

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 7, 2021 AGENDA

Subject:	Type:	Submitted By:
AMENDMENT TO THE DOUGLAS & SARPY MUTUAL AID INTERLOCAL COOPERATION AGREEMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared to approve an Amendment to the Douglas & Sarpy Mutual Aid Interlocal Cooperation Agreement adding the Village of Boys Town to the Agreement.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

The Cities of La Vista, Papillion, Omaha, Bellevue, Ralston, Valley, Waterloo, Bennington along with Sarpy and Douglas County entered into an agreement for Law Enforcement Mutual Aid in July 2020. The Village of Boys Town is requesting to join the Agreement.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT TO PROVIDE MUTUAL AID SUPPORT FOR LAW ENFORCEMENT SERVICES WITHIN THE JURISDICTION OF EACH OF THE OTHER COOPERATING AGENCIES.

WHEREAS, it has long been recognized that mutual aid between law enforcement agencies sharing similar demands is highly desirable; and

WHEREAS, On or about July 21, 2020 the City of La Vista entered into an Interlocal Agreement with the Cooperating Agencies (attached hereto as Exhibit "A" "Interlocal Cooperation Agreement") to implement the provisions of Neb. Rev. Stat. Sec. 29-215 (hereinafter "Sec. 29-215"), so as to empower law enforcement officers (hereinafter "Officers") of each of the Cooperating Agencies to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies; and,

WHEREAS, the Cooperating Agencies wish to amend the current Agreement by this First Amendment to add the Village of Boys Town in Douglas County, Nebraska as a Cooperating Agency to provide for personnel backup and such other assistance as any of the Agencies may require in time of emergency or other time of need; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute the First Amendment to Interlocal Agreement presented with this resolution to amend and add the Village of Boys Town as a party to the Interlocal Cooperation Agreement between the law enforcement agencies of City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD"); City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), and Douglas County, Nebraska (hereinafter "DCSO"), herein collectively referred to as "Cooperating Agencies" to provide mutual aid maintenance and support for law enforcement services.

PASSED AND APPROVED THIS 7TH DAY OF DECEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela Buethe, CMC
City Clerk

II
B

AGENDA ITEM
REQUEST/JUSTIFICATION FORM
(To be completed by requesting Department)
Forward all requests to Sharon Bourke, LC2 Civic Center
DEADLINE SUBMITTAL IS 3:00 P.M. WEDNESDAY
BEFORE THE TUESDAY MEETING

Agenda item: Consent
(i.e. Consent/Recognition-Proclamation/Presentation/Public Hearing/Committee, etc.)
Date to be on agenda: October 26, 2021

Exact wording to be used for the agenda: Addendum to Mutual Aid Agreement
between Douglas and Sarpy County
law enforcement agencies to include
Boystown

Action requested: Approve Mutual Aid Agreement

Amount requested: NA Object Code: _____

Is item in current year's budget? Yes X No _____

Does this item commit funds in future years? Yes _____ No X

If yes, explain: _____

If an agreement or contract*, has the County Attorney
reviewed and approved? Yes X No _____

*Provide County Clerk with contact info for outside organization

Previous action taken on this item, if any: _____

Recommendations and rationale or action: _____

Will anyone speak on behalf of this item, if so who? Sheriff Wheeler, if necessary

If this is a rush agenda item, please explain why: _____

Submitted by (Name & Dept.): Tom Wheeler Ext. 6640

Date submitted: October 20,
2021

Resolution and Mutual Aid Agreement

List Attachments: _____
(Attach resolution and all pertinent documentation; i.e. contract, agreement, memorandums, etc.)

Certified resolutions can be obtained at the County Clerk's website:
<http://www.douglascountyclerk.org/county-board-records/search-for-resolutions>

Completed by receiving office
Received in Administrative Office: Date 10/20/21 Time _____
Revised 4/4/2019

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

WHEREAS, Douglas County and the Cooperating Agencies wish to implement to the extent hereafter provided, the provisions of Neb. Rev. Stat. Sec. 29-215 (hereinafter "Sec. 29-215"), so as to empower law enforcement officers (hereinafter "Officers") of each of the Cooperating Agencies to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies; and,

WHEREAS, the Cooperating Agencies wish to provide for personnel backup and such other assistance as any of the Agencies may require in time of emergency or other time of need; and,

WHEREAS, the Cooperating Agencies have common goals, staffing needs, training needs and other needs in common in the area of law enforcement, and the joint cooperation contemplated by this Agreement will allow the Agencies each to provide improved law enforcement services at less cost; and,

WHEREAS, each of the Cooperating Agencies, as among themselves, wish to improve law enforcement services and implement, to the extent herein provided, the authority given by Sec. 29-215 to law enforcement officers of each of the Agencies hereto to enforce the laws of this state and legal ordinances of Cooperating Agencies; and,

WHEREAS, the Cooperating Agencies wish to amend their 2020 Agreement to include the Village of Boystown pursuant to the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev. Stat. Sec. 13-801 *et seq.*, as amended (herein "Interlocal Cooperation Act").

