Lincoln Lancaster County Consolidation Task Force

MEETING NOTICE AND AGENDA
CITY OF LINCOLN - LANCASTER COUNTY CONSOLIDATION TASK FORCE
FRIDAY, DECEMBER 13, 2013
8:30 - 11:30 A.M.
COUNTY-CITY BUILDING - 555 S. 10TH STREET
ROOM 303

AGENDA

1) Approve Minutes for November 22, 2013

2) Welcome, Review and Preview, Purpose of Today's Meeting

3) Review of Draft Report (Except for Recommendations)
- Additions, Subtractions or Edits

4) Review of Our Criteria
- Acknowledge/Add "Long-term Strategic Perspective" Criterion

5) Review of Recommendations
- Further Discussion on Specific Items
- Final Test of Level of Support for the Full Scope/Array of Recommendations
- Final Motion and Voting

6) Forwarding Recommendations to Elected Officials First Then to the Public at Large
- Acknowledgment of Detailed, Thoughtful Work and Presentations by City and County Department Heads and Staff
- Reporting to Elected Officials
- Task Force's Role in Presentations to Elected Officials and Public at Large
- What, if anything, Makes Results Different from those of Earlier Consolidation Committees?
- What Role, if Any, Does the Task Force Have for Implementation of the Decisions?

7) Task Force Member's Closing Thoughts and Observations

8) Adjourn

DRAFT
(12-12-13)

CITY OF LINCOLN-LANCASTER COUNTY CONSOLIDATION TASK FORCE REPORT AND RECOMMENDATIONS DECEMBER ___, 2013

INTRODUCTION

The City of Lincoln-Lancaster County Consolidation Task Force was established by the Lincoln City Council, the Lancaster County Board of Commissioners, and Mayor Chris Beutler in March of 2013 to study consolidation and cooperation opportunities between the City and County. The Task Force was asked to examine the following agencies and make recommendations on possible mergers or additional areas of cooperation:

- Lincoln Public Works Department and the Lancaster County Engineer's Office;
- Lincoln Police Department and the Lancaster County Sheriff's Office;
- Offices of the Lincoln City Clerk and Lancaster County Clerk; and
- Lincoln City Attorney's Misdemeanor Prosecution and Juvenile Court Divisions and Lancaster County Attorney.

The original charge to the Task Force did not include the City Attorney's Juvenile Court Division, which was added after discussions with the City and County Attorneys.

During the course of deliberations on the individual departments, the Task Force shifted focus from consolidation and cooperation under a two-government system to a long-term goal of a unified City-County government.

TASK FORCE MEMBERSHIP

Consolidation Task Force members were selected by the City Council, County Board and the Mayor, with the Mayor and each member of the City Council and County Board appointing one member of the Task Force. The selection process produced a diverse group of members with a broad range of experience in government, business, planning, and law.

Task Force Members:

- Ann Post, Legal Counsel for the Lincoln Independent Business Association (Task Force Chair)
- Russ Bayer, businessman and former Lincoln-Lancaster County Planning Commissioner
- Dick Campbell, past president of Campbell's Nurseries and former Chairman of the Lincoln Chamber of Commerce
- Mike DeKalb, retired planner with the Lincoln-Lancaster County Planning Department, with expertise in rural areas
- Jan Gauger, former Lancaster County Commissioner
- Dale Gruntorad, certified public accountant and chairman of a previous county

consolidation committee

- James Jeffers, founder of James Arthur Vineyards of Raymond and previous owner of Quality Pork International
- Larry Lewis, semi-retired transportation engineer with Speece Lewis
- Jean Lovell, retired Lancaster County Court Judge, former Chair of the Nebraska Board of Parole, and Director of the Governor's Policy Research Office under Governor Nelson
- Amanda McGill, State Senator and Chairwoman of the Legislature's Urban Affairs Committee
- Larry Melichar, regional director for Homes Services of America (known as Woods Brothers Realty and Home Real Estate) and former chief executive officer/president of CBS Home Real Estate in Omaha
- Daryl Naumann, Sales and Marketing Director for Ayars and Ayars, an engineering firm, and former City of Lincoln Economic Development Director
- W. Don Nelson, publisher of the Prairie Fire Newspaper, business man, and former aide to Wyoming Governor Herschler, Nebraska Governors Tiemann, Exon and Kerrey, and former U.S. Senator Nelson

Support Staff

Karen Amen, Facilitator
Trish Owen, Deputy Chief of Staff to Mayor Beutler
Kerry P. Eagan, Lancaster County Chief Administrative Officer
Ann Taylor, County Clerk Records Specialist

BACKGROUND INFORMATION

All meetings of the Consolidation Task Force were conducted in accordance with the Nebraska Open Meetings Act. The Task met nineteen (19) times from March 8, 2013 through December 13, 2013. Agendas and minutes from all Task Force meetings are available on the Lancaster County Clerks web site. A list of documents presented to the Task Force can be found in Appendix A to this report, and the documents are also available on the County Clerk's web site.

As a preliminary matter, the Task Force reviewed Nebraska statutes governing intergovernmental cooperation and consolidation, including the Interlocal Cooperation Act, the Joint Public Agency Act, and the Municipal County Act. Portions of these statutes are reproduced in Appendix A, Items 1 through 3. All three Acts provide that any power of a public agency can be exercised jointly with another public agency. The Interlocal Cooperation Act is the most widely used vehicle for governmental cooperation. The Joint Public Agency Act is similar to the Interlocal Cooperation Act, but further provides for the creation of a joint public agency (JPA), which constitutes a political subdivision separate from the participating public agencies. Additionally, a JPA can exercise certain powers of taxation which are transferred to it by the participating agencies. Finally, the Municipal County Act provides for the complete consolidation of one or

more counties and at least one of the municipalities in each county into a single municipal county to carry out all county and municipal services.

The Task Force also reviewed the following consolidation and efficiency studies for Lincoln and Lancaster County:

1) Feasibility Survey: Consolidation of Functions and Facilities, prepared by Peat, Marwick, Mitchell & Co (June 1960);

2) Organization and Administration of Public Services, Report to the People of the City of Lincoln and County of Lancaster, Nebraska, prepared by Arthur D. Little, Inc. (May 1973);

3) Final Report and Recommendations of the Lancaster County Consolidation Committee (March 1997); and

4) Lancaster County/City of Lincoln, Nebraska: Efficiency Opportunities in the delivery of Government Services, Constitutional Heritage Institute (1999).

Copies of these reports can be obtained from the Lancaster County Clerk's Office.

Following the issuance of the final report of the Lancaster County Consolidation Committee in 1997, the Lancaster County Board placed on the ballot the question of merging the elected County offices of Register of Deeds and Assessor into the single elected office. The consolidated office of Assessor/Register of Deeds was approved by the Lancaster County voters in 2002.

Information was presented to the Task Force outlining the long history of consolidation and cooperation between the City of Lincoln and Lancaster County. In 1947 the Lincoln-Lancaster County Department of Health was established by agreement pursuant to the authority granted in Neb. Rev. Stat. §71-1626 et seq. The joint City of Lincoln-Lancaster County Planning and Zoning Commission was formed in 1959, followed by the establishment of a joint Planning Department in 1961. After its passage in 1963, the Interlocal Cooperation Act was utilized by the City and County to consolidate a number of departments, including: Personnel, Purchasing, Information Services, Building and Safety (zoning enforcement), Weed Control, and Human Services. The Interlocal Cooperation Act was also used to establish the Lincoln-Lancaster County Public Building Commission and Railroad Transportation Safety District, as well as numerous other cooperative arrangements between the City and County. See Appendix A, Item 5 for more complete list of agreements.

The Joint Public Agency Act, enacted in 1999, has also been utilized by the City and County. In 2008 the Lancaster County Correctional Facility Joint Public Agency was established by the City and County to help finance construction of the County's new jail. Other examples of JPA's involving either the City or County include: the Lancaster County Fairgrounds Joint Public Agency, formed by Lancaster County and the Lancaster County Agricultural Society to issue bonds for the expansion of the Lancaster Event Center; the Joint Antelope Valley Authority, established by the City of Lincoln, University of Nebraska-Lincoln, and Lower Platte South Natural Resources District for flood control, traffic improvement, and community revitalization; and the West Haymarket Joint Public Agency, created by the City and the University of

Nebraska-Lincoln to help finance and construct the Pinnacle Bank Arena.

The next order of business for the Task Force was to meet with each elected official and department head for the agencies being considered for consolidation. Initial meetings were held to acquaint Task Force members with the numerous duties, functions, and responsibilities of the agencies. Follow-up meetings were then scheduled with the agencies to discuss opportunities for consolidation and additional cooperation. The Task Force focused on one agency grouping at a time, starting with law enforcement. These discussions led to a broader discussion of the more inclusive topic of public safety. Thereafter, the Task Force explored consolidation and cooperation opportunities with the County and City Attorney Offices, Public Works and the County Engineer, and finished with the County and City Clerks.

Numerous documents were presented to the Task during these meetings, including but not limited to: department overviews, statutory duties, organizational charts, maps showing location of facilities, articles from professional journals, budgetary information, equipment lists, draft plans for potential consolidations, and several legal opinions prepared for the Task Force by the County and City Attorney Offices. See Appendix A to this report for a complete list of material reviewed by the Task Force.

TASK FORCE PROCESS AND REPORT FORMAT

In order to make the best decisions possible, the group chose to use neutral facilitator methods for discussions and consensus building and Robert's rules of Order for the formal motions and for voting.

Early on in their meetings, Task Force members defined guidelines for how they would work together. These included such things as roles and responsibilities of people and groups involved in the process, a variety of methods for inviting comments and opinions from each Task Force member, and criteria for deciding which options to move forward as formal recommendations.

When making policy decisions, it's also important to have a group process that strives for outcomes that are sustainable. In other words, decisions that can be implemented with the full support of those who participated in the discussion and voting. With that in mind, the group used this definition of full consensus: Everyone agrees to agree for a set amount of time. In cases where full consensus could not be reached, the group chose to require a 2/3rd majority before moving a recommendation forward.

This report is designed to take the reader through the same decision-making process followed by the Task Force. In-depth information and dialogue is presented in the Background and Analysis sections of the report. Task Force decisions are highlighted in bold. When decisions are not

unanimous, the concerns and viewpoints of the minority are included along with the intentions and rationale of the majority.

ANALYSIS

The following sections present all the relevant information considered by the Task Force and the discussions that evolved from that information.

A. Lincoln Police Department and Lancaster County Sheriff

After several meetings with Police, Sheriff, and other public safety organization officials, including Lincoln Public Safety Director Tom Casady, Sheriff Terry Wagner, Chief Sheriff's Deputy Jeff Blieimeister, Fire Chief John Huff, Police Chief Jim Peschong, and City-County Emergency Manager Doug Ahlberg, the Task Force examined a number of consolidation and cooperation possibilities involving public safety agencies in Lincoln and Lancaster County. Discussions ranged from establishing a public safety umbrella organization to oversee all public safety related agencies in the City and County, to maintaining the status quo. Options discussed by the Task Force included:

- Merge/consolidate only the Lincoln Police Department (LPD) and County Sheriff;
- Merge/consolidate only the City and rural fire and emergency medical services (EMS) systems;
- Merge/consolidate all rural and County public safety organizations, especially Sheriff and fire;
- Establish a Lincoln/Lancaster County public safety organization;
- Formalize existing cooperative agreements to make them more permanent; and
- Maintain the status quo.

