

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 15, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SERVICE AGREEMENT — SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION (SCEDC)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA GUNN CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared authorizing the execution of a Service Agreement with Sarpy County Economic Development Corporation (SCEDC).

**FISCAL IMPACT**

The cost of La Vista’s participation will be \$8,500 annually. This is a \$1,000 increase over what was budgeted per year in FY19 & FY20 and will be funded through savings in other areas. An adjustment to the FY20 budget will be recommended during the mid-biennium budget update process.

**RECOMMENDATION**

Approval.

**BACKGROUND**

While the City has partnered with the Sarpy County Economic Development Corporation (SCEDC) since 1980, there has never been a formal service agreement. This proposal is intended to re-state our intentions and secure the SCEDC’s professional economic development efforts for the promotion, attraction, retention, advertising and marketing of corporate and industrial growth and community investment into the City of La Vista. As a provision of the agreement, SCEDC will make quarterly presentations to the La Vista City Council. The agreement also provides a voting SCEDC Board of Directors seat to a representative of the City of La Vista, which the Mayor is currently filling.

The agreement is a one-year term with an auto-renew mechanism each year, not to exceed ten years of renewals. SCEDC can terminate the agreement with 60-days-notice prior to the end of the existing term. The City may terminate the agreement at any time, with or without cause upon written notice to the SCEDC at least 30 days prior to the effective date of the termination. Any proposed increase of fees must be submitted to the City by SCEDC by April 30 in the year prior to the renewal year term.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION FOR THE PROVISION OF PROFESSIONAL ECONOMIC DEVELOPMENT EFFORTS.

WHEREAS, the City desires to enter into a service agreement with the Sarpy County Economic Development Corporation (SCEDC) for professional economic development efforts; and

WHEREAS, the service agreement runs for a one (1) year term with an auto-renew option not to exceed ten years of renewals unless terminated by either party; and

WHEREAS, the FY 2019/2020 Biennial Budget includes funding for the proposed services and related costs; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a professional service agreement with the Sarpy County Economic Development Corporation for professional economic development efforts.

PASSED AND APPROVED THIS 15TH DAY OF JANUARY, 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

## CONTRACT

THIS CONTRACT is entered into by and between the City of La Vista, a Municipal Corporation in Sarpy County, Nebraska, also referred to as “the City” and Sarpy County Economic Development Corporation, a Nebraska non-profit corporation doing business at 808 Conagra Drive, Suites 400, in Omaha, Nebraska, also referred to as “SCEDC.”

### RECITALS

WHEREAS, the City of La Vista wishes to assist in a program providing funds for the promotion, marketing and advertising of the City as part of the expanded economic development effort with SCEDC, more specifically; and,

WHEREAS, the City of La Vista wishes to retain the services of a non-profit organization to administer the program; and,

WHEREAS, SCEDC has experience in administering such programs and wishes to provide its professional services for the administration and assistance sought by the City; and,

WHEREAS, the City of La Vista is interested in the creation of jobs and the expansion of the tax base across the City and its Extra Territorial Jurisdiction (ETJ); and,

WHEREAS, SCEDC is committed to creating jobs and increasing the tax base within Sarpy County including the City; and,

WHEREAS, SCEDC and the City of La Vista have come to this agreement for administering funds for SCEDC

IN CONSIDERATION OF THESE MUTUAL COVENANTS, THE CITY OF LA VISTA AND SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION AGREE AS FOLLOWS:

### PROVISIONS OF THE CONTRACT

SCEDC AND CITY OF LA VISTA MUTUALLY AGREE AS FOLLOWS:

1. The term of this agreement shall be one (1) year, January 1, 2019 through December 31, 2019, and shall automatically renew thereafter on a year-to-year basis and on the same terms, unless either party gives notice to the other not less than 60 days before the last day of the then existing term of its election to terminate the agreement effective as of the end of the then existing term. Renewals shall be for a period of not to exceed ten years.
2. This agreement supersedes all prior agreements between the parties and can only be amended in writing with the mutual consent by both parties.
3. This agreement may be changed, modified, extended, or amended by written agreement executed by both parties. All amendments shall be approved by official action of the City of La Vista City Council and the SCEDC Board of Directors and shall be attached to this

document. Notwithstanding anything in this Agreement to the contrary, this Agreement shall be subject to termination by the City at any time with or without cause upon written notice to SCEDC at least 30 days before the effective date of the termination as stated in the notice.

4. The City of La Vista hereby agrees to secure the professional services of SCEDC's economic development efforts for the promotion, attraction, retention, advertising and marketing of corporate and industrial growth and community investment in the City of La Vista.
5. The City of La Vista shall designate one representative to serve on the SCEDC Board of Directors as a voting representative of the City of La Vista in all matters that come before said Board.

## SERVICES PROVIDED BY SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION

### SCEDC WILL:

1. Promote the City of La Vista (including the ETJ outside the City Limits) to prospective companies, industries, and consultants for the attraction of new businesses to locate in the La Vista area. Promotion will include print and digital marketing materials, relationship building, professional correspondence, and targeted marketing efforts with specific industries.
2. Advocate for the expressed needs of the City of La Vista when representing La Vista in the Greater Omaha Economic Development Partnership (GOEDP). Advocacy activities include participation in relevant Target Advisory Committees and Councils (Data Center, Value-Added Agriculture, Site Development, Headquarter and Existing Businesses, Manufacturing)
3. Work closely to assist companies interested in locating in the La Vista area. Assistance will include creation and submission of proposals, timely and professional correspondence with project contacts, collection of relevant data from other organizations (including City), and support as requested from the project contacts as the project continues to consider the La Vista area.
4. Generate leads for location in the La Vista area annually through relationships with the GOEDP, NDED, various consultants, and companies.
5. Execute a comprehensive Business, Retention and Expansion (BRE) program that calls on existing companies annually and provides technical assistance to address issues and promote growth within La Vista.
6. Coordinate directly with City representatives to identify utility issues, expansion plans, or other issues or opportunities that will affect the City capacity and/or service provision.
7. Work in partnership with the City to develop and distribute site-specific marketing materials to be used with attraction marketing and existing business customers.
8. Seek direction from the City on marketing efforts and elements of the annual program of work through the City's active participation as a representative on the SCEDC Board of Directors.
9. Identify barriers to economic growth in the community and collaborate with other entities, including the City, to seek solutions to better position the community for economic growth.

FINANCIAL CONSIDERATION TO SCEDC:

The City, subject to annual appropriations for this Agreement, will compensate SCEDC in the total amount of \$8,500 per year to be paid annually starting on January 1, 2019. Any proposed increase of such compensation for any renewal term shall be subject to written approval of the City and must be communicated to the City no later than April 30 of the year before the beginning of the contract term for which the increase would be effective. SCEDC shall, on a quarterly basis, provide the City with a report outlining economic development activities for the previous quarter together with an illustration of significant specific budgeted program expenditures that were utilized to provide the business attraction, retention, advertising and marketing services contemplated by this agreement as illustrated by way of example on the sample report attached hereto as Exhibit A.

REPORTING:

SCEDC shall provide quarterly reports to the City administration and elected officials regarding services delivered. The reports shall include:

1. An update on attraction projects and lead activity.
2. Latest quarterly report of SCEDC activity.
3. An update on BRE program calls and activity.
4. Details of any marketing projects or activities.

AGREED TO AND SIGNED BY:

The City of La Vista

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Sarpy County Economic Development Corporation:

\_\_\_\_\_  
President

\_\_\_\_\_  
Date