

# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1443

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 33.16 AND 33.57; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 33.16 of the La Vista Municipal Code is amended to read as follows:

### **§ 33.16 MEETINGS TO BE PUBLIC; EMERGENCY DECLARATION; VIRTUAL CONFERENCING.**

(A) Except as provided in subsection (E) below: All public meetings, as defined by law, shall be held in a city public building which shall be open to attendance by the public. All meetings shall be held in the public building in which the City Council usually holds such meetings unless the publicized notice required by this section designates some other public building or other specified place.

(B) The advance publicized notice of all public convened meetings shall be simultaneously transmitted to all members of the City Council and to the public. Such notice shall be published in a newspaper of general circulation within the City Council's jurisdiction and, if available, on such newspaper's website. In addition to the method of the notice required by the preceding sentence, such notice may also be provided by any other appropriate method designated by the City Council. The methods and dates of such notice shall be recorded in City Council minutes. The notice shall contain the time and specific place for each meeting and either an enumeration of the agenda subjects known at the time of the notice or a statement that such an agenda that is kept continually current shall be readily available for public inspection at the office of the City Clerk during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than 24 hours before the scheduled commencement of the meeting or 48 hours before the scheduled commencement of a meeting of the City Council scheduled outside the corporate limits of the city. The City Council shall have the right to modify the agenda to include items of an emergency nature only at such public meetings.

(C) The minutes of the City Clerk shall include a statement of how the availability of an agenda of the then known subjects was communicated, the time and specific place of the meetings, the names of each member of the City Council present or absent at each convened meeting and the substance of all matters discussed. The minutes of the City Council shall be a public record open to inspection by the public upon request at any reasonable time at the office of the City Clerk.

(D) Any official action on any question or motion duly moved and seconded shall be taken only by roll call vote of the City Council in open session. The record of the City Clerk shall show how each member voted or that the member was absent and did not vote.

(E) Notwithstanding anything in this chapter 33 to the contrary, if an emergency is declared by the Governor under the Emergency Management Act; a public body, the territorial jurisdiction of which is included in whole or in part in the emergency declaration, may hold a meeting by virtual conferencing, provided applicable requirements of the Open Meetings Act are satisfied.

('79 Code, § 1-603) (Am. Ord. 997, passed 6-20-06) (Am. Ord. 1443, passed 2-1-22)  
*Statutory reference:*

*Meeting requirements, see Neb. RS 84-1408 through 84-1413*

SECTION 2. Section 33.57 of the La Vista Municipal Code is amended to read as follows:

### **§ 33.57 CONFLICT OF INTEREST INVOLVING CONTRACTS.**

All elected or appointed officials, and employees, of the City in the discharge of their offices or duties from the City shall comply with applicable requirements of State Statutes, as adopted or amended from time to time, including without limitation provisions of the Nebraska Political Accountability and Disclosure Act governing actual or potential conflicts of interest.

# ORDINANCE RECORD

No. 72 8—REDFIELD & COMPANY INC., OMAHA

(Neb. RS 49-1401 et. Seq.) (Am. Ord 1443 passed 2-1-22)

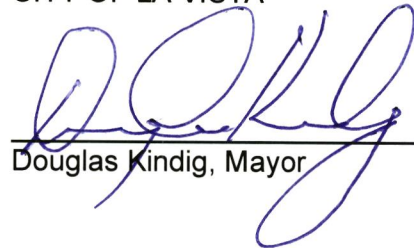
SECTION 3. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

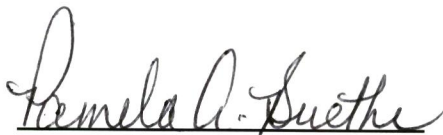
SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 1ST DAY OF FEBRUARY 2022.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, MMC  
City Clerk