

MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

LA VISTA CITY COUNCIL MEETING March 20, 2018

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on March 20, 2018. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Police Chief Lausten, Public Works Director Soucie, City Engineer Kottmann, Director of Administrative Services Pokorny, Finance Director Miserez, City Planner Solberg, Library Director Barcal, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on March 7, 2018. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE MARCH 6, 2018 CITY COUNCIL MEETING**
- 3. MONTHLY FINANCIAL REPORT – JANUARY 2018**
- 4. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$1,372.50**
- 5. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$58.35**
- 6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER – PROFESSIONAL SERVICES – GILES ROAD WIDENING PROPERTY RIGHTS - \$600.00**
- 7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER – PROFESSIONAL SERVICES – LA VISTA PHASE 1 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS - \$6,959.79**
- 8. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH - \$30,959.80 STREETSCAPE PLAN**
- 9. APPROVAL OF CLAIMS:**

AA WHEEL & TRUCK SUPPLY INC, maint.	\$	156.32
ACTION BATTERIES, maint.	\$	74.03
AED ZONE, services	\$	676.00
AFL, LLC, services	\$	60,592.00
ALL FLAGS ETC, bld&grnds	\$	467.00
ARCMATE MANUFACTURING, supplies	\$	798.28
ARTHUR J GALLAGHER RISK, services	\$	199,753.50
ASPHALT & CONCRETE MATERIALS, maint.	\$	2,114.04
BARONE SECURITY SYSTEMS, services	\$	120.00
BAXTER FORD, maint.	\$	303.90
BLACK HILLS ENERGY, utilities	\$	2,452.92
BOLD OFFICE SOLUTIONS, supplies	\$	484.38
BORDER STATES INDUSTRIES, bld&grnds	\$	42.24
CARROT-TOP INDUSTRIES, bld&grnds	\$	2,726.93
CENTURY LINK, phones	\$	576.98
CENTURY LINK BUSN SVCS, phones	\$	124.10
CITY OF PAPIILLION, services	\$	175,777.00
CLASS C SOLUTIONS GROUP, maint.	\$	588.05
COMP CHOICE INC, services	\$	25.00
CORNHUSKER INTL TRUCKS INC, maint.	\$	337.10

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CORNHUSKER STATE INDUSTRIES, services	\$	303.00
COX COMMUNICATIONS, services	\$	277.40
CROUGH RECREATION, services	\$	35,147.00
CULLIGAN OF OMAHA, services	\$	14.00
CUMMINS CENTRAL POWER, bldgnds	\$	221.97
DAIKIN APPLIED, bldgnds	\$	478.60
DESIGN WORKSHOP INC, services	\$	47,391.19
DIGITAL ALLY INC. supplies	\$	190.00
DLR GROUP, services	\$	3,740.00
EDGEWEAR SCREEN PRINTING, apparel	\$	292.50
FBG SERVICE CORP, services	\$	5,965.00
FEDEX, services	\$	378.21
FELSBURG HOLT & ULLEVIG, services	\$	43.75
FERGUSON ENTERPRISES INC, bldgnds	\$	1,348.41
FIRST NATIONAL BANK FREMONT, bonds	\$	595,486.00
FOCUS PRINTING, services	\$	3,002.93
GALE, books	\$	164.93
GCR TIRES & SERVICE, maint.	\$	387.88
GENERAL TRAFFIC CONTROLS INC, services	\$	615.00
GENUINE PARTS CO, maint.	\$	915.37
GRAINGER, bldgnds	\$	13.62
GREATAMERICA FINANCIAL, services	\$	805.00
GT DISTRIBUTORS INC, services	\$	1,636.00
HARTS AUTO SUPPLY, maint.	\$	178.00
HAWKINS CONSTRUCTION CO, services	\$	23,712.30
HDR ENGINEERING INC, services	\$	28,344.26
HEIMES CORP, services	\$	20.00
HOME DEPOT, services	\$	598.00
HONG'S ALTERATION & DRY CLEANING, services	\$	209.00
HUNTEL COMMUNICATIONS, INC, services	\$	155.00
INDUSTRIAL SALES CO, services	\$	150.00
KEVIN JONES, services	\$	300.00
KRIHA FLUID POWER CO, maint.	\$	5.54
MARCO INC, services	\$	134.80
MARK A KLINKER, services	\$	200.00
MATHESON TRI-GAS, supplies	\$	130.73
MAX I WALKER UNIFORM, services	\$	616.58
MENARDS-RALSTON, maint.	\$	84.96
MUD, utilities	\$	151.67
MIDLANDS LIGHTING & ELECTRIC, services	\$	315.00
MIDWEST TAPE, media	\$	98.95
MNJ TECHNOLOGIES DIRECT INC, services	\$	580.00
NATIONAL EVERYTHING WHOLESALE, supplies	\$	1,000.36
NE ARBORISTS ASSOC, services	\$	60.00
NEBRASKA SALT & GRAIN CO, services	\$	3,468.76
NEWMAN M RETZLAFF, payroll	\$	132.45
OFFICE DEPOT INC, supplies	\$	678.00
OLSSON ASSOCIATES, services	\$	30,251.78
OPPD, utilities	\$	48,076.18
OMAHA SLINGS INC, bldgnds	\$	76.33
OMAHA WORLD-HERALD, services	\$	1,009.93
ONE CALL CONCEPTS INC, services	\$	102.48
O'REILLY AUTOMOTIVE STORES, maint.	\$	256.32
PAPER ROLL PRODUCTS, supplies	\$	73.95
PAPILION SANITATION, services	\$	1,407.47
PARK YOUR PAWZ INC, services	\$	42.80
PAYLESS OFFICE PRODUCTS, supplies	\$	83.97
PETTY CASH, supplies	\$	400.00
PLAINS EQUIPMENT GROUP, bldgnds	\$	671.22
RDG PLANNING & DESIGN, services	\$	22,654.79

