

CITY-COUNTY COMMON

County-City Building – 555 S 10th Street, Lincoln NE 68508

County Commissioners
(402) 441-7447

Mayor
(402) 441-7511

City Council
(402) 441-7515

MONDAY, AUGUST 4, 2008
COUNTY-CITY BUILDING
555 SOUTH 10TH STREET
ROOM 113, 8:30 AM

AGENDA

1. Approval of Common Budget Meeting minutes of Tuesday, July 15, 2008
- 8:30 AM 2. The use of prisoners for City services such as parks cleanup, mowing, and snow removal – Robin Eschliman
- 9:00 AM 3. The use of a Joint Public Agency to finance the proposed jail – Ken Svoboda
- 9:30 AM 5. Adjournment

**CITY-COUNTY COMMON
MINUTES
MONDAY, AUGUST 4, 2008**

Members Present: Dan Marvin, Vice-Chair
Mayor Chris Beutler (8:35 am)
Jon Camp
Doug Emery (8:40 am)
Robin Eschliman
Bernie Heier
Larry Hudkins
Deb Schorr
John Spatz
Ken Svoboda
Bob Workman

Members Absent: Ray Stevens, Chair
Jonathan Cook

Vice-Chair Marvin opened the meeting at 8:34 am.

A copy of the Nebraska Open Meetings Act is located on the wall at the rear of the Hearing Room.

1. Minutes: Motion made by Heier to approve the City-Common Budget Meeting minutes of Tuesday, July 15, 2008. Seconded by Hudkins. Marvin, Camp, Eschliman, Heier, Hudkins, Schorr, Spatz, Svoboda and Workman voted aye. Stevens, Mayor Beutler, Cook, and Emery absent. Motion passed.

2. Use of Prisoners for City Services - Robin Eschliman, City Council

Eschliman asked for explanation of using prisoners for City services. Heier replied the County uses prisoners with supervisors provided through Corrections. No cost except for supervisors/guards. One concern could be prisoners taking employee jobs and the City may have to talk to the unions.

Hudkins added prisoners have worked at the Aging Center, the Children's Museum, and for the most part are glad to work. The key is classification, know who you're letting work.

Camp asked for clarification of prisoner crimes, and definition of supervision. Heier responded the prisoners are non-violent offenders with 137 at Lincoln Air Park classified before being sent out. No special clothes with supervisory personnel close. The City would use their personnel or if requesting County supervision there would be a charge. Transportation and equipment would be either County or City.

Eschliman asked if an interlocal agreement would be needed, with response being no. Svoboda asked if County prisoners ever used for City work? Hudkins commented this building's furniture was installed by jail crews.

Eschliman asked for examples of work, staff, cost, and time required. Hudkins replied after providing the equipment, tell them where to mow, with transportation provided. Eschliman asked if mileage charged. Hudkins didn't see as a large issue, with Heier adding it would be 15 or 20

people providing free labor. Workman said to possibly have a park test program, and should they have special clothing? Schorr stated they do wear safety vests for picking up roadside trash.

Svoboda asked if the work was limited to Monday through Friday? No holidays? The Parks Department has tremendous overtime after a holiday with trash pick up. Heier stated they would be available everyday. Svoboda stated the next step would be to talk with the Parks Director, work out details, and try for a month. Camp thought to start the pilot program quickly, with the focus on parks mowing. Heier commented to include trash pickup. Camp added then could evaluate.

3. Use of Joint Public Agency to Finance Proposed Jail

Ken Svoboda, City Council

Kerry Eagan, County Chief Administrative Officer

Scott Keene, Ameritas Investment Corporation

Lauren Wismer, Gilmore & Bell PC, Bond Counsel

Svoboda requested discussion in order to know where the County Board is on the process of financing the jail. Wants County's thoughts on the JPA, and if this could have County value.

Eagan stated this complicated issue has had committee discussion. Want Keene, Wismer, himself, Meyer, County Fiscal/Budget Officer, and a City financial representative, Hubka or Herz, to meet regarding a possible Joint Public Agency. Looked at the City lending all the levy, creating some inequity as the levy stops at the City limits. Also looked at levy combinations the City can provide. The County has some flexibility under their levy authority, §23-120, and can go to \$2 million a year for bonded indebtedness. Or, 5.2 cents which can't go over 10 years if no other bonded indebtedness in the General Fund.

Eagan commented regardless of which option, the JPA, PBC, or the County funding the jail, need to look at the interlocal agreement which governs housing City prisoners in the County jail. The main issue in addressing is because of the successful Community Corrections programs. The existing interlocal does not contemplate City prisoners being in Community Corrections. Between 65%-70% of people on home arrest, sentenced 30 days or less, are persons convicted pursuant to City ordinances. Presently the County is not charging but needs to address in the interlocal agreement. The present per-diem is approximately \$70/day under the existing contract. Etherton, Community Corrections Director, figured their cost at \$15.77/day to have a person in Community Corrections. Future agreements for prisoners need to accommodate this cost.

Eagan stated another important reason is needing a solid interlocal agreement setting forth the relationship of the parties if the County needs City income for the project. The interlocal needs to be in a position where it can be used to market the bonds.

With Community or regular Corrections a well grounded interlocal can go for decades in handling Corrections. It is an indisposible part of the criminal justice system and needs adequate resources. We are asking to appoint a committee, and perhaps the committee could direct sub-committees. Whether we go JPA or Building Commission, this is a necessary precursor which must be done under any circumstance.

Marvin commented he and Keene discussed the City's payment over using the Public Building Commission, if it had to be a fixed or variable payment. Marvin stated one issue worked through is that it could be a variable payment which the City issues to the County.

Marvin thought this should be done quickly, to some degree. A lot of issues are fairly well known, Community Corrections, and also the issue of health care, of which there are various components.

Workman commented he has no objection to Marvin's proposal to do a Joint Public Agency. Either go with Marvin's plan or the Building Commission's plan, as both are good with features and benefits.

Heier thought the County Board, without taking a vote, is encouraging to go towards the JPA. But, not sure where the rest of the City Council stands, and would need some direction.

Marvin stated the Council would discuss at the Noon Meeting. Council is working on being equitable and if a plan is equitable to both City and County taxpayers think it would remove other obstacles in going through the Public Building Commission. Heier stated the County Board thanks Marvin for his efforts.

Hudkins stated he was glad to hear remarks on trying to expedite as quickly as possible. Would ask that we work diligently, and resolve, as interest rates are very volatile and we need to make a determination on how best to finance. With the Public Building Commission meeting tomorrow we do have on the agenda. Also, Judge Hendry has informed the PBC if we go with several of these options it sometimes puts the City Attorney in a precarious position, having to represent the Public Building Commission as well as the City. So, tomorrow the PBC will consider independent counsel for the Public Building Commission.

Vice-Chair Marvin adjourned the meeting at 9:00 a.m.