

# MINUTE RECORD

A-2

No. 729 -- REEDIE & COMPANY, INC. OMAHA E1310556LD

## LA VISTA CITY COUNCIL MEETING March 7, 2017

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 7, 2017. Present were Councilmembers: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Director of Public Works Soucie, City Engineer Kottmann, Library Director Barcal, and Human Resource Manager Garrod.

A notice of the meeting was given in advance thereof by publication in the Times on February 22, 2017. 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.

### **SWEAR IN POLICE SERGEANT – SCOTT COLLETT**

Mayor Kindig swore in Scott Collett as a Sergeant for the La Vista Police Department.

#### **A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2017 CITY COUNCIL MEETING**
- 3. MONTHLY FINANCIAL REPORT – DECEMBER 2016**
- 4. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 84<sup>TH</sup> STREET ADAPTIVE SIGNALS - \$212.50**
- 5. REQUEST FOR PAYMENT – ANDERSON EXCAVATING CO. – CONSTRUCTION SERVICES - DEMOLITION & SITE PREPARATION – MIXED USE REDEVELOPMENT PROJECT AREA - \$138,150.00**
- 6. REQUEST FOR PAYMENT – AECOM - PROFESSIONAL SERVICES – LA VISTA NEW AMPHITHEATER FEASIBILITY STUDY - \$10,407.61**
- 7. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PARKING FACILITIES - \$67,232.07**
- 8. REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$46,237.05**
- 9. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PUBLIC IMPROVEMENTS - \$8,112.87**
- 10. APPROVE CHANGE IN DATE OF CITY COUNCIL MEETING FROM AUGUST 1, 2017 TO AUGUST 2, 2017**
- 11. RESOLUTION 17-021 – FIREWORKS DISPLAY – SALUTE TO SUMMER FESTIVAL - TEMPORARY USE OF HWY 85 (84<sup>TH</sup> STREET) ACCEPTANCE OF DUTIES**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING DUTIES AND LIABILITIES FOR TEMPORARY USE OF STATE HIGHWAY 85

WHEREAS, the City of La Vista desires to conduct a fireworks display on property adjacent to State Highway No. 85 in conjunction with the Salute to Summer Festival, and;

WHEREAS, the City of La Vista desires to make temporary use of State Highway No. 85 between Brentwood Drive and Harrison Street, and;

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WHEREAS, the temporary use shall consist of the total closure of State Highway No. 85 to vehicular traffic, and;

WHEREAS, State Highway No. 85 between Brentwood Drive and Harrison Street is within the corporate limits of the City of La Vista, and;

WHEREAS, Section 39-1359 R.R.S. Neb. 2008 was amended on May 24, 2011, by Legislative Bill 589 to provide that a temporary use of a state highway system, including full and partial lane restrictions, can be made for a special event where the roadway is located in the corporate limits of a city, if such city through formal action of its governing body acknowledges and accepts the duties set forth in subsection (2) of Section 39-1359 and indemnifies and holds the State of Nebraska harmless against claims made arising out of the special event and provides thirty (30) days advance notice to the State of Nebraska.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, that pursuant to Section 39-1359 R.R.S. Neb. 2008, as amended by Legislative Bill 589 on May 24, 2011, the City of La Vista officially designates the La Vista Daze Fireworks Display as a special event under LB 589 and hereby notifies the State of Nebraska that it accepts the duties imposed by such law, and, if a claim is made against the state, shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event and the temporary use of State Highway No. 85 (aka 84<sup>th</sup> Street) from Brentwood Drive to Harrison Street between the hours of 9:00 pm and 10:30 pm on May 26, 2017 for traffic control during the fireworks display.

## **12. RESOLUTION 17-022 – PARADE – SALUTE TO SUMMER FESTIVAL - TEMPORARY USE OF HWY 85 (84<sup>TH</sup> STREET) ACCEPTANCE OF DUTIES**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING DUTIES AND LIABILITIES FOR TEMPORARY USE OF STATE HIGHWAY 85

WHEREAS, the City of La Vista desires to conduct a parade that will cross State Highway No. 85 in conjunction with the Salute to Summer Festival, and;

WHEREAS, the City of La Vista desires to make temporary use of State Highway No. 85 between Brentwood Drive and Harrison Street, and;

WHEREAS, the temporary use shall consist of the total closure of State Highway No. 85 to vehicular traffic, and;

WHEREAS, State Highway No. 85 between Brentwood Drive and Harrison Street is within the corporate limits of the City of La Vista, and;

WHEREAS, Section 39-1359 R.R.S. Neb. 2008 was amended on May 24, 2011, by Legislative Bill 589 to provide that a temporary use of a state highway system, including full and partial lane restrictions, can be made for a special event where the roadway is located in the corporate limits of a city, if such city through formal action of its governing body acknowledges and accepts the duties set forth in subsection (2) of Section 39-1359 and indemnifies and holds the State of Nebraska harmless against claims made arising out of the special event and provides thirty (30) days advance notice to the State of Nebraska.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, that pursuant to Section 39-1359 R.R.S. Neb. 2008, as amended by Legislative Bill 589 on May 24, 2011, the City of La Vista officially designates the La Vista Daze Parade as a special event under LB 589 and hereby notifies the State of Nebraska that it accepts the duties imposed by such law, and, if a claim is made against the state, shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event and the temporary use of State Highway No. 85 (aka 84<sup>th</sup> Street) from Brentwood Drive to Harrison Street between the hours of 12:30 pm and 4:30 pm on May 27, 2017 for traffic control during the parade.

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## 13. APPROVAL OF CLAIMS

ACTION BATTERIES, maint,	\$53.70
AECOM TECHNICAL, services	\$18,626.42
ASPHALT & CONCRETE MATERIALS, maint.	\$1,880.52
ATLAS AWNING, services	\$210.00
BAKER & TAYLOR, books	\$321.55
BANK OF NEBRASKA, services	\$3,066.27
BAXTER CHRYSLER DODGE JEEP, maint.	\$311.25
BEACON BUILDING, services	\$5,812.00
BISHOP BUSINESS EQUIPMENT, services	\$1,051.06
BLACK HILLS ENERGY, utilities	\$5,874.47
BUETHE, P., travel	\$590.00
CENTURY LINK BUSN SVCS, phones	\$62.17
CENTURY LINK, phones	\$285.67
CHRIS MADDEN, services	\$825.00
CITY OF PAPILLION, services	\$173,897.00
COX COMMUNICATIONS, services	\$152.69
CULLIGAN OF OMAHA, services	\$5.00
DATASHIELD CORP, services	\$19.43
DEARBORN NAT'L LIFE INS CO, services	\$1,085.00
DHHS REG/LIC-POOL PERMIT, services	\$40.00
DULTMEIER SALES, bld&grnds	\$104.30
ELAN FINANCIAL, services	\$385.00
ENTERPRISE FM TRUST, services	\$580.01
FELSBURG HOLT & ULLEVIG, services	\$2,520.00
FIRE & SAFETY 101, services	\$1,450.00
FIRST NATIONAL BANK FREMONT, bonds	\$371,428.19
FOCUS PRINTING, services	\$388.25
GALE, media	\$720.00
GALLS LLC, apparel	\$377.90
GCR TIRES & SERVICE, maint.	\$20.78
GRAYBAR ELECTRIC CO, bld&grnds	\$114.92
H & H CHEVROLET LLC, maint.	\$55.37
H W WILSON CO, services	\$345.00
HANEY SHOE STORE, apparel	\$300.00
HELWIG, J., travel	\$73.00
HENKEL, R., travel	\$221.00
HERITAGE CRYSTAL CLEAN LLC, services	\$316.59
HUNTEL COMMUNICATIONS, INC, services	\$1,162.96
HY-VEE INC, services	\$1,754.46
ICMA PAYROLL, services	\$160.77
INDUSTRIAL SALES CO, services	\$225.00
KIMBALL MIDWEST, supplies	\$133.29
KRIHA FLUID POWER CO INC, services	\$160.40
LA VISTA COMM FOUNDATION, payroll	\$60.00
LANDS' END BUSINESS OUTFITTERS, apparel	\$135.35
LEAF CAPITAL FUNDING LLC, services	\$700.00
MANPOWER, services	\$6,090.97
MARCO INC, services	\$398.35
MARK A KLINKER, services	\$200.00
MAX I WALKER UNIFORM, apparel	\$580.25
MENARDS-RALSTON, bld&grnds	\$239.01
MID CON SYSTEMS INC, supplies	\$323.62
MID-AMERICAN BENEFITS INC. services	\$1,222.00
MPH INDUSTRIES INC, maint.	\$70.78
MUD, utilities	\$2,190.34
NAT'L EVERYTHING WHOLESALE, supplies	\$386.86

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NE DEPT OF REVENUE, sales tax	\$899.20
NE SALT & GRAIN CO, maint.	\$10,292.19
NOBBIES INC, supplies	\$20.58
NUTS AND BOLTS INC, bld&grnds	\$27.13
ODB CO, maint.	\$207.42
OFFICE DEPOT INC, supplies	\$423.65
OMAHA WORLD-HERALD, services	\$1,830.62
OPPD, utilities	\$49,471.04
ORD TOWNSHIP LIBRARY, supplies	\$14.97
PAPILLION TIRE INC, maint.	\$87.67
PAYLESS OFFICE PRODUCTS, supplies	\$1,215.53
PETTY CASH, supplies	\$280.01
PLAINS EQUIPMENT GROUP, maint.	\$599.99
QP ACE HARDWARE, bld&grnds	\$608.54
QUALITY AUTO REPAIR & TOWING, services	\$75.00
REGAL AWARDS OF DISTINCTION, services	\$22.00
RETRIEVEX, services	\$145.18
SARPY COUNTY COURTHOUSE, services	\$3,976.44
SECURITY EQUIPMENT INC., services	\$79.00
SHEPPARD'S BUSINESS INTERIORS, services	\$2,875.27
SIGN IT, services	\$430.00
SIMPLEX GRINNELL LP, bld&grnds	\$2,483.68
SPENCER FANE LLP, services	\$1,502.11
SPRINT, services	\$119.97
TED'S MOWER SALES, services	\$3,200.00
TOSHIBA FINANCIAL, services	\$127.40
TRACTOR SUPPLY, bld&grnds	\$366.56
UNITED PARCEL, services	\$74.60
VERIZON WIRELESS, phones	\$37.00
WAL-MART, supplies	\$913.75

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez reported that the transition of the Community Development to their new location at the 8110 building is complete. An open house will be held for Councilmembers prior to the next meeting.

Police Chief Lausten reported that Sarpy County 911 is now taking text messages. There is a campaign to encourage people to know where they are as GPS does not lock in on these texts. A three day honor guard training will be held soon.

City Engineer Kottmann gave an update on the construction at the 84<sup>th</sup> Street project.

## B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

### 1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the one and six year street improvement plan.

Street Superintendent Henkel presented the plan.

At 7:20 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

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## 2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No.17-023; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

## C. RESOLUTION – AWARD BID – PHASE 1 GRADING – GOLF COURSE TRANSFORMATION

Councilmember Quick introduced and moved for the adoption of Resolution No.17-024; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO BLADE MASTERS GROUNDS MNTC INC OF BENNINGTON NEBRASKA FOR PHASE 1 GRADING, GOLF COUSE TRANSFORMATION FOR THE CIVIC CENTER PARK IN AN AMOUNT NOT TO EXCEED \$1,121,368.50.

WHEREAS, the City Council of the City of La Vista has determined Phase 1 grading, golf course transformation for the Civic Center Park is necessary; and

WHEREAS, the FY17 and FY18 budgets include funding for this project in the Capital Improvement Program; and

WHEREAS, Bids were received from three (3) contractors, and

WHEREAS, Blade Masters Grounds Mntc Inc., Bennington, Nebraska has submitted the low, qualified bid, and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to Blade Masters Grounds Mntc Inc., Bennington, Nebraska for Phase 1 grading, golf course transformation for the Civic Center Park, in an amount not to exceed \$1,121,368.50.

Seconded by Councilmember Hale. City Engineer Kottmann showed a video of the proposed concept from TD2 of the lake area. Councilmember Thomas asked about the timeline. City Engineer Kottmann said it could vary based on weather as it is an area that will flood if it rains. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## D. RESOLUTION – AUTHORIZATION TO PURCHASE – PICKUP TRUCK

Councilmember Hale introduced and moved for the adoption of Resolution No.17-025; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2017 CHEVROLET 3500 EXTENDED CAB 4X4 HEAVY DUTY PICKUP TRUCK FROM SID DILLON COMMERCIAL /FLEET DIVISION, WAHOO, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$54,156.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a pickup truck for the Parks Division is necessary, and

WHEREAS, the FY 17 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby authorize the purchase of one (1) 2017 Chevrolet 3500 Extended Cab 4X4 heavy duty pickup truck from Sid Dillon Commercial/Fleet Division, Wahoo, Nebraska for an amount not to exceed \$54,156.