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS, DOUGLAS COUNTY, NEBRASKA, that the attached amendment to the agreement between the law enforcement agencies of City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD"); City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), Douglas County, Nebraska (hereinafter "DCSO"), and the Village of Boystown (hereinafter BTPD), herein collectively referred to as "Cooperating Agencies" to provide mutual aid maintenance and support for law enforcement services, and the Chair of this Board is authorized and directed to execute said agreement on behalf of Douglas County.

DATED this 26th day of October, 2021.

FIRST AMENDMENT TO INTERLOCAL AGREEMENT

This First Amendment is made and entered into by and between the law enforcement Agencies of City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD"); City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), and Douglas County, Nebraska (hereinafter "DCSO"), herein collectively referred to as "Cooperating Agencies" or "Agencies" pursuant to the authority granted to the parties under Nebraska Revised Statute 13-801, *et seq.*

WHEREAS, pursuant to the Interlocal Cooperation Act, Nebraska Revised Statute 13-801 *et seq.*, the Cooperating Agencies entered into an Interlocal Cooperation Agreement to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies (hereinafter "July 17, 2020 Interlocal Agreement") on or about July 17, 2020.

WHEREAS, the Cooperating Agencies desire to amend the July 17, 2020 Interlocal Agreement by this First Amendment to add the Village of Boys Town in Douglas County, Nebraska as Cooperating Agencies to the July 17, 2020 Interlocal Agreement, and by executing this First Amendment, the Village of Boys Town Police Department desire to become a party to the July 17, 2020 Interlocal Agreement.

It is mutually agreed between the parties that the following terms and conditions of the July 17, 2020 Interlocal Agreement are hereby amended to read as follows:

21. **Terms of Agreement.** This Agreement shall be effective on the first day of the calendar month next following the completion of implementing action by all eleven Agencies as required by Paragraph 22(b) of this Agreement hereof and shall continue in full force and effect for a period of five (5) years thereafter unless terminated earlier by ordinance or resolution of the governing body of any Agency, the effective date of termination shall not be less than thirty (30) days following such terminating Agency's written notice to all other Agencies. The termination of this Agreement by one Agency does not terminate the Agreement between the remaining Agencies, which shall remain in full force and effect. A review of the Agreement may occur upon request of any of the Cooperating Agencies.

25. (O). **Authorized Representatives and Notice.** Except for any notice required under applicable law to be given in another manner, any notice or communication required or permitted hereunder shall be given in further consideration of the mutual covenants herein contained. The Agencies hereto expressly agree that for purposes of notice, during the term of this Agreement and for the period of any applicable statute of limitations thereafter, the head of each agency shall be the authorized representative of the Agencies.

Notice shall be in writing and shall be effective upon receipt. Delivery may be by hand, in which case a signed receipt shall be obtained, or by United States mail, registered or certified, return receipt requested, by facsimile with a signed return facsimile acknowledging receipt or via electronic mail with an acknowledging receipt.

The Village of Boys Town, by executing this First Amendment, shall become a party to, participate in, and be bound by, the July 17, 2020 Interlocal Agreement, as amended by this First Amendment.

The recitals above and July 17, 2020 Interlocal Agreement shall be incorporated into this First Amendment by reference.

Except as modified by this First Amendment, all other terms and conditions of the July 17, 2020 Interlocal Agreement shall remain in full force and effect and be binding on all Parties.

Executed by the Village of Boys Town, Nebraska, this 4th day of April, 2021.

ATTEST:

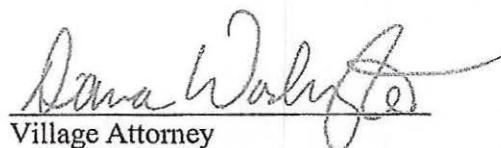


Village Clerk

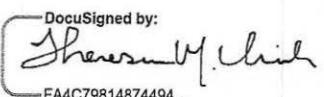
THE VILLAGE OF BOYS TOWN, NEBRASKA.

By: 

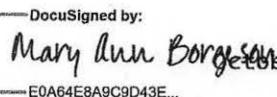
Chair, Village Board of Trustees



Village Attorney

DocuSigned by:
 October 26, 2021
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Approved As To Form,
Deputy County Attorney

DocuSigned by:
 October 26, 2021
E0A64E8A9C9D43E...

Chair

**RESOLUTION APPROVING FIRST)
AMENDMENT TO INTERLOCAL)
AGREEMENT TO PROVIDE MUTUAL)
AID MAINTENANCE AND SUPPORT)
FOR LAW ENFORCEMENT SERVICES)
WITHIN THE JURISDICTION OF EACH OF)
THE OTHER COOPERATING AGENCIES)**

WHEREAS on or about July 17, 2020 the City of Bennington entered into an interlocal agreement with Douglas County to implement the provisions of Neb. Rev. Stat. Sec. 29-215 so as to empower law enforcement officers to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies; and

WHEREAS, the Cooperating Agencies desire to amend the July 17, 2020 Interlocal Agreement by this First Amendment to add the Village of Boys Town in Douglas County, Nebraska as a Cooperating Agency to the July 17, 2020 Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Bennington City Council and the Mayor of Bennington, Nebraska, that the attached first amendment to interlocal agreement to add the Village of Boys Town to the law enforcement agencies of the City of Bellevue in Sarpy County, Nebraska, City of La Vista in Sarpy County, Nebraska, City of Omaha in Douglas County, Nebraska, City of Papillion in Sarpy County, Nebraska, City of Ralston in Douglas County, Nebraska, City of Valley in Douglas County, Nebraska, City of Waterloo in Douglas County, Nebraska, City of Bennington in Douglas County, Nebraska, Sarpy County Nebraska, and Douglas County, Nebraska, to provide mutual aid maintenance and support for law enforcement services is approved, and the Mayor Bennington is authorized and directed to execute said amendment on behalf of the City of Bennington.

