

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 15, 2008 AGENDA**

Subject:	Type:	Submitted By:
AMEND INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR UNDERAGE DRINKING INVESTIGATION REIMBURSEMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared to amend the Interlocal Cooperation Agreement between the City of La Vista and Sarpy County for underage drinking investigation reimbursement.

FISCAL IMPACT

Regular overtime funds are budgeted to cover call-outs for specialized investigations. This interlocal would reimburse the City for overtime funds associated with the call-out of detectives associated with underage drinking investigations. Funding under the Interlocal would not increase the police department's overtime budget.

RECOMMENDATION

Approval.

BACKGROUND

Sarpy County received a federal mini-grant through the Region 6 Behavioral Healthcare organization to aid in the prevention of underage drinking in Sarpy County. On December 18, 2007, the Council approved an Interlocal Agreement with Sarpy County. The grant is to be used to reimburse overtime expenses for underage alcohol related incidents involving minors and to identify the adult who provided the alcohol. The proposed amendment to the Interlocal Cooperation Agreement would extend it to June 30, 2009.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AMENDING THE INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR OVERTIME REIMBURSEMENT FOR ALCOHOL RELATED INCIDENTS INVOLVING MINORS.

WHEREAS, pursuant to the authority granted under Neb. Rev. Statute 13-801, et. Seq. Reissue 1997, the Mayor and City Council determine that it is in the best interest of the City to enter into an Interlocal cooperation agreement for the purpose reimbursement of overtime funds spent in the investigation of alcohol related incidents involving minors, and

WHEREAS, the City of La Vista is desirous of actively enforcing underage drinking laws within the City;

WHEREAS, Sarpy County has received a grant for reimbursement of overtime funds spent in the investigation of alcohol related incidents involving minors and has proposed inclusion of the City of La Vista in the grant;

WHEREAS, The City of La Vista and Sarpy County previously entered into an Agreement for underage drinking enforcement on December 20, 2007;

WHEREAS, it is in the best interests of the citizens of La Vista to extend said agreement from July 1, 2008 to June 30, 2009;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby amends the Interlocal Cooperation Agreement with Sarpy County for overtime reimbursement for alcohol related incidents involving minors.

PASSED AND APPROVED THIS 15TH DAY OF JULY, 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ADDENDUM TO CONTRACT

THIS ADDENDUM is made by and between the County of Sarpy, of the State of Nebraska, a Body Politic and Corporate, hereinafter referred to as "County", and the City of LaVista, Nebraska, political subdivision of the State of Nebraska, hereinafter referred to as "City".

WHEREAS, the parties have previously entered into an Agreement for certain underage drinking services, which contract was entered into on January 8, 2008, and;

WHEREAS, Region 6 Behavior Healthcare is providing grant money for said services, and;

WHEREAS, County and City desire to amend the terms of the previous Agreement.

NOW, THEREFORE, it is hereby agreed by and between the parties:

I. AMENDMENT

The prior contract between the parties, the same as signed by the County on January 8, 2008 is hereby amended by the terms of this Addendum.

II.

Term of the Agreement shall be extended from July 1, 2008 through June 30, 2009.

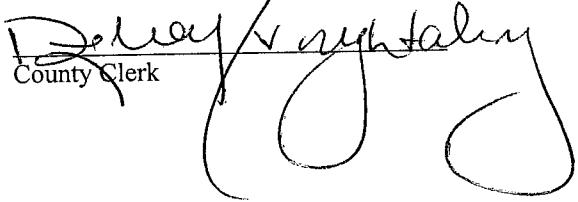
III.

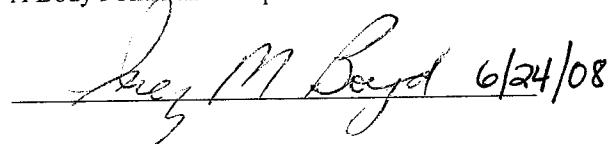
The remaining terms and conditions of said prior Agreement shall remain unchanged.

IN WITNESS WHEREOF, we, the contracting parties, by our respective and duly authorized agents, hereby affix our signatures and seals in duplicate this _____ day of _____, 2008.

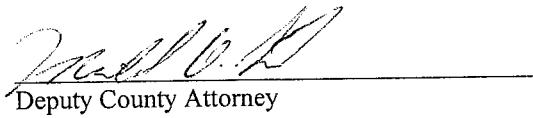
COUNTY OF SARPY, NEBRASKA
A Body Politic and Corporate




Dorothy Wrightsley
County Clerk


May M. Boyd 6/24/08

Approved as to form:

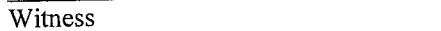

Matt W. H.
Deputy County Attorney

City of LaVista, Nebraska


Mayor, City of LaVista

SEAL

ATTEST:


Witness

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION AMENDING CONTRACTS WITH CITIES OF BELLEVUE AND LAVISTA
FOR INTERLOCAL AGREEMENT FOR MIP MINI GRANT

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 1997), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 1997), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the parties have previously entered into an Agreement for certain underage drinking services, which was entered into on January 14, 2008; and,

WHEREAS, Region 6 Behavior Healthcare is providing grant money for said services, and;

WHEREAS, it is in the best interests to the citizens of Sarpy County to extend the term of said Agreement for a period effective July 1, 2008 until June 30, 2009.

NOW, THEREFORE BE IT RESOLVED, By the Sarpy County Board of Commissioners that the attached Addendum is approved and the Chairman of such Board is hereby authorized to sign the same.

DATED this 24th day of June, 2008.

MOVED by Rich Jansen, seconded by

Aldona Doyle, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Rich Jansen
Rich Jansen
Rich Jansen
Aldona Doyle
Aldona Doyle
Paul Cook

none

none

ABSTAIN:

none



County Clerk

Deeley Youghalane

Approved as to form:

Deeley Youghalane
 Deputy Attorney

**CONTRACT FOR INTERLOCAL SERVICES AND COOPERATION
BETWEEN SARPY COUNTY, NEBRASKA AND THE CITY OF LA VISTA,
NEBRASKA**

This AGREEMENT is entered into this 8th day of January, 2008, by and between Sarpy County, Nebraska, a political subdivision of the State of Nebraska ("County"), and the City of La Vista, Nebraska, political subdivision of the State of Nebraska ("City").

WHEREAS, County and City are authorized by the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801 (Reissue 1997), et seq., which provides that two (2) or more public entities may enter into an agreement for the joint and cooperative exercise of powers, privileges, or authorities capable of being exercised by either agency; and,

WHEREAS, pursuant to Interlocal Cooperation Act, Neb. Rev. Stat. §13-801, et. seq., (Reissue 1997), the parties wish to permit their local governmental units to make the most efficient use of their powers by enabling them to cooperate with each other on the basis of mutual advantage and thereto to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs of the communities; and,

WHEREAS, County has been awarded a federal mini grant through Region 6 Behavioral Healthcare to aid in the prevention of underage drinking in Sarpy County.

WHEREAS, said grant is to be used to reimburse overtime for minor alcohol related incidents involving minors and to identify the adult who provided the alcohol.

WHEREAS, County and City agree that underage drinking is a County-wide problem and working together would greatly benefit the entire County.

NOW, THEREFORE, it is agreed by and between the parties, pursuant to Neb. Rev. Stat. 13-807 (Reissue 1997), as follows:

1. TERM OF AGREEMENT: The term of this Agreement shall be from January 1, 2008 through June 30, 2008.

2. COUNTY RESPONSIBILITIES:

A. County will reimburse City for approved overtime expended for services covered by the grant.

- B. The approved total grant amount is \$19,333 and in no event shall County be responsible to all participants for more than that total amount.
- C. County has final approval of all grant funds expended.

3. CITY RESPONSIBILITIES:

- A. City will follow all terms and conditions of grant (Exhibit A).
- B. Keep detailed records of eligible overtime worked for reimbursement from grant.
- C. Submit monthly invoices to County for reimbursement with copies of detailed records attached.

4. TERMINATION: Agreement may be terminated by either the County or City upon thirty (30) days written notice.

5. ENTIRE AGREEMENT: This Agreement with its attachments contains the entire agreement between the parties hereto, and there are no other written or oral promises, contracts, or warrants which may affect it, except as contained herein. This Agreement cannot be amended except by all of the parties hereto.

6. Pursuant to Neb. Rev. Stat. §13-804(5) (Reissue 1997), the parties hereby acknowledge, stipulate and agree that this agreement shall not relieve any public agency of any obligation or responsibility imposed upon it by law.

7. Pursuant to Neb. Rev. Stat. §23-3113 (Reissue 1997), the parties hereto declare and affirm that no Deputy, member or employee, or no member of their governing bodies, and no other public official of parties who exercise any functions or responsibilities in the review or approval of the undertaking described in this agreement, or the performing of either parties' obligations pursuant to this agreement, shall participate in any decision relating to this agreement which affects his or her personal interests, or any partnership, or association in which he or she is directly or indirectly interested; nor shall any employee, nor any member of their governing bodies, have any interest, direct or indirect, in this agreement or the proceeds thereof.

8. It is understood and agreed by the parties hereto that if any part,

term, condition or provision of this agreement is held to be illegal, void, or in conflict with any law of this State or the United States, the validity of the remaining parts, terms, conditions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this agreement did not contain the particular part, term, condition or provisions held to be illegal and/or invalid.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective on the day and year first written above.

SARPY COUNTY BOARD OF COMMISSIONERS



Debra J. Houghtaling

1/8/2008

Date

Debra J. Houghtaling
County Clerk

1/8/2008

Date

Approved as to form:

Matt Thacker
Deputy County Attorney

1-8-08

Date

CITY OF LA VISTA, NEBRASKA

Debra J. Houghtaling
Mayor, City of LaVista

12/20/07

Date

Pamela L. Suthe
Attest

12/20/07

Date