Prior to considering whether any consolidation arrangement should be considered, the Task Force noted the large number of informal cooperative agreements between LPD and the County Sheriff. These agreements reflect the excellent working relationship enjoyed by the incumbent administrations. **The Task Force recommends that these existing agreements should be formalized into more binding agreements by official votes of the City Council and County Board.**

The Task Force then reviewed different models for a consolidated police and sheriff department. The first model reviewed was referred to as the Public Safety County-Metro Model, which is patterned after Las Vegas/Clark County, Nevada. In this model the Clark County Sheriff's Office and Las Vegas Police Department are merged into a single law enforcement agency, with the elected sheriff as the chief law enforcement officer. The County-Metro Model could be implemented in Lincoln and Lancaster County without any statutory changes. See Appendix A, Item 42 for an organizational chart of the County-Metro Model.

Next, the Task Force examined the Public Safety Umbrella Model, which has been implemented in Indianapolis/Marion County, Indiana. The Umbrella Model consolidates police, sheriff, fire,

and emergency management departments under one director of public safety. See Appendix A, Item 42. A variation of this model includes public safety officers who are cross-trained to perform fire, rescue, and law enforcement services. This model is used in Sunnyvale, California and Kalamazoo, Michigan. See Appendix A, Items 45 and 46.

A third model briefly examined by the Task Force is the Riley County, Kansas Law Enforcement Agency. This model was created under Kansas state law and requires a single vote of all county residents. See Appendix A, Item 43 for a summary of the Kansas Consolidated Law Enforcement Act. By adopting this model the voters in Riley County combined the City of Manhattan police department and County Sheriff's Office into one department, and eliminated the elected position of county sheriff. The law enforcement director in Riley County is appointed by a seven-person board which is appointed by the governing bodies of Manhattan and Riley County. This model would require constitutional and statutory changes to be used in Nebraska.

A general discussion of these options was conducted using the evaluation criteria established by the Task Force (See Appendix A, Item 41), as well as a decision matrix presented to the Task Force by the Director of Public Safety and the Sheriff (See Appendix A, Item 42). It was noted that a consolidated police/sheriff department would result in a reduction of managerial staff, but any savings might be offset by higher pension costs (if the City's defined benefit plan is used) and higher comparability costs imposed by the Commission of Industrial Relations (CIR). As indicated above, the Task Force acknowledged that LPD and the County Sheriff are already close to a functional merger through existing cooperative agreements. However, additional economies of scale can be realized, such as combining training programs, vehicle and equipment maintenance, shooting ranges, and the service desk in the Law Enforcement Center. The concept of cross-training public safety officers to perform emergency medical, fire, and law enforcement services was also discussed. While the Task Force recognized operational efficiencies might be realized through cross-training, additional training costs were also a concern. A compromise position would be to create a special team of cross-trained public safety officers, instead of cross-training all police officers and fire fighters.

Following these discussions, a strong level of support emerged for a long-term goal (10-15 years) of creating a consolidated City-County public service organization consisting of all law enforcement agencies, both city and rural fire, emergency medical, emergency management, and possibly corrections. Support for this position is based on the following rationale:

- Cost savings over the long term;
- More flexibility;
- Better service;
- More accountability;
- Elimination of duplicate staff and functions;
- Appropriate cross-training to allow maximum use of resources; and
- Enhanced administration.

However, concerns were raised about the consolidation of law enforcement services and the creation of a large, all-inclusive public service agency. A general concern was raised that bigger

is not always better. It was noted that many efficiencies already exit in the status quo through cooperative agreements, and more efficiencies can be achieved. Concern was expressed about the creation of another layer of bureaucracy, increasing costs and making officials less accountable to the public. There is no guarantee that the quality of services will be improved, and given the CIR and pension issues there is no guarantee that a consolidated public service agency will be cost effective. Also, a strong concern was expressed that services in rural areas would decline because resources would be focused on the areas of greatest need.

Based on a show of support of 8-3, the Task Force moved forward with the formulation of a final recommendation with short-term and long-term goals. First, the Task Force recognized that additional efficiencies can be immediately achieved by combining training programs, establishing a joint firing range, merging vehicle maintenance facilities, and creating a single service desk. Accordingly, the City and County should move forward with these changes as soon as possible.

The long-term goal identified by the Task Force is to create an umbrella organization covering all public safety agencies in Lincoln and Lancaster County, as outlined above. The Task Force recognized this goal is ambitious, complicated and difficult. Additional study will be required to determine its feasibility. The Task Force recommends that a detailed professional analysis of the concept be conducted to: refine the model, identify potential cost savings and efficiencies, define which entities should be included under the public safety umbrella, and develop steps and a time frame for implementation. Public education will be crucial; and most importantly, a significant commitment from both the public and private sectors will be required for the goal to be achieved.

B. City and County Attorney Offices

The Task Force then reviewed the prosecution and juvenile court functions of the City and County Attorney's Offices. The following officials met with the Task Force and provided detailed information: Joe Kelly, Lancaster County Attorney; Rod Confer, Lincoln City Attorney; John McQuinn, Chief Assistant City Prosecutor; Alicia Henderson, Chief Deputy County Attorney for the Juvenile Court Division; Terri Storer, Executive Assistant to the City Attorney; and the Honorable Roger Heideman, Lancaster County Juvenile Court Judge. After receiving this information, the Task Force considered the following two questions: whether the Lincoln City Attorney prosecution division should be merged into the County Attorney's Office; and whether the City Attorney's juvenile court function should be merged into the County Attorney's Office.

By way of background, the City Attorney prosecution division consists of a chief prosecutor, 5 senior attorneys, a paralegal, and a support staff of 5.5 FTE's (full time equivalents). The City Prosecutor is responsible for prosecuting criminal violations of City ordinances. City prosecutors have an average annual salary of $112,978. The City prosecutor handles approximately two

thirds of all misdemeanor and traffic cases filed in the Lancaster County Court, with an average annual caseload of 6,066 cases per prosecutor. Significantly, there is no right to a jury trial for a violation of a city ordinance. The annual budget for the City Prosecutor is $1,490,000.

The County Attorney, on the other hand, has 20 attorneys in the prosecution division. The County Attorney prosecutes violations of state law. Last year 1,446 felony cases were filed in District Court, and 5,400 misdemeanor cases and 5,700 traffic cases were filed in County Court. The total budget for the County Attorney is $6,200,000.

The City Attorney does not have a separate juvenile division. The City Attorney's involvement with Juvenile Court is limited to violations of City ordinances. The majority of juvenile court cases are handled by 2 attorneys in the prosecution division, with some assistance from other attorneys in the division. It is estimated that City juvenile misdemeanor filings account for 2.8% of the City Prosecutor's caseload. However, it was noted that a typical juvenile case can take up to 20% more attorney time.

In contrast, the County Attorney has a separate juvenile division with 6 attorneys. The juvenile Division handles three types of cases under Juvenile Court jurisdiction: abuse/neglect cases, including termination of parental rights; ungovernable/truancy cases; and law violations. The majority of time in the juvenile division is spent on abuse and neglect cases. Through its extensive involvement with the entire juvenile justice system and familiarity with the youth and their families, the County Attorney is able to make informed decisions about what is in the best interests of the youth.

Juvenile Division

A number of officials providing information to the Task Force indicated it makes sense for the County Attorney to take over the City Attorney's prosecution of juvenile law violations. Since the County Attorney is already familiar with the families, there would be more consistency in filing decisions. Having one office handle all the cases would also be more efficient. These comments were echoed by Judge Heideman. He indicated to the Task Force that while both the City and County Attorneys both do excellent work, all Juvenile Court Judges agree that the County Attorney's Office should handle all juvenile court filings. He further noted this opinion is not based on financial consideration, but rather on efficiency of the court system. More significantly, Judge Heideman believes shifting all juvenile cases to the County Attorney is in the best interest of the children involved in the juvenile justice system.

However, it does not appear any immediate financial savings would be realized as a result of this consolidation. The City Attorney indicated that based on heavy caseloads, the number of prosecutors in his office would not be reduced if the juvenile function is moved to the County Attorney. In turn, the County Attorney's existing case levels already justify a new attorney in the juvenile division, and workloads are expected to increase dramatically as a result of a new truancy law in 2011 and 2013 NEB. Laws LB 561. A new attorney and legal secretary would need to be hired at a cost of $122,000 for salaries alone. See Appendix A, Item 40.

Another issue brought to the attention of the Task Force is whether the County Attorney would still have the authority to file cases under City of Lincoln ordinance rather than state law. Based on existing policies of cross-deputizing County prosecutors as City prosecutors, it does appear that the County Attorney would have the authority to file under City ordinance. See also the

County Attorney's legal opinion on this issue reproduced in Appendix A, Item 44.

Based upon this information, the Task Force began formulating a recommendation to merge all Juvenile Court functions under the County Attorney. First, the Task Force recognized that moving all juvenile filings under the County Attorney would improve the efficiency of court operations and result in better outcomes for juveniles. Second, the financial impact of the merger was addressed. It was proposed that the cost of the merger should be split between the City and County. Although the new attorney and support staff hired as a result of the merger would be County employees, the merger would also add needed resources to the City Attorney's Office. By not reducing staff, the City Attorney would have more time and resources to devote to their heavy adult caseload without having to hire a new attorney. **Accordingly, the Task Force recommends that all City Attorney Juvenile Court functions should be moved to the County Attorney, and an interlocal agreement between the City and County should be developed to split the actual cost of the merger. The motion for adopting this recommendation was approved 11-0 by the Task Force.**

Criminal Division

It was noted that City prosecutor salaries are substantially higher than the salaries of County prosecutors who handle similar cases. The Task Force noted that a merger of the City prosecution division into the County would result in cost savings due to reduced salaries, however, a number of practical and organizational difficulties make consolidation impractical at this time.

Practical considerations include attorney experience and resulting efficiencies. The City attorney's office exclusively handles misdemeanors therefore city attorneys are able to process a high volume of these cases efficiently. Cases with the County range from misdemeanors to murder. Often young inexperienced attorneys are given "easy" misdemeanor cases for practice before moving to felony prosecution. Due to this dynamic, if City prosecution were merged into County prosecution much of the city's current efficiencies in misdemeanor prosecution could be lost.

Organizational impediments include the unionized city attorney's retreat rights. This system is based on seniority. Since some prosecutors in his office have more experience than other attorneys in the civil division, it would be possible for them to bump very experienced attorneys in the civil division, even though the attorney with bumping rights may have very little civil law experience. As a result, merger would achieve diminished cost savings and the quality of legal services provided by the City would suffer.

To address these issues the Task Force appointed a subcommittee to provide additional analysis. The subcommittee's report was presented at the Task Force meeting on November 8, 2013. A copy of the written report can be found at Appendix A, Item 83. Applying the review criteria previously adopted by the Task Force, the subcommittee concluded due to existing organizational and political realities merger of these departments is impractical at this time. **Therefore, the subcommittee recommended that consideration of merging of the City prosecutor division with the County Attorney should be reserved until such time as a more systematic consolidation of City and County government is possible. The Task Force adopted the recommendation of the subcommittee on a 10-0 vote.**

C. Lincoln Public Works & Utilities and Lancaster County Engineer

The Task Force began its review of Public Works and the County Engineer by meeting with the following officials: Miki Esposito, Public Works & Utilities Director; Don Thomas, Lancaster County Engineer; Roger Figard, City Engineer; Doug Pillard, Design Division Head for the County Engineer; and Thomas Shafer, Public Works & Utilities Design/Construction Manager. A comprehensive overview of Public Works & Utilities was presented by Miki Esposito. Public Works is a large department providing a wide range of services, including engineering of roads and bridges, the StarTran Public Transportation System, water and wastewater, watershed management, and solid waste operations. For purposes of this process and report, the Task Force focused on engineering services.

A summary of County Engineer responsibilities was given by Don Thomas. He noted that a county engineer must be a licensed engineer. A list of statutory duties for county engineers was also given to the Task Force. The County Engineer is responsible for the engineering and design of roads and bridges for the County Road system, which consists of all public roadways outside the limits of incorporated communities. The Engineer also has a number of other statutory duties: act as the county highway superintendent; assist the county board with the acquisition of land for road purposes; prepare the One and Six-Year Road and Bridge Plan; perform specific duties with regard to the subdivision of land; keep county flood control structures in serviceable condition and make necessary repairs; and prepare road vacation reports for the county board when requested. In Lancaster and Douglas Counties only, the Engineer must appoint a full-time surveyor. In addition to statutory duties, the County Engineer also provides vehicle fueling and maintenance for all County vehicles, and provides support for the development and maintenance of the City-County geographic information system (GIS).

Public Works and the County Engineer have a long history of cooperation. See Appendix A, Item 64. Examples of cooperation include:

- Coordinated grading and paving projects near the edge of the City;
- Coordination of annual road maintenance;
- The Rural to Urban Transition of Streets (RUTS) Interlocal Agreement, which provides for designing certain County roads (future City arterials) to City standards and utilizing off-setting pairs of lanes for construction;

- The Railroad Transportation Safety District;
- Interlocal Agreement for land acquisition for the The East Bypass;
- GIS and land base records coordination; and
- Combined Weed Control Program.

Public Works and the Engineer were asked to identify any opportunities for additional cooperation. The following opportunities were identified:

- Combine the sign and signal shops;
- Legal land surveying; and
- Shared vehicle maintenance.

Both the City Engineer and the County Engineer recommended to the Task Force that their departments should not be consolidated. In making this recommendation they referred to statutory constraints on the use of resources, different governing bodies, different design standards for City and County roads, and the concern that levels of service in the County would diminish because political pressure to use resources in the City would be greater.

After receiving this information, the Task Force engaged in a lengthy discussion about how to formulate a final recommendation regarding the Public Works Engineering Division and the County Engineer. As with LPD and the County Sheriff, the Task Force distinguished between short-term goals and long-term goals. **With regard to short-term goals, the Task Force unanimously recommends that the following opportunities be pursued immediately:**

- **Consolidation of physical assets, such as joint use of maintenance facilities and mechanics;**
- **Joint use of the County's sign shop;**
- **Combine GIS functions;**
- **Enhance and formalize existing written cooperative arrangements;**
- **Privatization of more design and construction work; and**
- **Consolidate legal land surveying. (?)**

For a long-term goal, a strong consensus emerged for a consolidated City-County engineering department. However, it was recognized that existing organizational and political realities will make it very difficult to achieve this goal. **For this reason, the Task Force concluded that consolidation of Public Works Engineering and the County Engineer should not be pursued at this time.**

Instead, the focus of the Task Force shifted from consolidation of departments under a two-government system to a long-term goal of creating a unified City-County government. Under existing constitutional and statutory law, the provisions of the Municipal County Act would need to be followed in order to established a unified government for Lincoln and Lancaster County. The Task Force believes a merged city-county entity with broad home rule authority would be the best model for the future. Under this model services could be designed from the ground up to meet the needs of both urban and rural residents in the most efficient and cost effective manner.

It was the unanimous consensus of the Task Force that the recommendation to establish a unified City-County government should be the principal focus of the final recommendations, with all other short and long-term goals designed to work towards this main objective.

D. City and County Clerks

The last area examined by the Task Force was the offices of the Lincoln City Clerk and Lancaster County Clerk. Information was presented to the Task Force by: Dan Nolte, Lancaster County Clerk; Cori Beattie, Chief Deputy County Clerk; Teresa Meier, Lincoln City Clerk; Gwen Thorpe, Deputy Chief Administrative Officer for the Lancaster County Board; and Steven Henderson, Chief Information Officer for the City of Lincoln. Steve Hubka, Finance Director for the City of Lincoln, was also present for the discussions.

An overview of the County Clerk's Office was given by Dan Nolte. The County Clerk has nine employees and two divisions, accounting and records. The budget for fiscal year 2012-2013 was $923,000. Statutory duties include:

- Attend and record proceedings of the County Board;
- Administer the Board of Equalization valuation protest process;
- Act as the principal record keepers for the County;
- Issue licenses, including marriage, locksmith, liquor, tobacco, and various event-oriented functions;
- Accounting functions such as vendor claims, payroll, and preparation of the tax levies; and
- Administration of oaths.

See Appendix A, Item 14 for a more complete list of County Clerk duties.

