

ORDINANCE NO. _____

TECHNICAL AMENDMENTS

1 AN ORDINANCE amending Chapter 2.02 of the Lincoln Municipal Code relating to
 2 Governmental Organization, Chapter 2.14 relating to City Auditor, and Chapter 2.56 relating to
 3 Restrictions on Participation in Lotteries by amending Section 2.02.050, the title of Chapter 2.14,
 4 and Sections 2.14.010, 2.14.020, 2.14.030, 2.14.040, 2.14.050, 2.14.060, 2.14.070, 2.14.080, and
 5 2.56.030 to reflect the change of title of the position of City Auditor to City Controller; amending
 6 Chapter 2.16 of the Lincoln Municipal Code relating to City Treasurer by amending Sections
 7 2.16.040, 2.16.050, and 2.16.060 to change terminology to accord with modern practice and
 8 technology currently utilized by the City Treasurer; amending Chapter 3.04 of the Lincoln
 9 Municipal Code relating to Revenue and Finance General Provisions by amending Section 3.04.010
 10 to accord with the 2007 amendment of the Lincoln Charter by providing that payments of approved
 11 claims may be made by checks or warrants; and repealing Sections 2.02.050, 2.14.010, 2.14.020,
 12 2.14.030, 2.14.040, 2.14.050, 2.14.060, 2.14.070, 2.14.080, 2.16.040, 2.16.050, 2.16.060, 2.56.030
 13 and 3.04.010 of the Lincoln Municipal Code as hitherto existing.

14 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

15 Section 1. That Section 2.02.050 of the Lincoln Municipal Code be amended to read
 16 as follows:

17 **2.02.050 Finance Department.**

18 Under the direction and supervision of the Mayor, the Finance Director shall have charge
 19 and supervision of the Finance Department which shall include the City ~~Auditor~~ Controller, City
 20 Clerk, City Treasurer, Municipal Auditorium, Budget Division, Purchasing Division, Data
 21 Processing Division, Emergency Communications Division, and all other offices, buildings and

1 properties belonging to the city not otherwise assigned together with all officers, employees,
2 accounts, records, equipment, buildings, and property, both real and personal, pertaining to said
3 departments and officers. The Finance Director shall have such duties as provided by the ordinances
4 of the city, this code, and as may be provided by the Mayor or by the City Council, consistent with
5 the Charter of the City of Lincoln.

6 Section 2. That the title of Chapter 2.14 of the Lincoln Municipal Code be and the
7 same is hereby amended to read as follows: “City [Auditor Controller](#).”

8 Section 3. That Section 2.14.010 of the Lincoln Municipal Code be amended to read
9 as follows:

10 **2.14.010 Office Created.**

11 The office of City [Auditor Controller](#) is hereby created. The City [Auditor Controller](#) shall
12 be an employee of the city in the classified service.

13 The office of the City [Auditor Controller](#) shall be a part of the Finance Department and shall
14 be under the charge and supervision of the Finance Director.

15 Section 4. That Section 2.14.020 of the Lincoln Municipal Code be amended to read
16 as follows:

17 **2.14.020 General Accountant.**

18 It shall be the duty of the City [Auditor Controller](#) to be the general accountant of the city;
19 and as such to receive and preserve ~~in his office~~ all city account books, vouchers, documents, and
20 papers relating to ~~his~~ accounts and contracts of the city, its revenue, debt, and fiscal affairs, except
21 where said books, vouchers, or documents are by the general laws of the State of Nebraska, or
22 ordinance, placed in the custody of some other officer.

23 Section 5. That Section 2.14.030 of the Lincoln Municipal Code be amended to read
24 as follows:

1 **2.14.030 Public Monies.**

2 It shall be the duty of the City [Auditor Controller](#) to keep in proper books the accounts
3 between the city and all city officers charged with the collection or custody of public monies or
4 expenditures or public monies; entering all receipts and payments from what source derived, and
5 on what account paid.

6 Section 6. That Section 2.14.040 of the Lincoln Municipal Code be amended to read
7 as follows:

8 **2.14.040 Record of Revenue.**

9 It shall be the duty of the City [Auditor Controller](#) to keep a complete record of all branches
10 of the city revenue, opening an account with every fund which by law or ordinance is made a
11 separate fund, crediting the same with all monies paid into the City Treasurer on account thereof,
12 and charging said fund with all appropriations made therefrom, and all warrants drawn thereon.

13 Section 7. That Section 2.14.050 of the Lincoln Municipal Code be amended to read
14 as follows:

15 **2.14.050 Account of Bonds.**

16 It shall be the duty of the City [Auditor Controller](#) to keep a correct record of all outstanding
17 bonds and obligations of the city, showing ~~the number and amount of each,~~ for what ~~and to whom~~
18 issued, ~~when purchased, paid or cancelled,~~ date of issue, time when principal and interest become
19 due, and the rate of interest, ~~and shall make an annual report showing particularly the bonds issued~~
20 ~~and sold during the year, and the terms of sale, with each item of expense thereof.~~

21 Section 8. That Section 2.14.060 of the Lincoln Municipal Code be amended to read
22 as follows:

23 **2.14.060 Audit all Accounts.**

24 It shall be the duty of the City [Auditor Controller](#) to examine, audit, and adjust all accounts,
25 claims, and demands for or against the city, first submitting such claims to the director of the
26 department against whose fund the claim is made to be reviewed, and after the same has been duly

1 examined and approved with all accompanying vouchers and documents, to certify the true state of
2 such claim or document.

3 Section 9. That Section 2.14.070 of the Lincoln Municipal Code be amended to read
4 as follows:

5 **2.14.070 Accounts of Contractors.**

6 It shall be the duty of the City ~~Auditor~~ Controller to keep a separate account with all
7 contractors for public works, crediting them with the amount of their respective contracts certified
8 by the Department of Public Works and Utilities, and charging them with all sums paid them by the
9 city on account thereof.

10 Section 10. That Section 2.14.080 of the Lincoln Municipal Code be amended to read
11 as follows:

12 **2.14.080 Monthly Balances.**

13 At the close of the last day of each month, the ~~auditor~~ City Controller shall strike a balance
14 on each account. The ~~auditor~~ City Controller shall ~~submit~~ make available such balance to the
15 council for examination together with all documents relating thereto and ~~all bonds, coupons,~~ war-
16 rants; and other evidence of debt against the city that have been properly cancelled and returned to
17 the city.

18 Section 11. That Section 2.16.040 of the Lincoln Municipal Code be amended to read
19 as follows:

20 **2.16.040 Cancel ~~Bonds, Coupons,~~ Warrants, Checks and Other Debts.**

21 The City Treasurer shall cancel ~~all bonds, coupons, warrants,~~ checks, and other evidences
22 of debt against the city, whenever paid, by writing or stamping across the face thereof, "Paid by the
23 City Treasurer," with the date of payment written or stamped thereon.

24 Section 12. That Section 2.16.050 of the Lincoln Municipal Code be amended to read
25 as follows:

1 **2.16.050 Receipts; Reports to Council.**

2 The City Treasurer shall ~~deliver receipts~~ make available evidence of all monies paid for
3 taxes, special assessments, licenses, and all other money required to be paid to the city or requested
4 to be paid by other city officers or employees, ~~specifying when and by whom paid and on what~~
5 account. The treasurer shall promptly report to the council any officer authorized to receive money
6 who fails to deliver such monies at the time required by law or by the ordinances of the city.

7 Section 13. That Section 2.16.060 of the Lincoln Municipal Code be amended to read
8 as follows:

9 **2.16.060 Monthly Reports to Council.**

10 The City Treasurer, ~~during the first week of each month,~~ shall make a ~~detailed~~ report to the
11 City Council of the business of the treasurer's office during the preceding month, showing the
12 balance on hand to the credit of the different funds at the time of the last report, the amounts
13 received during the month ~~and on what account~~, the amounts disbursed during the month ~~and on~~
14 what account, with the balance on hand to the credit of the different funds, together with ~~such other~~
15 items and facts as the council may require balances of bank and investments accounts held by the
16 City Treasurer.

17 Section 14. That Section 2.56.030 of the Lincoln Municipal Code be amended to read
18 as follows:

19 **2.56.030 Playing Lottery by Certain City Officials or Lottery Operator; Restrictions.**

20 (a) Members of the City Council of the City, the Mayor, the Finance Director of the City,
21 and the City ~~Auditor~~ Controller are prohibited from playing or participating in any way in any
22 lottery authorized or sanctioned by the City under the Nebraska County and City Lottery Act or in
23 any joint lottery established by the City and any other county, city or village.

24 (b) Any lottery operator with whom the City contracts to conduct a lottery under the
25 Nebraska County and City Lottery Act, and such operator's immediate family are prohibited from

1 playing or participating in any way in such lottery or in any joint lottery established by the City and
2 any other county, city, or village. Employees and agents of any lottery operator with whom the City
3 contracts to conduct a lottery under the Nebraska County and City Lottery Act are prohibited from
4 playing or participating in any way in such lottery or in any joint lottery established by the City and
5 any other county, city or village at the main location established for such lottery. The operators of
6 any satellite location or sales outlet where such lottery is played or tickets for such lottery are
7 purchased, and the employees and agents thereof, are prohibited from playing or participating in any
8 way in the lottery at the satellite location or authorized sales outlet operated by such operator.

9 Section 15. That Section 3.04.010 of the Lincoln Municipal Code be amended to read
10 as follows:

11 **3.04.010 Checks or Warrants for Approved Claims.**

12 The Finance Director shall be responsible for drawing checks or warrants upon the Treasurer
13 for the payment of approved claims. ~~Each warrant shall state the fund upon which it is drawn and~~
14 ~~the~~ The Mayor shall sign each check or warrant and the Finance Director shall countersign each
15 check or warrant; and no money shall be paid except upon checks or warrants so drawn. The Mayor
16 and Finance Director are hereby authorized to use facsimile signatures on checks or warrants
17 requiring their signatures.

18 Section 16. That Sections 2.02.050, 2.14.010, 2.14.020, 2.14.030, 2.14.040, 2.14.050,
19 2.14.060, 2.14.070, 2.14.080, 2.16.040, 2.16.050, 2.16.060, 2.56.030 and 3.04.010 of the Lincoln
20 Municipal Code as hitherto existing be and the same are hereby repealed.

21 Section 17. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall
22 be posted on the official bulletin board of the City, located on the wall across from the City Clerk's
23 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of passage
24 and such posting to be given by publication one time in the official newspaper by the City Clerk.

1 This ordinance shall take effect and be in force from and after its passage and publication as herein
2 and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2012:

Mayor