

**REPORT AND RECOMMENDATION
LANCASTER MANOR PROCEEDS COMMITTEE
JANUARY 13, 2011**

COMMITTEE MEMBERS

- Kathy Campbell
- John Dittman
- Ron Ecklund
- Jan Gauger
- Richard Herink
- Ron Krejci
- John McHenry
- Linda Robinson Rutz
- Dale Young

- Dennis Meyer, Lancaster County Budget and Fiscal Officer (ex officio)
- Kerry Eagan, Chief Administrative Officer to the Lancaster County Board (ex officio)

FACILITATOR: Kerry Eagan, Chief Administrative Officer

INTRODUCTION

The Lancaster Manor Proceeds Committee (Committee) was established by the Lancaster County Board of Commissioners to provide a recommendation to the County Board on how to best utilize the proceeds from the sale of Lancaster Manor. Committee members were appointed by individual County Commissioners. The County Board Chair appointed one member, and the other four Commissioners each appointed two members. Committee members were selected on the basis of their knowledge of local government, financial expertise with regard to human services, and strong commitment to the Lincoln-Lancaster County community. As of November 17, 2010 the total proceeds from the Manor sale equaled \$2,656,277.23. The proceeds are being held in the County's Lancaster Manor Fund.

Kerry Eagan was appointed by the Committee to facilitate the meetings. The Committee met twice. The following documents were presented to the Committee:

- Correspondence from the Lincoln Independent Business Association Board of Directors, dated November 23, 2010;
- Creating the Healthiest Community in the Nation, Recommendations from the Mayor's Task Force on Lincoln General Sale Proceeds (June 1998); and
- A copy of Neb. Rev. Stat. §23-104.03 (Reissue 2007), Power to Provide Protective Services.

See Attachment A for a copy of these documents.

COMMITTEE DISCUSSIONS

After a careful review of the materials presented and a thorough discussion of the question of how best to utilize the proceeds from the sale of Lancaster Manor, the strong consensus of the Committee was that the County should use the proceeds to address the unmet needs of the low income elderly population in Lancaster County. The Committee noted Lancaster Manor was originally established to help reduce the shortage of Medicaid nursing home beds in the County. Since the Manor was constructed with funding targeted specifically for the County's low income elderly population, proceeds from the sale of the facility should continue to be used for this purpose.

In coming to this conclusion the Committee was mindful of the effect of the poor economy on the County's present financial situation. However, placing the proceeds in the County's reserves would not sufficiently protect them from being used in the future for the normal operational needs of the County. Instead, the Committee believes the proceeds should be insulated from these pressures by placing them in an endowment for the benefit of the low income elderly of Lancaster County.

RECOMMENDATION

Based on the foregoing analysis, the Lancaster Manor Proceeds Committee hereby tenders the following recommendation to the Lancaster County Board of Commissioners for the use of the proceeds from the sale of Lancaster Manor:

Lancaster County should issue a request for proposals (RFP) seeking bids from nonprofit organizations and governmental entities for management of the Lancaster Manor Proceeds Endowment Fund. The RFP shall specify the principal Fund shall be generally preserved and the earnings from the Fund shall be used to contract for services addressing the unmet needs of low income elderly residents of Lancaster County.

Respectfully submitted on behalf of the Lancaster Manor Proceeds Committee this 13th day of January 13, 2011.


Kerry P. Eagan
Chief Administrative Officer

ATTACHMENT A

To: Lancaster County Board of Commissioners
From: LIBA Board of Directors
Date: November 23, 2010
Re: \$2.6 million



The LIBA Board of Directors would like to recommend saving the \$2.6 million profit realized from the sale of Lancaster Manor. In recent years, Lancaster County has faced budget shortfalls. Normally, you have two options when dealing with a shortage of funds: 1) increase property taxes or 2) cut services. Saving the \$2.6 million gives you a rare third option.

A June 9, 2010, article by the *Lincoln Journal Star* indicated that the Lancaster County Department of Corrections submitted a proposed budget for \$800,000 higher than its current level because of the cost of 14 additional staff members for the new jail being built in west Lincoln. The Lancaster County Sheriff's Office submitted a budget of \$400,000 higher because of salary and cost-of-living adjustments. The Commissioners know that in order to keep our community safe, increased costs are coming!

