

City of Scottsbluff, Nebraska

Monday, April 3, 2017

Regular Meeting

Item Resolut.4

Council to consider a Resolution to terminate the Scottsbluff Improvement Agency.

Staff Contact: Nathan Johnson, City Manager

Nathan & Cindy:

In February 2016, the City Council joined with the Community Redevelopment Authority of the City of Scottsbluff to enter into an Interlocal Cooperation Agreement for the formation of the Scottsbluff Improvement Agency. The sole reason for the Agency was to meet the requirements of the proposed additional sales tax pursuant to LB357. Since that sale tax did not pass, there is no further need for the Agency. In fact, if the City were to consider a future election concerning the additional LB357 sales tax, the requirement is that the Interlocal Agency must not be in existence for the one year proceeding the election. Thus, the existing Interlocal Cooperation Agreement could not be used and any future effort would require a new Interlocal Agency to be formed. According to the Interlocal Agreement, the City has the right to terminate the Interlocal Agreement. The consent or agreement of the Community Redevelopment Authority is not required. We recommend that the Council pass the attached Resolution. Thanks, Rick.

Thanks, Rick.

Rick L. Ediger

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RESOLUTION NO. 17-04-__

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
SCOTTSBLUFF, NEBRASKA:**

Recitals:

a. The City of Scottsbluff, Nebraska (the “City”), previously entered into an Interlocal Cooperation Agreement with the Community Redevelopment Authority of Scottsbluff (the “CRA”) in order to establish a separate legal entity known as the Scottsbluff Improvement Agency (the “Agency”). The purpose of the Agency was to assist in the implementation of an additional municipal sales and use tax (the “Additional Sales Tax”), as required by Section 77-27,142(3)(a) of the Nebraska statutes.

b. The Additional Sales Tax was considered by the qualified electors of the City on May 10, 2016. The qualified electors of the City rejected the Additional Sales Tax.

c. As a result of the election, there is no longer any need to maintain the Agency. Pursuant to the Interlocal Cooperation Agreement, the City has the power to terminate the Agency at any time.

Resolved that:

1. The Agency shall be terminated immediately by this Resolution.
2. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.
3. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on April __, 2017.

Mayor

ATTEST:

City Clerk (Seal)