

RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, under the provisions of Article XI, Section 4, of the Constitution of the  
2 State of Nebraska, a proposed Charter amendment may be submitted to a vote of the qualified  
3 electors at a special election proposed by the City Council of the City of Lincoln, Nebraska:

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

6 1. That at the general election to be held on Tuesday, the 1st day of May, 2007,  
7 there shall be submitted to a vote of the qualified electors of the City of Lincoln, Nebraska, for  
8 adoption or rejection, the following proposed amendment to the Charter of the City of Lincoln:

9 CHARTER AMENDMENT

10 Amend Article IX of the Charter relating to finance and taxation to provide first that  
11 taxes may be paid by checks or electronic transfers as well as cash; secondly, to provide City  
12 claims be paid by checks as well as warrants; and lastly to replace outdated language.

13 ARTICLE IX  
14 FINANCE AND TAXATION

15 **Sec. 19. Taxes, How Paid.** All municipal taxes and special assessments  
16 in the city shall be paid in cash, ~~or in warrants of the city drawn on the fund for~~  
17 ~~which the same are offered; provided, coupons on any bonds of the city shall be~~  
18 ~~received in payment of taxes or special assessments~~ check, or electronic transfers.

19 **Sec. 28. Warrants Payments.** The finance director shall be responsible  
20 ~~for the drawing of warrants upon the treasurer for the payment of approved claims.~~  
21 ~~Each~~ Any payment made by check or warrant shall be signed by the mayor and  
22 countersigned by the finance director, ~~and no money shall be paid except upon~~  
23 ~~warrants so drawn.~~ The use of facsimile signatures on checks or warrants is hereby  
24 authorized. Any warrant not paid upon presentation by reason of lack of funds shall  
25 be registered and shall draw interest at a rate not to exceed five percent per year  
26 from date of registration.  
27

28 **Sec. 30. Finance Director Report to Council.** The finance director shall  
29 report to the council annually, and at such other times as may be required by the  
30 council, a full and detailed account of the city's financial condition and of all receipts  
31 and disbursements during the year or other period concerned. The finance director

1 shall be responsible for the keeping of a register or other appropriate record of all  
2 ~~warrants redeemed and paid, and payments made.~~ sSuch register or record shall  
3 show the date, amount, and number of each ~~warrant, the fund from which paid,~~  
4 payment made and the ~~person~~ payee name to whom paid. Such ~~warrant~~ register or  
5 record shall be kept subject to examination by the council at any time. (Amendment  
6 of March 3, 1959).

7 **Sec. 31. Separate Funds, Private Use Forbidden.** The city treasurer shall  
8 keep all money ~~in his hands~~ belonging to the city in such separate funds as may be  
9 created by this charter or ordered by the council. ~~He~~ The city treasurer is hereby  
10 expressly prohibited from using either directly or indirectly ~~the city money or checks~~  
11 or warrants or securities ~~in his custody~~ for his or her own use and benefit or that of  
12 any other person.

13 **Sec. 35. Claims and Accounts, Approval.** All claims and accounts payable  
14 against the city other than a tort claim as defined by state law shall be presented in  
15 writing and shall fully and accurately identify the items or services for which payment  
16 is claimed. The finance director shall be responsible for the pre-auditing and  
17 approval of all claims and accounts payable, and no check or warrant in payment  
18 of any claim or account payable shall be drawn or paid without such approval.  
19 Publication of claims shall be accomplished in accordance with the laws of the state  
20 of Nebraska.

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

23 "CHARTER AMENDMENT -- AMEND ARTICLE IX OF THE CHARTER TO  
24 PROVIDE FIRST THAT TAXES MAY BE PAID BY CHECKS OR ELECTRONIC  
25 TRANSFERS AS WELL AS CASH; SECONDLY, TO PROVIDE CITY CLAIMS BE  
26 PAID BY CHECKS AS WELL AS WARRANTS; AND LASTLY TO REPLACE  
27 OUTDATED LANGUAGE.

28 SHALL ARTICLE IX OF THE CHARTER OF THE CITY OF LINCOLN BE  
29 AMENDED TO PROVIDE FIRST THAT TAXES MAY BE PAID BY CHECKS OR  
30 ELECTRONIC TRANSFERS AS WELL AS CASH; SECONDLY, TO PROVIDE CITY  
31 CLAIMS BE PAID BY CHECKS AS WELL AS WARRANTS; AND LASTLY TO  
32 REPLACE OUTDATED LANGUAGE?

33 VOTE FOR or AGAINST

34  I vote FOR the proposed amendment.

35  I vote AGAINST the proposed amendment."  
36

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

4           3.       That the Mayor be and hereby is directed to proclaim and give notice that at the  
5 general election to be held in the City of Lincoln, Nebraska, on Tuesday, the 1st day of May, 2007,  
6 there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or  
7 rejection, the proposition set forth in Section 1 hereof, and the City Clerk is directed to publish the  
8 said proclamation as provided by law.

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

Introduced by:  
\_\_\_\_\_

Approved as to Form and Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2007:  _____ Mayor
---