LIBA is not suggesting you use one-time funds to balance a budget or hire additional staff. We are concerned that you may find yourselves in an emergency situation where it may be a prudent decision to use a small portion of the \$2.6 million.

The budget cycles for the last several years have included shortfalls, and the Board should anticipate another shortfall for this upcoming year. LIBA recommends that the Board exercise an abundance of caution and save the \$2.6 million.

**CREATING the
HEALTHIEST
COMMUNITY
in the NATION**

Recommendations From:

**MAYOR'S
TASK FORCE**

on

**LINCOLN
GENERAL
SALE
PROCEEDS**

Presented to:
MAYOR
MIKE JOHANNIS
LINCOLN
CITY COUNCIL
RESIDENTS OF
LINCOLN,
NEBRASKA

JUNE 1998

FROM THE MAYOR'S TASK FORCE ON LINCOLN GENERAL SALE PROCEEDS



We were given the extraordinary opportunity to set a course of action that would forever impact the health of people in Lincoln, Nebraska. In November 1997, we began our task with a simple question - "What to do with the \$37 million in proceeds from the sale of Lincoln General Hospital?" We end our work with the loftiest of goals - "To make Lincoln, Nebraska the healthiest community in the nation."

During the past seven months, we have met regularly to dialogue with local and national health experts, to dissect community health priorities and data, and to listen to feedback from the many voices of our diverse community. As a Task Force, we struggled with, and succeeded in, defining "health" as we created a united vision for the healthiest community-to-be. We unanimously agreed a Community Health Endowment be established, not only to benefit people in all parts of our community today, but to assure that these funds be invested responsibly for future generations. Simply, we believe the sale proceeds can be best used to protect and improve our community's greatest resource - health. Without a doubt...Lincoln can become the healthiest community in the nation!

We would like to thank Mayor Mike Johanns and the City Council for this opportunity to influence public policy. We are grateful to the many health and human service professionals who provided us with their expertise, guidance and information. Finally, we would like to extend our sincere thanks to the residents of Lincoln for their insight and feedback. It was their input which helped broaden our view and sensitized us to the core health issues and values of our community.

We are pleased, and proud, to present these recommendations to Mayor Mike Johanns, the Lincoln City Council, and all the residents of Lincoln, Nebraska.

*The Mayor's Task Force
on Lincoln General Sale Proceeds*

INTRODUCTION & HISTORY

On October 1, 1997, a master agreement was signed to formally transfer ownership of Lincoln General Hospital from the City of Lincoln to Bryan Memorial Hospital. The sale of Lincoln General Hospital resulted in net revenues of approximately \$37 million to the City of Lincoln. To address the use of these funds, Mayor Mike Johanns appointed the Mayor's Task Force on Lincoln General Sale Proceeds. In his charge to the Task Force, Mayor Johanns requested a public process to address the use of the funds, resulting in a set of recommendations to the Mayor and City Council.

The 20-member Mayor's Task Force, and its representative subcommittees, has met regularly since November 1997, to accomplish the following four phase plan:

- PHASE I: Develop a Task Force mission. Study community demographics and health data information.
- PHASE II: Define health. Develop a Vision for a Healthier Lincoln.
- PHASE III: Develop draft recommendations regarding the use of sale proceeds.
- PHASE IV: Obtain community input regarding the draft recommendations. Reach consensus on final recommendations. Approve a final report to the Mayor and City Council.

The Mayor's Task Force has completed these four phases. This report contains the Task Force mission (Phase I), definition of health (Phase II), Vision for a Healthier Lincoln (Phase II), and recommendations regarding use of the sale proceeds (Phase III and IV). We respectfully submit this report to Mayor Mike Johanns and the Lincoln City Council for their consideration and action.

