

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 7, 2007 AGENDA**

Subject:	Type:	Submitted By:
INTERLOCAL COOPERATION AGREEMENT FOR PUBLIC WORKS EQUIPMENT SHARE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RITA M. RAMIREZ ASSISTANT CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared authorizing execution of an Interlocal Cooperation Agreement between the City of La Vista and the City of Papillion regarding the sharing of Public Works Equipment.

FISCAL IMPACT

The equipment listed in the Interlocal Agreement will be permitted as an exception to the State budget lid.

RECOMMENDATION

Approval.

BACKGROUND

Currently the cities of La Vista and Papillion jointly own several pieces of Public Works equipment and routinely share other individually owned pieces of equipment. By formalizing this current practice with an Interlocal Agreement, the equipment listed can be exempted from the State budget lid.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PAPILLION, NEBRASKA REGARDING THE SHARING OF PUBLIC WORKS EQUIPMENT.

WHEREAS, the cities of Papillion and La Vista currently jointly own several pieces of public works equipment and on various occasions share other pieces of individually owned public works equipment; and

WHEREAS, the cities have agreed that it is in their best interest to continue the practice of sharing public works equipment; and

WHEREAS, the parameters of sharing of said equipment have been outlined in an interlocal agreement.

NOW THEREFORE, BE IT RESOLVED, that an Interlocal Cooperation Agreement with the City of Papillion, Nebraska regarding the sharing of Public Works equipment, is hereby approved, and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

PASSED AND APPROVED THIS 7TH DAY OF AUGUST 2007.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

INTERLOCAL COOPERATION AGREEMENT FOR THE SHARING OF MUNICIPAL EQUIPMENT

THIS AGREEMENT is by and between the City of Papillion, a municipal corporation, located in Sarpy County, Nebraska ("Papillion") and the City of La Vista, a municipal corporation, located in Sarpy County, Nebraska ("La Vista").

WHEREAS, the parties hereto are political subdivisions duly authorized and existing under the laws of the State of Nebraska; and

WHEREAS, the parties hereto are desirous of entering into an agreement for the sharing of municipal equipment which either entity may own or lease; and

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801, et. seq. (Reissue 1997), the parties wish to permit their local governmental units to make the most efficient use of their powers by enabling them to cooperate with each other on the basis of mutual advantage and thereby 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 of the two communities;

NOW, THEREFORE, it is agreed by and between the parties, pursuant to Neb. Rev. Stat. §13-807 (Reissue 1997), as follows:

1. This agreement shall remain in full force and effect until either one of the parties gives 90 days written notice to the other party of its intent to terminate said agreement.
2. No separate legal or administrative entity will be created hereunder. Existing agents of the respective parties will complete the terms of this contract.
3. The purpose of this contract is for the parties hereto to share in the utilization of equipment either party owns or leases.
4. The parties hereto will maintain equipment owned or leased by each respective party to this agreement.
5. Each party will provide to the other a list of equipment available for sharing with the other party.
6. That attached hereto and marked Exhibit "A" is a listing of the property the City of Papillion has available for sharing with the City of La Vista.
7. That attached hereto and marked Exhibit "B" is a listing of the

property the City of La Vista has available for sharing with the City of Papillion.

8. The parties will update the attachments hereto no later than the 20th day of July of each year commencing with July, 2008.

9. The loaning city shall make said equipment available, at its sole discretion, based on its availability; that the use of equipment owned by one party by the other party shall be with the specific authorization of the party which owns or leases said equipment.

10. Each party shall have the equipment it owns or leases covered by respective parties' comprehensive liability insurance policies.

11. The public works directors of each city shall meet at least annually to review maintenance records, discuss how the equipment is being utilized and address any joint use issues. The public works directors of each city are hereby authorized to annually, or periodically as they deem appropriate, make additions or deletions to Exhibits A and B.

12. Pursuant to Neb. Rev. Stat. §13-804(5) (Reissue 1997), the parties hereto acknowledge, stipulate and agree that this agreement shall not relieve any public agency of any obligation or responsibility imposed upon it by law.

