

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF BEER IN A BEER GARDEN SPONSORED BY THE LA VISTA AREA CHAMBER OF COMMERCE DURING A FUND RAISER EVENT AT BRENTWOOD SQUARE, 84<sup>TH</sup> STREET & GILES ROAD, FROM 5:00 P.M. – 11:00 P.M. ON AUGUST 6, 2010 AND FROM 1:00 P.M. – 12:00 A.M. ON AUGUST 7, 2010.

WHEREAS, Brentwood Square is located within the City of La Vista; and

WHEREAS, The La Vista Area Chamber of Commerce has requested approval of a Special Designated License to serve beer in a beer garden at Brentwood Square on August 6, 2010 from 5:00 p.m. to 11:00 p.m. and on August 7, 2010 from 1:00 p.m. to 12:00 a.m. in conjunction with a Fundraiser Event.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the La Vista Area Chamber of Commerce to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell beer in a beer garden at Brentwood Square on August 6, 2010 from 5:00 p.m. to 11:00 p.m. and on August 7, 2010 from 1:00 p.m. to 12:00 a.m. in conjunction with a Fundraiser Event

PASSED AND APPROVED THIS 6TH DAY OF JULY, 2010.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



June 21, 2010

La Vista Area Chamber of Commerce  
Attn: Kim Madrigal  
8040 South 84<sup>th</sup> Street  
La Vista, NE 68128

RE: Special Designated Liquor License Application for August 6 and August 7,  
2010

Dear Ms. Madrigal:

This letter is to inform you that the City of La Vista has received the application for a Special Designated Liquor License Application for August 6 and August 7, 2010.

Please note that the La Vista City Council will hold a public hearing on this application at their regularly scheduled meeting on July 6, 2010. The meeting will be called to order at 7:00 p.m. and will be held at La Vista City Hall, 8116 Park View Blvd, La Vista, Nebraska. We ask that a representative from the company be present at the aforementioned public hearing to answer any questions that the Mayor or members of the City Council may have concerning the application.

If you have any questions please feel free to contact me.

Sincerely,

Pamela A. Buethe, CMC  
City Clerk

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299



<p><b>LA VISTA POLICE DEPARTMENT</b> <b>INTER-DEPARTMENT MEMO</b></p>
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**TO:** Pam Buethe, City Clerk

**FROM:** Robert S. Lausten, Police Chief

**DATE:** 18 JUNE 2010

**RE:** Application for SDL

**CC:**

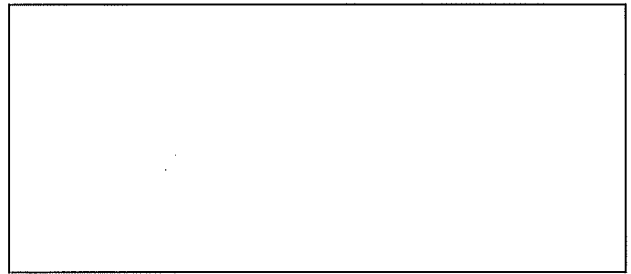
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Re: La Vista Chamber of Commerce  
Special Designated Use Permit

The La Vista Police Department has been informed and has reviewed the request by the La Vista Area Chamber of Commerce for a special designated use permit on August 6, 2010 from 5 pm until 11 pm and August 7, 2010 from 1 pm until midnight at the Brentwood Square parking lot (8100 So. 84<sup>th</sup> Street) in La Vista. There have been no concerns regarding the event identified by the police department at this time.

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
NON PROFIT APPLICANTS**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov/



**BEFORE SUBMITTING APPLICATION TO THE LIQUOR CONTROL COMMISSION**

- ☒ Include approval from the City, Village or County Clerk where the event is to be held
- ☒ A license fee \$40 (payable to Nebraska Liquor Control Commission) for each day/event to be licensed (i.e. if you have two separate areas at one event they both need to be licensed)
- ☒ Application MUST be received at the Liquor Control Commission Office no later than 10 working days prior to event (excluding weekends, Federal and State observed holidays)
- ☒ Letter from IRS declaring your organization exempt from payment of federal income taxes, or copy of federal tax return, as filed with the IRS, as well as affidavit signed by an officer of the organization declaring that the copy of the tax return is true and correct copy as filed with the IRS

