

NEBRASKA MUNICIPAL REVIEW

■ North Platte City Administrator
Jim Hawks wins award recognizing
service

■ Lawmakers pass bill to provide
emergency funding to combat
coronavirus pandemic

■ Coronavirus resources, information
for local governments

Official Publication of the League of Nebraska Municipalities

MARCH 2020



2020 Midwinter Conference Highlights



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MARCH 2020

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Top from left: North Platte Mayor Dwight Livingston, League President; North Platte City Administrator Jim Hawks and his wife, Janelle, stand together after Jim Hawks is presented with the LEAD plaque.

Middle left: Gering Sen. John Stinner, Appropriations Committee Chair.

Middle right: Norfolk Sen. Jim Scheer, Speaker of the Legislature.

Bottom left: Susanne Shore, First Lady of Nebraska.

Top right: Mike Flood, Former Speaker of the Legislature; Owner, News Channel Nebraska.

Photos by Lynn Marienau, LNM.

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CALENDAR

IIMC Annual Conference	May 17-20, 2020, St. Louis, Missouri
Municipal Accounting and Finance Conference	June 17-19, 2020, Holiday Inn, Kearney
Annual Conference	Sept. 16-18, 2020, Cornhusker Marriott Hotel, Lincoln

Municipal Legal Calendar

(All statute citations to Revised Statutes of Nebraska)

MAY 2020

CITIES OF THE FIRST CLASS

Within 10 days following meeting or before next meeting (whichever is sooner)	Clerk to have minutes available for public inspection. (84-1413)
Within 15 days of Passage	Clerk publishes ordinances passed. (16-405)
Within 30 days following Council meeting	Clerk publishes official proceedings of meeting, including claims. (19-1102)
First Day	Automatic renewal of beer and liquor licenses (except Class C). (53-124, 53-135)
Within 20 days after end of month ..	Treasurer files monthly financial report. (16-318)
* *	Clerk must prepare agenda prior to next Council meeting. (84-1411)

CITIES OF THE SECOND CLASS

Within 10 days following meeting or before next meeting (whichever is sooner)	Clerk to have minutes available for public inspection. (84-1413)
Within 15 days of Passage	Clerk publishes or posts ordinances passed. (17-613)
Within 30 days following Council meeting	Clerk publishes official proceedings of meeting, including claims. (19-1102)
First Day	Automatic renewal of beer and liquor licenses (except Class C). (53-124, 53-135)
Within 20 days after end of month....	Treasurer files monthly financial report. (17-606)
* *	Clerk must prepare agenda prior to next Council meeting. (84-1411)

VILLAGES

Within 10 days following meeting or before next meeting (whichever is sooner)	Clerk to have minutes available for public inspection. (84-1413)
Within 15 days of Passage	Clerk publishes or posts ordinances passed. (17-613)
Within 30 days following Board meeting	Clerk publishes official proceedings of meeting, including claims (19-1102)
First Day	Automatic renewal of beer and liquor licenses (except Class C). (53-124, 53-135)
Within 20 days after end of month....	Treasurer files monthly financial report. (17-606)
* *	Clerk must prepare agenda prior to next Board meeting. (84-1411)

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COVID-19: Please contact Nebraska's Congressional delegation emphasizing that ALL municipalities need funds to address this pandemic

BY L. LYNN REX, EXECUTIVE DIRECTOR, LNM

Thanks to **Gov. Pete Ricketts** for coordinating with the League to provide weekly updates for Mayors and Village Board Chairs regarding the state's coordinated response to the coronavirus (COVID-19), including efforts to protect citizens from being exposed to this disease. These briefings will be held every Wednesday in April and May. The League staff will send a reminder each week even though the times and call-in numbers will be the same for Village Board Chairs, Mayors of Cities of the Second Class and Mayors of Cities of the First Class. Other municipal officials are welcome to participate in these conference calls.

There was \$150 billion in the "CARES Act" recently appropriated by Congress for state and local governments relating to COVID-19. Page 17 of this *Review* highlights some of the most important provisions of interest to cities and villages; page 5 provides a listing of coronavirus resources for local governments that also appears on the League's website. The State of Nebraska will receive \$1.25 BILLION no later than April 24. *(This is the minimum amount based on population given to any state; Gov. Ricketts recently confirmed that amount in his briefing on a League conference call with municipal officials.)*

The National League of Cities (NLC) and other national organizations are advocating that the U.S. Department of the Treasury develop FLEXIBLE guidelines about the definition of "necessary expenditures" relating to how municipalities and states can use Coronavirus Relief Funds. It was reported that Dan Kowalski, Counselor to the Secretary of the U.S. Department of the Treasury, stated that these funds "are for COVID-19 related expenses" and "can NOT be used to replace lost revenue" due to COVID-19.

