

RESOLUTION NO. A-_____

WHEREAS, Article XI, Section 4 of the Constitution of the State of Nebraska provides that amendments to the City Charter may be proposed by petition filed with the City Council, signed by qualified electors in number not less than five percent (5%) of the next preceding gubernatorial vote in the city; and

WHEREAS, the same constitutional provision requires the Council to submit such a proposal to the qualified electors at the next general or special election not held within 30 days after such petition is filed; and

WHEREAS, the Lancaster County Election Commissioner has certified that the requisite number of qualified electors have signed petitions filed with the City Clerk on August 30, 2000, requesting a new Article X-B of the Charter relating to the creation of an administrative authority to be known as the Emergency Medical Authority which shall provide for independent medical direction and control of pre-hospital emergency medical providers and select and regulate ground ambulance transport providers for the City of Lincoln, and it now becomes the duty of the City Council to submit this new Charter Article to a vote of the qualified electors at the general election to be held November 7, 2000.

NOW, THEREFORE, the City Council of the City of Lincoln, Nebraska, hereby directs as follows:

1. That at the general election to be held on Tuesday, the seventh day of November, 2000, there shall be submitted to a vote of the qualified electors of the City of Lincoln, for adoption or rejection, the following new Article to the Charter of the City of Lincoln:

CHARTER AMENDMENT

Amend the Charter of the City of Lincoln by adding a new Article X-B to establish an administrative authority to be known as the Emergency Medical Authority which shall provide

for independent medical direction and control of pre-hospital emergency medical providers and select and regulate ground ambulance transport providers for the City of Lincoln.

Sec. 1. Pursuant to Article 4, Section 25 of the Charter of the City of Lincoln, there is hereby established an administrative authority to be known as the Emergency Medical Authority which shall provide for independent medical direction and control of pre-hospital emergency medical providers and select and regulate ground ambulance providers for the City of Lincoln. The Authority shall be governed by a five-member Board of Directors appointed by the Mayor with the approval of the City Council. The directors shall reside in the City of Lincoln. One director shall be a licensed physician appointed from a list submitted by the Medical Society or Association in Lancaster County representing the largest number of licensed physicians for an initial term of four years. One director shall be employed in the health insurance industry for an initial term of two years. One director shall be a certified public accountant appointed from a list submitted by the Nebraska Society of Certified Public Accountants, or its successor for an initial term of one year. Two members shall be appointed from a list submitted by the City Council for an initial term of three and five years, respectively. Thereafter, all succeeding appointments shall be for a term of five years and subject to the same qualifications as their predecessors. The City Council shall by ordinance, provide for the specific organization, method of financing and additional duties of the Authority.

Sec. 2. In order to provide time for the Authority to properly organize, the City shall not provide ambulance transport service as a governmental or proprietary function prior to December 31, 2002, and shall discontinue if already doing so, and any existing Certificate of Public Convenience and Necessity issued to a private provider shall be extended to December 31, 2002. Any change in the ambulance transportation service provider shall be made only after a competitive bidding process based on specific criteria, with all cost and revenue assumptions attested to by an independent certified public accountant. After December 31, 2002, if the City is selected to provide ambulance transport service, such service shall be financed by user fees, and shall not be financed or subsidized by any other City revenues. All such user fees shall thereafter be deposited in a separate fund to be known as the Ambulance Fund, which shall be independently audited each fiscal year.

Said amendment shall be submitted to the qualified electors as a Charter amendment adding Article X-B, on the ballot and shall be printed on said ballot in the following form:

"CHARTER AMENDMENT -- ADDING A NEW ARTICLE X-B TO ESTABLISH AN ADMINISTRATIVE AUTHORITY TO BE KNOWN AS THE EMERGENCY MEDICAL AUTHORITY WHICH SHALL PROVIDE FOR INDEPENDENT MEDICAL DIRECTION AND CONTROL OF PRE-HOSPITAL EMERGENCY MEDICAL PROVIDERS AND SELECT AND REGULATE GROUND AMBULANCE TRANSPORT PROVIDERS FOR THE CITY OF LINCOLN.