II. TASK FORCE MISSION

The mission of the Mayor's Task Force on Lincoln General Hospital Proceeds is to develop a vision related to creating a healthier Lincoln, Nebraska using Lincoln General Hospital sale proceeds. Working within this framework, the Mayor's Task Force will discuss relevant information, solicit public input and reach consensus, resulting in a final report to the Mayor and City Council. The final report should include, but not be limited to: recommendations related to funding priorities, funding mechanisms (structure/composition, scope, staffing, decision-making, accountability/oversight), investment practices, and revisions to the City Code and/or Charter (as needed).

III. DEFINITION OF HEALTH

The ability of all people within the community to reach full mental, spiritual, and physical potential by living in safety with vigor and purpose; meeting personal needs; meeting community responsibilities; adapting to change; and having trusting and caring relationships.

IV. VISION FOR A HEALTHIER LINCOLN

Lincoln is a community where.....

All its people are valued in an environment which is safe, inclusive, supportive, and culturally sensitive; all people have the information and support needed to make responsible individual and community health decisions; all people have access to high-quality, affordable health services; and we are recognized as the healthiest community in the nation based on comprehensive and accurate measures of our health status.

V. RECOMMENDATIONS REGARDING USE OF THE LINCOLN GENERAL HOSPITAL SALE PROCEEDS

A. CREATION OF A COMMUNITY HEALTH ENDOWMENT

The Mayor's Task Force recommends that, by revision of Lincoln Municipal Code, Chapter 4.16., a Community Health Endowment be created. The purpose of the Community Health Endowment will be to make Lincoln the healthiest city in the nation. All allocations of the Endowment will be consistent with the Mayor's Task Force definition of health and the Vision for a Healthier Lincoln.

B. GOVERNANCE OF THE COMMUNITY HEALTH ENDOWMENT

The Mayor's Task Force recommends that a 15-member Board of Trustees have responsibility for the general administration of the Community Health Endowment and for strategic planning and prioritization, funding recommendations, investment policy, and staffing. The Board of Trustees will actively seek community input as part of its decision-making.

The Board of Trustees of the Community Health Endowment will be a diverse group who recognizes and supports the definition of health and the Vision for a Healthier Lincoln as developed by the Mayor's Task Force on Lincoln General Sale Proceeds. The Board of Trustees will include individuals from the health care community, business and finance, and other community stakeholders, i.e. racial/ethnic minority individuals, underserved, persons with disabilities, neighborhood representatives, community volunteers, religious representatives, and/or education representatives. Members of the Board of Trustees will have a strong commitment to community health and public service, including a desire to study community health needs, solicit and value public input, and monitor progress toward a healthier community.

The Mayor's Task Force recommends that, on a perpetual basis, the Board of Trustees include the President of Bryan LGH Health System, President of St. Elizabeth Community Health Center, and Director of the Lincoln-Lancaster County Health Department. Of the remaining 12 Trustees, five will have a recognized background in public health, medicine, human services, registered nursing, mental health, dentistry, or other related fields. Trustees will acknowledge conflict of interest in a responsible manner and will request exclusion from deliberations and/or voting when necessary.

The terms of each trustee will be three years, with a maximum of two terms. Initial appointments will be staggered terms. In addition, trustees will not serve simultaneously as trustees of the Community Health Endowment and the Board of Directors of the two Lincoln hospitals represented by their Presidents.

Members of the Board of Trustees will be selected through a community nomination process. Any resident of the City of Lincoln will be eligible for nomination. The Mayor's Task Force recommends that the Mayor appoint a subcommittee of the Mayor's Task Force to develop nomination materials and guidelines. The subcommittee will also review all nominations and submit a pool of nominees to the Mayor. On an ongoing basis, trustees will be recruited through the community nomination process and reviewed through a collaborative effort between the Mayor, City Council, and Board of Trustees. Final appointments will be made by the Mayor with confirmation by the City Council.

The Mayor will appoint officers of the Community Health Endowment for the first year. After the first year, the Board of Trustees will annually elect its chairperson and other officers from among its members. Officers of the Community Health Endowment will serve for one year. Officers may be re-elected by the Board of Trustees for an additional one-year term.)