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SAFETY GUARD INC, services	\$	2,142.00
SARPY COUNTY FISCAL ADMIN, services	\$	12,439.75
SARPY COUNTY LANDFILL, services	\$	120.00
SHERWIN-WILLIAMS, bld&grnds	\$	235.58
SIRIUS COMPUTER SOLUTIONS INC, services	\$	3,850.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	\$	689.34
SOUTHWIND PARTNERS, LLP, services	\$	264.68
STATE OF NE DOT, services	\$	410.64
TERRAMETRIX, services	\$	13,140.00
THOMPSON DREESSEN & DORNER, services	\$	15,607.17
TRAIL PERFORMANCE COATING, maint.	\$	240.00
TRANE U S INC, bld&grnds	\$	25.38
TRANS UNION RISK, services	\$	45.50
TURFWERKS, maint.	\$	149.13
TY'S OUTDOOR POWER & SVC, maint.	\$	213.71
U.S. CELLULAR, phones	\$	855.95
UNITE PRIVATE NETWORKS LLC, services	\$	3,850.00
US AIR PURIFIERS LLC, services	\$	2,080.00
USB USA LLC, supplies	\$	326.00
UTILITY EQUIPMENT CO, services	\$	403.84
WICK'S STERLING TRUCKS INC, maint.	\$	705.22
ZEKE KINSEY, services	\$	40.00
ZIMCO SUPPLY CO, services	\$	399.35

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Hale reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe announced that next week is the Nebraska Municipal Clerk's Institute and Academy. Buethe stated she is part of the education committee which puts on the school and sets up the training and presenters. Community Relations Coordinator Beaumont will be presenting at the Institute on *Using Social Media to Promote Your City and Citizens*. City Clerk Buethe will be doing a jumpstart program for new clerks.

Recreation Director Stopak stated there is a Quidich tournament this weekend. Saturday, March 31st will be the Easter Egg Hunt at the Sports Complex.

Library Director Barcal announced there are new audio books at the library. Amnesty week is next week, where people can bring in cans of food in lieu of fines.

Public Works Director Soucie introduced Gwendolyn Lietzen and stated she has filled the vacant Administrative Assistant position at Public Works.

B. CITY ACQUISITION OF REAL PROPERTY – PART OF LOT 16, LA VISTA CITY CENTRE

1. PUBLIC HEARING

At 7:07 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the city acquisition of real property – part of Lot 16, La Vista City Centre.

