NEBRASKA MULTISPORT AGENCY
MEETING
April 6, 2017

A meeting of the Nebraska Multisport Agency was convened in open and public session at 2:00 p.m. on April 6, 2017. Present were board members Doug Kindig, Don Kelly, Jim Thompson and Brenda Gunn. Also in attendance were Attorney Tom McKeon, Attorney John Reisz and La Vista City Clerk Pam Buethe.

A notice of the meeting was given in advance thereof by publication in the Times and the World Herald on March 29, 2017. Notice was simultaneously given to members of the Agency and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Agency in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at La Vista City Hall during normal business hours.

Chairperson Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

A. ORGANIZATIONAL MATTERS

- Resolution approving matters connected with the organization and operation of the Agency, including without limitation matters relating to notice, principal office, chairpersons, officers, meetings, quorum, voting, records, administrative, operational or management functions, paying agent, additional policies, procedures, and authorization.

Board member Gunn introduced and moved to adopt Resolution No. 17-0001; A RESOLUTION OF THE NEBRASKA MULTISPORT AGENCY, AN AGENCY JOINTLY CREATED BY THE CITY OF LA VISTA AND SARPY COUNTY BY INTERLOCAL COOPERATION AGREEMENT, APPROVING MATTERS CONNECTED WITH THE ORGANIZATION AND OPERATION OF THE AGENCY, INCLUDING WITHOUT LIMITATION MATTERS RELATING TO NOTICE, PRINCIPAL OFFICE, CHAIRPERSONS, OFFICERS, MEETINGS, QUORUM, VOTING, RECORDS, ADMINISTRATIVE, OPERATIONAL OR MANAGEMENT FUNCTIONS, PAYING AGENT, ADDITIONAL POLICIES, PROCEDURES, AND AUTHORIZATION

WHEREAS, the City of La Vista, Nebraska, ("City") and Sarpy County, Nebraska, ("County") by interlocal agreement dated created the Nebraska Multisport Agency ("Agency"), a separate legal entity and public body corporate and politic of the State organized and existing pursuant to provisions of the Interlocal Cooperation Act as provided in Nebraska Statutes, Chapter 13, Article 8; and

WHEREAS, the Agency is governed by a Board of Directors ("Board") comprised of representatives of the City and County; and

WHEREAS, the Board desires to appoint officers and specify and approve other matters in connection with the initial organization of the Board and Agency.
NOW, THEREFORE, BE IT RESOLVED that the following is approved:

1. **Notice Approved.** The call and form, content and manner of giving notice of the meeting at which this Resolution is considered is hereby adopted and approved.

2. **Principal Office.** The principal office of the Agency shall be 8116 Park View Boulevard, La Vista, Nebraska, unless otherwise determined from time to time by the Board or any party or person acting on behalf of the Board or Agency.

3. **Appointment of Chairperson and Vice Chairperson.** The Chairperson ("Chair") and Vice Chairperson ("Vice Chair") of the Agency Board shall be:

   Chair: Douglas Kindig (or his alternate)
   Vice Chair: Don Kelly (or his alternate)

   The Chair, in addition to any other duties or functions specified by the Board from time to time, shall conduct meetings of the Agency Board. The Vice Chair shall act in the absence of the Chair.

4. **Appointment of Officers.** The Board shall elect a president, vice president, secretary, and treasurer from among the Directors. One Director may serve as secretary and treasurer. Officers of the Agency shall be as follows:

   President: Douglas Kindig
   Vice President: Don Kelly
   Secretary: Brenda Gunn
   Treasurer: Jim Thompson

   Each officer shall be authorized to execute any document or instrument on behalf of the Agency.

5. **Chair, Vice Chair, and Officer Terms.** Terms of office of the Chair, Vice Chair, and Officers shall be one year, provided, however, each shall continue serving in such capacity until his or her successor is designated. Provided, however, the term of office of any such person automatically shall end at the same time that his or her service on the Board of Directors of the Agency ends.