The full Board of Trustees will meet at least quarterly. All meetings will be open to the public. The Board of Trustees will prepare annually a proposed budget for the ensuing year for the operation of the Community Health Endowment, making recommendations regarding the funding priorities of budgeted funds. The budget prepared by the Board of Trustees, and any substantial changes therein, must be approved by the Mayor and City Council. To maintain strong public accountability, the Board of Trustees will present an annual report, or "State of the Endowment," to the community. This concise report will be broadly distributed and will feature accomplishments of the Community Health Endowment, current or anticipated funding priorities, and a financial audit.

Staffing strategies for the Community Health Endowment will be made by the Board of Trustees based on available Endowment funds. The Mayor's Task Force recommends that the Board of Trustees strongly consider hiring a dynamic, full-time leader who is collaborative and creative; who possesses community health knowledge, executive presence, and political savvy; and who has the capability to be a change agent and risk-taker. The Mayor's Task Force requests that interim staffing be provided by the Mayor's Office.

The Board of Trustees will actively maintain a collaborative relationship with the Lincoln-Lancaster County Board of Health, including regular consultation regarding health policy, community health priorities, local health data, and other information pertinent to the health of the community.

C FUNDING PRINCIPLES OF THE COMMUNITY HEALTH ENDOWMENT

The Mayor's Task Force recommends that Community Health Endowment funds be used to make Lincoln the healthiest city in the nation. The guiding principles which will shape the actions and funding recommendations of Community Health Endowment are:

- To operate the Community Health Endowment in a manner consistent with pursuing the definition of health (page 2), and Vision for a Healthier Lincoln (page 2).
- To promote and provide leadership in understanding community health priorities and determining the community needs to be met.
- To utilize Community Health Endowment funds to leverage other resources which will improve community health.
- To promote healthy behaviors and support increased community attention to prevention and wellness.
- To maintain trusting and collaborative relationships with other community organizations and agencies who are dedicated to the areas of health, education, and human services.
- To evaluate the results of each expenditure to assure the desired results have been accomplished.

Funding priorities will be reviewed and made public by the Board of Trustees on an annual basis. Funding priorities will be based on extensive review and thoughtful consideration of current community health priorities, local data, anticipated trends, and community perception.

Proposals to the Board of Trustees must address one or more identified funding priorities for the current funding period. The Board of Trustees will look favorably upon proposals which build on Lincoln's strengths (have measurable outcomes whenever possible), involve the community and its resources, and can improve community data collection and capacity. The Mayor's Task Force recommends that the required proposal process (to be determined by the Board of Trustees) be user-friendly, and without cumbersome and excessive paperwork requirements.

Endowment funds will be utilized to support new, innovative, and creative projects which have a strong potential to improve community health. Successful existing community programs will also be eligible for funding.

The Community Health Endowment will not support: individuals through direct financial contributions; projects which do not serve Lincoln and the surrounding area; laboratory or clinical research; organizations which are not tax-exempt endowments; fund-raising events; or lobbying.

The Mayor's Task Force recognizes that some community health issues are represented by a diversity of community opinion and beliefs. The Mayor's Task Force urges the Board of Trustees, City Council, and Mayor to operate in the spirit of improving community health to achieve the Vision for a Healthier Lincoln, and to avoid being seriously hampered by public conflict or debate.

D. INVESTMENT POLICY OF THE COMMUNITY HEALTH ENDOWMENT

Currently, the Charter of the City of Lincoln limits the investment of City funds (which includes Community Health Endowment funds) to government bonds, i.e. treasury bills. This type of investment is considered virtually risk-free, but also has a minimal return on investment. Investment of the general funds for the State of Nebraska are broader and include high grade corporate bonds. High grade corporate bonds typically have a higher yield, but remain a low to moderate risk investment. Current restrictions in the Nebraska Constitution prevent the investment of local funds in equity investments, i.e. stocks.

An amendment to the Charter of the City of Lincoln, as it would pertain only to the investment of the Community Health Endowment funds, should be submitted to a vote of the people in November, 1998, which, if approved, would broaden the types of investments which could be made with these funds to include those investments which are defined by state law as permissible investments by the State of Nebraska (Neb. Rev. Stat. Sec. 77-2341). This City Charter revision would allow for the investment of Community Health Endowment funds in high grade corporate bonds, thus increasing the potential for greater return on investment. In addition, the Charter revision will state that Community Health Endowment funds be used only for community health-related projects.