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

## E. GENERATOR – FIRE STATION #4 AND COMMUNITY DEVELOPMENT BUILDING

### 1. RESOLUTION – APPROVE PURCHASE OF GENERATOR

Councilmember Hale introduced and moved for the adoption of Resolution No.17-026; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) CATERPILLAR GENERATOR FROM NATIONAL JOINT POWERS ALLIANCE FOR AN AMOUNT NOT TO EXCEED \$38,954.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a generator for fire station #4 and the Community Development building located at 8110 Park View Blvd. is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, 50% of the expense will be refunded through an agreement with Papillion Fire; and

WHEREAS, Subsection (c) 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.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) Caterpillar generator from National Joint Powers Alliance for an amount not to exceed \$38,954.

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

## **2. RESOLUTION- AWARD ELECTRICAL WORK FOR GENERATOR**

Councilmember Quick introduced and moved for the adoption of Resolution No.17-027; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING THE ELECTRICAL WORK FOR THE NEW GENERATOR AT THE FIRE STATION #4 BUILDING, 8110 PARK VIEW BLVD. TO VIERREGGER ELECTRIC FOR AN AMOUNT NOT TO EXCEED \$13,880.

WHEREAS, the City Council of the City of La Vista has determined that the electrical work to provide electrical hookups for the new generator for fire station #4 and the Community Development building located at 8110 Park View Blvd. is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed project, and

WHEREAS, 50% of the expense will be refunded through an agreement with Papillion Fire; and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby award the electrical work for the new generator at the fire station #4 building, 8110 Park View Blvd. to Vierregger Electric for an amount not to exceed \$13,880.

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

## **F. CLASSIFICATION AND COMPENSATION**

### **1. RECEIVE AND FILE – CLASSIFICATION AND COMPENSATION STUDY**

Director of Administrative Services Pokorny gave an overview of the study process. Dr. Robert Ottemann gave an overview of the study. Discussion was held. Councilmember Hale made a motion to receive and file the classification and compensation study. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

### **2. ORDINANCE – AMEND COMPENSATION ORDINANCE**

Councilmember Sell introduced Ordinance No. 1303 entitled; AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

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Said ordinance was then read by title, discussion was held, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1303 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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.

## G. DISCUSSION – SCHOOL RESOURCE OFFICER

Police Chief Lausten and Papillion La Vista Schools Superintendent, Dr. Rikly, brought forth information addressing the need for a Resource Officer to be placed at the Jr. High School. Councilmembers Sell stated an officer could be a positive influence on kids. Councilmember Crawford asked if having an officer in school would help cut down on bullying. Police Chief Lausten confirmed that it can help and is a step in the right direction, but it would not stop all bullying. Building relationships with students can give a tactical advantage to ward off negative behaviors prior to things getting out of hand. Councilmember Sheehan mentioned we have seen this advantage in regards to the DARE officer as they often build positive relationships with students and are treated as a best friend by many. Mayor Kindig and the Council supported Chief Lausten and staff to begin working on an interlocal agreement to share the cost of the officer with the school district. This would be a three-year agreement, with a target start date of March 2018. Dr. Rikly thanked the Council for this important step.

Councilmember Crawford made a motion to move Comments from the Floor ahead of Item H Executive Session. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## H. EXECUTIVE SESSION - STRATEGY SESSION - POTENTIAL REAL ESTATE ACQUISITION

At 8:03 p.m. Councilmember Crawford made a motion to go into executive for protection of the public to discuss a potential real estate acquisition. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:12 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that Sarpy County had a discussion to lower home appraisal values. The main topic is paying fair share for shared services with Douglas County.

At 8:17 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

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PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

CITY OF LA VISTA

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ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA**  
**8116 PARK VIEW BOULEVARD**  
**LA VISTA, NE 68128**  
**P: (402)593-640**

**PLANNING COMMISSION MINUTES**  
**FEBRUARY 16<sup>TH</sup>, 2017-7:00 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, February 16th, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Gayle Malmquist called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Kevin Wetuski, Harold Sargus, Kathleen Alexander, Jason Dale and Jackie Hill. Members absent were: Tom Miller and Mike Circo. Also in attendance were Chris Solberg, City Planner; Meghan Engberg, Permit Technician, John Kottmann, City Engineer; and Rocky Henkel, Streets Superintendent.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

**1. Call to Order**

The meeting was called to order by Chairman Malmquist at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – January 19, 2017**

Krzywicki moved, seconded by Alexander to approve the January 19th minutes with corrections.  
**Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Hill, Gahan, and Dale. Nays: None.**  
**Abstain: None. Absent: Miller and Circo. Motion Carried. (8-0)**

**3. Old Business**

None.

**4. New Business**

**A. Public Hearing for the review of the One & Six Year Road Plan**

- i. **Staff Report – Rocky Henkel:** Henkel came up to give an update on the One and Six year road program to let everyone know what projects were completed last year and what projects have been identified to be completed this year. He mentioned that last year the resurfacing of 66<sup>th</sup> St. from Harrison to Giles was completed and Giles Rd. from 66<sup>th</sup> to 69<sup>th</sup> St. Also, Port Side Pkwy. was completed from 125<sup>th</sup> St. to Westport Pkwy. He then went on to talk about the projects that have been identified to be completed this year. Henkel went on to discuss the engineering and ROW acquisition project for intersection of 132<sup>nd</sup> St. and West Giles Rd. with the City's portion being \$15,000, as well as Sarpy County's, while Federal's is \$126,000.

They anticipate this project making the May bid letting, so hopefully everything is on track for that project. Henkel then showed some pictures depicting the area. He said that this project includes Engineering and Construction costs. Henkel then talked about the project on 84<sup>th</sup> St. from Harrison to Giles Rd, which is the adaptive signals project. He anticipates this project being bid in July, so everything is on pace for the project as well.

Sargus asked if the cost of the project was just for the signals or if it includes everything.

Henkel said that it includes everything; the studies, the software and the equipment. He then mentioned that John Kottmann could probably explain better and give more information, if they wanted it.

Malmquist asked what the "other" funding source listed was.

Henkel said that "other" was listed as the project is a collaborative effort from the cities of Ralston, Papillion, and Omaha.

He then went on to talk about the project at the intersection of 96<sup>th</sup> and Brentwood Dr.: installing traffic signals at that intersection, which should be going in sometime this fall. The next project he brought up is a concrete panel replacement on Harrison St. He is in the process of drawing up a contract for that project and it should be going out sometime this spring, with \$315,000 allocated for that project. The next project brought up was Giles Rd.; an asphalt overlay from Harrison St. to Interstate 80. This contract has been awarded with a start date in June. He then talked about the Giles Rd. Widening design and traffic study. Henkel then brought up the 84<sup>th</sup> St. Public Improvements Redevelopment Project and anticipates that \$1,000,000 will be spent in this project in the coming year. Right now it's in 30% design and they are hoping to have 60% by April. The last project he mentioned for this year was the Multi-Sports Complex, which has been allocated \$700,000 in engineering and design. Henkel then asked if there were any questions.

Hill brought up the '18 agenda for the Multi-Sport Complex and mentioned that they \$9.3 million listed and asked if he had any idea what the break out is on that.

Henkel said that it's for public infrastructure.

Hill asked what the city's contribution was for this project.

Kottmann said that \$9.3M is the construction cost and that is the public improvements and the parking improvements that the city would be providing and that there is no funding split.

ii. **Public Hearing: Opened by Malmquist**

**Malmquist closed the public hearing as no members of the public came forward.**

iii. **Recommendation:** Krzywicki moved, seconded by Wetuski to recommend approval to the City Council of the One and Six Year Road Plan for 2017. **Ayes:** Sargus, Krzywicki, Malmquist, Wetuski, Alexander Hill, Gahan, and Dale. **Nays:** None. **Abstain:** None. **Absent:** Miller and Circo. **Motion Carried.** (8-0)

**B. Public Hearing Zoning Map Amendment – Lot 1 Lakeview South II, Lot 1 Lakeview South II Replat 4, Lots 1 and 2 Lakeview South II Replat 6, Lot 2 Lakeview South II Replat 2, South 1551.37FT TAX LOT 4 23-14-11 – J & H Investments LLC**

- i. **Staff Report – Chris Solberg:** Solberg states that the applicants, J & H Investments LLC, is requesting a rezoning of the aforementioned lots northwest of the intersection of Meadows Blvd. and 145<sup>th</sup> St, from C-3 and I-1 along with a Gateway Corridor Overlay to I-2 with Gateway Corridor Overlay over a portion of the property. Staff's recommendation is for the approval of the amendment to the Zoning Map from the aforementioned zoning, as depicted on the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.
- ii. **Applicant Presentation:** Douglas Dreessen came up and spoke on this agenda item, on behalf of the applicants. He said that he is there to answer any questions they may have. Dreessen then showed some slides of what they are proposing to do. He said that there are 4 lots and that they will have a variety of uses. He mentioned that there will be a pavement repair company, an industrial equipment company, a concrete recycler and that there all planning on continuing their operations at this location. He said that Woodhouse is also purchasing some of the property to the north and we will learn about that later in the meeting.
- iii. **Public Hearing – Malmquist opened the public hearing.**  
**Malmquist closed the public hearing as no members from the public came forward.**
- iv. **Recommendation:** Gahan moved, seconded by Sargus to recommend approval to the City Council, item 4B of the Zoning Map Amendment as described earlier by the chair. **Ayes:** Sargus, Krzywicki, Malmquist, Wetuski, Alexander Hill, Gahan, and Dale. **Nays:** None. **Abstain:** None. **Absent:** Miller and Circo. **Motion Carried.** (8-0)

**C. Preliminary Plat – Heimes – J & H Investments LLC**

- i. **Staff Report – Chris Solberg:** Solberg states that the applicant, J & H Investments LLC is requesting approval of the Preliminary Plat to divide S 1551.37 FT of Tax Lot 4 (23-14-11) and Lot 2 Lakeview South II Replat 6 into multiple lots with associated right-of-way. Solberg mentioned that the location of the property is the Northwest intersection of Meadows Blvd. and 145<sup>th</sup> St. Staff recommends approval of the preliminary plat, contingent on the approval of the amendment to the Zoning Map (Rezoning) request listed on the agenda as item 4B and the finalization of storm water and traffic issues prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan.

Doug Dreessen came up to speak on this item. He showed a rendering of the improvements that are contemplated. He pointed out the cul de sac that he referred to before. He mentioned that there are four parcels to the back, west portion and the other parcels, along the frontage, will remain the same. He mentioned that the Woodhouse project will be on the north side. He said that they are in the process of working through the drainage and traffic issues on the project with Woodhouse and the NRD. He said that his understanding is that there aren't any real big issues there at this point and that they will get those contingencies taken care of. He then invited the commission to ask any questions they may have.

Malmquist asked what Heimes will be doing out there and if they are the owners or operators.

Dreessen said that they are the owners and operators. He said they currently have a location out by Sapp Bros. that includes concrete recycling, utility installs and those kinds of things. They will be expanding into that area some and are also selling off some of their property for Woodhouse's operation. They are also accommodating the Ditch Witch dealer that is out there currently, so it's kind of an expansion of what is already there. The paving contractor is fairly new to the area, but they're excited to be out in that area as well.

Hill mentioned that she noticed that the Papillion NRD has some concern about the drainage direction into the spillway and asked what the concerns were.

Dreessen said he wasn't sure what their concerns were. He said that the drainage has all been directed away from their property, so he believes that's been resolved with them.

Krzywicki mentioned that the Papio NRD in the last couple of years has been trying to minimize the amount of additional flow into the street, streams, and creeks, etc. He asked in a development like this, where they have put a lot of impervious pavement, buildings and stuff on the property, which leaves less land to soak in the water, what type of regulations would a developer like this have to comply with.

Kottmann said that La Vista is a member of the Papillion Creek Watershed partnership and our interlocal agreement with the other agencies, which includes Papio NRD, is requiring us to implement their watershed management policies, essentially that is no increase in 2-year peak flows above existing conditions and

treatment of the first  $\frac{1}{2}$ " of run off. He says those are stated in the chapter 154 of our Municipal Code, which are the basic criteria. He said that we also have a subdivision regulation requirement that 10-year peak flows cannot exceed 125% of predevelopment peak flows, so several criteria are in place and they have done drain studies, demonstrating those compliances and there are some details they have asked to look over in coordination with Woodhouse to the north. Kottman continued to state that they had a meeting with them last week and it looks like they are finishing up on that. They will eventually need to get Sarpy County to sign off because they control the culverts on Giles Rd., which is the reason for the stipulation.