Municipalities and states NEED to have the flexibility to use these funds from the "CARES Act" (and the fourth stimulus package being drafted NOW) to offset the tremendous loss of revenue to municipalities and

states due to COVID-19! In fact, several municipalities and states will NOT be able to use all (or even a significant percentage) of the federal funds from the "CARES Act," much less funds from the fourth stimulus package, IF THE FUNDS CANNOT BE USED TO OFFSET LOST REVENUE, which is the primary financial COVID-19 related concern of municipalities and most states.

Thanks to House Member Joe Nuguse of Colorado who introduced the "Coronavirus Community Relief Act" to provide a separate \$250 billion stand-alone fund for COVID-19 related expenses for municipalities with a population less than 500,000. Initially, there were 78 original cosponsors. This legislation is critically important since the "CARES Act" only provides funds to municipalities with a population greater than 500,000.

Please ask Nebraska's Congressional delegation to support the "Coronavirus Community Relief Act" and continue discussions with Treasury Secretary Steve Mnuchin to provide maximum flexibility to municipalities and states about the use of these funds allocated to address COVID-19, ESPECIALLY to allow the use of these funds to replace lost revenue. **Please also emphasize to members of our Congressional delegation that ALL municipalities should receive funds based on a per capita distribution, NOT just those with a population of 500,000 and higher.** Nebraska does not have one municipality with a population of 500,000; only three cities in our state have a population greater than 50,000!

U.S. Sen. Ben Sasse 202-224-4224

U.S. Sen. Deb Fischer 202-224-6551

U.S. Rep. Jeff Fortenberry 202-225-4806

U.S. Rep. Don Bacon 202-225-4155

U.S. Rep. Adrian Smith 202-225-6435

A special thanks to NLC staff members who always work

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Coronavirus resources for local governments

In these unprecedented times, League staff wanted to provide municipal officials with a list of potential resources for information about the pandemic. *The resources listed below also appear on the League's website.*

Centers for Disease Control and Prevention
www.cdc.gov/COVID19

Centers for Disease Control and Prevention Cases in United States
<https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

National League of Cities
<https://www.nlc.org/program-initiative/coronavirus-response-resources-for-local-leaders>

World Health Organization
<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

World Health Organization – Rolling updates on coronavirus
<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen>

Latest headlines in Nebraska on Coronavirus
<https://www.msn.com/en-us/news/coronavirus/nebraska>

State of Nebraska Coronavirus Disease Update
<http://dhhs.ne.gov/Pages/Coronavirus.aspx>

University of Nebraska Medical Center (UNMC) – COVID-19 Resources
<https://www.unmc.edu/coronavirus/index.html>

UNMC – Daily coronavirus update
<https://www.nebraskamed.com/covid19-update>

White House Guidelines
https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf

State of Nebraska Health Alert Network
<http://dhhs.ne.gov/Pages/Health-Alert-Network.aspx>

Attorney General Guidance on Executive Order No. 20-03 Coronavirus – Public Meetings Requirement Limited Waiver
<https://ago.nebraska.gov/news/attorney-general-guidance-executive-order-no-20-03-coronavirus-public-meetings-requirement>

U.S. Department of Labor: Information for workers and employers
<https://www.osha.gov/SLTC/covid-19/>

ICMA: Resources for city/village administrators and managers
<https://icma.org/coronavirus-crisis-response-resources-your-community?zs=EoU5c1&zI=tFSb6>



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COVID-19: Please contact Nebraska's Congressional delegation

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hard with Congressional leaders to effectively represent the interests of municipalities. **Notwithstanding, NLC's advocacy has never been more important than it is now as our cities and villages in Nebraska and across the country urgently need direct federal funds to address the severe economic impact of the global pandemic.** NLC is the voice of over 19,000 cities, villages and towns across the nation, representing more than 200 million people.

Thanks to Mayors/Village Board Chairs and other municipal officials across Nebraska for continuing efforts to limit the spread of COVID-19! Our entire state is now subject to a "Directed Health Measure" (DHM); several municipalities also are subject to more restrictive DHMs issued by their county health directors. The Governor consistently reinforces the importance of social distancing during his daily coronavirus pandemic briefings with the media as well as weekly briefings with municipal officials. It is anticipated that the greatest number of COVID-19 cases in Nebraska will be in late April and May.

Throughout the years, Nebraskans have survived catastrophic events such as floods and tornados by always staying strong and working together! **We also will get through this pandemic TOGETHER...by staying APART!** Please stay healthy and do everything possible to "social distance" and avoid exposure to COVID-19. ■



The SECURE Act: Reshaping retirement plans and retirement plan administration

BY MICHELLE L. SITORIUS, CLINE WILLIAMS WRIGHT
JOHNSON & OLDFATHER, L.L.P.

