

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 17, 2010 AGENDA

Subject:	Type:	Submitted By:
NEBRASKA ADVANTAGE TRANSFORMATIONAL TOURISM AND REDEVELOPMENT ACT – BALLOT APPROVAL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared to authorize the placement of a question on the November 2, 2010 General Election ballot granting the City authority under the Nebraska Advantage Transformational Tourism and Redevelopment Act to direct the local option sales tax collected within a qualifying area for the benefit of that area.

FISCAL IMPACT

Election costs of approximately \$2,000. If approved it would give the Governing Body authority to refund a portion ($\leq 1.5\%$) of the local sales tax generated by a qualifying project, back to the cost of the project.

RECOMMENDATION

Approval.

BACKGROUND

During the 2010 session of the Nebraska Legislature, Legislative Bill 1018 adopting the Nebraska Advantage Transformational Tourism and Redevelopment Act (NATTRRA) was approved and will go into effect on July 15, 2010. Voter approval is required in order to grant the Governing Body authority to utilize this economic development tool.

The Council discussed this item at the July 6, 2010 meeting and directed staff to prepare the resolution to place the question on the November 2010 General Election Ballot.

At the August 3, 2010 meeting Council directed staff to make revisions to the language to make the ballot question more voter friendly.

The deadline to have the resolution to the Election Commissioner is September 1, 2010 in order to have the question placed on the Ballot (General Election) on November 2, 2010.

** If the voters do not approve this authority, the City could not place the question on the ballot for another 23 months.*

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, PURSUANT TO THE NEBRASKA ADVANTAGE TRANSFORMATIONAL TOURISM AND REDEVELOPMENT ACT, PROPOSING THE DIRECTION OF PROCEEDS OF THE LOCAL OPTION SALES TAX AS AUTHORIZED BY THE ACT FOR SUBMISSION TO THE VOTERS OF LA VISTA ON NOVEMBER 2, 2010.

WHEREAS, the Nebraska State Legislature authorized cities who levy a local option sales tax, through the passage of LB1018 during the 2010 session which was entitled the "Nebraska Advantage Transformational Tourism and Redevelopment Act" and now is found in Nebraska Statutes, Sections 77-1001 et seq, to utilize that sales tax to assist in development or redevelopment at the local level by giving cities the authority to rebate local option sales tax dollars generated in one or more qualifying tourism development or redevelopment project areas as an incentive; and

WHEREAS, LB1018 requires that the municipality get approval by their citizens to direct local option sales taxes as permitted thereunder; and

WHEREAS, LB 1018 creates minimum investment and net employment increases for an applicant to qualify for incentives, with the investment requirement being a tiered system based on the level of net taxable sales within the county during the preceding calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the direction of local option sales tax within one or more redevelopment or tourism development project areas designated by the City will be presented to the voters of the City for approval pursuant to Neb. Rev. Stat. section 77-1001 et seq on November 2, 2010 at the general election. The following question shall appear on the ballot:

**"LA VISTA ADVANTAGE TRANSFORMATIONAL
TOURISM AND REDEVELOPMENT PROGRAM**

If authorized by the voters at an election, the City of La Vista, Nebraska may direct that some or all of the local option sales taxes – that is, the City's sales taxes - collected in a designated area be distributed to qualifying businesses to encourage investment in redevelopment or tourism development in those areas. Shall the municipality – the City of La Vista - direct the local option sales tax collected within an area defined by the municipality to require redevelopment or as a tourism development project for the benefit of that area?

_____ YES

_____ NO

A “YES” vote will authorize the City of La Vista to direct some or all of the City’s sales taxes collected in a designated area to be distributed to qualifying businesses to encourage investment in redevelopment or tourism development in those areas.

A “NO” vote will deny authority to the City of La Vista to direct some or all of the City’s sales taxes collected in a designated area to be distributed to qualifying businesses to encourage investment in redevelopment or tourism development in those areas

SECTION 3. That a copy of this resolution for the Program of the City of La Vista, Nebraska shall be filed with the City Clerk who shall make it available for public review at City Hall, 8116 Park View Boulevard, La Vista, Nebraska during regular business hours.

SECTION 4. That the City Clerk is hereby directed to submit the question of adoption of the Program to the registered voters at the general election to be held November 2, 2010 by filing a certified copy of this resolution with the election commissioner or Sarpy County Clerk within the time required by law, but in any event not later than September 1, 2010, at which the question will be considered by voters, and to make all notices and take such further actions as required of her by law regarding such election.

SECTION 5. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 17TH DAY OF AUGUST, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk