recommendations that
 are very achievable despite the inherent political tensions involved in most
 consolidation recommendations and, if possible, I would like to see the
 committee develop a long term more ambitious bipartisan consolidation plan.
 - That is my ideal outcome. If this process comes out with just one or two consolidation recommendations, even small departmental recommendations, I would feel my time was well spent.
- That the elected officials who launched our journey are satisfied with our work products.
- What we might like the outcome of the process to be and what it may very well turn out to be may possibly be two different outcomes. However we can always hope and move forward with an optimistic attitude.

Question 2. What are the 2 - 4 most important content issues currently facing the Task Force? (Content refers to the what: the charge, information, opinions, analyses, recommendations, decisions, etc.)

Setting Criteria, Guidelines for Deciding What to Recommend

- There needs to be a list of defined questions created for each set of
 consolidation proposals that the task force keeps in mind as they work through
 this process. Right now [we] seem to be spinning tops....getting information
 and not really sure what to do with it now or what direction [we] should be
 heading. We need focus.
- A determination of whether consolidation of any of the departments is warranted based on an increased efficiency and/or economic savings.
 - A by-product of the review would be to increase efficiency and economic savings solely thru the use of additional inter-local agreements between the departments.
- I hope that any recommendation would both improve services to citizens and save taxpayer dollars though I would be satisfied if only the former is achieved.
- Analysis of the effectiveness of a consolidated service (effectiveness in this
 instance means, to me, will the same level of service be provided to each
 citizen post-consolidation as it is provided pre-consolidation).
- Isolate the departments that the group feels will have measureable benefits by consolidation in order that the major time and effort can be concentrated on those departments.
 - Remaining departments should still be reviewed for increased benefits of additional inter-local agreements.

Recommendations Need to be Politically Doable and Realistic

- We've inherited this weird system of elected County Commissioners but also separately elected officials as Department heads while the City has an elected Mayor who appoints the Department heads. Do we have to accommodate this governmental structure from the past whether or not it works for 2013 or can we imagine what the structure would be like if we can start from scratch?
- What happens if some of our work requires going to the Legislature for amending existing laws or creating new legislation?
- While the ultimate decision will be made by elected officials representing political parties, the taskforce members needs to leave their "R" cards and "D" cards at the door.

- One thing that is hard to keep in mind is that the ultimate recommendations
 made by the taskforce need to be politically realistic. The final decision on
 these consolidations are to be made by elected officials with constituencies.
 They have to be able to justify politically the decisions they are making.
- What is the elected officials' tolerance for change? Why did they give us this
 charge at this point in time? Is there some underlying thing on their minds?
 Are they really seeking a fundamental change in governance? I don't want
 our time to be wasted if there is not a genuine interest on their part for us to
 come up with items that might be difficult to work out.

Interest, Support, and Willingness for Change Among People Directly Impacted

- A huge consideration that has not been touched on yet is the legal ability of any of this to occur under existing union contracts. CIR has not let us change working conditions without negotiation. We need some kind of legal analysis that tells us what legal constraints we are working under before the task force gets too far down the road.
- Ask for recommendations from the agencies being evaluated

Additional Considerations

- Unbiased information
- I don't believe we have found those issues yet.
- Right now the biggest challenge facing the committee is focusing it in a
 productive way. There are several opinions about the level of detail the
 committee needs to see, the level of comprehensiveness of changes to be
 recommended, and the necessary legal structure of the changes.
 - The committee needs to decide its priority whether it intends to develop an overall master plan which would require years or short term beneficial recommendations.

Question 3. What advice or requests do you have of the facilitator related to the process?

Keep Us on Task

- Please keep the discussion on task. There is a tendency to wander into philosophical discussions.
- There are occasional questions/comments that are off target. Help bring those back to point or make sure we should all speak up when something is off target.
- Help us find a way to process through the info to a consensus conclusion.

Break Down Our Work Into Manageable Parts

- Address and summarize the specific areas that the committee as a whole believes they would like to study in any meaningful way.
 - Provide possible suggestions on reducing the somewhat overwhelming amount of data available to review to a more manageable content volume.

Make Sure Everyone Has the Opportunity to Participate Equally

- Please help insure that all members get an equal opportunity to participate.
- There are many very intelligent and very experienced people on the committee. Many have strong opinions but everyone jointed the committee in an effort to use their talents to help our community.
 - If we can find a way to create a cohesive team atmospheres where all work together this committee has real potential to generate ideas and support their implementation in a way that can have far reaching and positive effects for Lincoln.

And, to help with our decision-making guidelines, these items, mentioned by various people, could be used as <u>Potential Criteria for Testing Recommendations</u>

- Quantifiable financial/economic savings
- Operational efficiencies
- Consolidated agency continues to meet needs and expectations of constituency
- Recommended by the agency being evaluated
- · Politically realistic
- · Legally doable
- Defined questions for each agency under consideration

Lincoln Lancaster County Consolidation Task Force: Designing Our Process

▶ Basic Steps of a Classic Group Decision-Making Process

Preliminary Work:

- Define the purpose of, understand the charge to the group
- Develop group camaraderie, cohesion, commitment to each other
- Method for making decisions:
 - Establish criteria
 - Choose recommendations By: Voting? If so, full consensus, super majority, simple majority?

Working Definition: Consensus = Everyone agrees to agree for a set amount of time

- By Level of support?

Levels: Strongly Support; Support; Neutral; Can't Support Will Step Aside; Can't Support Will Block

The "Formal" Steps:

- 1. Define the Issues
- 2. Gather Relevant Information
- 3. Analyze the Information

In Steps 1 – 3, group does not yet make suggestions or recommendations; focus is on the information and what it means.

- 4. Generate Alternatives/Ideas to Test/Potential Recommendations
- 5. Apply Criteria to Alternatives
- 6. Choose Official, Formal Recommendations
 - Include rationales for decisions

These steps can be repeated for each area of consolidation under consideration

▶ Designing Our Process Within the Above Framework

- Roles and Responsibilities of the
 - Task Force members (content)
 Who "speaks for" the group in-between meetings?
 - Neutral facilitator (process)
 However, continual check-in's with group
 - City Council and County Board
 - Task Force staff
- Approach and Basic Design
- Logistics and Locations
- Next Steps

Ann C. Taylor

From:

Minette M. Genuchi

Sent:

Monday, May 06, 2013 9:46 AM

To:

Amanda McGill; Ann C. Taylor; Ann Post; Cori R. Beattie; Dale Gruntorad; Darl Naumann; Dick Campbell; Jan Gauger; Jean Lovell; Jim Jeffers; Kerry P. Eagan; Larry Lewis; Larry

Lewis Homes; Larry Melichar; Melissa Virgil; Mike Dekalb; Russ Bayer; Trish A. Owen; W.

Don Nelson

Subject:

FW: Questionnaire for Consolidation Task Force members

From: Karen Sue Amen [:amenkarensue@gmail.com]

Sent: Friday, May 03, 2013 5:09 PM

To: Kerry P. Eagan

Subject: Questionnaire for Consolidation Task Force members

Dear Consolidation Task Force members - Thank you for taking on this interesting, important and challenging assignment. Your work will have positive long-term implications for our "happiest city in the U.S." and our lovely Lancaster County.

You are already well into the first steps of accepting the charge, defining issues, and gathering information. The next steps involve analyzing the information and brainstorming potential recommendations. Thank you for asking me to be the neutral facilitator for this part of your process.

Although I've now read the posted minutes and most of the background reports, I'd still like to learn a little more from each of you. Below are three questions. I invite you to answer them in whatever way is easiest - by email, by phone (my cell is 402.499.7930) or by printing this off and writing your thoughts by hand. Whichever method you choose, please get your responses to me by noon, Thursday, May 9th. Thanks, Karen

QUESTIONNAIRE

- 1. What would you like the outcome of this process to be in order to feel that it was worth your time, attention and expertise?
- 2. What are the 2 4 most important *content* issues currently facing the Task Force? (Content refers to the what: the charge, information, opinions, analyses, recommendations, decisions, etc)
- 3. What advice or requests do you have of the facilitator related to the *process*?

Karen S. Amen 3220 Joy Court Lincoln, NE 68502

amenkarensue@gmail.com

Home: 402.423.3220 Cell: 402.499.7930



LANCASTER COUNTY BOARD OF COMMISSIONERS

Bernie Heier

Larry Hudkins

Deb Schort

Brent Smoyer

Jane Raybould

Kerry Eagan, Chief Adminstrative Officer

Gwen Thorpe, Deputy Administrative Officer

November 13, 2012

Carl Eskridge, Chair Lincoln City Council 555 S. 10th Street, Suite 111 Lincoln NE 68508

Re:

Lincoln-Lancaster County Consolidation Task Force

Dear Carl:

The Lancaster County Board of Commissioners greatly appreciates the willingness of the Lincoln City Council to examine additional areas of consolidation and cooperation between the City and County. Following the Common meeting, the County Board had further discussions regarding the purpose and scope of the proposed task force. In order to provide a clear mission which can be accomplished in a reasonable amount of time, the Board is proposing the charge to the task force should be limited to certain areas of City and County government. Specifically, the task force should be asked to examine the following functions of local government for additional consolidation opportunities and operational efficiencies through cooperation: 1) City Public Works and County Engineer; 2) Lincoln Police Department and the County Sheriff; 3) City and County Clerks; 4) City Attorney Misdemeanor Prosecution Division and the County Attorney.

Please let us know at your convenience whether you agree with our proposed mission for the consolidation task force. Once we agree on the scope of the mission it will then be necessary to decide on the membership of the task force and how those members are appointed by the City Council and County Board. We look forward to hearing from you in the near future.

Sincerely,

Deb Schorr, Chair Lancaster County Board

cc:

Lancaster County Board

						EXHIBIT
-			1	-		_
	nsolidation L					
LB/LRCA	Number	Year	Introducer	Status	Description	
LB	257		McCoy		Change provisions relating to creation of municipal counties	
LRCA	12		Harms	Committee	Constitutional amendmen to authorize a county manager form of government	
LRCA	2		Avery	IPP	Constitutional amendmen to authorize county manager form of government	
LB	62		Heidemann	Signed	Change provisions regarding county officiers and prohibit elimination or undue hindrance of a county officer by a	county board
LB	597		Pahls	IPP	Require consolidation of county offices	
LB	344	2011	Avery		Change provisions relating to municipal counties and merger of governmental services	
LB	826		Pahls	FTA	Adopt the County Consolidation Act	
LB	13	2007	Mines		Adopt procedures for the creation and certification of joint entities under the Interlocal Cooperation Act	
LB	477	2007	Wightman		Change contribution levels for political subdivision and state employee health plans	
LB	392	2007	Mines		Change the process for creating a municipal county with a city of the metropolitan class	
LB	955	2006	Johnson		Provide factors favoring the change of county boundaries as prescribed	
LB	160	2005	Jensen		Direct the Executive Board of the Legislative Council to create a task force to study county government	
LB	432	2005	Brown		Create the County Issues Task Force	
LB	232	2005	Schimek	1	Provide for city and county consolidation of certain offices	
LB	529	2005	Beutler		Provide for court reform with the state assuming costs of district courts and consolidation of positions	
LB	379		Brown		Change requirements to create a municipal county.	
LB	337		Janssen		Change provisions relating to municipal counties	
LB	751		Beutler		Change provisions and funding of coourt clerks and employees and magistrates	
LB	870		Brown		Change a voting requirement for municipal county consolidations	
LB	565		Brown		Authorize interlocal agreements relating to duties of county and municipal officials	
LRCA	208		Schimek	1	Constituitional amendment to eliminate constitutional authorization for townships	
LB	565		Brown	IPP	Authorize interlocal agreements relating to duties of county and municipal officials	
LB	396		Brown		Authorize interlocal agreements relating to duties of county sheriffs and county engineers	
LRCA	24	2003			Constitutional amendment to authorize municipalities and counties to exercise greater powers and eliminate hom	o rulo abortora
LB	1211		Transportation	n	Authorize funding and change powers and duties relating to public safety communications	e rule charters
LRCA	20		Landis	1		
LB	142		Schimek		Constitutional amendment to authorize municipalities and counties to exercise greater powers and eliminate hom Authorize creation of municipal counties	e ruie charters
LB	835		Bromm	· · ·		
LB	1292		Schimek		Authorize joint plan sponsored employee benefit plans under the Political Subdivisions Self-funding Benefits Act	
LB	1254		Wickersham		Authorize the creation of municipal counties	
LB	1255				Authorize a local sales and use tax for municipal counties and creation of municipal counties	
LB			Wickersham		Authorize a local sales and use tax for municipal counties and creation of municipal counties	
	414		Beutler		Transition the office of clerk of the district court to a state reimbursed position	
LB	803		Govt Comm		Authorize creation of municipal counties	
LB	87		Wickersham		Authorize creation of joint public agencies under the Interlocal Cooperation Act	
LB	178		Wickersham		Provide for the consolidation of counties and municipalities and creation of classified local governments	
LB	177		Revenue		Authorize the creation of county-municipal service districts and unified local governments	
LRCA	306		Brown		Constitutional amendment to authorize home rule charter counties	
LRCA	315	1998	Hilgert		Constitutional amendment to provide for merger or consolidation of counties or other local governments	

LRCA	317	1998	Maurstad		Constitutional amendment to authorize merger and consolidation by local governments				
LRCA	52	1998	Hillman		Constitutional amendement to eliminate provisions relating to county and township officer	S			
LB	1249	1998	Hillman		Provide for the office of county comptroller in all counties				
LRCA	293	1996	Brown	IPP	Provide for the consolidation of a county and other political subdivisions				
LB	1056	1996	Wickersham		Authorize transfer of clerk of the district court operations to the state				
LB	212	1996	Wickersham		Change provisions for consolidation and the joint exercise of powers		2 5		
LB	1095	1996	Government		Change and eliminate tax levy limitations and authority	8			
LB	994	1996	Judiciary		Change the status of clerks and emoployees and eliminate election of clerks fo the district of	ourt			
LB	993	1996	Judiciary		Create district attorney and district public defender offices and districts				
LRCA	46	1996	Hillman	IPP	Constitutional amendment to allow the Legislature to provide for a county to adopt by a n	najority vo	te a county	administra	tor form of go
LRCA	212	1995							