On Dec. 20, 2019, the President signed into law a funding bill approved by the House and Senate. This legislation included several significant changes to retirement plan law, including a section referred to as the *Setting Every Community Up for Retirement Enhancement Act of 2019* (the “SECURE Act”). The SECURE Act reflects several years of stalled legislation that had received bipartisan support but had not previously advanced to enactment by Congress. Many of the changes implemented by the SECURE Act reflect Congressional understanding of increases in life expectancy and the problems and shortcomings of the retirement savings rate for the vast majority of Americans. Viewed as the most comprehensive piece of federal legislation for retirement plans since the Pension Protection Act of 2006, the SECURE Act contains more than 25 provisions that range from encouraging lifetime income options to changing plan distribution rules. Given the breadth of the Act, this article focuses on those major provisions of the SECURE Act impacting current Nebraska municipal-sponsored retirement plans.

Some of the provisions enacted by the SECURE Act require changes to plan design and operation, effective Jan. 1,

2020. However, the SECURE Act also provides for a remedial amendment period, allowing retirement plans to comply with the new law, but not requiring immediate amendment to the plan document. For governmental plans, this remedial amendment period will last until the end of the 2024 plan year. This timeframe provides federal regulators time to issue further guidance and direction regarding the language of plan amendments.

Nevertheless, each municipality currently sponsoring a pension plan or defined contribution plan under Code Section 401(a) or a deferred compensation plan under Code Section 457(b) will need to ensure it is operating its plan in compliance with the new law. In particular, a municipality should ensure that it understands how the municipality, its recordkeeper, and/or third-party administrator intend to comply with the following required provisions:

- **Increase in age for required minimum distributions (RMDs).** Previous law generally required distributions from a retirement plan to commence by April 1 of the calendar year following the year in which the employee turned age 70½ (or retired, if that date was later and

the employee was not a 5 percent owner). The age 70½ rule was first applied to retirement plans in the 1960s and has never been adjusted to reflect increases in life expectancies. The SECURE Act increased the age at which RMDs must begin from age 70½ to age 72 for both qualified retirement plans and 457(b) plans. This change will apply to any individual who reaches 70½ after Dec. 31, 2019, meaning the employee must be born after June 30, 1949. Notably, the prior rule will still be in effect for employees who reached age 70½ prior to Jan 1, 2020. In addition to eventual plan document changes, plan sponsors should ensure that distribution forms and participant communications reflect this change.

- **Acceleration of post-death required distributions.** Previous law generally required distributions to be paid out following the death of a participant pursuant to plan terms and Code Section 401(a)(9), which governs RMDs. The SECURE Act reduces the payout period to 10 years for certain beneficiaries following

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the death of the participant in a defined contribution plan. This means that distributions generally must be made by the end of the 10th calendar year following the death of the participant if the beneficiary is not defined as an “eligible designated beneficiary.” This new requirement does not apply to “eligible designated beneficiaries,” which include the participant’s surviving spouse, a disabled or chronically ill individual, beneficiaries not more than 10 years younger than the participant, or a minor child of the participant until they reach the age of majority. The new requirement excludes irrevocable elections that are already in place prior to Dec. 20, 2019. Generally, this requirement only applies to participant deaths that occur on or after Jan. 1, 2020, but for governmental plans, the requirement applies to participant deaths after Dec. 31, 2021. This extension provides municipalities some breathing room and time to evaluate forthcoming IRS guidance in implementing this change.

The SECURE Act also provides several optional changes that a municipality can consider incorporating into its retirement plan, including:

- **Portability of annuity options.** The SECURE Act allows defined contribution plans and 457(b) plans to directly transfer certain lifetime income annuities to another employer-sponsored retirement plan (or IRA) if the transferring plan no longer authorizes such annuities as investments.
- **In-service distributions.** The

SECURE Act permits in-service distributions under a pension plan (e.g., a defined benefit plan or a money purchase plan) or a governmental 457(b) plan at age 59½, instead of previous age requirements for in-service distributions of age 62 for pension plans or age 70½ for 457(b) plans.

- **In-service withdrawal for adoption/birth expenses.** Tax-qualified plans under Code Section 401(a) or 457(b) plans may implement a provision allowing for withdrawals of up to \$5,000 within one year of the birth or legal adoption of a child. These withdrawals will not be subject to the 10 percent early withdrawal tax. In addition, these amounts also may be recontributed back to the plan, although the IRS will need to provide further guidance on how the repayment feature works.
- **Disaster relief.** The SECURE Act modifies several retirement plan rules for participants whose primary residence is within a federally declared disaster relief area and who suffered economic loss as a result of that disaster. The Act allows for retirement plans to provide relief to participants affected by such a disaster by incorporating certain optional provisions. This relief may include the following: (1) the opportunity for impacted participants to obtain a withdrawal or loan of as much as \$100,000 from their retirement accounts without penalty if repaid within three years; (2) an extended repayment timeframe for outstanding loans; (3) the ability for participants to

repay certain withdrawals taken for a home in the disaster area; and (4) spreading income inclu-

Continued on page 8

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Chadron's Milo Rust to retire in June after 37 years

■ **BY MARK DYKES**
CHADRON RECORD ■

Reprinted by permission from Chadron Record.

