

RESOLUTION NO. A-_____

1 WHEREAS, under the provisions of Article XI, Section 4, of the Constitution of the
 2 State of Nebraska and the laws of the State of Nebraska, a proposed Charter amendment may be
 3 submitted to a vote of the qualified electors in conjunction with a statewide general election,
 4 pursuant to a proposal by the City Council of the City of Lincoln, Nebraska:

5 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
 6 Nebraska:

7 1. That at the general election to be held on Tuesday, the second day of
 8 November, 2010, there shall be submitted to a vote of the qualified electors of the City of Lincoln,
 9 Nebraska, for adoption or rejection, the following proposed amendment to the Charter of the City
 10 of Lincoln:

CHARTER AMENDMENT

12 Amend Article IX of the Charter to add a new Article IX, Section 26a to allow the City
 13 to establish and adopt a biennial budget.

ARTICLE IX

FINANCE AND TAXATION

16 Sec. 26a. Biennial (Two-Year) Budget. The City may by ordinance
 17 establish a process for the adoption of a balanced biennial budget for
 18 biennial periods, which biennial periods shall consist of two fiscal and
 19 budget years commencing in odd-numbered years or even-numbered
 20 years, notwithstanding any existing provisions of this charter referencing
 21 an annual budget. The biennial period shall begin on the first day of
 22 September and shall end on the last day of August unless the council by
 23 ordinance establishes a different biennial period. Each biennial budget
 24 shall be balanced.

1 The ordinance shall include, but not necessarily be limited to, the
2 procedure and calendar for the formulation of the biennial budget, its
3 contents, the procedure and calendar for the formulation of the biennial
4 capital improvement program budget, the procedure for the presentation
5 to the council including the time and place at which the council will hold a
6 public hearing on the proposed biennial budget, the procedure for the
7 transfer and reduction of funds and authorization of emergency appro-
8 priations, and the manner in which the property tax rate will be determined
9 for the second year of the biennial period.

10 The mayor shall have the power and shall be required to submit to the
11 council for its consideration a recommended biennial operating and capital
12 improvement program budget. The mayor shall submit the recommended
13 biennial budget no later than forty days prior to the beginning of the
14 biennial period. Amendments provided by the mayor to the recommended
15 biennial budget no later than forty days prior to the beginning of the
16 biennial period shall be considered part of the mayor's recommended
17 budget as if they were part of the original submission to the city council.
18 The council shall have full power at any time prior to the adoption of the
19 biennial budget to revise revenue estimates and to increase or decrease
20 appropriations of departments or divisions or capital improvement program
21 projects. No later than five days prior to the beginning of the biennial
22 period the council shall, by a vote of four of its members, adopt the
23 biennial budget by resolution and thereafter authorize appropriations for
24 the ensuing biennial period. Any legislation pertaining to the biennial
25 budget shall be subject to the power provided in Article IV, Section 13 of
26 this charter. Should the council fail to adopt the biennial budget on or
27 before the prescribed adoption date, the biennial budget proposed and
28 submitted by the mayor shall be deemed to have been adopted by the
29 council and shall become the basis for expenditure during the ensuing
30 biennial budget period and for the property tax rates for the ensuing
31 biennial period.

32 After a biennial budget is adopted, neither the mayor nor the council
33 can adopt a new annual budget in the second year of the biennial period.
34 The power to amend or revise the biennial budget shall be as provided in
35 Article IX, Section 27 of this charter.

36 Said amendment shall be submitted to the qualified electors as a Charter amendment
37 of Article IX on the ballot and shall be printed on said ballot in the following form:

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"CHARTER AMENDMENT -- AMEND ARTICLE IX OF THE
CHARTER OF THE CITY OF LINCOLN BY ADDING A NEW
SECTION 26a TO ALLOW THE CITY TO ESTABLISH AND
ADOPT A BIENNIAL BUDGET.

SHALL ARTICLE IX OF THE CHARTER OF THE CITY OF
LINCOLN BE AMENDED BY ADDING A NEW SECTION 26a TO
ALLOW THE CITY TO ESTABLISH AND ADOPT A BIENNIAL
BUDGET?

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 or her official certification, three times, and a week apart, the full text of the proposed amendment 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 second day of November, 2010, 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.

Introduced by:

10R-198

Approved as to Form and Legality:

City Attorney

Approved this ___ day of _____, 2010:

Mayor