At 7:08 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION – CITY ACQUISITION OF REAL PROPERTY

Councilmember Thomas introduced and moved for the adoption of Resolution No. 18-030 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE ACQUISITION OF REAL PROPERTY AND FURTHER ACTIONS.

WHEREAS, the City Council, upon determination and recommendation of the City Engineer, determines that lot boundary adjustments in La Vista City Centre are necessary or appropriate in connection with planned public improvements; and

WHEREAS, in connection with such boundary adjustments, the owner of Lot 16, La Vista City Centre, desires to transfer and convey the following described portion of Lot 16 to the City:

Part of Lot 16, La Vista City Centre, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska commencing at the southeast corner of said Lot 16; thence N02°22'53"W on the east line of said Lot 16 for a distance of 69.00 feet to the point of beginning; thence, S87°37'07"W a distance of 202.83 feet; thence, N02°22'53"W for a distance of 1.00 feet; thence, N87°37'07"E for a distance of 202.83 feet on the northerly line of said Lot 16; thence, S02°22'53"E on the east line of said Lot 16 for a distance of 1.00 feet to the point of beginning. ("Property");

and the City desires to acquire such Property in exchange for other real property, easements, or interests in the vicinity, or other consideration, and subject to such conditions, as the City Administrator, City Engineer, or her or his designee determines appropriate.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council, after notice and public hearing, hereby approve acquisition of the Property in exchange for real property, easements, or interests in the vicinity or other consideration, and subject to such conditions, as the City Administrator, City Engineer, or her or his designee determines appropriate.

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, City Engineer, or his or her designee, is hereby authorized to take all actions on behalf of the City that he or she determines necessary or appropriate to carry out the resolutions approved herein, including without limitation executing and delivering any agreements, documents or instruments.

Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Roman, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

C. ORDINANCE - PROPERTY VACATION – PART OF COTTONWOOD AVENUE RIGHT-OF-WAY

Councilmember Quick introduced Ordinance No. 1320 entitled: AN ORDINANCE VACATING PART OF COTTONWOOD AVENUE RIGHT-OF-WAY LOCATED IN LA VISTA CITY CENTRE ON ONE SIDE OF THE CENTER THEREOF, AUTOMATICALLY VESTING TITLE IN OWNER OF ABUTTING LOT 16, LA VISTA CITY CENTRE, DIRECTING CONVEYANCE AND MANNER AND TERMS THEREOF, AUTHORIZING FURTHER ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Roman, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Frederick. The Mayor then stated the question, "Shall Ordinance No. 1320 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick,

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Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

D. RESOLUTION – APPROVAL OF REPLAT OF LOTS 16-17, LA VISTA CITY CENTRE

Councilmember Hale introduced and moved for the adoption of Resolution No.18-031 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 16 AND 17, LA VISTA CITY CENTRE, TO BE REPLATTED AS LOTS 1 AND 2, LA VISTA CITY CENTRE REPLAT 2, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described property have made application for approval of a replat for Lots 16 and 17, La Vista City Centre, to be replatted as Lots 1 and 2, La Vista City Centre Replat 2; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on September 21, 2017, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 16 and 17, La Vista City Centre, to be replatted as Lots 1 and 2, La Vista City Centre Replat 2, a subdivision located in the Southwest Quarter of Section 14, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southeast of Main Street and City Centre Drive, be, and hereby is, approved.

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

E. RESOLUTION - PARTY WALL AND EASEMENT AGREEMENT – LOT 15, LA VISTA CITY CENTRE AND LOTS 1 AND 2, LA VISTA CITY CENTRE REPLAT 2

Councilmember Hale introduced and moved for the adoption of Resolution No.18-032 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTY WALL AND EASEMENT AGREEMENT, LOT 15, LA VISTA CITY CENTRE, AND LOTS 1 AND 2 LA VISTA CITY CENTRE REPLAT 2.