On June 8, the City of Chadron will bid farewell to one of its long-time team members with the resignation of Public Works Director Milo Rust.

Rust started working for the City of Chadron on June 13, 1983. He was hired on as the street superintendent, but also oversaw the parks, cemetery and airport at that time, though there was not much involvement with the airport. Two years later, in 1985, he was appointed the public works director.

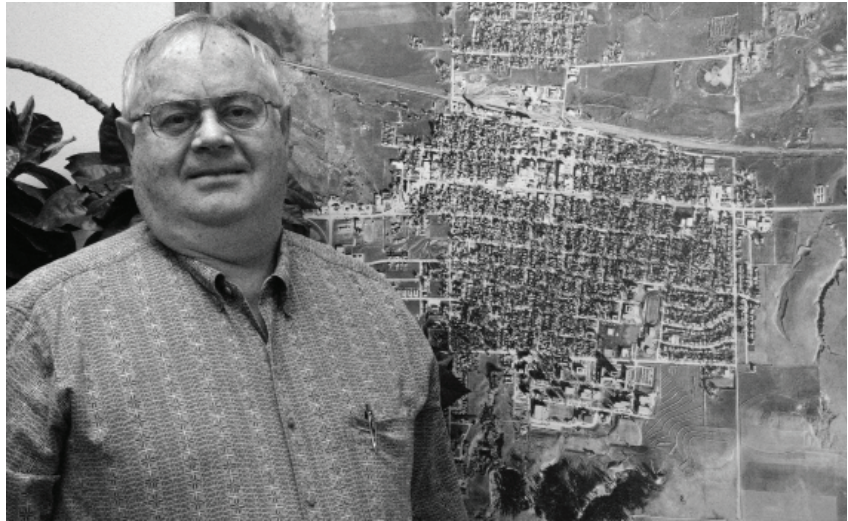
Public Works Director

"They gave me the solid waste side of the business," he said, "and when they did that they just changed the title to Public Works Director." When Solid Waste Agency of Northwest Nebraska (SWANN) took up the solid waste, it

came off Rust's plate, but water and wastewater was added.

Life-long resident

Rust has been a member of the Chadron community all his life. His family started on the Pepper Creek Ranch, then later moved to the Wildy Ranch.



Public Works Director Milo Rust stands next to a map of the town he's helped cared for over the past 37 years. Photo courtesy of the Chadron Record.

"I've always been in the Panhandle my whole life. Chadron is as much home as any place, but I went to school in Alliance. It was just an easier route to get there. We could've went to Hay Springs, Hemingford, Chadron or

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The SECURE Act: Reshaping retirement plans and retirement plan administration

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sion for a participant's qualified disaster distribution over three years. These provisions apply to federally declared disasters beginning Jan. 1, 2018 and ending on Feb. 18, 2020, and may include some municipalities impacted by the flooding in Nebraska last spring. Notably, retirement plan participants have a relatively short timeframe to take advantage of the relief, so a plan sponsor would need to act quickly to implement these optional provisions.

While unusual, some Nebraska governmental entities, such as public power districts, are eligible to sponsor 401(k) plans. Notably, this new legislation provides more widespread changes to this type of plan than are covered in this article, including new automatic enrollment increases and required eligibility for long-term part-time employees. If your entity sponsors a 401(k) plan, you should ensure that you discuss required changes and consider the optional changes to your retirement plan with your benefits counsel, recordkeeper, and/or third party administrator. ■

Editor's Note: This article is not intended to provide legal advice to our readers. Rather, this article is intended to alert our readers to new and developing issues and to provide some common sense answers to complex legal questions. Readers are urged to consult their own legal counsel or the author of this article if the reader wishes to obtain a specific legal opinion regarding how these legal standards may apply to their particular circumstances. The author of this article, Michelle Sitorius, as well as other members of Cline Williams' Employee Benefits Section, Keith Peters and Katie Joseph, can be contacted at (402) 474-6900, Cline Williams Wright Johnson & Oldfather, L.L.P., 233 S. 13th Street, Suite 1900, Lincoln, NE 68508, or www.clinewilliams.com.

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Alliance, and we had a shortcut to get to Alliance.”

The late 1970s saw Rust move to Chadron, where he worked for C&W Railroad as a foreman for nearly five years before then city manager Carl Dierks hired him on as the street superintendent.

