

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 7, 2023 AGENDA**

Subject:	Type:	Submitted By:
AMEND INTERLOCAL AGREEMENT – ANIMAL CONTROL SERVICES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared to approve an amendment to the Interlocal Cooperation Agreement between the City of La Vista, the Nebraska Humane Society, Sarpy County, Bellevue, Papillion, Gretna, Springfield and Ralston for animal control services.

FISCAL IMPACT

Funds have been budgeted in the FY23 municipal budget for animal control services.

RECOMMENDATION

Approval.

BACKGROUND

On March 15, 2022, the City of La Vista entered into a Interlocal Cooperation Agreement for animal control services. Sarpy County subsequently discovered an issue with the County's ability to license cats. Under Neb. Rev. Stat. 54-603, the first part of the statute grants authority to have license taxes for dogs only – but later on the same statute says “cats and dogs.” It is unclear to the County whether this was a legislative drafting error or intentional. Either way, no cats have been licensed this year in unincorporated Sarpy, so the conservative approach is to amend the agreement to remove the County's cat license fees. It does not affect the cities, however, it requires an Amendment to the Agreement by all parties.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT WITH THE NEBRASKA HUMANE SOCIETY, SARPY COUNTY, CITY OF BELLEVUE, CITY OF GRETNA, CITY OF SPRINGFIELD, CITY OF PAPILLION AND THE CITY OF RALSTON FOR ANIMAL CONTROL SERVICES.

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 of providing animal control services in an efficient and effective manner; and

WHEREAS, the City of La Vista is desirous of coordinating animal control services within the City and County;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Amendment to the Interlocal Cooperation Agreement with The Nebraska Humane Society, Sarpy County, City of Bellevue, City of Gretna, City of Springfield, City of Papillion and the City of Ralston for animal control services subject to modifications as the City Administrator deems necessary to maintain the existing level of service in the City and further direct the City Clerk to attest the same.

PASSED AND APPROVED THIS 7TH DAY OF MARCH 2023.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

AMENDMENT

This Amendment is entered into by and between the County of Sarpy (“County”); Nebraska Humane Society (“NHS”); and the cities of Bellevue, Gretna, La Vista, Papillion, Springfield, and Ralston, Nebraska (collectively “the Cities”).

WHEREAS, the Parties entered into an Agreement effective on March 15, 2022 concerning animal control services; and,

WHEREAS, clarification of the terms of the original agreement is necessary; and,

WHEREAS, the Parties wish to make such amendment in order to allow for the continued provision of services under the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained in the original Agreement and stated herein, the Parties agree as follows:

1. Section 8 shall be amended to read as follows:

Animal license fees. Separate from the monthly fees identified in Section 3, NHS shall charge the residents of the County and Cities the following license fees beginning January 1, 2023.

- a. Dogs (altered): \$12.00
- b. Dogs (unaltered): \$25.00
- c. Late Fees (altered): \$10.00
- d. Late Fees (unaltered): \$20.00
- e. Senior Discount: free if altered
- f. Replacement tags: \$6.00

Further, separate from the monthly fees identified in Section 3, NHS shall charge the residents of the Cities the following license fees beginning January 1, 2023.

- a. Cats (altered): \$12.00
- b. Cats (unaltered): \$25.00
- c. Late Fees (altered): \$10.00
- d. Late Fees (unaltered): \$20.00
- e. Senior Discount: free if altered
- f. Replacement tags: \$6.00

NHS shall be entitled to keep any license fees collected as further consideration under this Agreement.

2. All other terms of the Agreement, not in conflict with this Amendment, shall remain in full force and effect.

CITY OF BELLEVUE, NEBRASKA
A municipal corporation and Nebraska Political
Subdivision

BY: _____
Rusty Hike, Mayor

Date: _____

Attest:

City Clerk

Approved as to Form:

City Attorney

DATED this _____ day of _____, 2023.

CITY OF GRETNA, NEBRASKA

By: _____
Michael D. Evans, Mayor

ATTEST:

City Clerk

DATED this _____ day of _____, 2023.

ATTEST:

CITY OF PAPILLION, a Nebraska
Municipal Corporation

Nicole L. Brown, City Clerk

By: _____
David P. Black, Mayor

CITY SEAL

DATED this _____ day of _____, 2023.

CITY OF LA VISTA, NEBRASKA

By: _____
Douglas Kindig, Mayor

ATTEST:

Pam Buethe, City Clerk

CITY SEAL

Dated this ____ day of _____, 2023

CITY OF SPRINGFIELD, NEBRASKA

By: _____
Robert Roseland, Mayor

ATTEST:

Kelly Shemek, City Clerk

CITY SEAL

Dated this ____ day of _____, 2023

CITY OF RALSTON, NEBRASKA

BY: _____
Donald A. Groesser, Mayor

Attest:

Maura Kelly, City Clerk

Approved as to Form:

Donald F. Ficenec, City Attorney

Executed by Sarpy County this _____ day of _____, 2023.

SARPY COUNTY, NEBRASKA
A Political Subdivision

Chairperson, Board of Commissioners

Attest:

Approved as to form:

Sarpy County Clerk

Sarpy County Attorney

Executed by Nebraska Human Society this ____ day of _____, 2023.

NEBRASKA HUMANE SOCIETY

Nancy Hintz
President and CEO