Solberg said that he'd like to point out that there is an error on page 2 under the Staff Report.

ii. **Recommendation – Preliminary Plat Krzywicki moved, seconded by Dale to recommend approval to City Council the approval of the preliminary plat, contingent on the approval of the amendment to the Zoning Map (Rezoning) request listed on the agenda as item 4B and the finalization of storm water and traffic issues prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. Ayes: Sargus, Krzywicki, Maimquist, Wetuski, Alexander Hill, Gahan, and Dale. Nays: None. Abstain: None. Absent: Miller and Circo. Motion Carried. (8-0)**

**D. Waiver, Revised Preliminary Plat, Final Plat, and Public Hearing on Planned Unit Development Site Plan and Conditional Use Permit – Woodhouse Place – LB Southwest Investments, LLC**

**i. Staff Report – Chris Solberg:** Solberg said that the applicant, LB Southwest Investments, LLC is requesting Number 1, a waiver of section 4.24 of the Subdivision Regulations regarding minimum centerline radius of a local street, from 200 feet to 150 feet. Number 2, a revised Preliminary Plat for Woodhouse Place. Number 3, a Final Plat for Woodhouse Place. Number 4, a Planned Unit Development site plan for Woodhouse Place and Number 5, a Conditional Use Permit for Woodhouse Place. Solberg said that this is for Tax Lot 4 EXC S 1551.37 FT & EXC ROW 23-14-11. Staff’s recommendation is approval of the request for waiver of Section 4.24 of the Subdivision Regulations regarding minimum centerline radius of a local street from 200-150 feet. Staff also recommends approval of the revised preliminary plat, contingent on the approval of the waiver of Section 4.24 of the Subdivision Regulations and the resolution of traffic, sewerage, and drainage study issues prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. Staff recommends approval of the final plat, contingent on the approval of the revised Preliminary Plat, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. Staff recommends approval of the PUD Site Plan, contingent on the approval of the revised Preliminary Plat and Final Plat, as the request is consistent with the Zoning Regulations and the Comprehensive Plan. Finally, staff recommends approval of the Conditional Use Permit, contingent on the approval of the revised Preliminary Plat,

Final Plat, And PUD Site Plan, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

- ii. **Applicant Presentation:** Larry Jobeun came up and spoke on behalf of the applicant. He mentioned that Mike McIntosh from Lamp Rynearson and Paul Cech from Woodhouse were there with him as well. Jobeun then showed the commissioners a site plan. He said that this is a 30 acre site on the southwest corner of 144<sup>th</sup> and Giles. He said that the recommendations brought forth tonight will allow the construction of auto dealerships at this particular site. On the north will be a Hyundai dealership, the one immediately to the south is the Nissan dealership, and the one immediately south of that is the Mazda dealership and the final dealership is the Lincoln dealership. He asked them to note that there is a public street that connects to Giles Rd. that goes all the way through the site and connects to the south. He said that it will be built to public standards, but will be paid for privately. He said that have been working with the County and the City regarding the extensions and the sanitary outfall to the north to make the connection to provide sanitary sewer for not only that site, but potentially the sites to the south as well. Jobeun said that the drainage way will be preserved and the water from that drainage way will go under Giles Rd. and dissipate to the north. He then pointed out that the other detention basin is in the outlot on the corner of that lot. He said that there are really only 2 lots on that site plan, one consists of everything on the west side of 145<sup>th</sup> St. and the other lot is immediately on the west side between 144<sup>th</sup> and 145<sup>th</sup> St. Jobeun then said that as far as the PUD is concerned, they are hoping to have a general buildable area and within that buildable area they can pretty much build whatever they are applying for here. He then showed some conceptual elevations of the buildings. He said that the Hyundai will be a 2 story building and each floor will be 30,000 sq. ft. plus or minus 5,000 sq. ft. depending on what the dealership would actually like there. The Nissan dealership is also a 2 story building and the other 2 buildings will be 1 story buildings. As far as public improvements, there is a decel lane on the site off of Giles Rd. and of course they have the waiver request for the minimum centerline radius. He said that he appreciates the recommendation of the staff and that they are there to answer any questions.

Maimquist reminded everyone that the initial request is for the waiver of Section 4.24. She then asked what the rationale was for that.

Jebuen said that he would probably have Mike McIntosh come up and speak on the engineering aspect of it, but showed on the site plan that the waiver still meets the requirements to allow a truck to get in and out and make all the turns without impacting, by staying on the road.

Mike McIntosh came up and explained that the reason for the decrease in radius was that they had to modify the buildings due to the stream being in place. They had to tighten the radius up in order to fit the 4 buildings on the site. He said that there were some concerns on whether the truck movements could still make that turn and not cross over the center line on Giles Rd. and so they ran the auto turn engineering analysis, actually widened the turning radius a little bit so that trucks

could still turn and make that without crossing over the center line. He feels like they addressed the main concern of the 200 to 150.

Kottmann then said that in addition to the jurisdictional water way that Mike mentioned, they were also required to keep the access connection to Giles Rd. as far to the west as possible away from 144<sup>th</sup> St., so that pushed that connection point very far to the west and created a challenge in geometry to get to that western location.

Malmquist asked if the westerly way in was better.

Kottmann said they've made modifications to the pavement geometry that allowed for the reduced center line radius without any negative turning impacts on Giles Rd. He is satisfied that they have compensated for the radius change.

Gahan said that he had a question in regards to the draining of the storm water into the field to the north and asked if that was an acceptable way of letting the water just sit there potentially after some heavy rain, day after day after day.

Kottmann asked Gahan if he meant the north side of Giles or the detention basins on the site.

Gahan then asked if he misunderstood or does water go from retention from the property on Giles Rd. and go to that field.

McIntosh said that there are existing culverts there where is currently drains to that field and that they are using detention ponds to reduce the flow. He said that it will continue to go to those existing culverts and looked at the capacity to make sure they don't go over.

Krzywicki asked if they have a retention pond on their property.

McIntosh said that they actually have two. He then showed them where they were at.

Hill brought up the diagram that they were showing and the waiver. She clarified that the reason they were asking for the waiver was because of the turning radius off of Giles and if it was because of the Hyundai building that is there and if they don't have enough room.

McIntosh said yes. He said that when they originally analyzed the drainage swell that runs through the middle of the site, they didn't believe it was originally jurisdictional and they were able to move the buildings and curve them and allow more space. When they found out that the swell was jurisdictional, they had to realign the site and had to line the buildings all up and when they did that, they ran out of space to do a 200 foot radius and all 4 buildings on that same space. They needed to tighten up the radius.

Hill then asked if there was no option to make the buildings a little bit smaller.

Jobeun said that the automobile manufacturers are very particular about the size and look of their dealerships, so there really isn't that opportunity and in order to really have the site function properly and have these 4 buildings, you had to really use that space up and that's why they requested that waiver.

Hill then asked the applicant to verify that this wasn't a convenience accommodation.

Jobeun said no, but that the point is that the intersection functions properly and that he believes that Mr. Kottmann agrees with that. He said in order to prevent a hardship or in order for this project to move forward, they need the 4 car dealerships to make it feasible to put in the public improvements. He said as an accommodation to that, they worked with the City and determined that that waiver request was acceptable.

Krzywicki brought up a slide that showed how the trucks would make the turn out onto Giles, but asked about when the trucks come to deliver vehicles onto the property and how they would be turning into the parking areas or wherever they would be dropping off the cars that are on their trailers turn into that development.

Jobeun asked if he meant through the site when they are making deliveries.

Krzywicki said yes and then asked how they would be making deliveries if there is a lot of turning radius going into the lots from that access road that's through the property.

Jobeun said that he believed that the trucks would come in and serve the properties. He showed the internal drive lanes that go through the site and said from that public street you can drive all the way back and exit through that location.

Solberg asked if he wanted to know about the turning radiiuses into those lanes.

Krzywicki said yes.

Paul Cech then came up to speak. He said that the new cars are actually dropped off on the Heimes property that was talked about earlier. They have ample room to get a semi up and around there and out of that property. He said their intention was to put it on the 5 acre property and not have tractor trailers running through that property.

Solberg said that it is also important to note that in the PUD plan set there is a truck access exhibit that shows the truck movements through the site.

*iii.* **Recommendation – Request for Waiver: Section 4.24 of the Subdivision Regulations** Sargus moved, seconded by Gahan to approve the request of the waiver for section 4.24 of the Subdivision Regulations regarding minimum centerline

radius of a local street from 200 feet to 150 feet as presented. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**

- iv. **Recommendation – Revised Preliminary Plat** Gahan moved, seconded by Wetuski, that item E2, the Revised Preliminary Plat for Woodhouse Place be approved, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**
- v. **Recommendation – Final Plat** Gahan moved, seconded by Sargus for recommendation of approval to the City Council item 4E for final plat for the Woodhouse Place as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**
- vi. **Public Hearing – Planned Unit Development Site Plan and Conditional Use Permit**

**Malmquist opened the public hearing.**

Larry Jobeun came up and spoke on this agenda item. He said that this applies to the Planned Unit Development and the site plan that they went over earlier and that the Conditional Use Permit would actually allow them to operate under the C-3 zoning classification. He said that he would happy to answer any questions and go through the site plan again.

Malmquist asked Jobeun to point out the truck access that was discussed earlier.

Jobeun then showed and explained the picture of the truck access.

Sargus asked Solberg if they have looked at the lighting plan.

Solberg said yes, they have looked at the photometric plan and the light shed from what they've proposed and it doesn't appear to have much of an impact outside of the property, especially on the residential properties to the east. He said that they are in approval of it. He said that the design review architect hasn't reviewed it himself, but from the city's side analysis, they approve of it.

Sargus asked when this will be annexed.

Solberg said the annexation plan has this out a little ways and that he would have to look it up to know for sure. He said that he believes it's in the 5-10 year, if not further out.

Sargus asked when they plan on opening to the public.

Jobeun said that it will be at least 24 months for the build out. He mentioned that they currently have special use permits and are operating out the Deer Creek Shopping Plaza.

Solberg then said that chapter 9 of the Comprehensive Plan includes the annexation plan, which shows 10-15 years for that area. He did mention that they are looking at the annexation plan as part of the Comprehensive Plan update process and here in the next few months there will probably be a revised annexation plan.

**Malmquist closed the public hearing.**

- vii.** **Recommendation – PUD Site Plan** Krzywicki moved, seconded by Alexander to recommend to City Council the approval of the PUD Site Plan, contingent on the approval of the revised Preliminary Plat and Final Plat, as the request is consistent with the Zoning Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**
- viii.** **Recommendation – Conditional Use Permit** Krzywicki moved, seconded by Wetuski to recommend the approval to City Council of the Conditional Use Permit, contingent on the approval of the revised Preliminary Plat, Final Plat, and PUD Site Plan, as the request is consistent with the Zoning Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**

## **5. Report of the Nominating Committee**

Krzywicki reported and said that they spoke a little informally at the end of last month's meeting and checked with the current officers and they were all in agreement that if asked, they would continue to serve in their current positions. Their suggestion is to nominate the existing Chair; Gayle Malmquist, existing Vice-Chair; Tom Miller, and existing Secretary; Kevin Wetuski to serve another year in their current positions.

Malmquist pointed out that Miller is aware of the decision and has agreed to stay in his current position.

- 6. 2017 Election of Officers:** Krzywicki moved, seconded by Sargus to re-elect the current officers to the same positions for the next year. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, Hill and Dale. Nays: None. Abstain: None. Absent: Miller and Circo. Motion Carried. (8-0)**

## **7. Comments from the Floor**

No members of the public came forward.

## **8. Comments from the Planning Commission**

Sargus asked if anyone was going to NPZA.

Malmquist she was, if she could find a ride. She said that she was hoping to bring some information back.

## **9. Comments from Staff**

Solberg brought up NPZA and mentioned that there is going to be a pretty good line up there this year. Solberg then brought up that Community Development staff will be moving starting next week to the old police station.

## **10. Adjournment**

Malmquist adjourned at 8:01 p.m.

