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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT AN EASTER SEALS SOCIETY OF NEBRASKA INC FUNDRAISING EVENT AT THE LA VISTA CONFERENCE CENTER ON FEBRUARY 23, 2013.

WHEREAS, the La Vista Conference Center is located within the City of La Vista; and

WHEREAS, Easter Seals Society of Nebraska has requested approval of a Special Designated Permit to serve alcohol at a fundraising event at the Conference Center on February 23, 2013 from 5:00 p.m. to 10:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Easter Seals Society of Nebraska to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell serve alcohol at the La Vista Conference Center, in conjunction with a fundraising event.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

LA VISTA POLICE DEPARTMENT INTEROFFICE MEMORANDUM

TO: PAM BUETHE, CITY CLERK
FROM: KEVIN POKORNY, POLICE CAPTAIN
SUBJECT: SDL LIQUOR LICENSE – EASTER SEALS SOCIETY OF NEBRASKA
DATE: 1/15/2013
CC:

The police department conducted a review for the SDL liquor license application by Easter Seals Society of Nebraska to be held at Embassy Suites/Conference Center, La Vista, NE on February 23, 2013. The police department has no issues with approval of the application.



Creating solutions, changing lives

*Helping Nebraskans with disabilities
gain greater independence*

Easter Seals Nebraska

A Subsidiary of Visiting Nurse Association
12565 West Center Road / Suite 100
Omaha, NE 68144-3810
402.345.2200 phone
800.650.9880 toll free
www.ne.easterseals.com

January 7, 2013

Pam Beuthe, Mayor Douglas Kindig &
Members of the City Council
City of La Vista
8116 Parkview Blvd.
La Vista, NE 68128

Dear Ms. Beuthe, Mayor Kindig & Council Members

Attached please find a completed application for Easter Seals Nebraska to please be provided a Special Designated License for Easter Seals Nebraska's Wine Event coming February 23, 2013 to Embassy Suites – La Vista as well as a check for the \$40 fee. Michelle Porter at the Nebraska Liquor Control Commission has been contacted as well regarding this piece and can process once she receives your approval:

Nebraska Liquor Control Commission
ATTN: Michelle Porter
301 Centennial Mall South
P.O. Box 95046
Lincoln, NE 68509-5046

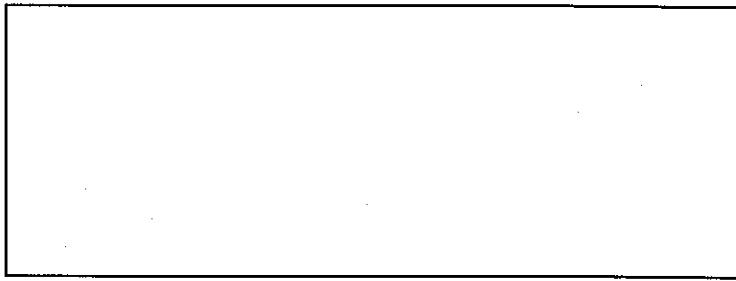
We appreciate all your efforts to help us maintain our good standing with the City of La Vista regarding this event. Please let me know if there are any questions or concerns relating to this document. I plan to attend the February 5th City Council meeting in case needed, and look forward to seeing you all then.

Sincerely,

Ingra Winkler Anderson
Marketing, Public Relations &
Resource Development Director
Easter Seals Nebraska
A Subsidiary of Visiting Nurse Association

APPLICATION FOR SPECIAL DESIGNATED LICENSE

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/



Special Designated License (SDL) Application Quick Checklist

Requirements:

- ✓ Application must be received in Nebraska Liquor Control Commission (NLCC) office a **MINIMUM** of ten (10) working days prior to the date of event (when counting days exclude weekends and holidays) **NO EXCEPTIONS**
- ✓ Application **MUST** include approval from the local governing body (city, village or county clerk of where the event is to be held)
- ✓ When requesting an exemption from NLCC rules, i.e. waiver of double fencing, request must be received in (NLCC) office a **MINIMUM** of 30 days prior to the date of the event
- ✓ All questions on application must be completed legibly
- ✓ Include \$40 fee, for each day/area applying for, checks made payable to Nebraska Liquor Control Commission (NLCC), if liquor caterer no fees required
- ✓ When requesting alternate date(s) or location(s), approval from local governing body must include approval for these alternate date(s) or locations(s)
- ✓ When requesting an outdoor area you must include a sketch of area to be licensed