Teresa Meier gave an overview of the City Clerk's Office. The Office consists of a clerk, a deputy clerk, and two office specialists. The fiscal year 2012-2013 budget was $296,198, plus an additional $95,956 for employee benefits. The City Clerk's Office is a division of the City's Finance Department. City Clerk duties include:

- Prepare agendas, attend meetings and act as official record keeper for the City Council;
- Attend the City Council's Directors' meetings and Mayor's Directors' meetings;
- Provide support services for City departments;
- Record keeper for the West Haymarket and Antelope Valley Joint Public Agencies; and
- Issue various City licenses.

See Appendix A, Item 18 for a detailed presentation on the City Clerk's Office.

As with other agencies, the County and City Clerks were asked by the Task Force to identify opportunities for consolidation and cooperation. However, they were unable to identify any overlapping duties or significant cost savings if their offices were merged. Teresa Meier expressed concern that a greater outlay of funds would be required for higher salaries and the cost of physically merging the offices. She also indicated the quality of services would not be

enhanced by the merger. Dan Nolte indicated there is some commonality of record keeping functions but the offices use different records management software. Meier further noted it would be costly to convert both offices to the same database system.

Following up on the software question, the Task Force requested additional information on whether the two offices could use the same records management system. Steve Henderson, the City's Chief Information Officer, provided the Task Force with an overview of how information services are provided to City and County agencies. He indicated there is no technical reason the City and County Clerk's Offices could not use the same records management program. He noted that since 2001 the County Clerk has been using TRIM and the City Clerk has been using Access. However, the City, including the City Clerk, will soon be converting to OnBase, which Henderson described as an Enterprise Content Management (ECM) program. See Appendix A, Items 70, 71 and 72 for a written summary of Henderson's presentation.

After carefully considering the information provided, the Task Force adopted a motion on an 8-3 vote with one abstention, to recommend merging the City Clerk's Office into the County Clerk's Office. The majority argued that a single point of contact for City and County records would better serve the public, and technical database issue could be resolved. The minority pointed out that there are no quantifiable savings by combining the offices, and overcoming the incompatible databases would also be costly.

With regard to the issue of incompatible records management systems, the Task Force recommends that the City Council and County Board hire an independent third party to provide a recommendation on which ECM program would be best for the City and County. The motion to adopt this recommendation was passed unanimously by the Task Force.

RECOMMENDATIONS

The original charge to the Lincoln-Lancaster County Task Force was to study consolidation and cooperation opportunities between the City of Lincoln and Lancaster County in the four areas of law enforcement, the prosecution and juvenile court functions of the City and County Attorneys, engineering, and the City and County Clerk offices. After a thorough examination of these four areas, the Task Force has identified opportunities for the City and County to improve the delivery and cost effectiveness of essential governmental services through additional consolidation and cooperation. Some of these opportunities can be accomplished immediately. Others are longer-term goals which will require additional study and a concerted effort by all stakeholders. Most importantly, the Task Force concludes that a fully consolidated governmental structure is the best model for serving the citizens of Lincoln and Lancaster County, and the ultimate goal should be a single unified City-County government.

Based on the foregoing analysis, the Lincoln-Lancaster County Consolidation Task Force hereby tenders the following recommendations to the Lincoln City Council, the Lancaster County Board of Commissioners, and Mayor Chris Beutler:

I. **The City of Lincoln and Lancaster County should begin long-term planning for the creation of a fully consolidated City-County government, with broad home rule authority. Steps in the planning process could include:**

- A. **Conduct additional professional studies, supported by private sector funding, to determine the most efficient model for providing services and to quantify costs and benefits;**
- B. **Draft a white paper detailing the advantages of a consolidated government;**
- C. **Establish a steering committee of key private sector and public sector leaders;**
- D. **Develop a comprehensive public education process;**
- E. **Review state law regulating governmental consolidation - proceed under existing law or support new legislation designed specifically for Lincoln and Lancaster County.**

II. **All short-term goals identified by the Task Force should be implemented as soon as possible:**

A. **Lincoln Police Department and Lancaster County Sheriff**

1. **Formalize existing cooperative arrangements between Police Department and Sheriff's Office by official action of the Lincoln City Council and County Board;**
2. **Establish a joint firing range;**
3. **Merge training programs;**
4. **Combine vehicle maintenance facilities; and**
5. **Operate a single front service desk for both Police and Sheriff.**

B. **City Attorney and County Attorney**

1. **Merge all Juvenile Court functions under the County Attorney**
   a. **Develop an interlocal agreement to split the cost of the merger equally between the City and County.**

C. **City Public Works & Utilities and County Engineer**

1. **Formalize existing cooperative agreements between Public Works and the Engineer by official action of the Lincoln City Council and the County Board;**
2. **Consolidate physical assets such as the maintenance facilities, with joint use of mechanics;**
3. **Consolidate sign functions under the County sign shop;**
4. **Combine GIS functions; and**
5. **Consolidate legal land surveying under the County Engineer (?).**

D. City and County Clerks

1. **Merge the City Clerk's Office into the County Clerk's Office**

2. **An independent third party should conduct a study to determine which enterprise content management system would be best for the City and County.**

III. Begin Planning for the creation of a City-County Public Safety Umbrella Organization

A. Perform a detailed professional analysis to determine the feasibility of the umbrella model for Lincoln and Lancaster County. Areas examined could include:

1. **Potential cost savings and efficiencies;**
2. **Determine which agencies should be included under the umbrella organization. Agencies which could fall under the umbrella include the Lincoln Police Department, County Sheriff, Airport and University Police Departments, Lincoln Fire & Rescue, all rural fire and emergency medical departments, Emergency Management, Emergency Communications, and County Corrections;**
3. **How many employees should be cross-trained to provide law enforcement, fire, and emergency medical services; and**
4. **Develop steps and a time frame for implementation.**

Respectfully submitted by the Lincoln-Lancaster County Consolidation Task Force this __ day of December, 2013.