6. **Agency Meetings.**
   a. The Agency shall meet at least annually and on such other dates, times, and places as determined in accordance with this Resolution or the Interlocal Agreement.
   i. The Agency shall meet at least annually for election of officers and such other matters as provided in a meeting agenda. The annual meeting shall be held on the first Thursday of April at 2 p.m. at the La Vista City Hall, or at such other times, dates, or places as from time to time specified in the applicable notice of meeting. Additional meetings shall be held at such dates, times and places
as determined in accordance with this Resolution and designated in applicable notices of meetings.

ii. Notwithstanding anything in this Resolution to the contrary, the Board and Board Chair designate the City Administrator, County Administrator, or any designee of the City Administrator or County Administrator, or any officer of the Agency, to from time to time schedule all meetings of the Board and specify all meeting dates, times and places, and take all actions as necessary or appropriate to notice, call, convene, or hold, or to satisfy any requirement connected with, any such meeting as he or she determines necessary or advisable, subject to any additions, subtractions, or changes as the Board Chair may determine necessary or advisable.

b. Quorum and Voting. A majority of the Directors shall constitute a quorum for the transaction of any business. Unless the Board unanimously adopts different rules, each Director shall have one vote on matters before the Board. Except as may otherwise be provided in the Interlocal Agreement, or in any agreement to which the Agency is a party, all actions of the Agency may be taken with the concurrence of a majority of the Directors entitled to vote. Roberts Rules shall apply to Board proceedings except as otherwise specified by the Board or Chair from time to time.

c. Open Meetings Act. The following policies or procedures, including notice requirements, at the election of the City or County Clerk or other persons designated by the City or County to implement or interpret such policies or procedures, may be followed to satisfy applicable requirements of the Nebraska Open Meetings Act for meetings of the Agency Board:

Any policies or procedures adopted from time to time by the City or County to comply with requirements of the Nebraska Open Meetings Act as applicable to meetings of the governing body of the City or County, including notice requirements;

Provided, however:

i. Any publication or other method of notice in the alternative may be satisfied from time to time by publication in any newspaper of general circulation in the City, and any newspaper of general circulation in the County. A single publication in a newspaper may be used to satisfy the requirement with respect to both the City and County if the newspaper is of general circulation in both the City and County; and

ii. City or County Staff on behalf of the Agency, or any designee of such Staff, the Board or any officer of the Agency, shall be authorized to perform or take all actions that are necessary or appropriate in connection with the matters described in this Section 6.

d. Agency Records. The City Clerk or County Clerk, or from time to time any designee of City Staff, County Staff, the Board, or any officer of the Agency,
shall be authorized to create and keep all resolutions, minutes, documents, instruments, and records of the Agency.

7. **Agency Administration.** Administrative, operational or management functions of the Agency will be carried out by the City Administrator or City Staff, or any designee of the City Administrator or any City Staff from time to time. Provided, however, the County Administrator or any County Staff, or any designee of the County Administrator or County Staff, also shall be authorized to perform any administrative, operational or management functions of the Agency.

Unless otherwise specified herein or by the Board, determined by the City Administrator, or agreed by the City Administrator and County Administrator or their respective designees, the City shall serve as lead agent on behalf of the Agency to carry out all administrative, management, and operating functions of the Agency. In such capacity and carrying out such functions, the City may use any and all City staff, resources, representatives, and advisors as the City Administrator determines appropriate, and follow City policies and procedures.

All costs and expenses of City or County in connection with any administrative, operational or management functions performed on behalf of the Agency, including without limitation all costs and expenses of all administrative, management, professional, or other services, at the election of the applicable financial officer of the City or County shall be reimbursed by the Agency from bond proceeds or other funds of the Agency.

FURTHER RESOLVED that the City Finance Director shall be the paying agent of the Agency unless otherwise specified by the City Administrator, Board or any document or instrument of the Agency or approved by the Board.

FURTHER RESOLVED that the Board or Chair from time to time shall be authorized to adopt and implement additional policies or procedures, and authorize other persons to take any action on behalf of the Agency, as the Board or Chair determines necessary or appropriate.

This Resolution shall be in full force and take effect from and after adoption as provided by law.

Seconded by Board member Thompson. Board member Kelly asked to designate Brian Zuger as the alternate for himself and Board member Thompson in their absence. Board Member Gunn asked to designate Rita Ramirez as her alternate. Board Member Kindig asked to designate Kim Thomas as his alternate. Board member Gunn amended her motion to include these requests and Thompson seconded this amended motion. Board members voting aye: Kindig, Kelly, Gunn and Thompson. Nays: None. Abstain: None. Absent: None. Motion carried.
April 6, 2017

Board Chairperson Kindig stated that the next meeting would be April 13, 2017 at 1:30 p.m.

At 2:05 p.m. Board member Kelly made a motion to adjourn the meeting. Seconded by Board member Gunn. Board members voting aye: Kelly, Thompson, Gunn and Kindig. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 13TH DAY OF APRIL, 2017

NEBRASKA MULTISPORT AGENCY

[Signature]
Douglas Kindig, Chair

ATTEST:

[Signature]
Pamela A. Buethe, CMC
City Clerk, City of La Vista