Over the years, Rust has seen plenty, but spoke to a few projects in which he has plenty of pride. The first was sparked by the 1986 hailstorm that caused an estimated \$5 million in damage to town. Rust said a group of citizens worked hard to create a tree farm and convinced the city council a tree spade was needed. “We started re-trees the whole community.”

Rust emphasized this was not just his project, but one done by several people. It was also around this time that the Chadron Tree Board was formed.

Storm water study

The next project Rust is proud of is the storm water study. This outlined the needs and areas that needed fixing, and showed the storm water system on First Street needed some serious rehabilitation. That rehab helped the drainage on First, up Main to Third Streets. From there, it tied into a highway project, eventually improving drainage to 50-60 percent of the town. The study has different phases, Rust said, “but that was one of the big ones. We had to have that done before the Department of Roads would re-do the highway and fix that up for us.”

Another project Rust takes pride in is the rehabilitation of the wastewater treatment facility, which used to be a facility of lagoons. Under orders to fix them, it would be eight years before anything could really move forward on the process. The question had al-

ways been whether to keep the lagoons or go with a new treatment facility.

“When it finally came down that we had the dollars set aside, the final study showed it was cheaper to put in a brand new wastewater treatment facility than it was to go with the lagoons.” The liners for the lagoon, which would have been poly-liners with bentonite under them, would have been about \$6 million compared to the facility’s \$4 million price tag.

Smaller plant

The price wasn’t the only thing that was smaller, as the lagoons would’ve stretched close to 100 acres to equal the amount handled by the smaller plant.

“We ended up with a state-of-the-art wastewater treatment facility,” Rust said. He further explained the Aero-Mod system makes it easier to keep in compliance.

These three projects, Rust added, are not just a source of pride for him, but for the community. He also noted that


he has had good people to work with and good supervisors.

With regard to his retirement, Rust said his letter states his catch phrase, “Gone Fishin’” and that’s exactly what he plans to do. He loves to go after Walleye, but has learned to fish all varieties from a good friend. He and a group of friends from Rapid City will get together and spend up to three or four days on a lake.

Support fishing habit

Rust is married to Chadron City Clerk Donna Rust and noted that she would work for a few more years. He added with a laugh, “I think she’s going to support my habit of fishing.”

The people he’s worked with “are strong individuals with a very good work ethic and everybody cares about the job they do in the community. They take a lot of pride in it. That’s always meant a lot to all of us at public works and with the city. We are a pretty good team.” ■



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2020 Midwinter Conference Highlights

Municipal officials from across the state attended the 2020 Midwinter Conference Feb. 24-25 at the Cornhusker Marriott Hotel in Lincoln. About 270 delegates attending the conference heard speakers conduct a variety of sessions on subjects ranging from workforce development and innovation and renewable energy options to collective bargaining and CIR issues.

State Sen. John Stinner of Gering, Appropriations Committee Chair, delivered the keynote address during the Monday luncheon, which also featured presentation of the L.E.A.D. Award to Jim Hawks, North Platte City Administrator, who is retiring this year. L.E.A.D. stands for leadership, excellence, action and dedication.

As always, the highlight of this conference was the Senators Appreciation Luncheon. Norfolk Sen. Jim Scheer, Speaker of the Legislature, introduced lawmakers attending the luncheon. ■



From left: North Platte Mayor Dwight Livingston, League President, presents LEAD Award to Jim Hawks, City Administrator, North Platte. More coverage on page 12.



Top left: Gering Sen. John Stinner, Appropriations Committee Chair, delivers keynote address during the Feb. 24 luncheon. Top right: Sen. Jim Scheer, Speaker of the Legislature, announces names of Senators in attendance at Senators Appreciation Luncheon Feb. 25.



Bottom: Former State Sen. Jim Smith, Executive Director, Blueprint Nebraska.



*Top left: Susanne Shore, First Lady of Nebraska.
Top right: Mike Flood, Former Speaker of the
Legislature; Owner, News Channel Nebraska.
Middle left: Craig Kubicek, CPA, CFE, Assistant
Deputy, Nebraska Auditor of Public Accounts'
Office.
Middle right: Josh Moenning, Mayor, Norfolk.
Bottom from left: Desirae Solomon, City Attorney,
Blair; Deanna Perry, Clerk/Treasurer, Shelby;
Denise Peterson, Admin./Clerk/Treasurer, Ponca.*

2020 Midwinter Conference Highlights



Top left: Darryl Weddington, Council Vice President, Ogallala.

Top right from left: Deb Schilz, Council President, Ogallala; Bruce Smith, City Manager, Ogallala.

Middle left: Regan Anson, Executive Director, Nebraska Impact.

Middle right: Cheryl Welch, Council Member, Chadron.

Bottom from left: Dee Arias, Clerk/Treasurer, Louisville; Pam Buethe, Clerk, La Vista.