Reviewed by Planning Commission:

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Planning Commission Secretary

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Planning Commission Chairperson

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Approval Date

A-4

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of budget <u>Used</u>
<b>REVENUES</b>					
General Fund	\$ 15,800,755	\$ 602,086	\$ 2,638,733	\$ (13,162,022)	17%
Sewer Fund	4,160,873	267,634	1,235,964	(2,924,909)	30%
Debt Service Fund	5,041,969	56,989	633,492	(4,408,477)	13%
Lottery Fund	1,394,657	110,060	421,486	(973,171)	30%
Golf Fund	-	43	1,910	1,910	0%
Economic Development Fund	17,027,331	-	296,643	(16,730,688)	2%
Off Street Parking Fund	514	-	-	(514)	0%
Redevelopment Fund	2,198,762	-	378,672	(1,820,090)	17%
<b>Total Revenues</b>	<b>45,624,861</b>	<b>1,036,812</b>	<b>5,606,900</b>	<b>(40,017,961)</b>	<b>12%</b>
<b>EXPENDITURES</b>					
General Fund	15,759,564	1,102,608	4,737,660	(11,021,904)	30%
Sewer Fund	3,787,942	80,572	659,823	(3,128,119)	17%
Debt Service Fund	3,942,953	25,568	1,766,217	(2,176,736)	45%
Lottery Fund	709,076	65,406	208,191	(500,885)	29%
Golf Fund	-	295	6,291	6,291	0%
Economic Development Fund	2,005,741	-	1,374,788	(630,953)	69%
Off Street Parking Fund	595,619	151	520,237	(75,382)	87%
Redevelopment Fund	11,476,229	18,238	43,308	(11,432,921)	0%
<b>Total Expenditures</b>	<b>38,277,124</b>	<b>1,292,838</b>	<b>9,316,515</b>	<b>(28,960,609)</b>	<b>24%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
General Fund	41,191	(500,522)	(2,098,927)	(2,140,118)	
Sewer Fund	372,931	187,062	576,141	203,210	
Debt Service Fund	1,099,016	31,421	(1,132,725)	(2,231,741)	
Lottery Fund	685,581	44,654	213,295	(472,286)	
Golf Fund	-	(252)	(4,381)	(4,381)	
Economic Development Fund	15,021,590	-	(1,078,145)	(16,099,735)	
Off Street Parking Fund	(595,105)	(151)	(520,237)	74,868	
Redevelopment Fund	(9,277,467)	(18,238)	335,364	9,612,831	
<b>Revenues Net of Expenditures</b>	<b>7,347,737</b>	<b>(256,026)</b>	<b>(3,709,615)</b>	<b>(11,057,352)</b>	
<b>Capital Improvement Program Fund</b>					
<b>REVENUES</b>	<b>136,617</b>	<b>-</b>	<b>-</b>	<b>(136,617)</b>	<b>0%</b>
<b>EXPENDITURES</b>	<b>17,141,700</b>	<b>435,620</b>	<b>4,765,583</b>	<b>(12,376,117)</b>	<b>28%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(17,005,083)</b>	<b>(435,620)</b>	<b>(4,765,583)</b>	<b>12,239,500</b>	
<b>TRANSFERS IN &amp; BOND PROCEEDS</b>	<b>17,005,200</b>	<b>-</b>	<b>5,314,329</b>	<b>(11,690,871)</b>	<b>31%</b>
<b>Net Activity</b>	<b>117</b>	<b>(435,620)</b>	<b>548,746</b>	<b>548,629</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the four months ending January 31, 2017**  
**33% of the Fiscal Year 2017**

<u>Preliminary</u>	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>
<b>TRANSFERS IN &amp; BOND PROCEEDS</b>					
General Fund	90,675	-	60,000	(30,675)	66%
Sewer Fund					
Debt Service Fund	10,000,000	-	-	(10,000,000)	0%
Capital Improvement Program Fund	17,005,200	-	5,314,329	(11,690,871)	31%
Lottery Fund	170,843	-	-	(170,843)	0%
Golf Fund					
Economic Development Fund	800,000	-	800,000	-	100%
Off Street Parking Fund	590,000	-	414,000	(176,000)	70%
Redevelopment Fund	13,100,170	-	-	(13,100,170)	0%
Transfers In	<u>41,756,888</u>	<u>-</u>	<u>6,588,329</u>	<u>(35,168,559)</u>	<u>16%</u>
<b>TRANSFERS OUT</b>					
General Fund	(1,456,500)	-	(1,252,041)	204,459	86%
Sewer Fund					
Debt Service Fund	(7,661,200)	-	(808,129)	6,853,071	11%
Capital Improvement Program Fund					
Lottery Fund	(720,675)	-	(273,992)	446,683	38%
Golf Fund	(170,843)	-	-	170,843	0%
Economic Development Fund					
Off Street Parking Fund					
Redevelopment Fund	(8,647,500)	-	(4,254,167)	4,393,333	49%
Transfers Out	<u>(18,656,718)</u>	<u>-</u>	<u>(6,588,329)</u>	<u>12,068,389</u>	<u>35%</u>
<b>NET TRANSFERS &amp; BOND PROCEEDS</b>					
General Fund	(1,365,825)	-	(1,192,041)	173,784	87%
Sewer Fund					
Debt Service Fund	2,338,800	-	(808,129)	(3,146,929)	
Capital Improvement Program Fund	17,005,200	-	5,314,329	(11,690,871)	31%
Lottery Fund	(549,832)	-	(273,992)	275,840	50%
Golf Fund	(170,843)	-	-	170,843	0%
Economic Development Fund	800,000	-	800,000	-	100%
Off Street Parking Fund	590,000	-	414,000	(176,000)	70%
Redevelopment Fund	4,452,670	-	(4,254,167)	(8,706,837)	
Bond Proceeds	<u>23,100,170</u>	<u>-</u>	<u>-</u>	<u>(23,100,170)</u>	<u>-</u>
<b>NET FUND ACTIVITY</b>					
General Fund	(1,324,634)	(500,522)	(3,290,968)	(1,966,334)	
Sewer Fund	372,931	187,062	576,141	203,210	
Debt Service Fund	3,437,816	31,421	(1,940,854)	(5,378,670)	
Capital Improvement Program Fund		117	(435,620)	548,746	548,629
Lottery Fund	135,749	44,654	(60,697)	(196,446)	
Golf Fund	(170,843)	(252)	(4,381)	166,462	
Economic Development Fund	15,821,590	-	(278,145)	(16,099,735)	
Off Street Parking Fund	(5,105)	(151)	(106,237)	(101,132)	
Redevelopment Fund	(4,824,797)	(18,238)	(3,918,803)	905,994	
Net Activity	<u>\$ 13,442,824</u>	<u>\$ (691,646)</u>	<u>\$ (8,475,198)</u>	<u>\$ (21,918,022)</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>General Fund</u>					<u>% of budget Used</u>
	<u>Budget (12 month)</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b><u>REVENUES</u></b>						
Property Taxes	\$ 6,213,792	\$ 201,655	\$ 386,526	\$ (5,827,266)		6%
Sales and use taxes	4,349,841	-	751,931	(3,597,910)		17%
Payments in Lieu of taxes	275,000	-	-	(275,000)		0%
State revenue	1,663,713	147,355	558,943	(1,104,770)		34%
Occupation and franchise taxes	1,049,200	170,938	394,730	(654,470)		38%
Hotel Occupation Tax	950,000	46,492	274,260	(675,740)		29%
Licenses and permits	537,536	17,763	91,069	(446,467)		17%
Interest income	26,594	10	3,122	(23,472)		12%
Recreation fees	159,730	3,929	40,863	(118,867)		26%
Special Services	23,175	4,564	8,333	(14,842)		36%
Grant Income	258,945	4,822	58,673	(200,272)		23%
Other	293,229	4,558	70,283	(222,946)		24%
<b>Total Revenues</b>	<b>15,800,755</b>	<b>602,086</b>	<b>2,638,733</b>	<b>(13,162,022)</b>		<b>17%</b>
<b><u>EXPENDITURES</u></b>						
Current:						
Administrative Services	599,146	37,562	159,442	(439,704)		27%
Mayor and Council	231,537	14,933	68,868	(162,669)		30%
Boards & Commissions	9,934	-	1,185	(8,749)		12%
Public Buildings & Grounds	528,515	22,479	131,573	(396,942)		25%
Administration	540,122	37,808	161,664	(378,458)		30%
Police and Animal Control	4,331,296	359,924	1,463,874	(2,867,422)		34%
Fire	1,918,317	178,424	699,292	(1,219,025)		36%
Community Development	613,192	37,247	174,295	(438,897)		28%
Public Works	3,529,463	246,998	985,463	(2,544,000)		28%
Recreation	775,013	45,375	186,575	(588,438)		24%
Library	802,913	47,580	234,032	(568,881)		29%
Information Technology	231,478	10,065	44,915	(186,563)		19%
Human Resources	828,425	59,659	230,641	(597,784)		28%
Public Transportation	96,014	4,554	20,631	(75,383)		21%
Capital outlay	724,199	-	175,210	(548,989)		24%
<b>Total Expenditures</b>	<b>15,759,564</b>	<b>1,102,608</b>	<b>4,737,660</b>	<b>(11,021,904)</b>		<b>30%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>41,191</b>	<b>(500,522)</b>	<b>(2,098,927)</b>	<b>(2,140,118)</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in (Lottery)	90,675	-	60,000	(30,675)		66%
Operating transfers out (EDF, OSP, CIP)	(1,456,500)	-	(1,252,041)	204,459		86%
Bond/registered warrant proceeds	-	-	-	-		0%
<b>Total other Financing Sources (Uses)</b>	<b>(1,365,825)</b>	<b>-</b>	<b>(1,192,041)</b>	<b>173,784</b>		<b>87%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>						
	\$ (1,324,634)	\$ (500,522)	\$ (3,290,968)	\$ (1,966,334)		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Sewer Fund</u>				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>(Under) Budget</u>	<u>% of Budget Used</u>
<b><u>REVENUES</u></b>					
User fees	\$ 4,033,536	\$ 266,467	\$ 1,158,790	\$ (2,874,746)	29%
Service charge and hook-up fees	101,282	1,100	66,871	(34,411)	66%
Grant Income	22,918	-	10,046	(12,872)	44%
Miscellaneous	450	21	82	(368)	18%
<b>Total Revenues</b>	<b>4,158,186</b>	<b>267,588</b>	<b>1,235,789</b>	<b>(2,922,397)</b>	<b>30%</b>
<b><u>EXPENDITURES</u></b>					
General & Administrative	604,748	41,159	170,131	(434,617)	28%
Maintenance	3,044,914	37,763	485,073	(2,559,841)	16%
Storm Water Grant	58,500	1,650	4,619	(53,881)	8%
Capital Outlay	79,780	-	-	(79,780)	0%
<b>Total Expenditures</b>	<b>3,787,942</b>	<b>80,572</b>	<b>659,823</b>	<b>(3,128,119)</b>	<b>17%</b>
<b>OPERATING INCOME (LOSS)</b>	<b>370,244</b>	<b>187,016</b>	<b>575,966</b>	<b>205,722</b>	
<b><u>NON-OPERATING REVENUE (EXPENSE)</u></b>					
Interest income	2,687	46	175	(2,512)	7%
	<u>2,687</u>	<u>46</u>	<u>175</u>	<u>(2,512)</u>	<u>7%</u>
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>372,931</b>	<b>187,062</b>	<b>576,141</b>	<b>203,210</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers out (CIP)	-	-	-	-	0%
<b>NET INCOME (LOSS)</b>	<b>\$ 372,931</b>	<b>\$ 187,062</b>	<b>\$ 576,141</b>	<b>\$ 203,210</b>	

**Note: City of Omaha billing (Maintenance Expense) in arrears January, approximately \$150,000.**

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Debt Service Fund</u>					<u>% of budget Used</u>
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b><u>REVENUES</u></b>						
Property Taxes	\$ 1,989,954	\$ 56,944	\$ 80,869	\$ (1,909,085)		4%
Sales and use taxes	2,174,920	-	375,966	(1,798,954)		17%
Payments in Lieu of taxes	15,000	-	-	(15,000)		0%
Interest income	11,087	45	1,345	(9,742)		12%
Other (Special Assessments; Fire Reimbursmnt)	851,008	-	175,312	(675,696)		21%
<b>Total Revenues</b>	<b>5,041,969</b>	<b>56,989</b>	<b>633,492</b>	<b>(4,408,477)</b>		<b>13%</b>
<b><u>EXPENDITURES</u></b>						
Current:						
Administration	90,000	563	798	(89,202)		1%
Fire Contract Bond	300,056	25,005	100,020	(200,036)		33%
Debt service						
Principal	2,780,000	-	1,460,000	(1,320,000)		53%
Interest	772,897	-	205,399	(567,498)		27%
<b>Total Expenditures</b>	<b>3,942,953</b>	<b>25,568</b>	<b>1,766,217</b>	<b>(2,176,736)</b>		<b>45%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>1,099,016</b>	<b>31,421</b>	<b>(1,132,725)</b>	<b>(2,231,741)</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in (Lottery Bond)	-	-	-	-		0%
Operating transfers out (CIP)	(7,661,200)	-	(808,129)	6,853,071		11%
Bond/registered warrant proceeds	10,000,000	-	-	(10,000,000)		0%
<b>Total other Financing Sources (Uses)</b>	<b>2,338,800</b>	<b>-</b>	<b>(808,129)</b>	<b>(3,146,929)</b>		
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>\$ 3,437,816</b>	<b>\$ 31,421</b>	<b>\$ (1,940,854)</b>	<b>\$ (5,378,670)</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Capital Fund</u>					<u>% of budget Used</u>
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b><u>REVENUES</u></b>						
Interest income	\$ 117	\$ -	\$ -	\$ (117)		0%
Grant Income		-	-	-		0%
Interagency	136,500	-	-	(136,500)		0%
<b>Total Revenues</b>	<b>136,617</b>	<b>-</b>	<b>-</b>	<b>(136,617)</b>		<b>0%</b>
<b><u>EXPENDITURES</u></b>						
Current:						
Capital outlay	17,141,700	435,620	4,765,583	(12,376,117)		28%
<b>Total Expenditures</b>	<b>17,141,700</b>	<b>435,620</b>	<b>4,765,583</b>	<b>(12,376,117)</b>		<b>28%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(17,005,083)</b>	<b>(435,620)</b>	<b>(4,765,583)</b>	<b>12,239,500</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in	17,005,200	-	5,314,329	(11,690,871)		31%
Operating transfers out	-	-	-	-		0%
Bond/registered warrant proceeds	-	-	-	-		0%
<b>Total other Financing Sources (Uses)</b>	<b>17,005,200</b>	<b>-</b>	<b>5,314,329</b>	<b>(11,690,871)</b>		<b>31%</b>
<b><u>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</u></b>						
	\$ 117	\$ (435,620)	\$ 548,746	\$ 548,629		

Note: Operating transfers in and expenditures include land purchase of \$4,265,102.

