

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 21, 2017 AGENDA

Subject:	Type:	Submitted By:
INTERLOCAL COOPERATION AGREEMENT AMENDMENT - JURISDICTIONAL BOUNDARIES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG CITY PLANNER

SYNOPSIS

A resolution has been prepared authorizing amendments to the existing Interlocal Cooperation Agreement with the City of Gretna regarding jurisdictional boundaries.

FISCAL IMPACT

The elimination of duplication of services in the areas of planning, inspection, permits, and enforcement where the cities have had overlapping authority will result in a cost savings in the future.

RECOMMENDATION

Approval.

BACKGROUND

In 2006, City Administrator Gunn and Mayor Kindig met with the Mayor and other officials from the City of Gretna to discuss jurisdictional boundaries for future planning for both cities. An interlocal agreement was approved by both City Councils on December 19, 2006. An amendment to the interlocal agreement is proposed that would shift the agreed boundary slightly to include within Gretna jurisdiction the remainder of lots that currently are divided by the agreed boundary, and also include the entire right of way abutting such lots, as this is in the best interests of both cities and the residents in this area.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITIES OF LA VISTA AND GRETNNA ESTABLISHING A MUTUALLY AGREED UPON JURISDICTIONAL BOUNDARY WITH RESPECT TO PRESENT AND FUTURE LAND USE PLANNING, ZONING AND ANNEXATION RELATED MATTERS BETWEEN THE CITIES

WHEREAS, the cities of La Vista and Gretna deem it to be to their mutual advantage to cooperate with each other 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 and development of the respective communities; and

WHEREAS, the two cities desire to make more efficient use of their powers to provide services and facilities by cooperating to the mutual advantage of both cities in the elimination of duplication of public costs that result in dual exercise of planning, inspection, permits, enforcement and other aspects of exercise of overlapping authority over the same lands; and

WHEREAS, the respective communities deem it to be in the best interests of both that a resolution and amended agreement be reached with respect to present and future land use planning, zoning and annexation related matters;

NOW THEREFORE, BE IT RESOLVED, that an amendment to the Interlocal Cooperation Agreement between the City of La Vista, Nebraska and the City of Gretna, Nebraska establishing the jurisdictional boundaries, is hereby approved, and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER, 2017.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**FIRST AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT
CONCERNING JURISDICTIONAL BOUNDARIES
DATED DECEMBER 19, 2006**

THIS FIRST AMENDMENT is entered into effective as of October 1, 2017 to that Interlocal Cooperation Agreement between the City of Gretna, Sarpy County, Nebraska (therein and herein "Gretna") and the City of La Vista, Sarpy County, Nebraska (therein and herein "La Vista") dated December 19, 2006, hereinafter the "Agreement."

NOW, THEREFORE, IT IS AGREED that:

1. Recitals:
 - a. Gretna is proposing annexation ordinances of areas of Sarpy County that in part would affect areas in the vicinity of the jurisdictional dividing line between Gretna and La Vista reached in the Agreement ("Proposed Annexations");
 - b. The Proposed Annexations would include a strip of land adjacent to certain lots proposed for annexation as described or depicted in Exhibit A ("Applicable Area") that is within the current extraterritorial jurisdiction and jurisdictional authority and control of La Vista pursuant to the Agreement;
 - c. Gretna and La Vista for administrative and public service reasons desire to adjust the agreed boundary under the Agreement and realign the Applicable Area from La Vista's to Gretna's jurisdiction; and
 - d. Gretna and La Vista wish to enter into this First Amendment and amend the Agreement to acknowledge and agree to the realigned Applicable Area and adjusted jurisdictional dividing line between them for purposes of the Agreement.
2. All the recitals above shall be incorporated into and are part of this First Amendment.
3. The jurisdictional dividing line between La Vista and Gretna as described or depicted in Paragraph 1 or elsewhere in the Agreement is hereby deemed to be amended to reflect that the Applicable Area described or depicted in Exhibit "A" shall be realigned and become part of the area over which Gretna is authorized to exercise jurisdictional authority and control under the Agreement. This description shall be subject to a detailed metes and bounds description to be developed by the City Administrators of Gretna and La Vista or their respective designees.
4. La Vista and Gretna further agree that the Agreement and all terms and conditions thereof shall be deemed amended to be consistent with the immediately preceding Paragraph 3 of this First Amendment.
5. Except as modified by this First Amendment, all provisions of the Agreement shall be and remain in full force and effect in accordance with the terms thereof, and are hereby ratified, affirmed, adopted, and approved.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed.

DATE:_____

CITY OF GRETNA, a Nebraska
municipal corporation

DATE:_____

CITY OF LA VISTA, a Nebraska
municipal corporation

James W. Timmerman, Mayor

ATTEST:

Douglas Kindig, Mayor

ATTEST:

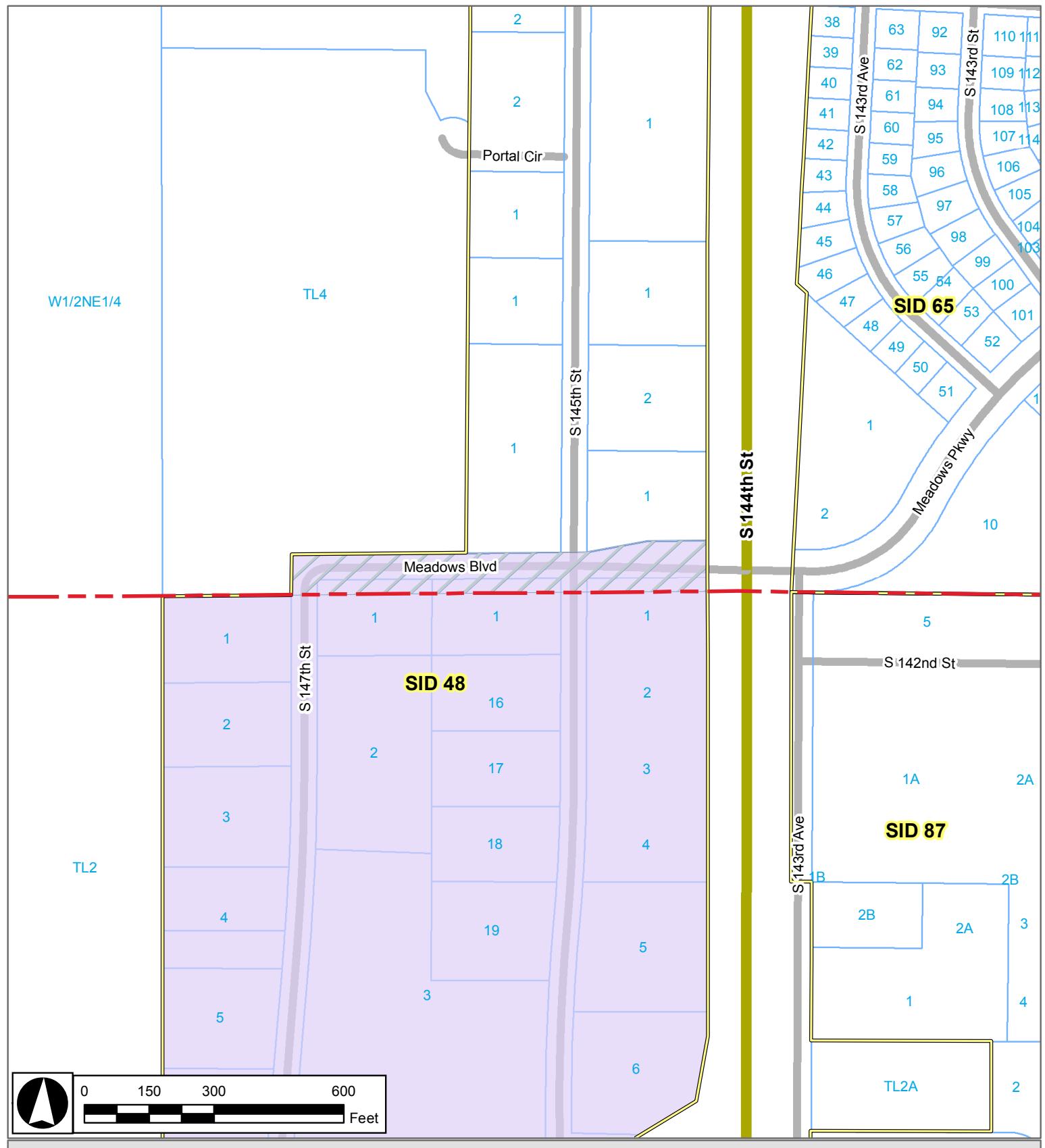
Tammy L. Tisdall, City Clerk, CMC

Pamela A. Buethe, City Clerk, CMC

EXHIBIT A

APPLICABLE AREA

[Description or depiction of Applicable Area attached]



Legend

-

Exhibit A - Applicable Area

11/14/2017
CAS



LEGAL DESCRIPTION

THE NORTH 35.00 FEET OF LOT 1, LAKEVIEW SOUTH,

TOGETHER WITH

THE NORTH 35.00 FEET OF LOT 1, LAKEVIEW SOUTH NO. 7,

TOGETHER WITH

THE NORTH 35.00 FEET OF LOT 1, LAKEVIEW SOUTH NO. 7 REPLAT 1, SUBDIVISIONS IN SARPY COUNTY, NEBRASKA,

TOGETHER WITH

MEADOWS BOULEVARD AND PART OF 147TH STREET LYING WITHIN THE SE ¼ OF THE NE ¼ OF SECTION 23, T14N, R11E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT THE SE CORNER OF SAID SE ¼;

THENCE S89°58'11"W (ASSUMED BEARING) 69.40 FEET ON THE SOUTH LINE OF SAID SE ¼ TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST LINE OF HIGHWAY 50;

THENCE CONTINUING S89°58'11"W 962.64 FEET ON THE SOUTH LINE OF SAID SE ¼ AND ON THE SOUTH LINEs OF THE NORTH 35.00 FEET OF SAID LOT 1, LAKEVIEW SOUTH, LOT 1, LAKEVIEW SOUTH NO. 7 AND LOT 1, LAKEVIEW SOUTH NO.7 REPLAT 1 TO THE WEST LINE OF 147TH STREET;

THENCE N00°26'39"E 59.01 FEET ON THE WEST LINE OF 147TH STREET TO THE NORTH LINE OF MEADOWS BOULEVARD;

THENCE N89°59'29"E 404.25 FEET ON THE NORTH LINE OF MEADOWS BOULEVARD;

THENCE N89°57'23"E 278.64 FEET ON THE NORTH LINE OF MEADOWS BOULEVARD;

THENCE N80°00'07"E 143.41 FEET ON THE NORTH LINE OF MEADOWS BOULEVARD;

THENCE N89°52'56"E 138.59 FEET ON THE NORTH LINE OF MEADOWS BOULEVARD TO THE WEST LINE OF HIGHWAY 50;

THENCE S00°23'04"W 119.95 FEET ON THE WEST LINE OF HIGHWAY 50 TO THE POINT OF BEGINNING.

CONTAINING 96,576 SQUARE FEET

OR

2.217 ACRES MORE OR LESS