North Platte City Administrator Jim Hawks wins award recognizing service

North Platte City Administrator Jim Hawks received the prestigious L.E.A.D. Award to recognize his decades of Leadership, Excellence, Action and Dedication to the City of North Platte. North Platte Mayor Dwight Livingston, who is President of the League of Nebraska Municipalities, presented the award to Hawks at a Feb. 24 luncheon during the League's Midwinter Conference.

Hawks recently announced that he is retiring in May after 16 years as city administrator. The League of Nebraska Municipalities Executive Board voted unanimously to recognize the longtime city administrator. The L.E.A.D. Award is reserved to honor municipal officials currently in office.

Hawks is a longtime member of the League Larger Cities Legislative Committee and he currently serves as Vice Chair of the Board of Directors of the League Association of Risk Management (LARM). He has provided



North Platte Mayor Dwight Livingston, League President; North Platte City Administrator Jim Hawks and his wife, Janelle, stand together after Jim Hawks is presented with the L.E.A.D. plaque.

consistent leadership and served his community with distinction, while also assisting other municipal officials across the state who have sought his advice on a wide variety of issues.

Hawks was born and raised in Lexington and moved his family to North Platte in 1987 where he served as the Lincoln County Highway Superintendent. He was elected four times to the position of Lincoln County Surveyor. He began working for the City of North Platte in March 2003 as the Utility Director and - in March 2004 - was hired as the North Platte City Administrator, Utility Director and Development Director.

Then-Gov. Mike Johanns appointed Hawks as co-chair of the Governor's Task Force for Transportation for Nebraska's Future. He currently sits on the Innovation Task Force working with the Nebraska Department of

Transportation. Gov. Pete Ricketts recently reappointed Hawks to the Nebraska State Highway Commission, which he now chairs. The Governor also reappointed him to the Nebraska Department of Environmental Quality Council. In addition, he serves on the State Board of Examiners for Land Surveyors.

Mayor Livingston said that Hawks has been a key part of the inner workings of the city for the past 17 years.

"He has a big heart that has been his driving force to assist all of our citizens of North Platte," Mayor Livingston said.

LNM Executive Director Lynn Rex said: "Jim Hawks is an outstanding servant leader whose extraordinary commitment to his community and our state is second to none. Jim's expertise, integrity and dedication are unparalleled!" ■



North Platte City Administrator Jim Hawks.

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Managing through the Coronavirus: What local leaders need to know – NLC

As more cases of COVID-19, the Coronavirus, are identified in the United States, local leaders must answer the question about their own roles in responding to the outbreak. The good news is that cities, towns and villages have long-standing emergency protocols for public health emergencies such as this and now is the time to show leadership.

Here are three things to prioritize with your local response:

1. Keep Calm and Clearly Communicate Information to Residents

Historically, the United States public health system is adept at responding to global outbreaks and has done so successfully in the past with SARS, Zika, H1N1 and Ebola, just to name a few. There is no reason to think that Coronavirus will be any different. A key message to your communities must be: prepare but don't panic.

Local leaders must ensure that accurate, timely information is communicated to your residents about your emergency response plans, how residents should be preparing at home and how/when they should seek medical care. Included in that coordination is ensuring that schools are relaying accurate information to parents and families, including messaging that might be helpful for children to understand.

Relying on official sources to guide your efforts, such as the World Health Organization and the Centers for Disease Control and Prevention is critical. Use social media, community organizations and official government channels to share health and hygiene recommendations with your residents



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as well as pertinent local information.

2. Ensure Coordination Between Local/State Health Departments

While local leaders are on the front lines of response efforts, effective coordination with state and federal health departments is critical. Ensure that your local health department is in regular communication with the state health department and the Centers for Disease Control and Prevention (CDC). Be sure to identify where more federal funds will be needed to support the local response and communicate that information clearly to all partners, including your federal elected representatives.

3. Take Care of Your Team

As employers, cities and villages also must be examining their own sick leave and telework policies so city employees can stay home when they are sick and remain there until they

are fever free for 24 hours. City offices and agencies should use CDC workplace posters and fact sheets to help share proper prevention protocol, including handwashing with soap and water for at least 20 seconds or using a hand sanitizer that contains at least 60 percent alcohol (if soap and water are not available).

Cities should be prepared with staffing contingency plans for absenteeism due to the virus. And, don't forget about your first responders – ensure that they have the latest information and protection to remain on the front lines.

Information on COVID-19 changes rapidly and staying on top of information can be daunting. ■

About the authors: Stephanie Martinez-Ruckman is the Legislative Director for Human Development at the National League of Cities. Follow Stephanie on Twitter @martineZRuckman.