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Lottery Fund</u>					<u>% of budget Used</u>
	<u>Budget (12 month)</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b>REVENUES</b>						
Lottery Rev/Community Betterment	\$ 1,000,000	\$ 77,986	\$ 297,972	\$ (702,028)		30%
Lottery Tax Form 51	360,000	31,194	119,202	(240,798)		33%
Event Revenue	25,700	655	655	(25,045)		3%
Interest income	8,957	-	41	(8,916)		0%
Miscellaneous / Other	-	225	3,616	3,616		0%
<b>Total Revenues</b>	<b>1,394,657</b>	<b>110,060</b>	<b>421,486</b>	<b>(973,171)</b>		<b>30%</b>
<b>EXPENDITURES</b>						
Current:						
Professional Services	246,466	33,908	79,491	(166,975)		32%
Salute to Summer	29,900	-	281	(29,619)		1%
50th Year Celebration	-	-	228	228		0%
Community Events	9,090	12	5,966	(3,124)		66%
Events - Marketing	26,600	292	2,319	(24,281)		9%
Recreation Events	9,400	-	704	(8,696)		7%
Concert & Movie Nights	10,200	-	-	(10,200)		0%
Travel & Training	13,420	-	-	(13,420)		0%
State Taxes	360,000	31,194	119,202	(240,798)		33%
Other	-	-	-	-		0%
Capital outlay	4,000	-	-	(4,000)		0%
<b>Total Expenditures</b>	<b>709,076</b>	<b>65,406</b>	<b>208,191</b>	<b>(500,885)</b>		<b>29%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>685,581</b>	<b>44,654</b>	<b>213,295</b>	<b>(472,286)</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in	170,843	-	-	(170,843)		0%
Operating transfers out	(720,675)	-	(273,992)	446,683		38%
Bond/registered warrant proceeds	-	-	-	-		
<b>Total other Financing Sources (Uses)</b>	<b>(549,832)</b>	<b>-</b>	<b>(273,992)</b>	<b>275,840</b>		<b>50%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>						
	\$ 135,749	\$ 44,654	\$ (60,697)	\$ (196,446)		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Golf Course Fund</u>					<u>% of Budget Used</u>
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>(Under) Budget</u>		
<b><u>REVENUES</u></b>						
Greens Fees	\$ -	\$ -	\$ 873	\$ 873		0%
Carts		-	250	250		0%
Concessions		-	607	607		0%
<b>Total Golf Proceeds</b>	<b>-</b>	<b>-</b>	<b>1,730</b>	<b>1,730</b>		<b>0%</b>
Pro-Shop Merchandise		-	25	25		0%
Fee Income		24	76	76		0%
Miscellaneous		-	-	-		0%
<b>Total Other Revenue</b>	<b>-</b>	<b>24</b>	<b>101</b>	<b>101</b>		<b>0%</b>
<b>Total Revenue</b>	<b>-</b>	<b>24</b>	<b>1,831</b>	<b>1,831</b>		<b>0%</b>
<b><u>EXPENDITURES</u></b>						
General & Administrative		295	5,319	5,319		0%
Cost of merchandise sold		-	-	-		0%
Maintenance		-	972	972		0%
Capital Outlay		-	-	-		0%
<b>Total Expenditures</b>	<b>-</b>	<b>295</b>	<b>6,291</b>	<b>6,291</b>		<b>0%</b>
<b>OPERATING INCOME (LOSS)</b>	<b>-</b>	<b>(271)</b>	<b>(4,460)</b>	<b>(4,460)</b>		
<b>NON-OPERATING REVENUE (EXPENSE)</b>						
Interest income		19	79	79		0%
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>-</b>	<b>19</b>	<b>79</b>	<b>79</b>		<b>0%</b>
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (Lottery)		-	-	-		0%
Operating transfers out (Lottery)		(170,843)	-	-	170,843	0%
<b>NET INCOME (LOSS)</b>	<b>\$ (170,843)</b>	<b>\$ (252)</b>	<b>\$ (4,381)</b>	<b>\$ 166,462</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Economic Development</u>				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>
<b><u>REVENUES</u></b>					
JQH Payment	16,997,264	-	296,643	(16,700,621)	2%
Interest income	30,067	-	-	(30,067)	0%
<b>Total Revenues</b>	<b>17,027,331</b>	<b>-</b>	<b>296,643</b>	<b>(16,730,688)</b>	<b>2%</b>
<b><u>EXPENDITURES</u></b>					
Current:					
Community Development	-	-	-	-	0%
Professional Services	10,000	-	-	(10,000)	0%
Debt service: (Warrants)					0%
Principal	730,000	-	730,000	-	100%
Interest	1,265,741	-	644,788	(620,953)	51%
<b>Total Expenditures</b>	<b>2,005,741</b>	<b>-</b>	<b>1,374,788</b>	<b>(630,953)</b>	<b>69%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>15,021,590</b>	<b>-</b>	<b>(1,078,145)</b>	<b>(16,099,735)</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	800,000	-	800,000	-	100%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds					0%
<b>Total other Financing Sources (Uses)</b>	<b>800,000</b>	<b>-</b>	<b>800,000</b>	<b>-</b>	<b>100%</b>
<b><u>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</u></b>					
	\$ 15,821,590	\$ -	\$ (278,145)	\$ (16,099,735)	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Off Street Parking</u>					<u>% of budget Used</u>
	<u>Budget (12 month)</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b><u>REVENUES</u></b>						
Interest income	514	-	-	(514)		0%
<b>Total Revenues</b>	<b>514</b>	<b>-</b>	<b>-</b>	<b>(514)</b>		<b>0%</b>
<b><u>EXPENDITURES</u></b>						
Current:						
General & Administrative	20,116	151	3,975	(16,141)		20%
Professional Services	-	-	-	-		0%
Maintenance	19,500	-	167	(19,333)		1%
Debt service: (Warrants)						
Principal	475,000	-	475,000	-		100%
Interest	81,003	-	41,095	(39,908)		51%
<b>Total Expenditures</b>	<b>595,619</b>	<b>151</b>	<b>520,237</b>	<b>(75,382)</b>		<b>87%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(595,105)</b>	<b>(151)</b>	<b>(520,237)</b>	<b>74,868</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in	590,000		414,000	(176,000)		70%
Operating transfers out	-	-	-	-		0%
Bond/registered warrant proceeds				-		0%
<b>Total other Financing Sources (Uses)</b>	<b>590,000</b>	<b>-</b>	<b>414,000</b>	<b>(176,000)</b>		<b>70%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>						
	\$ (5,105)	\$ (151)	\$ (106,237)	\$ (101,132)		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the four months ending January 31, 2017  
33% of the Fiscal Year 2017

<u>Preliminary</u>	<u>Redevelopment Fund</u>				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>
<b><u>REVENUES</u></b>					
Sales and use taxes	2,174,920	-	375,966	(1,798,954)	17%
Interest income	23,842	-	2,706	(21,136)	11%
<b>Total Revenues</b>	<b>2,198,762</b>	<b>-</b>	<b>378,672</b>	<b>(1,820,090)</b>	<b>17%</b>
<b><u>EXPENDITURES</u></b>					
Current:					
Community Development	-	-	-	-	0%
Professional Services	102,000	18,238	43,308	(58,692)	42%
Financial / Legal Fees	50,000	-	-	(50,000)	0%
Debt service: (Warrants)					
Principal	11,210,000	-	-	(11,210,000)	0%
Interest	114,229	-	-	(114,229)	0%
<b>Total Expenditures</b>	<b>11,476,229</b>	<b>18,238</b>	<b>43,308</b>	<b>(11,432,921)</b>	<b>0%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(9,277,467)</b>	<b>(18,238)</b>	<b>335,364</b>	<b>9,612,831</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in					0%
Operating transfers out	(8,647,500)	-	(4,254,167)	4,393,333	49%
Bond/registered warrant proceeds	13,100,170	-	-	(13,100,170)	0%
<b>Total other Financing Sources (Uses)</b>	<b>4,452,670</b>	<b>-</b>	<b>(4,254,167)</b>	<b>(8,706,837)</b>	
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>					
	\$ <b>(4,824,797)</b>	\$ <b>(18,238)</b>	\$ <b>(3,918,803)</b>	\$ <b>905,994</b>	

Note: Operating transfers out include land purchase of \$4,265,102.

Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
JOHN KOTTMANN  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 119553  
Date 02/28/2017

Project 0171-417 LA VISTA PHASE 1 GOLF  
COURSE TRANSFORMATION -  
PROPOSED LAKE IMPROVEMENTS

Professional Services through February 26, 2017

PO #17-0089

Description	Current Billed
<b>Additional Services - Construction Staking</b>	1,255.15
<i>Gather additional information for topo.</i>	
	Total 1,255.15
	Invoice total <span style="border: 1px solid black; padding: 2px;">1,255.15</span>

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
119553	02/28/2017	1,255.15	1,255.15				
	Total	1,255.15	1,255.15	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

O.K. to pay  
JMK 3-10-2017  
05.71.0916.003

*Current 3/21/17*



Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

A-6  
INVOICE

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
JOHN KOTTMANN  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 119552  
Date 02/28/2017  
Project 0171-417 LA VISTA PHASE 1 GOLF  
COURSE TRANSFORMATION -  
PROPOSED LAKE IMPROVEMENTS

Professional Services through February 26, 2017

PO #17-0089

		Amount
<b>Engineering Services</b>		
Contract Amount	57,000.00	
Percent Complete	80.00	
Total Billed	45,600.00	
Prior Billed	0.00	
	Current Billed	45,600.00
<b>Geotechnical Exploration</b>		
Contract Amount	7,500.00	
Percent Complete	100.00	
Total Billed	7,500.00	
Prior Billed	0.00	
	Current Billed	7,500.00
	Total	53,100.00
	Invoice total	53,100.00

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
119552	02/28/2017	53,100.00	53,100.00				
	Total	53,100.00	53,100.00	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

O.K. to pay  
JMK 3-10-2017  
05.71.00 16.003

Concord 3/21/17 ps



A-7

Invoice

**OLSSON**  
ASSOCIATES

601 P St Suite 200  
PO Box 84608  
Lincoln, NE 68501-4608  
Tel 402.474.6311, Fax 402.474.5063

February 23, 2017

Invoice No: 272013

**Invoice Total \$7,159.03**

John Kottmann  
City Engineer/Assistant Public Works Director  
City of La Vista NE  
8116 Park View Blvd  
La Vista, NE 68128-2198

OA Project No. A16-0546 City of LaVista 84th Street Redevelopment Site Preparation  
Professional services rendered January 1, 2017 through February 4, 2017 for work completed in accordance with  
agreement dated June 21, 2016.