The Mayor's Task Force recommends that Community Health Endowment funds be invested so the size of the fund will increase in the future and preserve the inflation-adjusted purchasing power of the funds over the long term. The long-term investment strategy should emphasize a combination of capital appreciation and current income.

Any decisions regarding the amount of Community Health Endowment funds to be expended in any year should be based on the goal of preserving the inflation-adjusted purchasing power of those funds over the long-term.

Careful and thoughtful consideration should be given by the Board of Trustees to pursuing a revision to the Nebraska Constitution which would allow for the investment of Community Health Endowment funds in equity investments.

The Mayor's Task Force strongly recommends professional management of the endowment funds. Selection of professional financial management will be left to the discretion of the Board of Trustees of the Community Health Endowment.

VI PUBLIC FEEDBACK

The Mayor's Task Force on Lincoln General Sale Proceeds placed a strong emphasis on obtaining community feedback regarding the use of the sale proceeds. To obtain broad and extensive community feedback, the Task Force utilized a variety of feedback options, including:

○ Town Hall Forums

Two town hall forums were highly publicized by newspaper, television, and radio. Approximately 100 individuals attended the two forums. Thirty-five individuals offered public comment to the Task Force. One town hall forum was televised live by 5 City TV and call-in capacity was available.

○ Listening Tour

The Mayor's Task Force had 10 "stops" on a community listening tour involving 168 individuals. The listening tour provided an opportunity for community stakeholders to meet face-to-face in a small group setting with members of the Mayor's Task Force. Participating groups in the tour included the Lancaster County Medical Society, environmental health representatives, Neighborhood Roundtable, Lincoln Chamber of Commerce, Multi-Cultural Advisory Committee, Lincoln-Lancaster County Board of Health, Lincoln Independent Business Association, Community Health Partners, older adult representatives, and Human Services Federation.

○ Community Hotline

A community hotline was established in November 1997. Eighty-five callers utilized the hotline to leave comments regarding use of the Lincoln General Hospital sale proceeds.

○ Website

A website was developed on behalf of the Task Force. All Task Force documents, meeting agendas and minutes, draft recommendations, and other information was made available to interested individuals.

○ Newspaper Articles

A series of one-half page newspaper articles in the Lincoln-Journal Star outlined the work of the Mayor's Task Force, their recommendations, and information regarding community feedback opportunities. The work of the Task Force was also regularly featured on television and radio.

○ Public Meetings/Channel 5 Broadcast

Each meeting of the Task Force was taped by 5 City TV for re-broadcast in the community. The meetings were broadcast three times per week on 5 City TV.

○ **Stakeholder Feedback**

A total of 157 stakeholder surveys were returned. These forms were an opportunity for interested individuals to present their comments and feedback regarding the recommendations for use of the sale proceeds.

○ **"Report to the Community" Distribution**

More than 1600 copies of the Task Force "Report to the Community" were distributed. These reports were made available by request and as the result of a mass mailing to neighborhood representatives, clergy, educators, health professionals, elected officials, and other community stakeholders.

VII. SUMMARY

Lecturer Joel Barker once stated, "Positive visions are essential for nations and organizations, corporations and communities, individuals and to each and every one of us, who would want to change the world." The Mayor's Task Force on Lincoln General Sale Proceeds has outlined an ambitious vision in this report. Creating the healthiest community in the nation will not come easily or without challenge and change. However, achieving this vision will be possible with hard work, thoughtful deliberation, and inspired leadership.

We urge the Board of Trustees to provide leadership in seeking private funds to support the activities of the Community Health Endowment. We encourage the residents of Lincoln, Nebraska, to remain actively involved and interested in community health issues. We also urge true collaboration among health care providers, human service agencies, and others.

The Mayor's Task Force looks forward to watching the recommendations in this report become reality. With you, we look forward to living and working in the healthiest community in the nation.