PASSED AND APPROVED this 8th day of November, 2021.

CITY OF BENNINGTON, NEBRASKA

BY:

Zac Johns, Mayor

Kay Bridgeford,
Council President

Attest:

Mindi Laaker

Mindi Laaker, City Clerk

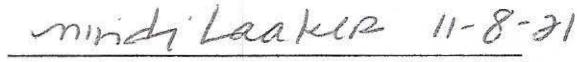
SIGNATURE PAGE FOR INTERLOCAL COOPERATION AGREEMENT

MADE and EXECUTED by and through the undersigned officers of the dates indicated below.

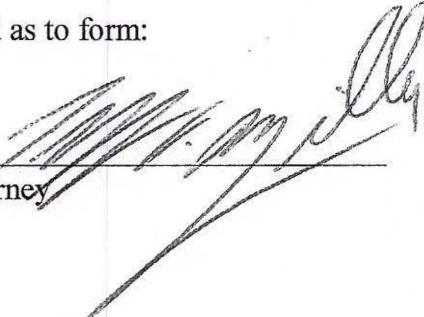
Signed this 8th day of November, 2021.

CITY OF BENNINGTON, a Municipal Corporation,


Kari Hedgesford 11-8-21
Mayor Date
council President


Mindi Laaker 11-8-21
City Clerk Date

Approved as to form:


City Attorney

FIRST AMENDMENT TO INTERLOCAL AGREEMENT

This First Amendment is made and entered into by and between the law enforcement Agencies of City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD"); City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), and Douglas County, Nebraska (hereinafter "DCSO") , herein collectively referred to as "Cooperating Agencies" or "Agencies" pursuant to the authority granted to the parties under Nebraska Revised Statute 13-801, *et seq.*

WHEREAS, pursuant to the Interlocal Cooperation Act, Nebraska Revised Statute 13-801 *et seq*, the Cooperating Agencies entered into an Interlocal Cooperation Agreement to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies (hereinafter "July 17, 2020 Interlocal Agreement") on or about July 17, 2020.

WHEREAS, the Cooperating Agencies desire to amend the July 17, 2020 Interlocal Agreement by this First Amendment to add the Village of Boys Town in Douglas County, Nebraska as Cooperating Agencies to the July 17, 2020 Interlocal Agreement, and by executing this First Amendment, the Village of Boys Town Police Department desire to become a party to the July 17, 2020 Interlocal Agreement.

It is mutually agreed between the parties that the following terms and conditions of the July 17, 2020 Interlocal Agreement are hereby amended to read as follows:

21. Terms of Agreement. This Agreement shall be effective on the first day of the calendar month next following the completion of implementing action by all thirteen Agencies as required by Paragraph 22(b) of this Agreement hereof and shall continue in full force and effect for a period of five (5) years thereafter unless terminated earlier by ordinance or resolution of the governing body of any Agency, the effective date of termination shall not be less than thirty (30) days following such terminating Agency's written notice to all other Agencies. The termination of this Agreement by one Agency does not terminate the Agreement between the remaining Agencies, which shall remain in full force and effect. A review of the Agreement may occur upon request of any of the Cooperating Agencies.

25. (O). Authorized Representatives and Notice. Except for any notice required under applicable law to be given in another manner, any notice or communication required or permitted hereunder shall be given in further consideration of the mutual covenants herein contained. The Agencies hereto expressly agree that for purposes of notice, during the term of this Agreement and for the period of any applicable statute of limitations thereafter, the head of each agency shall be the authorized representative of the Agencies.

Notice shall be in writing and shall be effective upon receipt. Delivery may be by hand, in which case a signed receipt shall be obtained, or by United States mail, registered or certified, return receipt requested, by facsimile with a signed return facsimile acknowledging receipt or via electronic mail with an acknowledging receipt.

The Village of Boys Town, by executing this First Amendment, shall become a party to, participate in, and be bound by, the July 17, 2020 Interlocal Agreement, as amended by this First Amendment.

The recitals above and July 17, 2020 Interlocal Agreement shall be incorporated into this First Amendment by reference.

Except as modified by this First Amendment, all other terms and conditions of the July 17, 2020 Interlocal Agreement shall remain in full force and effect and be binding on all Parties.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date last written below.

CITY OF LA VISTA

Douglas Kindig, Mayor Date

ATTEST:

Pamela Buethe, CMC
City Clerk