13. Pursuant to Neb. Rev. Stat. §23-3113 (Reissue 1997), the parties hereto declare and affirm that no officer, member, or employee, or no member of their governing bodies, and no other public official of parties who exercise any functions or responsibilities in the review or approval of the undertaking described in this agreement, or the performing of either parties' obligations pursuant to this agreement, shall participate in any decision relating to this agreement which affects his or her personal interests, or any partnership, or association in which he or she is directly or indirectly interested; nor shall any employee, nor any member of their governing bodies, have any interest, direct or indirect, in this agreement or the proceeds thereof.

14. It is understood and agreed by the parties hereto that if any part, term, condition or provision of this agreement is held to be illegal, void, or in conflict with any law of this State or the United States, the validity of the remaining parts, terms, conditions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this agreement did not contain the particular part, term, condition or provisions held to be illegal and/or invalid

IN WITNESS WHEREOF, we, the contracting parties, by our respective and duly authorized agents, hereto affix our signatures and seals in duplicate this ____ day of _____, 2007.

CITY OF PAPILLION, NEBRASKA

BY: _____
Mayor

Attest:

City Clerk

CITY OF LA VISTA, NEBRASKA

BY: _____
Mayor

Attest:

City Clerk

**City of Papillion
Interlocal Equipment Share
Exhibit A**

Parks Department

8	John Deere Mowers
2	Toro Mowers
1	4 x 4 Pickup Truck with Snow Plow
2	Pickup Trucks
1	Ford Tractor
1	Jacobsen Mower
1	Workman Unit with Sprayer
1	Phoenix Fogger

Sewer Department

1	Sewer Vac Unit
1	Pickup
1	Sewer Jet Unit

Street Department

6	Single Axle Dump Trucks
3	Tandem Axle Dump Trucks
1	Message Board
1	Street Sweeper
2	Bobcat with Sweeper
1	CAT Front End Loader
1	Champion Grader
1	Tar Machine
1	Air Compressor
1	Walk behind Concrete Saw
1	Asphalt Trailer
1	1-Ton Flatbed Concrete Truck
1	Asphalt Roller
2	4x4 pickups
4	4x4 pickups with plows

Water Department

1	Chevy Tahoe
5	Pickup Trucks
2	S-10 Pickup Trucks
1	Tractor Mower
1	Backhoe

Equipment Shared with La Vista

- 1 International with Reach-All 42" Boom
- 1 Cues TV Camera Trailer
- 1 Vaporooter Hose Thruster
- 1 Easement Machine Prowler Sewer Caddy
- 1 Rhino Ditch Bank Mower – 3-point
- 1 Schotlite Sign Machine
- 1 Bandit Brush Chipper

**Exhibit B
City of La Vista
Interlocal Equipment Share**

Street Division

- 4 Pickup Trucks (2 with plows)
- 6 Single Axle Dump Trucks w/plows
- 4 Tandem Axle Dump Trucks w/plows
- 1 200 Gallon Spray System
- 1 1800 Gallon Spray System
- 1 Backhoe
- 1 Motor Grader
- 2 Street Sweepers
- 1 Wheel Loader
- 1 Skid Steer
- 1 Asphalt Roller
- 10 Equipment/Utility Trailers
- 1 Tar Wagon
- 1 Air Compressor 185 CFM
- 1 Arrow Board – Truck Mounted

Sewer Division

- 2 Pickup Trucks w/plows
- 1 Sewer Jet/Vac Truck
- 1 Sewer Jet Truck
- 1 Backhoe
- 1 Air Compressor 185 CFM
- 2 Arrow Boards – Trailer Mounted

Park Division

- 3 Pickup Trucks (2 with plows)
- 4 Tractors
- 4 Utility Vehicles (Gators)
- 4 Equipment/Utility Trailers

Equipment Jointly Owned with City of Papillion

- 1 International with 42' Reach-All Boom
- 1 Cues Sewer Camera Trailer
- 1 Vaporooter Hose Thruster
- 1 Prowler Sewer Caddy Easement Machine
- 1 Rhino Ditch/Bank Mower – 3-point
- 1 Scholtlite Sign Machine
- 1 Bandit Brush Chipper