WHEREAS, the City Council did on March 20, 2018, approve boundary adjustments, property conveyances, vacation of part of Cottonwood Avenue right of way, and replatting of Lots 16 and 17, La Vista City Centre, as Lots 1 and 2, La Vista City Centre Replat 2 ("Boundary Adjustments"); and

WHEREAS, the City Engineer determines that agreements are required for common infrastructure, improvements, and easements as a condition of such Boundary Adjustments, and a proposed Party Wall and Easement Agreement is presented at this meeting for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Party Wall and Easement Agreement as presented at this meeting hereby is approved, subject to any additions, subtractions, or modifications, as the City Administrator, City Engineer, or her or his designee determines necessary or appropriate, and final exhibits thereto in form and content satisfactory to the City Engineer or his designee ("Agreement").

FURTHER RESOLVED, that the Mayor and City Clerk be and hereby are authorized to execute the Agreement on behalf of the City; and that the Mayor, City

Administrator, City Clerk, City Engineer, or his or her designee, shall be authorized to take any additional actions as he or she may determine necessary or advisable to carry out the resolutions approved herein.

Seconded by Councilmember Sell. Discussion was held regarding the shared concrete wall. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Motion carried.

F. RESOLUTION – AUTHORIZE INTERLOCAL AGREEMENT – STORM SEWER REPAIR WORK – 108TH & CHANDLER

Councilmember Sell introduced and moved for the adoption of Resolution No.18-033 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR THE UNDERTAKING OF EFFORTS REQUIRED FOR CONTRIBUTION TO STORM SEWER IMPROVEMENTS NECESSARY FOR THE DEVELOPMENT OF THE BROOK VALLEY BUSINESS PARK REPLAT FIVE SUBDIVISION

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, the modification to the storm sewer outlet are necessary; and,

WHEREAS, the FY 17/18 Biennial budget provides funding for the City's portion of this repair; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby approves and authorizes the execution of an Interlocal Cooperation Agreement with Sarpy County for the undertaking of efforts required for contribution to storm sewer improvements necessary for the development of the Brook Valley Business Park Replat Five Subdivision in form and content approved by the City Attorney and subject to approval by the Sarpy County Board of Commissioners.

Seconded by Councilmember Quick. Discussion was held. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Motion carried.

G. RESOLUTION – AWARD CONTRACT – CONCESSION STAND OPERATIONS

Councilmember Hale introduced and moved for the adoption of Resolution No.18-034 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City since 2005; and

WHEREAS, the current contract with HAMS, Inc. expires in April of 2018; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for one year; and

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to execute a one-year contract with HAMS Inc., Omaha, Nebraska, for the operation of the concessions at the Softball Complex, Soccer Complex, City Park and Community Center.

Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

H. RESOLUTION – AUTHORIZE PURCHASE – SKID-STEER LOADER

Councilmember Hale introduced and moved for the adoption of Resolution No.18-35 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2018 S650 T4 BOBCAT SKID-STEER LOADER FROM BOBCAT OF OMAHA, OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED \$40,845.58.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a skid-steer loader is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed purchase; 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 purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the purchase of one (1) 2018 S650 T4 Bobcat Skid-Steer loader from Bobcat of Omaha, Omaha Nebraska, in an amount not to exceed \$40,845.58.

Seconded by Councilmember Frederick. Discussion was held. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan announced the G. Stanley Hall Cookout will be May 4th.

Mayor Kindig stated the Streetscape public meeting will be at City Hall tomorrow. He gave a brief update on the Nebraska Legislature. He also stated the dinosaur at the Sinclair station has been removed. Sinclair will get back to the Mayor if it is possible to get a replacement.

At 7:26 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

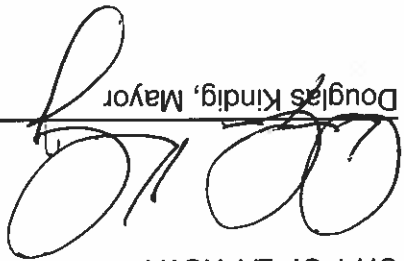
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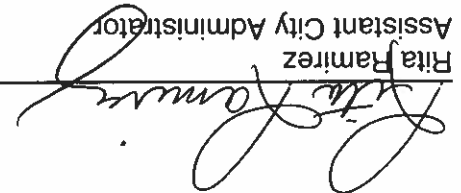
PASSED AND APPROVED THIS 3RD DAY OF APRIL, 2018.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Rita Ramirez
Assistant City Administrator