Ann Post, Chair	Russ Bayer	Dick Campbell
Mike DeKalb	Jan Gauger	Dale Gruntorad
James Jeffers	Larry Lewis	Jean Lovell
Amanda McGill	Larry Melichar	Daryl Naumann
	W. Don Nelson	

APPENDIX A

List of Documents Reviewed by the Lincoln-Lancaster County Consolidation Task Force

All documents presented to the Lincoln-Lancaster County consolidation Task Force are available for review in the Office of the Lancaster County Clerk. The documents can also be found on the County Clerk's web site under the heading of Consolidation Task Force, as exhibits to the minutes for Task Force meetings.

ITEM

(Meeting of March 8, 2013)

1. Exhibit A, Nebraska Interlocal Cooperation Act
2. Exhibit B, Nebraska Joint Public Agency Act
3. Exhibit C, Nebraska Municipal County Act
4. Exhibit D, Neb. Rev. Stat. §22-417 (Consolidation of County Offices)
5. Exhibit E, List of Lancaster County/City of Lincoln Joint Departments and Commissions
6. Exhibit F, Arthur D. Little, Inc. Report to the People of the City of Lincoln and Lancaster County on the Organization of Public Services (1973)
7. Exhibit G, Final Report and Recommendations of the Lancaster County Consolidation Committee (1996)
8. Exhibit H, City of Omaha and Douglas County Joint Committee to Study City/County Merger (2003)

(Meeting of March 22, 2013)

9. Exhibit A, City of Lincoln Public Works & Utilities Overview
10. Exhibit B, County Engineer Duties
11. Exhibit C, Summary of Nebraska Statutes Pertaining to County Engineer

(Meeting of April 12, 2013)

12. Exhibit A, Lancaster County Sheriff's Office Overview
13. Exhibit B, Fast Facts on the Lincoln Police Department

(Meeting of April 26, 2013)

14. Exhibit A, Summary of Nebraska Statutes pertaining to County Clerk
15. Exhibit B, County Clerk Duties
16. Exhibit C, Lancaster County Clerk's Office Organizational Chart
17. Exhibit D, Lancaster County Clerk Informational Sheet, Where Do Your County Tax Dollars Go?
18. Exhibit E, City of Lincoln City Clerk's Office Organizational Chart, Budget, and General Information
19. Exhibit F, Lincoln City Attorney Prosecutor Division Overview

(Meeting of May 10, 2013)

20. Exhibit A, City/County Street Maintenance Agreement

21. Exhibit B, Lincoln Lancaster County Consolidation Task Force: Designing the Process, Worksheet for Group Discussion, Friday, May 19, 2013
22. Exhibit C, Questionnaire for Task Force Members
23. Exhibit D, Letter to Lincoln City Council from Lancaster County Board, dated November 13, 2012, on Consolidation Task Force Mission Statement
24. Summary of County Consolidation Legislation

(Meeting of May 24, 2013)

25. Exhibit A, Lincoln Lancaster County Consolidation Task Force Agenda Details for Friday, May 24, 2013
26. Exhibit B, Lincoln Lancaster County Consolidation Task Force, Between Meeting Worksheets for May 24, 2013 Meeting, Brief Summary and Next Steps for Facilitation
27. Exhibit C, Lincoln Lancaster County Consolidation Task Force, Key Outcomes from May 24, 2013 Meeting

(Meeting of June 14, 2013)

28. Exhibit A, Lincoln Lancaster County Consolidation Task Force, Key Outcomes from May 24, 2013 Meeting
29. Exhibit B, Lancaster County Sheriff Actual Expenditures (5 Year Comparison)
30. Exhibit C, Lincoln Police Department Year to Date Actual Expenditures and 5 Years of Revenue and Expenditures
31. Exhibit D, Public Safety Interlocal Agreements: Civil Defense, Communications Center (911), and Correctional Facilities
32. Exhibit E, June 14, 2013 Level of Support for Developing Recommendations (Public Safety Agencies)

(Meeting of June 28,2013)

33. Exhibit A, Consideration of Task Force Processes and Agendas, Reviewing June 14th Meeting and Previewing June 28th Meeting
34. Exhibit B, June 14, 2013 Level of Support for Developing Recommendations (Public Safety Agencies)

(Meeting of July 12, 2103)

35. Exhibit A, Review of Lincoln Lancaster County Consolidation Task Force Process as of July 12,2013
36. Exhibit B, Dynamics of Group Decision-Making, The Diamond of Participatory Decision-Making
37. Exhibit C, City Attorney's Office - Prosecution Division Role in Juvenile Court
38. Exhibit D, Juvenile Court Case Filings for 2012 and 2013
39. Exhibit E, Juvenile Court Statistics for 2012 and 2013
40. Exhibit F, Cost of County Attorney's Office Assuming All of the City's Juvenile Court Law Violations

(Meeting of July 26, 2013)

41. Exhibit A, Suggested Criteria for Potential Recommendations

(Meeting of August 16, 2013)

42. Exhibit A, Public Safety Decision Matrix, Public Safety Umbrella Model, Public Safety County-Metro Model, and Public Safety Mutual Aide Information
43. Exhibit B, Riley County Law Enforcement Agency (Kansas)
44. Exhibit C, Lancaster County Legal Opinions: 1) City of Lincoln is a Political Subdivision for purposes of County Civil Service Act; and 2) Deputy County Attorneys can be cross-designated As City Prosecutors to prosecute City Ordinances, including DUI cases
45. Exhibit D, Cross Training of Public Safety Workers Attracting More Interest (January 1, 2013, by Lee Romney, Los Angeles Times)
46. Exhibit E, Public Safety Consolidation: What Is It? How Does It Work? (by Jeremy Wilson, Alexander Weiss, and Clifford Grammich, prepared for the Office of Community Oriented Policing Services and appearing in BOLO, a continuing publication highlighting COPS Office community policing development projects)
47. Exhibit F, Police and Fire Consolidation, An Inefficient Use of Resources (International Association of Fire Fighters and International Association of Fire Chiefs)