MEMBERS OF THE MAYOR'S TASK FORCE ON LINCOLN GENERAL SALE PROCEEDS

J. Robert Duncan, Tri-Chair

Alan Hersch, Tri-Chair

Mike Seacrest, Tri-Chair

Pam Baker

Francene Blythe

Leola J. Bullock

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City Council

City Council

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CHAPTER 4.16

HOSPITAL BOARD

Sections:

- 4.16.005 Separate Fund Established.
- 4.16.007 Use of Funds Restricted.
- 4.16.010 Board of Trustees Created; Appointment of Members; Terms.
- 4.16.030 Vacancies on Board; Appointments.
- 4.16.040 Removal of Members by Council.
- 4.16.050 Organization of Board.
- 4.16.060 Board of Trustees; Powers and Duties.
- 4.16.090 Annual Report; Budget.

4.16.005 Separate Fund Established.

There is hereby established a separate fund to be known as the Community Health Endowment which fund shall consist of the cash proceeds realized by the City of Lincoln from the sale of Lincoln General Hospital on October 31, 1997 (less any reasonable and necessary expenses incurred subsequent to such sale arising out of or relating thereto) together with any interest or other investment income earned by the endowment. The endowment may be increased by donations, bequests, or appropriations to the fund. Monies in the fund shall be used for the purpose of funding health and health-related programs or projects which further the health, safety, or welfare of the citizens of the City of Lincoln, and for no other purpose. (Ord. 17402 §1; August 24, 1998).

4.16.007 Use of Funds Restricted

The City Council and the Community Health Endowment Board will not spend the original net proceeds of the sale of Lincoln General Hospital which is hereby determined to be Thirty-seven Million Dollars (\$37,000,000). However, such principal may be invaded in case of a community public health disaster with a two-thirds vote of the Board and a majority vote of the City Council. Invasion of the fund in such an event shall not exceed one-fourth of the original net proceeds which is hereby determined to be Nine Million Two Hundred Fifty Thousand Dollars (\$9,250,000).

No new endowment funds may be committed if the fair market value of the assets of the Community Health Endowment Fund is below Thirty-seven Million Dollars (\$37,000,000) except to fund existing commitments or operating expenses.

a. For purposes of this section, public health disaster shall mean any event or the imminent threat thereof to the public health causing widespread or severe illness, injury or loss of life resulting from any natural or manmade cause.

b. For purposes of this section, existing commitments shall mean approved contracts or other legally binding commitments and operating expenses shall mean investment management fees and all operation costs as specified in approved budgets. (Ord. 18043 §1; July 29, 2002).

4.16.010 Board of Trustees Created; Appointment of Members; Terms.

There is hereby created a Board of Trustees for the Community Health Endowment. The board shall consist of fifteen persons, who shall be known as trustees, who shall be residents of the city. The Health Director shall be an ex officio member of the Board of Trustees. Additionally, the president of Bryan/LGH Health System (or any successor entity thereof) and the president of St. Elizabeth Community Health Center (or any successor entity thereof) shall, if agreeable to them, be ex officio members of the Board of Trustees. If either or both are unwilling to serve, the vacancy or vacancies shall be filled by Mayoral appointment in the same manner as provided for the remaining trustees. The remaining twelve trustees shall, to the extent possible, include individuals from the health care community, business and finance community, and other community stakeholders including, but not necessarily limited to, minorities, under-served populations, individuals with disabilities, neighborhood representatives, community volunteers and representatives from the religious and educational communities. At least five must have a recognized background in public health, medicine, human services, registered nursing, mental health, dentistry or related fields; provided, however, that the council shall not appoint any person to serve as a trustee who is currently serving on the Board of Directors of any acute care hospital located in Lincoln. The members of the Board of Trustees shall be appointed by the Mayor with confirmation by the City Council. All Mayoral appointees shall, if requested, appear before the City Council to be examined as to their knowledge, opinions, character, and general fitness to hold such position. The term of each trustee, other than the ex officio trustees, shall be three years, except that at the time of the first appointment, four of the members shall be appointed for a term of one year from September 1, 1998; four shall be appointed for a term of two years from September 1, 1998; and four shall be appointed for a term of three years from September 1, 1998. (Ord. 17402 §1; August 24, 1998: prior Ord. 15432 §1; February 12, 1990: P.C. §8.12.010; Ord. 13988 §1; November 12, 1984: Ord. 12625 §1; July 2, 1979: Ord. 11926 §1; March 28, 1977: Ord. 7627 §1; January 2, 1962: Ord. 3489 §11-701; July 6, 1936).