Lawmakers pass bill to provide emergency funding to combat coronavirus pandemic

In an eerily quiet chamber, lawmakers March 25 voted unanimously to pass a bill that provides emergency funding to combat a coronavirus pandemic in Nebraska. The epidemic, which Gov. Pete Ricketts estimates could kill more than 400 Nebraskans by mid-summer, is sweeping the globe and already has taken the lives of thousands. Currently, there is no vaccine for COVID-19.

LB 1198, as amended, is sponsored by Gering **Sen. John Stinner**, who is Appropriations Committee Chairperson. The bill appropriates a total of \$83.6 million to strengthen the state's response to the spread of COVID-19, the disease caused by the new coronavirus. Funds will be transferred from the state's Cash Reserve Fund to the Governor's Emergency Cash Fund. Money will then be placed in a newly created program known as the Governor's Emergency Program – COVID-19. The bill was signed by Gov. Ricketts and took effect immediately.

Funding priorities

Among the funding priorities outlined in Gov. Ricketts' request to the Legislature were:

- \$38.2 million for personal protective gear and other supplies and support for local health departments;
- \$13 million to maintain staffing at veterans' homes and state Department of Health and Human Services care facilities;
- \$4 million for additional staffing and overtime costs for the DHHS Division of Public Health;
- \$2.5 million to the University of Nebraska Medical Center for lab equipment, software programming and personnel;



George W. Norris Legislative Chamber, 2020 session. Photo courtesy of the Unicameral Information Office.

- \$515,000 to UNMC to facilitate COVID-19 testing; and
- \$344,000 to establish a statewide communication system to share information related to response efforts.

The bill also would provide \$25 million in unobligated funds. The current situation is fluid, Sen. Stinner said, adding that the additional funds would be held in reserve for other expenses as needed.

Suspended session

Speaker Jim Scheer of Norfolk suspended the legislative session March 16 in response to growing public health concerns regarding spread of the virus. He called Senators back into session the week of March 23 for the limited purpose of approving emergency COVID-19 pandemic funding. Speaker Scheer thanked lawmakers for their willingness to put themselves at risk to provide additional resources to the executive branch.

"It is truly an historic time in our

country and for us to be here, to be able to do something to help the residents of the State of Nebraska," he said.

After the bill's passage, the Legislature adjourned, postponing its session until it is safe and necessary to call members back. During this pause in the legislative session, Senators and their offices continue their work. (Many are working remotely.)

Expressed gratitude

Gov. Ricketts issued a press release, saying that he was grateful to the Legislature for coming together to approve the emergency funding.

"From Local Health Departments to frontline healthcare workers to volunteer organizations, winning the war will require a team effort from everyone. I also urge each and every Nebraskan to take direct action to support their neighbors and local businesses as we confront this public health emergency together." ■

ICMA: President signs \$2 trillion CARES Act – local government highlights

■ **BY ELIZABETH KELLAR**
ICMA ■

President Trump signed the Coronavirus Aid Relief and Economic Security (CARES) Act March 27. What can local governments expect now? The next order of business is to await clarification on the new law and agency guidance required to implement it. We already know, for example, that HR 6201 (*Families First Act, passed March 18*), requires local government employers to provide two weeks of paid sick leave to their employees, effective April 1. Employers also are expected to e-mail a DOL Poster to all employees or display it in a prominent place. So far, this is what we know about HR 748 (CARES Act):

Community Development Block Grant (CDBG) receives \$5 billion in supplemental funding: \$2 billion will be distributed according to the 2020 allocation formulas within 30 days. \$1 billion will be distributed within 45 days to states to combat the spread of COVID-19. The amounts will be determined by the HUD Secretary based on available data and need. The balance of supplemental funding will be distributed to states based on a formula determined by the HUD Secretary using available data on COVID-19 and associated economic and housing disruptions.


\$150 billion in direct aid to state and local governments. All states are to receive at least \$1.5 billion. Local governments with a population of more than 500,000 also may receive direct grants for COVID-19-related expenses. (*It does not cover lost revenues.*) Cities and counties with a population under 500,000 are expected to

seek aid from state government. The Treasury Inspector General is charged with conducting oversight of receipt and distribution.


\$454 billion in emergency loans for businesses, states and local governments. The legislation permits the

Continued on page 18

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ICMA: President signs \$2 trillion CARES Act – local government highlights

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U.S. Treasury to “purchase obligations of States, local governments, instrumentalities and political subdivisions of them} or other interests in secondary markets or otherwise.” It allows the Federal Reserve to participate as an institutional investor in securities that mature in greater than six months. Municipal bonds were added to the package. Guidelines from Treasury are required within 10 days after enactment, but are needed immediately to stabilize the \$3.8 trillion municipal bond market.