Phase 100 Survey Verification

<b>Billing Limits</b>	<b>Current</b>	<b>Prior</b>	<b>To-Date</b>
Total Billings	0.00	5,000.00	5,000.00
Limit			5,000.00
			<b>Total this Phase 0.00</b>

Phase 110 Survey (Post Construction Verification)

<b>Billing Limits</b>	<b>Current</b>	<b>Prior</b>	<b>To-Date</b>
Total Billings	0.00	0.00	0.00
Limit			10,000.00
Balance Remaining			10,000.00
			<b>Total this Phase 0.00</b>

Phase 200 Utility & Tenant Coordination

**Labor**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Principal Egelhoff, Anthony	.75	157.00	117.75

Project	A16-0546	LaVista 84th St Site Preparation			Invoice	272013
<b>Assistant Professional</b>						
Skeen, Christopher		3.00	88.00		264.00	
<b>Totals</b>		3.75			381.75	
<b>Total Labor</b>						<b>381.75</b>
<b>Billing Limits</b>		<b>Current</b>	<b>Prior</b>	<b>To-Date</b>		
Total Billings		381.75	11,121.00	11,502.75		
Limit				15,000.00		
Balance Remaining				3,497.25		
			<b>Total this Phase</b>		<b>\$381.75</b>	
<b>Phase</b>	<b>210</b>	<b>Preliminary Construction Documents</b>				
<b>Billing Limits</b>		<b>Current</b>	<b>Prior</b>	<b>To-Date</b>		
Total Billings		0.00	13,168.25	13,168.25		
Limit				15,000.00		
Balance Remaining				1,831.75		
			<b>Total this Phase</b>		<b>0.00</b>	
<b>Phase</b>	<b>220</b>	<b>Final Construction Documents</b>				
<b>Billing Limits</b>		<b>Current</b>	<b>Prior</b>	<b>To-Date</b>		
Total Billings		0.00	27,140.25	27,140.25		
Limit				30,000.00		
Balance Remaining				2,859.75		
			<b>Total this Phase</b>		<b>0.00</b>	
<b>Phase</b>	<b>300</b>	<b>Project Management</b>				
<b>Labor</b>		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>		
Principal						
Egelhoff, Anthony		2.50	157.00	392.50		
Galley, Eric		.50	121.00	60.50		
<b>Totals</b>		3.00		453.00		
<b>Total Labor</b>						<b>453.00</b>
<b>Billing Limits</b>		<b>Current</b>	<b>Prior</b>	<b>To-Date</b>		
Total Billings		453.00	20,000.00	20,453.00		
Limit				20,000.00		
<b>Over Limit Adjustment</b>						<b>-453.00</b>

Project	A16-0546	LaVista 84th St Site Preparation	Invoice	272013
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**Total this Phase**

**0.00** ✓

Phase	400	On-Site Construction Administration
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**Labor**

	Hours	Rate	Amount
Construction Services Senior Technician	27.25	70.00	1,907.50
Senior Engineer	1.25	140.00	175.00
<b>Totals</b>	<b>28.50</b>		<b>2,082.50</b>
<b>Total Labor</b>			<b>2,082.50</b>

**Reimbursable Expenses**

Personal Vehicle Mileage	9.76
<b>Total Reimbursables</b>	<b>9.76</b>

	Current	Prior	To-Date
Billing Limits			
Total Billings	2,092.26	9,629.50	11,721.76
Limit			10,000.00
<b>Over Limit Adjustment</b>			<b>-1,721.76</b>
<b>Total this Phase</b>			<b>\$370.50</b>

Phase	410	SWPPP Inspections
-------	-----	-------------------

**Labor**

	Hours	Rate	Amount
SWPPP Inspections	7.00	60.00	420.00
<b>Totals</b>	<b>7.00</b>		<b>420.00</b>
<b>Total Labor</b>			<b>420.00</b>

	Current	Prior	To-Date
Billing Limits			
Total Billings	420.00	950.00	1,370.00
Limit			8,000.00
Balance Remaining			6,630.00
<b>Total this Phase</b>			<b>\$420.00</b>

Phase	420	On-Site Construction Observation
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**Labor**

	Hours	Rate	Amount
Construction Services Senior Manager	12.00	150.00	1,800.00

Project	A16-0546	LaVista 84th St Site Preparation			Invoice	272013
Construction Services Senior Technician		56.00	70.00	3,920.00		
Totals		68.00		5,720.00		
<b>Total Labor</b>					<b>5,720.00</b>	
<b>Billing Limits</b>			<b>Current</b>	<b>Prior</b>	<b>To-Date</b>	
Total Billings		5,720.00		0.00	5,720.00	
Limit					15,000.00	
Balance Remaining					9,280.00	
				<b>Total this Phase</b>		<b>\$5,720.00</b>
Phase	430	Special Inspections / Testing				
<b>Billing Limits</b>			<b>Current</b>	<b>Prior</b>	<b>To-Date</b>	
Total Billings		0.00	230.00	230.00		
Limit					42,000.00	
Balance Remaining					41,770.00	
				<b>Total this Phase</b>		<b>0.00</b>
Phase	900	Expenses				
<b>Reimbursable Expenses</b>						
Personal Vehicle Mileage					4.28	
<b>Total Reimbursables</b>					<b>4.28</b>	<b>4.28</b>
<b>Unit Billing</b>						
Field Vehicle		325.0 Miles @ 0.75		243.75		
Field Vehicle		25.0 Miles @ 0.75		18.75		
<b>Total Units</b>				<b>262.50</b>		<b>262.50</b>
<b>Billing Limits</b>			<b>Current</b>	<b>Prior</b>	<b>To-Date</b>	
Total Billings		266.78	2,828.76	3,095.54		
Limit					10,000.00	
Balance Remaining					6,904.46	
				<b>Total this Phase</b>		<b>\$266.78</b>
		<b>AMOUNT DUE THIS INVOICE</b>				<b>\$7,159.03</b>

Authorized By: Eric Galley

O.K. to pay  
efmk 2-3-2017  
CD-17-007  
05.71.0908.02



Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

A-8  
INVOICE

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
JOHN KOTTMANN  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 119546  
Date 02/28/2017

Project 0171-418 CULVERT EXTENSION - 108TH  
AND CHANDLER

Professional Services from December 19, 2016 through February 05, 2017

PO #17-0089

Description	Current Billed
Topographic Survey	0.00
Engineering Services	2,858.75
Total	2,858.75

Invoice total 2,858.75

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
119546	02/28/2017	2,858.75	2,858.75				
	Total	2,858.75	2,858.75	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

O.K to pay  
JMK 3-3-2017  
05.71.0835.003

Consent 3/21/17 JMK



Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

A-9  
INVOICE

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
JOHN KOTTMANN  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 119498  
Date 02/27/2017

Project 0171-408 THOMPSON CREEK PHASE 1

*Landscaping & Irrig.  
Erosion Control Obs.*

Professional Services from December 19, 2016 through February 05, 2017

P.O. #17-0089

Description	Current Billed
Task A-Project Start-up	0.00
Task B-Design Development	0.00
Task C-Construction Documentation	0.00
Task D-Phase 2 Grant Acquisition	0.00
Task E-Pre-Construction Monitoring	0.00
Construction Phase Services	79.35
<i>Erosion Control Monitoring and Reporting Services</i>	
Additional Services - OPPD	0.00
	Total 79.35

Invoice total 79.35

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
119498	02/27/2017	79.35	79.35				
	Total	79.35	79.35	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

*O.K. to pay*

*05.71.0915.003*

*JK 3-3-2017*

*Consent 3/21/17*



Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

A-10  
INVOICE

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
JOHN KOTTMANN  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 119497  
Date 02/27/2017  
Project 0171-400 CITY OF LA VISTA -  
MISCELLANEOUS SERVICES 2012-  
CURRENT, CIVIL

Professional Services from October 17, 2016 through February 05, 2017

P.O. #15-0092

Description	Current Billed
<b>Engineering Services</b>	665.00
Prepare Waste Water Sewer Agreement Exhibits	
	Total 665.00

Invoice total 665.00

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
119497	02/27/2017	665.00	665.00				
	Total	665.00	665.00	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

O.K. to pay  
JMK 3-9-2017  
02.42.0303

Concent 3/21/17 pt

A-11

INVOICE

## Upstream Weeds

*Bringing Science to People, &  
People to Science!*

3942 N. 66<sup>th</sup> Street  
Omaha, NE 68104  
Phone 402-881-6919  
Email: [Chris@upstreamweeds.com](mailto:Chris@upstreamweeds.com)



INVOICE #: 046

DATE: MARCH 08, 2017

TO John Kottmann, City Engineer  
City of La Vista, Nebraska  
Public Works Department  
9900 Portal Road  
La Vista, NE 68128

CLIENT PURCHASE ORDER #	PROJECT	INVOICING TERM
N/A	Papillion - La Vista Stormwater Outreach	02/01/2017 - 02/28/2017

SERVICES & PRODUCTS	SPECIFIC DESCRIPTION	QUANTITY	UNIT PRICE	LINE TOTAL
Outreach Event Participations and Hosting:				
Direct Youth Educational Involvement and Engagement programming:				
	La Vista West Elementary 5 <sup>th</sup> grade Bio Blitz		33.00	
Public Promotion and Outreach programming:				
	Nebraska Science Festival, Durham Public Exposition (2017 enrollment)		33.00	
	La Vista's Salute to Summer festival		33.00	
	Papillion Days carnival		33.00	
	La Vista Public Works Day		33.00	
	Papillion Farmers Market		33.00	
	World "O" Water booth		33.00	
	Informational Tours and Presentation		33.00	

**Engagement Initiatives and Programs:**

Maintain and refine PLVSO's online presence:

	Website coordination and maintenance		33.00	
	Social media activities		33.00	
CrowdHydrology			33.00	
Rain Barrel programs		1	33.00	33.00
Thompson Creek Learning Station Signage		2	33.00	66.00
Promotional Video production		1	33.00	33.00
PLVSO Activity & Funding Amplification				
Papillion-La Vista High School involvement			33.00	
Papillion La Vista Foundation afterschool and summer school activities		4	33.00	132.00
Expanding Elementary involvement			33.00	
<b>Direct Account Administration:</b>				
Contract Management & Maintenance:		15	33.00	495.00

**Documentation & Reporting:**

Annual Report prep (due Feb. 27 <sup>th</sup> , 2017)	27	33.00	891.00
Sub Total			\$1,650.00
50% Cost Share paid by Papillion			(\$825.00)
<b>Total Due</b>			<b>\$825.00</b>

O.K. to pay  
JMK 3-9-2017  
02.43.0505

Payments are due upon receipt.  
Please make all checks available to Chris Madden dba Upstream Weeds

Consent 3/21/17 

**OAKHAVEN HOMES, INC.**

501 East Gold Coast Road, Suite 100  
Papillion, NE 68046

**A-12 Invoice**

Date	Invoice #
2/17/2017	1083

Bill To
City of La Vista 8116 Park View Blvd. La Vista, NE 68128

Description	Amount
Completion of cabinets and counter tops and finish flooring	10,000.00
Cabinet allowance - \$2,000.00; actual - \$2,094.63	94.63
Counter top allowance - \$2,250.00; actual - \$3,750.00	1,500.00
Suspended ceiling allowance - \$8,315.00; actual - \$9,000.00 (material price increase)	685.00
Appliance allowance - \$1,000.00; actual - \$895.00	-105.00
Trim - new door to inspector closet and glass for two existing doors	320.00

05.71.0881  
R. Ramirez

Thank you for your business.