4.16.020 Board Members; Bond.

(Repealed by Ord. 17402 §3; August 24, 1998: Ord. 15432 §2; February 12, 1990: P.C. § 8.12.020: Ord. 3489 § 11-702; July 6, 1936).

4.16.030 Vacancies on Board; Appointments.

Appointments to fill vacancies shall be made and approved in the same manner and shall expire at the end of the term for which the appointment shall be made. (Ord. 15432 §3; February 12, 1990: P.C. §8.12.030: Ord. 3489 §11-703; July 6, 1936).

4.16.040 Removal of Members by Council.

The City Council may remove any member of the Board of Trustees for malfeasance or nonfeasance in office or for any cause that renders a member ineligible to office or incapable or unfit to discharge the duties thereof. (Ord. 17402 §4; August 24, 1998: prior Ord. 15432 §4; February 12, 1990: P.C. §8.12.040: Ord. 3489 §11-704; July 6, 1936).

4.16.050 Organization of Board.

The Mayor shall appoint a chairperson and other officers of the Board of Trustees of the Community Health Endowment for an initial one-year term. Thereafter, the Board of Trustees shall annually elect its chairperson and such other officers as it desires from among its members and shall establish its own rules of procedure for the conduct of such meetings. The board shall hold at least one regular meeting in each calendar quarter. A special meeting may be called by the chairperson or in the absence of the chairperson, by such other officers as may be designated by the board, or by any three members upon written request. Eight members of the board shall constitute a quorum for the transaction of business, and eight affirmative votes shall be required for final action in any matter acted upon by the board. The board is hereby authorized to make all necessary rules which shall be approved by the City Council for the exercise of its powers and performance of its duties as set out in Section 4.16.060 of the Lincoln Municipal Code and for securing cooperation from all officers and employees selected or appointed by the board. (Ord. 17402 § 5; August 24, 1998; prior Ord. 15432 §5; February 12, 1990: P.C. §8.12.050: Ord. 9867 §1; September 29, 1969: Ord. 7627 §2; January 2, 1962: Ord. 3489 §11-705; July 6, 1936).

4.16.060 Board of Trustees; Powers and Duties.

The Board of Trustees of the Community Health Endowment shall have the following powers and duties:

- (a) To exercise general supervision and control over the Community Health Endowment; provided, however, endowment funds shall be deposited with the City Treasurer who shall place all funds of the endowment in a separate account or accounts for the benefit of the Community Health Endowment. All deposits thereto and disbursements therefrom shall be made through the office of the City Treasurer upon proper certification to the Treasurer by the Board of Trustees or personnel authorized by the board.
- (b) To annually prepare and submit to the City Council a proposed budget of the Community Health Endowment for the ensuing year which shall include recommendations regarding the funding of community health projects and programs utilizing Community Health Endowment monies.
- (c) To review proposals requesting endowment funds to support existing community programs and new, innovative, and creative programs which have a strong potential to improve community health. For purposes of reviewing funding requests, health shall be defined as the ability of all people within the community to reach full mental, spiritual, and physical potential by living in safety with vigor and purpose; meeting personal needs; meeting community responsibilities; adapting to change; and having trusting and caring relationships.
- (d) To enter contracts for the disbursement of budgeted endowment funds to approved programs or projects.
- (e) To direct investment of all monies in the Community Health Endowment into such investments as may be from time to time authorized by the city charter and state law.
- (f) To hire an executive director and such employees as may be necessary for the efficient and economical management of the Community Health Endowment. The board may authorize the executive director to discharge for cause any person employed by the Community Health Endowment; provided, however, that said executive director shall, upon discharging such employee, file with the board a written report of the actions taken and giving reasons for such discharge. (Ord. 17402 §6; August 24, 1998; prior Ord. 15432 §6; February 12, 1990: P.C. §8.12.060: Ord. 12625 §2; July 2, 1979: Ord. 9867 §2; September 29, 1969: Ord. 3489 §11-706; July 6, 1936).