(Meeting of August 23, 2013)

48. Exhibit A, Difference Between Rural and Urban Policing, and Fleet Maintenance, by Lancaster County Sheriff Terry T. Wagner
49. Exhibit B, Lincoln Lancaster County Consolidation Task Force Agenda Details for Friday, August 23, 2013
50. Exhibit C, Expectations of Task Force Members on Public Safety Goals
51. Exhibit D, August 23, 2013 Level of Support for Public Safety Recommendations
52. Exhibit E, Public Safety Long-Term Goal
53. Exhibit F, Public Safety Long-Term Goal Considerations: Timing; Legislation; Scope of Cross-Training; Organizational Responsiveness; Education; Financial Modeling; Organizational Chart; Stepping Stones; Quality of Services; Support of Elected Officials, Citizens, Unions, etc.; and White Paper and Final Report

(Meeting of September 13, 2013)

54. Exhibit A, Lincoln Lancaster County Consolidation Task Force - Draft Model for a Consolidated Public Safety Organization, as developed at the September 13, 2013 meeting
55. Exhibit B, Public Safety Organization Structure
56. Exhibit C, Additional Study Regarding Public Safety Organization
57. Exhibit D, Reasons/Rational for Public Safety Organization
58. Exhibit E, Police/Sheriff Short-Term Goals

(Meeting of September 27, 2013)

59. Exhibit A, Lincoln Lancaster County Consolidation Task Force - Draft Model for a Consolidated Public Safety Organization, as developed at the September 13, 2013 meeting
60. Exhibit B, Key Summary Points for Public Works and County Engineer
61. Exhibit C, Lincoln City Attorney's Legal Opinion Regarding Nebraska Law on Home Rule Charter and Dillon's Rule
62. Exhibit D, Lincoln Lancaster County Consolidation Task Force, Quick Overview of Meeting Outcomes as of September 27, 2013

63. Exhibit E, Agenda Review
64. Exhibit F, City Engineer and County Engineer Responses to Questions Raised by Consolidation Task Force, dated September 24, 2013
65. Exhibit G, Engineering Proposals

(Meeting of October 11, 2013)

66. Exhibit A, Public Works Street Maintenance Facilities, Engineering Services Division Organizational Chart, and Vehicle Fleet
67. Exhibit B, County Engineer Maintenance Facilities, Organizational Chart, and Vehicle Fleet
68. Exhibit C, County Clerk/City Clerk Merger 2013
69. Exhibit D, Public Works/County Engineer Consolidation of Physical Assets

(Meeting of October 25, 2013)

70. Exhibit A, Lincoln Lancaster County Consolidation Task Force, Information Services - A Quick Overview, October 25, 2013
71. Exhibit B, Information Services Division Organizational Chart
72. Exhibit C, Lincoln Lancaster County Consolidation Task Force, Enterprise Content Management (ECM) - Background and General Facts, October 25, 2013
73. Exhibit D, Additional Criteria for Potential Recommendations
74. Exhibit E, Lincoln Lancaster County Consolidation Task Force, Quick Overview of Meeting Outcomes as of October 11, 2013
75. Exhibit F, Question to Task Force, What Would You Like Outcome of This Process to Be in Order to Feel It Was Worth your Time, Attention and Expertise?
76. Exhibit G, Lincoln Lancaster County Consolidation Task Force, Facilitated Decision-Making Process Responses to Preliminary Questionnaire as of Thursday, May 9, 2013
77. Exhibit H, Remaining Decisions for Consolidation Task Force: Adult Criminal Court; County and City Clerks; and Information Services
78. Exhibit I, Agenda Items for Remaining Meetings
79. Exhibit J, Lincoln JournalStar Editorial, October 21, 2013, A Chance for City-County Consolidation?
80. Exhibit K, First draft of a portion of the Lincoln-Lancaster County Consolidation Task Force Report and Recommendations
81. Exhibit L, Constitution of the State of Nebraska, Article XV, Section 18 (Governmental powers and functions; intergovernmental cooperation; Legislature may limit; merger or consolidation of counties or other local governments authorized)

(Meeting of November 8, 2013)

82. Exhibit A, Suggested Criteria for Potential Recommendations
83. Exhibit B, Report from Subcommittee on Consolidation of City Prosecution division with County Attorney's Office

(Meeting of November 22, 2013)

84. Exhibit A, Pre-Meeting Questionnaire for Consolidation Task Force
85. Exhibit B, Questionnaire Responses for November 22, 2013 Meeting
86. Exhibit C, Consolidation Task Force, Combining City Clerk with County Clerk, submitted by Teresa Meier, City Clerk

87. Exhibit D, Lincoln Lancaster County Consolidation Task Force, Detailed Agenda for Friday, November 22, 2013
88. Exhibit E, Photograph showing preference of Consolidation Task Force members for consolidation of County Clerk and City Clerk
89. Exhibit F, Photograph showing preference of Consolidation Task Force members for conducting independent study to determine best Enterprise Content Management (ECM) system for City and County
90. Exhibit G, Merger Criteria for Public Safety
91. Exhibit H, Public Safety Long-Term/Short-Term Goal Analysis
92. Exhibit I, Second draft of a portion of the Lincoln-Lancaster County Consolidation Task Force Report and Recommendations

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