Consent Agenda 3/21/17 p-

**Total** \$12,494.63

## OAKHAVEN HOMES, INC.

501 East Gold Coast Road, Suite 100  
Papillion, NE 68046

A-13  
Invoice

Date	Invoice #
3/1/2017	1087

**Bill To**  
City of La Vista  
8116 Park View Blvd.  
La Vista, NE 68128

## OAKHAVEN HOMES, INC.

501 East Gold Coast Road, Suite 100  
Papillion, NE 68046

A-14  
Invoice

Date	Invoice #
3/7/2017	1086

**Bill To**  
City of La Vista  
8116 Park View Blvd.  
La Vista, NE 68128

Description	Amount
Completion of project	15,000.00
Plumbing - repair toilet leak; replace flush valves and gaskets	500.00
Electric - additional outlets, doorbell chime and transformer, three additional emergency exit combo packs	1,100.00
Electrical room sign	35.00
Restrooms - lights, switches, outlets, pressure wash/chemical treat tile, final clean	1,035.00
Vestibule - pressure wash/chemical treat floor, refinish handrails, clean windows	595.00
Window cranks and covers	60.00

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND COUNCIL POLICY STATEMENT	◆ RESOLUTION	
CONSTRUCTION ALTERNATIVES	ORDINANCE	JOHN KOTTMANN
CONSTRUCTION MANAGEMENT AT RISK	RECEIVE/FILE	CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to approve revisions to the Council Policy Statement regarding Construction Alternatives —Construction Management at Risk.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

As you know, a majority of the major construction projects undertaken by the City potentially require the use of an engineering firm, design/architectural firm and ultimately a construction contractor. State Statute allows political subdivisions the use of a construction management at risk (CMR) contract as an alternative for some types of projects. This alternative among other things allows for collaboration of consulting and design services with the construction services and prequalification of potential contractors. Given the number and timing of projects the City has had and the number it plans to construct it is necessary to have this option available. The City adopted policies for CMR contracts, revisions of which are proposed as presented. Any Staff recommendation to use the CMR alternative for construction of a project by the City would seek permission from the City Council to do so.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,  
NEBRASKA AMENDING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, alternatives to the procedures for designing and constructing City projects are being recommended; and

WHEREAS, revisions to a Council Policy Statement entitled "Construction Alternatives – Construction Management at Risk" are proposed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Construction Alternatives – Construction Management at Risk" as amended, and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Mandy Garrod, CMC  
Deputy City Clerk

**SUBJECT: CONSTRUCTION ALTERNATIVES - CONSTRUCTION MANAGEMENT AT RISK**  
**DATE ISSUED: AUGUST 16, 2016 (amended March 21, 2017)**  
**ISSUED BY: BRENDA GUNN, CITY ADMINISTRATOR**  
**RESOLUTION No: 176-**

The purpose of this Policy is to authorize the City, pursuant to the Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. §§13-2901 to 13-2914 (the "Act"), to enter into a construction management at risk contract for public projects.

The City shall not use a construction management at risk contract for a project, in whole or in part, for road, street, highway, water, wastewater, utility, or sewer construction.

#### **DEFINITIONS:**

For the purposes of this Policy, the following terms, as outlined in the Act, shall mean:

- 1) **Construction management at risk contract:** A contract by which a construction manager:
  - a. Assumes the legal responsibility to deliver a construction project within a contracted price to the City;
  - b. Acts as a construction consultant to the City during the design development phase of the project when the City's architect or engineer designs the project; and
  - c. Is the builder during the construction phase of the project.
- 2) **Construction manager:** The legal entity which proposes to enter into a construction management at risk contract.
- 3) **Letter of interest:** A statement indicating interest to enter into a construction management at risk contract for a project.
- 4) **City:** City of La Vista, Nebraska.
- 5) **Proposal:** An offer by a construction manager in response to a request for proposals to enter into a construction management at risk contract for a project pursuant to this Policy.
- 6) **Request for letters of interest:** The documentation or publication by which the City solicits letters of interest.
- 7) **Request for proposals:** The documentation by which the City solicits proposals.

#### **PROCEDURES:**

##### **CONSTRUCTION MANAGEMENT AT RISK CONTRACTS**

###### **Authorization**

The construction management at risk alternative system may not be used for a **construction** project **to be constructed by the City** unless the Mayor and City Council of the City of La Vista have adopted, by the affirmative votes of at least two-thirds of the members of the City Council, a resolution authorizing the use of that alternative system for the specific project.

### Letters of interest/Prequalification Procedure

The City, if wishing to enter into a construction management at risk contract for a proposed project, shall prepare a request for letters of interest seeking indications of interest of prospective construction managers to enter into a construction management at risk contract for the project. Requests shall describe the project in sufficient detail to permit the construction manager to submit a letter of interest.

Requests for letters of interest shall be published in a newspaper of general circulation within the City at least thirty (30) days prior to the deadline for receipt of letters of interest. Requests for letters of interest should also be sent via first class mail to any construction manager upon request, and may also be made available on the City's website or as the City otherwise determines.

A submitted letter of interest shall serve to indicate to the City the prospective construction manager's interest in responding to a subsequent request for proposals concerning the proposed project and shall describe the prospective construction manager's (a) qualifications to serve as construction manager, (b) prior experience under construction management at risk delivery systems, and (c) experience in managing projects of size and scope similar to those of the proposed City project.

Letters of interest shall be reviewed by the City and the City shall select prospective construction managers based on information submitted to the City in response to the request for letters of interest, in accordance with this Policy and any procedures and standards adopted by the City. At least three (3) prospective construction managers shall be selected, except that if only two fewer than three (3) construction managers have submitted letters of interest, the City shall select at least the number of two (2) prospective construction managers submitting letters of interest; provided, however, if fewer than two letters of interest are received, selection of the sole prospective construction manager shall be subject to approval of the City Administrator, City Engineer or her or his designee. Selected construction managers shall then be considered prequalified and eligible to receive a request for proposal.

### Request for Proposals

The City shall prepare a request for proposals for a proposed project for which the City proposes to enter into a construction management at risk contract. The request for proposals shall be sent only to the pre-qualified construction managers selected based on information submitted to the City in response to the request for letters of interest. Construction managers shall submit proposals as required by the request for proposals.

Notice of the request for proposals shall be published in a newspaper of general circulation within the City at least thirty (30) days prior to the deadline for receipt and opening of proposals.

The request for proposals shall contain, at a minimum, the following request for proposal elements:

- 1) The legal identity of the City and that the City intends to build the project and will execute a construction management at risk contract through its the Mayor and the La Vista City Council;
- 2) The policies adopted by the Mayor and La Vista City Council to be used when executing a construction management at risk contract;

- 3) The proposed terms and conditions of the construction management at risk contract, including any terms and conditions which are subject to further negotiation. The proposed general terms and conditions shall be consistent with nationally recognized model general terms and conditions which are standard in the design and construction industry in Nebraska. The proposed terms and conditions may set forth an initial determination of the manner by which the construction manager selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding;
- 4) Any bonds and insurance required by law or as may be additionally required by the City;
- 5) General information about the project which will assist the City in its selection of the construction manager, including a project statement which contains information about the scope and nature of the project, the project site, the schedule and estimated budget;
- 6) The criteria for evaluation of proposals and the relative weight of each criterion; and
- 7) A description of any other information which the City chooses to require.

#### Proposal. Evaluation

Proposals shall be sealed and shall not be opened until expiration of the time established for making proposals as set forth in the request for proposals. Proposals may be withdrawn at any time prior to acceptance. The City shall have the right to reject any and all proposals except for the purpose of evading the provisions and policies of the Act. The City may thereafter solicit new proposals using the same or different request for proposal elements.

The City shall refer the proposals for recommendation to a selection committee. The selection committee shall be a group of at least five (5) persons designated by the City. Members of the selection committee shall include, at a minimum:

- 1) One or more of the Mayor and/or Members of the La Vista City Council;
- 2) One or more members of the administration or staff of the City;
- 3) One or more of the City's architect or engineer;
- 4) One or more persons having special expertise relevant to selection of a construction manager under the Act; and
- 5) One or more residents of the City other than an individual listed above.

No member of the selection committee shall be employed by or have a financial interest in a construction manager who has a proposal being evaluated. No member of the selection committee designated under item "4" or item "5" above shall be employed by the City.

The selection committee and the City shall evaluate proposals taking into consideration the criteria listed below, with the maximum percentage of total points for evaluation that may be assigned to each criterion, in the request for proposals and in conducting the evaluation, as indicated below:

- 1) The financial resources of the construction manager to complete the project, ten percent (10%);
- 2) The ability of the proposed personnel of the construction manager to perform, thirty percent (30%);
- 3) The character, integrity, reputation, judgment, experience, and efficiency of the construction manager, thirty percent (30%);
- 4) The quality of performance by the construction manager on previous projects, thirty percent (30%);
- 5) The ability of the construction manager to perform within the time specified, thirty percent (30%);
- 6) The previous and existing compliance of the construction manager with laws relating to the contract, ten percent (10%); and
- 7) Other information as may be secured having a bearing on the selection, twenty percent (20%).

The records of the selection committee in evaluating proposals and making recommendations shall be considered public records.

The City shall evaluate and rank, in order of preference, each proposal of the prospective construction managers pursuant to and on the basis of best meeting the criteria in the request for proposals and taking into consideration the recommendation of the selection committee. At least three (3) prospective construction managers shall be selected for purposes of ranking, except that if only two fewer than three (3) construction managers have submitted proposals, the City shall select for ranking at least two the number of (2) prospective construction managers submitting proposals; provided, however, if fewer than two proposals are received, selection of the sole prospective construction manager shall be subject to approval of the City Administrator, City Engineer or her or his designee.

The City shall attempt to negotiate a construction management at risk contract with the highest ranked construction manager and may enter into a construction management at risk contract after negotiations; provided, however, if fewer than two proposals are received, attempted negotiation with the sole prospective construction manager shall be subject to approval of the City Administrator, City Engineer or her or his designee. The negotiations shall include a final determination of the manner by which the construction manager selects a subcontractor.

If the City is unable to negotiate a satisfactory contract with the highest ranked construction manager, the City may terminate negotiations with that construction manager. The City may then undertake negotiations with the second highest ranked construction manager and may enter into a construction management at risk contract after negotiations. If the City is unable to negotiate a satisfactory contract with the second highest ranked construction manager, the City may undertake negotiations with the third highest ranked construction manager, if any, and may enter into a construction management at risk contract after negotiations.

If the City is unable to negotiate a satisfactory contract with any of the ranked construction managers, the City may either revise the request for proposals and solicit new proposals or cancel the construction management at risk process.

A construction management at risk contract may be conditioned upon later refinements in scope and price and may permit the City in agreement with the construction manager to make changes

in the project without invalidating the contract. Later refinements shall not exceed the scope of the project statement contained in the request for proposals.

Nothing in the Political Subdivisions Construction Alternatives Act or in this Policy shall limit or reduce statutory or regulatory requirements regarding bonding or insurance.

**Miscellaneous.** The City Administrator is authorized to promulgate or specify additional procedures for the implementation of this Policy that are not inconsistent with the Act or with this Policy. If provisions of any such additional procedures or this Policy conflict with any provision of the Act, provisions of the Act shall control.

This Policy is solely for the use and guidance of the City and its representatives. It shall not be interpreted or applied so as to confer any right or entitlement on any construction manager, potential construction manager, contractor, consultant, vendor, or any other individual or entity.

**Protest Procedures:** Any individual or entity wishing to file a formal protest relating to the solicitation or execution of any construction management at risk contract by the City may file a written protest with the City Administrator within five (5) business days after the protester knew or should have known of the facts upon which the protest is based. The written protest must set forth a full recitation of the facts giving rise to the protest, state the grounds or *basis* for the protest, and include copies of all documents supporting *the* protest. Unless the protest is sooner resolved by mutual agreement between the protester and the City Administrator, the Mayor and City Council will consider and act upon such a timely filed protest by not later than the next regular City Council meeting held not less than five (5) calendar days after the written protest is received by the City Administrator. The decision of the Mayor and City Council will be final.

**Implementation:** Unless otherwise expressly required by this Policy, the Act, or other applicable law, the City Administrator, City Engineer, or any designee of the City Administrator or City Engineer from time to time, shall be authorized to implement and carry out any and all provisions of this Policy on behalf of the City, including without limitation, issuing or executing any notices or documents or making any determinations on behalf of the City.