THE AUTHORITY SHALL BE GOVERNED BY A FIVE-MEMBER BOARD OF DIRECTORS APPOINTED BY THE MAYOR WITH THE APPROVAL OF THE CITY COUNCIL. THE DIRECTORS SHALL RESIDE IN THE CITY OF LINCOLN. ONE DIRECTOR SHALL BE A LICENSED PHYSICIAN APPOINTED FROM A LIST SUBMITTED BY THE MEDICAL SOCIETY OR ASSOCIATION IN LANCASTER COUNTY REPRESENTING THE LARGEST NUMBER OF LICENSED PHYSICIANS FOR AN INITIAL TERM OF FOUR YEARS. ONE DIRECTOR SHALL BE EMPLOYED IN THE HEALTH INSURANCE INDUSTRY FOR AN INITIAL TERM OF TWO YEARS. ONE DIRECTOR SHALL BE A CERTIFIED PUBLIC ACCOUNTANT APPOINTED FROM A LIST SUBMITTED BY THE NEBRASKA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS, OR ITS SUCCESSOR FOR AN INITIAL TERM OF ONE YEAR. TWO MEMBERS SHALL BE APPOINTED FROM A LIST SUBMITTED BY THE CITY COUNCIL FOR AN INITIAL TERM OF THREE AND FIVE YEARS, RESPECTIVELY. THEREAFTER, ALL SUCCEEDING APPOINTMENTS SHALL BE FOR A TERM OF FIVE YEARS AND SUBJECT TO THE SAME QUALIFICATIONS AS THEIR PREDECESSORS. THE CITY COUNCIL SHALL BY ORDINANCE, PROVIDE FOR THE SPECIFIC ORGANIZATION, METHOD OF FINANCING AND ADDITIONAL DUTIES OF THE AUTHORITY.

IN ORDER TO PROVIDE TIME FOR THE AUTHORITY TO PROPERLY ORGANIZE, THE CITY SHALL NOT PROVIDE AMBULANCE TRANSPORT SERVICE AS A GOVERNMENTAL OR PROPRIETARY FUNCTION PRIOR TO DECEMBER 31, 2002, AND SHALL DISCONTINUE IF ALREADY DOING SO, AND ANY EXISTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED TO A PRIVATE PROVIDER SHALL BE EXTENDED TO DECEMBER 31, 2002. ANY CHANGE IN THE AMBULANCE TRANSPORTATION SERVICE PROVIDER SHALL BE MADE ONLY AFTER A COMPETITIVE BIDDING PROCESS BASED ON SPECIFIC CRITERIA, WITH ALL COST AND REVENUE ASSUMPTIONS ATTESTED TO BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT. AFTER DECEMBER 31, 2002, IF THE CITY IS SELECTED TO PROVIDE AMBULANCE TRANSPORT SERVICE, SUCH SERVICE SHALL BE FINANCED BY USER FEES, AND SHALL NOT BE FINANCED OR SUBSIDIZED BY ANY OTHER CITY

REVENUES. ALL SUCH USER FEES SHALL THEREAFTER BE DEPOSITED IN A SEPARATE FUND TO BE KNOWN AS THE AMBULANCE FUND, WHICH SHALL BE INDEPENDENTLY AUDITED EACH FISCAL YEAR.

VOTE FOR or AGAINST

- I vote FOR the proposed amendment.
- I vote AGAINST the proposed amendment."

2. That the City Clerk of the City of Lincoln is hereby directed to publish with his/her official certification, three times, and a week apart, the full text of the proposed amendments to be voted upon, as required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be and hereby is directed to proclaim and give notice that at the general election to be held in the City of Lincoln, Nebraska, on Tuesday, the seventh day of November, 2000, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the proposition set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to notify the Election Commissioner of Lancaster County of the submission of this proposition, and to procure the necessary ballots and make all other necessary arrangements for the same.

Motion made by:

Approved as to Form and Legality:

City Attorney

Staff Review Completed:

Administrative Assistant