

# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1178

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND THE CITY OF LA VISTA POLICE OFFICERS RETIREMENT PLAN AND TRUST, FOR CHANGES IN APPLICABLE STATE LAWS; TO AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS AND FURTHER ACTIONS; AND TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Pursuant to Nebraska Statutes, Sections 16-1001 through and including 16-1019 ("Police Retirement Plan Statutes"), the City maintains the City of La Vista Police Officers Retirement Plan and Trust ("Plan"). The City Council is authorized to amend the Plan and an amendment to the Plan has been presented with this Ordinance to incorporate changes made to the Police Retirement Plan Statutes ("Amendment No. 2").

SECTION 2. The City Council hereby adopts and approves Amendment No. 2 for the Plan in form and content presented with this Ordinance.

SECTION 3. The Mayor is hereby authorized to execute said Amendment No. 2 for the Plans and the Mayor or the Mayor's designee from time to time shall take any and all further actions as determined necessary or appropriate to implement said amendment and carry out the actions adopted and approved herein, obtain a determination from the Internal Revenue Service of the affect of said amendment and any other amendments on the qualified status of the Plan under the Internal Revenue Code, if the decision is made to obtain a determination, and otherwise maintain the qualified status of the Plan under the Internal Revenue Code, including, but not limited to, modifying amendments or adopting such further amendments to the Plan as the Mayor or the Mayor's designee determines necessary or advisable.

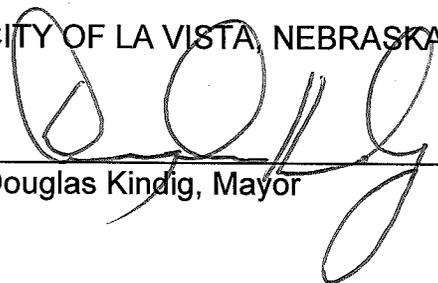
SECTION 4. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 5. 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 of the remaining portions of this Ordinance. The Mayor and City Council 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.

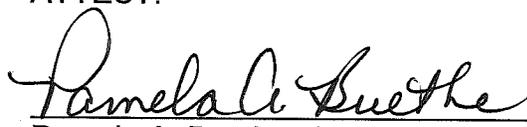
SECTION 6. This Ordinance shall be in force and take effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 19TH DAY OF JUNE, 2012.

CITY OF LA VISTA, NEBRASKA

  
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Douglas Kindig, Mayor

ATTEST:

  
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Pamela A. Buethe, CMC  
City Clerk