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed

☒ Beer ☐ Wine ☐ Distilled Spirits

2. Status of applicant (check one)

☐ Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☒ Public Service

3. Licensee name (last, first, middle), Corporate name, Limited Liability Company (LLC)

NAME: La Vista Area Chamber of Commerce

ADDRESS: 8040 S. 84th St. COUNTY Sarpy

4. Location where event will be held; name, address, city, county, zip code

ADDRESS: Brentwood Square 84th & Giles COUNTY Sarpy County

- a. Is this location within the city/village limits? ☒ YES ☐ NO
- b. Is this location within the 150' of church, school, hospital or home aged/indigent or for veterans their wives? ☐ YES ☒ NO
- c. Is this location within 300' of any university or college campus? ☐ YES ☒ NO

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date <u>8/6/10</u>	Date <u>8/7/10</u>	Date	Date	Date	Date
Hours From <u>5 pm</u>	Hours From <u>1pm</u>	Hours From	Hours From	Hours From	Hours From
To <u>11 pm</u>	To <u>12 am</u>	To	To	To	To

- a. Alternate date: NA
- b. Alternate location: NA  
(alternate date or location must be approved by local and law enforcement)

6. Indicate type of activity to be carried on during event

☐ Dance ☐ Reception ☐ Fund Raiser ☒ Beer Garden ☐ Sampling/Tasting ☐ Other

7. Description of area to be licensed

- ☐ Inside building, dimensions of area to be covered INFEET \_\_\_\_\_ x \_\_\_\_\_  
Name of building \_\_\_\_\_ (not square feet or acres)
- ☒ Outdoor area dimensions of area to be covered INFEET 150 x 250  
(not square feet or acres)

If outdoor area, how will premises be enclosed

- ☒ fence, type of fence 7' High panels around perimeter
- ☐ tent
- ☐ other, explain \_\_\_\_\_

\*If both inside and outdoor area to be licensed include **simple sketch**

8. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages.

Security, checking IDs and providing wristbands

9. Will premises to be covered by license comply with all Nebraska sanitation laws?

☒ YES ☐ NO

a. Are there separate toilets for both men and women? ☒ YES ☐ NO

10. Will there be any games of chance operating during the event? ☐ YES ☒ NO  
If so, describe activity \_\_\_\_\_

**NOTE:** Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

11. Any other information or requests for exemptions:

12. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Kim Madrigal Phone: Before (402) 339-2078 During (402) 515-3870  
Print name of Event Supervisor

Kim Madrigal  
Signature of Event Supervisor

Consent of Authorized Representative/Applicant

13. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign  
here

Kim Madrigal  
Authorized Representative/Applicant

President  
Title

6/18/10  
8/18/10  
Date

Kim Madrigal  
Print Name

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

La Vista Area Chamber of Commerce  
NAME OF CORPORATION

47-0650061  
FEDERAL ID NUMBER

Kim Madregal  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 18<sup>th</sup> DAY OF

June, 210.



Pamela A. Buethe  
NOTARY PUBLIC SIGNATURE & SEAL

Internal Revenue Service  
District Director

Department of the Treasury

DEC 11 1984

Date: DEC - 3 1984

Employer Identification Number:

47 065 006-1

Internal Revenue Code

Section 501(c)(6)

Accounting Period Ending:

DECEMBER 31

Form 990 Required: ☒ Yes ☐ No

Person to Contact:

PETER J. MURPHY  
Contact Telephone Number:  
(312) 886. 1278

LAVISTA CHAMBER OF COMMERCE INC  
PO BOX 37  
LAVISTA, NE 68127

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under the provisions of the Internal Revenue Code section indicated above.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay \$100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay \$50 or more during a calendar quarter if, during the current or preceding calendar year, you had one or more employees at any time in each of 20 calendar weeks or you paid wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment or other Federal taxes, please address them to this office.

If your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. Also, you should inform us of all changes in your name or address.

The block checked at the top of this letter shows whether you must file Form 990, Return of Organization Exempt from Income Tax. If the Yes box is checked, you are only required to file Form 990 if your gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law provides for a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay. This penalty may also be charged if a return is not complete. So, please make sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Internal Revenue

(over)



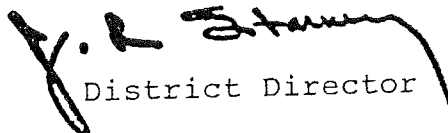
Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in Code section 513.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

  
District Director