Non Profit Application **MUST**:

- ✓ Include page five (5) of application showing federal ID number

Information:

- ✓ Non caterer applicants are only allowed six (6) SDLs per calendar year, this includes consecutive days used on one application (i.e. July 4 – 9 = 6 days)
- ✓ Applications may be submitted via e-mail to michelle.porter@nebraska.gov or faxed to (402) 471-2814
- ✓ Must use the most current form 108. Forms are available on our web site at www.lcc.ne.gov/formsdiv.html, or by calling our main number (402) 471-2571
- ✓ Reference statutes: §53-124.11, rules 2-013.01 and 6-019.01W 1,2,3
- ✓ Only twelve (12) SDLs will be issued at any specific location that could otherwise hold a liquor license

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE**

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/

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DO YOU NEED POSTERS? YES NO **RETAIL LICENSE HOLDERS** **NON PROFIT APPLICANTS**

Non Profit Status (check one that best applies)

Municipal Political Fine Arts Fraternal Religious Charitable Public Service **COMPLETE ALL QUESTIONS**1. Type of alcohol to be served and/or consumed: Beer Wine Distilled Spirits 2. Liquor license number and class (i.e. C-55441)
(If you're a nonprofit organization leave blank)

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3. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)**NAME: Easter Seals Society of Nebraska dba Easter Seals Nebraska****ADDRESS: 12565 West Center Road / Suite 100****CITY Omaha, NE ZIP 68144-3810**

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

BUILDING NAME Embassy Suites - La Vista**ADDRESS: 12520 West Parkway CITY La Vista, NE****ZIP 68128 COUNTY and COUNTY # Sarpy (#59)**

a. Is this location within the city/village limits? YES NO

b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans and/or 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 2/23/2013	Date <u>Hours</u> From 5 PM	Date <u>Hours</u> From To 10 PM	Date <u>Hours</u> From To	Date <u>Hours</u> From To	Date <u>Hours</u> From To
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a. Alternate date: n/a

b. Alternate location: n/a
(Alternate date or location must be specified in local approval)

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 **IN FEET** 280' x 196'
(not square feet or acres)

*Outdoor area dimensions of area to be covered **IN FEET** _____ x _____

***SKETCH OF OUTDOOR AREA (or attach copy of sketch)**

If outdoor area, how will premises be enclosed?

Fence; snow fence chain link cattle panel other _____

Tent

8. How many attendees do you expect at event? 400

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

Tables are mainly corporately sponsored and single reservation printwork includes "no one under 21", but we also have an organized check-in process which ensures no one under 21 is allowed into the event.

10. 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

11. **Retailer:** Will you be purchasing your alcohol from a wholesaler? YES NO
Non-Profit: Where will you be purchasing your alcohol?

Wholesaler

Retailer

Both

BYO

(includes wineries)

12. Will there be any games of chance operating during the event? YES NO

If so, describe activity A raffle for which we are also obtaining licensing

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.

13. Any other information or requests for exemptions: No

14. 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. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Ingra Winkler Anderson

Signature of Event Supervisor Ingra Winkler Anderson

Phone of Event Supervisor: Before 402.592.3272 During 402.250.6866

Consent of Authorized Representative/Applicant

15. 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

Jamie Summerfelt

Pre. & CEO

12.18.12

Title

Date

James C. aka

Jamie Summerfelt

Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

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.

This page is required to be completed by Non Profit applicants only.

**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.

Easter Seals Society of Nebraska, Inc. dba Easter Seals Nebraska

NAME OF CORPORATION

47-0457872

FEDERAL ID NUMBER

Jeanne Schumelt

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 19th DAY OF

December, 2012

Karen S. Wineinger

NOTARY PUBLIC SIGNATURE & SEAL