4.16.070 Powers and Duties; Specifically.

(Repealed by Ord. 17402 §7, August 24, 1998: Ord. 15432 §7; February 12, 1990: P.C. §8.12.070: Ord. 11220 §1; October 28, 1974: Ord. 9867 §3; September 29, 1969: prior Ord. 3489 §11-707; July 6, 1936).

4.16.080 Bond Requirements.

(Repealed by Ord. 17402 §8, August 24, 1998: Ord. 15432 §8; February 12, 1990: P.C. §8.12.080: Ord. 9867 §4; September 29, 1969: Ord. 3489 §11-708; July 6, 1936).

4.16.090 Annual Report; Budget.

The board shall prepare annually a proposed budget for the ensuing year, for the use and disbursement of funds from the Community Health Endowment, pursuant to the requirements of City of Lincoln Charter. All monies received and set apart for the Community Health Endowment, shall be deposited with the City Treasurer to the credit of the Community Health Endowment, and those sums shall be kept by the City Treasurer and paid out upon the order of those persons designated by the Board of Trustees. The Board of Trustees shall have control over the expenditure of all funds budgeted annually from the Community Health Endowment, provided, however, that the budget prepared by the board, and any substantial changes therein, must be approved by the City Council.

Concurrently with the annual budget, the Board of Trustees shall present an annual report or "State-of-the-Endowment" to the Mayor, the City Council, and the community. Such report shall include a description of the past year's accomplishments of the Community Health Endowment, current or anticipated funding priorities, and a financial audit of the Community Health Endowment. (Ord. 17402 §9; August 24, 1998: prior Ord. 15432 §9; February 12, 1990: P.C. §8.12.090: Ord. 9867 §5; September 29, 1969: Ord. 3489 §11-709; July 6, 1936).

4.16.100 Buildings; Improvements and Repairs.

(Repealed by Ord. 17402 §10; August 24, 1998: Ord. 15432 §10; February 12, 1990: P.C. §8.12.100: Ord. 9867 §6; September 29, 1969: Ord. 3489 §11-710; July 6, 1936).

4.16.110 Board to Keep Records of Persons Treated at Lincoln General Hospital.

(Repealed by Ord. 17402 §11; August 24, 1998: Ord. 15432 §11; February 12, 1990: P.C. §8.12.110: Ord. 9867 §7; September 29, 1969: Ord. 3489 §11-711; July 6, 1936).

23-104.03. Power to provide protective services.

Each county shall have the authority (1) to plan, initiate, fund, maintain, administer, and evaluate facilities, programs, and services that meet the rehabilitation, treatment, care, training, educational, residential, diagnostic, evaluation, community supervision, and protective service needs of dependent, aged, blind, disabled, ill, or infirm persons, persons with a mental disorder, and persons with mental retardation domiciled in the county, (2) to purchase outright by installment contract or by mortgage with the power to borrow funds in connection with such contract or mortgage, hold, sell, and lease for a period of more than one year real estate necessary for use of the county to plan, initiate, fund, maintain, administer, and evaluate such facilities, programs, and services, (3) to lease personal property necessary for such facilities, programs, and services, and such lease may provide for installment payments which extend over a period of more than one year, notwithstanding the provisions of section 23-132 or 23-916, (4) to enter into compacts with other counties, state agencies, other political subdivisions, and private nonprofit agencies to exercise and carry out the powers to plan, initiate, fund, maintain, administer, and evaluate such facilities, programs, and services, and (5) to contract for such services from agencies, either public or private, which provide such services on a vendor basis. Compacts with other public agencies pursuant to subdivision (4) of this section shall be subject to the Interlocal Cooperation Act.

Source: Laws 1971, LB 599, § 1; Laws 1972, LB 1266, § 1; Laws 1985, LB 393, § 15; Laws 1986, LB 1177, § 4.

Cross References

Interlocal Cooperation Act, see section 13-801.

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