This emergency loan fund was created mainly to provide loans and loan guarantees to small businesses. SBA Coronavirus Resources Loans are for COVID-19 losses and there are restrictions on eligibility. Some loans may be forgiven in three years if the business meets certain requirements. The Small Business Administration also will re-

ceive \$240 million for small business development centers and technical assistance for women’s business centers. One unique difference for business owners is that they may be eligible to apply for unemployment in this public health crisis.

\$45 billion added to FEMA’s Disaster Relief Fund. Reimbursable activities include medical response, personal protective equipment, National Guard deployment, logistics coordination, safety measures and community services. \$200 million is included for shelter, food and services; \$100 million for enhanced sanitation at airport security checkpoints and other airport costs.

Personal Protective Equipment (PPE). The Defense Production Act allows \$1 billion for the Department of Defense to invest in manufacturing capabilities to increase the production rate of personal protective equipment

and medical equipment to meet the demand of healthcare workers. The bill also provides \$100 million in firefighter grants for first responders’ PPE needs.

Economic Development Administration (EDA) receives \$1.5 billion in supplemental funding, directed to the Economic Adjustment Assistance account. The agency also receives surge hiring authority to allow EDA to properly staff the agency during this crisis; a 2 percent carve out of the supplemental funds is directed toward “salaries and expenses” to support the surge.

Provides \$100 billion in funding for local hospitals to address medical surge capacity issues and offset the cost of increased healthcare related expenses and loss revenue. Eligible health care providers include public entities, Medicare or Medicaid enrolled suppliers or providers and other health care facilities. The bill delays statutory cuts to Medicaid Disproportionate Share Hospital (DSH) payments until FY 2021 to help hospitals, including eligible local government-owned hospitals, serving indigent and underinsured people make up for revenue losses.

Community health centers can access \$1.32 billion in FY2020.

\$450 million is provided to support 2020 elections.

USDA Rural Development (USDA-RD) receives \$145.5 million. \$20.5 million for the Rural Business-Cooperative Service that will make \$1 billion in lending authority available, \$100 million in grants for rural broadband service, \$25 million in grants for distance learning and telemedicine.

There is no fix for unfunded man-

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ICMA: President signs \$2 trillion CARES Act – local government highlights

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date related to additional paid sick leave. Despite intense efforts to persuade Senators, local governments still cannot get the benefit of a tax credit that is provided to private sector employers subject to the mandate. Governments are required to provide two weeks of paid sick leave and paid emergency family leave (*required in HR 6201*).

\$10 billion to maintain operations at airports. Funds will be distributed by formula through the Federal Aviation Administration's Airport Improvement Program. \$56 million is provided to maintain air service to rural communities.

\$25 billion in transit infrastructure grants for transit providers, including local governments, for operating

and capital expenses. Funding will be distributed using existing Federal Transit Administration formulas.

\$900 million to help lower income households heat and cool their homes through the Low Income Energy Assistance Program.

\$700,000 for Superfund program to prevent, prepare for – and respond to – the coronavirus.

HUD program increases include \$4 billion in homeless assistance grants, \$1.25 billion for tenant-based rental assistance, \$650 million for the public housing operating fund, \$50 million in housing for the elderly and \$15 million in housing for persons with disabilities.

Byrne-Justice Assistance Grant Program (Department of Justice) receives \$850 million; Family Violence

Prevention Services receives \$45 million to support families and to prevent and respond to family and domestic violence.

Real ID deadline for enforcement extended to Oct. 1, 2021.

ICMA has worked closely with the National League of Cities, National Association of Counties, U.S. Conference of Mayors, and Government Finance Officers Association to provide data to Congress and the White House on the fiscal impact of COVID-19. In just 24 hours, 750 chief administrative officers responded to an ICMA survey with estimates of current and anticipated costs of the response effort. *Respondents reported that every source of local government revenue is falling.* ■



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Positions

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Applications can be obtained at the Osmond City Office, 325 North State Street, PO Box 340, Osmond, NE 68765 or by calling (402) 748-3800. Resumes can be submitted online at osmondcityoffice@abbnebraska.com. Applications must be received by 3 p.m. on Friday, May 8, 2020.

Police Officer. City of Ravenna is accepting applications for a fulltime Police Officer. Requirements include: Nebraska Law Enforcement Certification, preferred but not mandatory; at least 21 years of age; U.S. citizen; valid Nebraska driver's license; high school diploma or equivalent; good moral character. Must live or be willing to move within 5 miles of the Ravenna city limits. No felony convictions, serious misdemeanors, DUI or domestic charges. Ability to work weekends, holidays and evenings. Benefits include health/dental/life insurance, retirement, vacation and paid holidays. Wages negotiable. Applications accepted until position filled. Send resume to City of Ravenna, 416 Grand Avenue, Ravenna, NE 68869. For further details call 308-452-3273. This institution is an equal opportunity provider and employer.

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