## I. LEGAL REFERENCE

Nebr. Rev. Stat. 13-2901 Act, how cited

13-2902 Purpose

13-2903 Terms, defined

13-2904 Contracts authorized; governing body; resolution required

13-2905 Political subdivision; policies; requirements

13-2906 Letters of interest; requirements

13-2909 Construction management at risk contract; request for proposals; requirements

13-2910 Construction management at risk contract; evaluation of proposals; requirements; negotiations

13-2911 Contract proposals; evaluation; selection committee; duties

13-2912 Contracts; refinements; changes authorized

13-2913 Act; bonding or insurance requirements

13-2914 Projects excluded

User: AHultberg

DB: La Vista

Check #

A-16

Voided

Check #	Check Date	Vendor Name	Amount	Voided
123519	03/08/2017	AECOM TECHNICAL SERVICES INC	10,407.61	N
123520	03/08/2017	ANDERSON EXCAVATING COMPANY	138,150.00	N
123521	03/08/2017	DLR GROUP	57,232.07	N
123522	03/08/2017	HDR ENGINEERING INC	8,112.87	N
123523	03/08/2017	OLSSON ASSOCIATES	46,237.05	N
123524	03/08/2017	PETTY CASH-PAM BUETHE	100.00	N
123525	03/08/2017	THOMPSON DREESSEN & DORNER	212.50	N
123526	03/14/2017	AFL, LLC	56,582.00	N
123527	03/14/2017	BUETHE, PAM	117.00	N
123528	03/14/2017	NE DEPT OF MOTOR VEHICLE-94789	19.80	N
8(E)	03/21/2017	BANK OF NEBRASKA	3,066.27	N
9(E)	03/21/2017	BLUE CROSS BLUE SHIELD OF NEBR	94,608.85	N
10(E)	03/21/2017	ELAN FINANCIAL SERVICES	17,072.82	N
17(E)	03/21/2017	ENTERPRISE FM TRUST	580.01	N
18(E)	03/21/2017	LEAF CAPITAL FUNDING LLC	700.00	N
19(E)	03/21/2017	MANPOWER	4,070.57	N
20(E)	03/21/2017	MARCO INCORPORATED	368.53	N
21(E)	03/21/2017	NE DEPT OF REVENUE-SALES TAX	1,724.10	N
22(E)	03/21/2017	PITNEY BOWES-EFT POSTAGE	1,038.00	N
23(E)	03/21/2017	TOSHIBA FINANCIAL SERVICES	127.40	N
123529	03/21/2017	ABDO PUBLISHING COMPANY	383.95	N
123530	03/21/2017	ACTION SIGNS INCORPORATED	484.50	N
123531	03/21/2017	ASPHALT & CONCRETE MATERIALS	431.57	N
123532	03/21/2017	ASSET INSIGHT TCHNOLOGIES INC	2,630.73	N
123533	03/21/2017	BAXTER CHRYSLER DODGE JEEP RAM	14.62	N
123534	03/21/2017	BEST CARE EMPLOYEE ASST PROGRM	2,934.75	N
123535	03/21/2017	BISHOP BUSINESS EQUIPMENT	1,955.73	N
123536	03/21/2017	BLACK HILLS ENERGY	1,637.64	N
123537	03/21/2017	BOOT BARN	118.99	N
123538	03/21/2017	BS&A SOFTWARE	1,500.00	N
123539	03/21/2017	BUETHE, PAM	464.40	N
123540	03/21/2017	CENTER POINT PUBLISHING	352.92	N
123541	03/21/2017	CENTURY LINK	70.24	N
123542	03/21/2017	CITY OF COUNCIL BLUFFS	60.00	N
123543	03/21/2017	CITY OF OMAHA	145,988.02	N
123544	03/21/2017	COLIBRI SYSTEMS NORTH AMER INC	815.00	N
123545	03/21/2017	COMP CHOICE INC	77.50	N
123546	03/21/2017	CONTINENTAL RESEARCH CORP	612.47	N
123547	03/21/2017	CORNHUSKER INTL TRUCKS INC	111.19	N
123548	03/21/2017	COX COMMUNICATIONS	143.00	N
123549	03/21/2017	CULLIGAN OF OMAHA	46.00	N
123550	03/21/2017	CUMMINS SALES AND SERVICE	62.00	N
123551	03/21/2017	DATASHIELD CORPORATION	5.21	N
123552	03/21/2017	DELL MARKETING L.P.	12,542.54	N
123553	03/21/2017	DEMCO INCORPORATED	507.84	N
123554	03/21/2017	DULTMEIER SALES & SERVICE	68.95	N
123555	03/21/2017	DXP ENTERPRISES INC	90.00	N
123556	03/21/2017	EXCEL PHYSICAL THERAPY	50.00	N
123557	03/21/2017	FEDEX	12.35	N
123558	03/21/2017	FIRST WIRELESS INC	454.40	N
123559	03/21/2017	FITZGERALD SCHORR BARMETTLER	33,659.00	N
123560	03/21/2017	FOCUS PRINTING	8,150.60	N
123561	03/21/2017	FUTUREWARE DISTRIBUTING INC	248.00	N
123562	03/21/2017	GALE	293.13	N
123563	03/21/2017	GALLS LLC	599.71	N
123564	03/21/2017	GARROD, MANDY	113.90	N

User: AHultberg

DB: La Vista

Check #

Check Date

Vendor Name

Amount

Voided

123565	03/21/2017	GCR TIRES & SERVICE	446.89	N
123566	03/21/2017	GENERAL FIRE & SAFETY EQUIP CO	365.75	N
123567	03/21/2017	GENUINE PARTS COMPANY-OMAHA	440.79	N
123568	03/21/2017	GRAYBAR ELECTRIC COMPANY INC	585.40	N
123569	03/21/2017	H & H CHEVROLET LLC	19.01	N
123570	03/21/2017	HARTS AUTO SUPPLY	256.00	N
123571	03/21/2017	HEARTLAND PAPER	222.00	N
123572	03/21/2017	HOME DEPOT CREDIT SERVICES	138.97	N
123573	03/21/2017	HONEYMAN RENT-ALL #1	31.61	N
123574	03/21/2017	HY-VEE 9707	61.99	N
123575	03/21/2017	INDUSTRIAL SALES COMPANY INC	79.00	N
123576	03/21/2017	INGRAM LIBRARY SERVICES	1,641.77	N
123577	03/21/2017	KRIHA FLUID POWER CO INC	112.78	N
123578	03/21/2017	LANDPORT SYSTEMS INC	125.00	N
123579	03/21/2017	LCW PRODUCTIONS	500.00	N
123580	03/21/2017	LEAGUE OF NEBR MUNICIPALITIES	375.00	N
123581	03/21/2017	LEAGUE OF NEBRASKA MUNICIPA-	400.00	N
123582	03/21/2017	MAX I WALKER UNIFORM RENTAL	595.22	N
123583	03/21/2017	MENARDS-RALSTON	27.88	N
123584	03/21/2017	METRO AREA TRANSIT	464.00	N
123585	03/21/2017	METROPOLITAN UTILITIES DIST.	167.73	N
123586	03/21/2017	MIDWEST PLASTICS INCORPORATED	262.45	N
123587	03/21/2017	MOBOTREX MOBILITY & TRAFFIC	695.00	N
123588	03/21/2017	MPH INDUSTRIES INCORPORATED	107.57	N
123589	03/21/2017	NE LIQUOR CONTROL COMMISSION	45.00	N
123590	03/21/2017	NEBRASKA LIFE MAGAZINE	49.95	N
123591	03/21/2017	NEBRASKA NOTARY ASSOCIATION	100.00	N
123592	03/21/2017	NEBRASKA SALT & GRAIN COMPANY	6,893.76	N
123593	03/21/2017	NEW YORK TIMES	514.80	N
123594	03/21/2017	NMC EXCHANGE LLC	466.72	N
123595	03/21/2017	NUTS AND BOLTS INCORPORATED	2.36	N
123596	03/21/2017	O'REILLY AUTOMOTIVE STORES INC	147.25	N
123597	03/21/2017	ODB COMPANY	65.05	N
123598	03/21/2017	OFFICE DEPOT INC	1,082.06	N
123599	03/21/2017	OMAHA PUBLIC POWER DISTRICT	49,344.56	N
123601	03/21/2017	OMAHA WORLD-HERALD	1,096.12	N
123602	03/21/2017	OMNIGRAPHICS INC	141.55	N
123603	03/21/2017	PAYLESS OFFICE PRODUCTS INC	196.88	N
123604	03/21/2017	PLAINS EQUIPMENT GROUP	1,295.71	N
123605	03/21/2017	QP ACE HARDWARE	633.28	N
123606	03/21/2017	SAPP BROS INCORPORATED	837.00	N
123607	03/21/2017	SCHOLASTIC LIBRARY PUBLISHING	334.10	N
123608	03/21/2017	SECRETARY OF STATE	20.00	N
123609	03/21/2017	SECURITY EQUIPMENT INC.	1,652.25	N
123610	03/21/2017	SINNETT, HELEN	80.00	N
123611	03/21/2017	SPRINT	642.40	N
123612	03/21/2017	TRANS UNION RISK AND	29.70	N
123613	03/21/2017	VAL VERDE ANIMAL HOSPITAL INC	28.84	N
123614	03/21/2017	WATER SHED INCORPORATED	255.39	N
123615	03/21/2017	WEST OMAHA WINSUPPLY COMPANY	1,081.42	N
123616	03/21/2017	WICK'S STERLING TRUCKS INC	235.39	N
123617	03/21/2017	BRAD WOOD	150.00	N
123618	03/21/2017	WOODHAVEN COUNSELING ASSOCS	250.00	N
123619	03/21/2017	ZOO BOOKS MAGAZINE	54.90	N

TOTAL:

734,066.55

User: AHultberg

DB: La Vista

Check #

Check Date

Vendor Name

Amount

Voided

APPROVED BY COUNCIL MEMBERS ON: 03/21/2017

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR REZONING – LOT 4, LAKEVIEW SOUTH II; LOT 1, LAKEVIEW SOUTH II REPLAT 4; LOTS 1 & 2, LAKEVIEW SOUTH II REPLAT 6; LOT 2, LAKEVIEW SOUTH II REPLAT 2; AND S 1551.37 FT TAX LOT 4, 23-14-11 (NW OF 145 <sup>TH</sup> & MEADOWS BLVD.)	RESOLUTION ◆ ORDINANCES (2) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled to consider a rezoning for approximately 31.45 acres located northwest of 145<sup>th</sup> Street and Meadows Blvd.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider a rezoning application by J & H Investments, LLC, on behalf of the property owners, TC Accomodator 115, LLC; R & D Development; Doris M. Klingemann; and Maguire Properties, on approximately 31.45 acres currently described as Lot 4, Lakeview South II; Lot 1, Lakeview Southe II Replat 4; Lots 1 & 2, Lakeview South II Replat 6; Lot 2, Lakeview South II Replat 2; and S 1551.37 FT Tax Lot 4, 23-14-11. The property is generally located northwest of 145<sup>th</sup> Street and Meadows Blvd.

The purpose of the request is to allow for the zoning to more closely match the existing land uses. A detailed staff report is attached.

The Planning Commission held a public hearing on February 16, 2017, and unanimously recommended approval of the rezoning.

**ORDINANCE NO. \_\_\_\_**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Rezoning. On February 16, 2017, the La Vista Planning Commission conducted a public hearing on the matter of rezoning the tract of land set forth in Section 2 of this ordinance and reported to the City Council that it recommended approval of the zoning of said tract be changed from "I-1" Light Industrial, Gateway Corridor District (Overlay District) to "I-2" Heavy Industrial, Gateway Corridor District (Overlay District). On March 21, 2017, the City Council held a public hearing on said proposed change in zoning and found and determined that said proposed changes in zoning are advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices, including published notice, written notice to adjacent property owners and notice posted at the properties, were duly given pursuant to Section 9.01 of the Zoning Ordinance. The City Council hereby approves said proposed changes in zoning as set forth in Section 2 of this ordinance.

Section 2. Amendment of the Official Zoning Map. Pursuant to Article 3 of the Zoning Ordinance, the following described tract of land is hereby rezoned from "I-1" Light Industrial, Gateway Corridor District (Overlay District) to "I-2" Heavy Industrial, Gateway Corridor District (Overlay District), and the Official Zoning Map of the City of La Vista is hereby amended to reflect the changes in zoning of the following described tracts of land from "I-1" Light Industrial, Gateway Corridor District (Overlay District) to "I-2" Heavy Industrial, Gateway Corridor District (Overlay District):

Lot 1, Lakeview South II; Lot 1, Lakeview South II Replat 4; Lot 1, Lakeview South II Replat 6; Lot 2, Lakeview South II Replat 6; Lot 2, Lakeview South II Replat 2; all in Section 23, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

The amended version of the official zoning map of the City of La Vista is hereby adopted and shall be signed by the Mayor, attested to by the City Clerk and shall bear the seal of the City under the following words:

"This is to certify that this is the official zoning map referred to in Article 3 Section 3.02 of Ordinance No. 848 of the City of La Vista, Nebraska"

and shall show the date of the adoption of that ordinance and this amendment.

Section 3. Effective Date. This ordinance shall be in full force and effect upon the date passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF MARCH 2017.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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**ORDINANCE NO. \_\_\_\_**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

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Section 2. Amendment of the Official Zoning Map. Pursuant to Article 3 of the Zoning Ordinance, the following described tract of land is hereby rezoned from "C-3" Highway Commercial / Office Park, Gateway Corridor District (Overlay District) and PUD Planned Unit Development District (Overlay District) to "I-2" Heavy Industrial, and the Official Zoning Map of the City of La Vista is hereby amended to reflect the changes in zoning of the following described tracts of land from "C-3" Highway Commercial / Office Park, Gateway Corridor District (Overlay District) and PUD Planned Unit Development District (Overlay District) to "I-2" Heavy Industrial:

S 1551.37 FT of Tax Lot 4, in Section 23, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

The amended version of the official zoning map of the City of La Vista is hereby adopted and shall be signed by the Mayor, attested to by the City Clerk and shall bear the seal of the City under the following words:

"This is to certify that this is the official zoning map referred to in Article 3 Section 3.02 of Ordinance No. 848 of the City of La Vista, Nebraska"

and shall show the date of the adoption of that ordinance and this amendment.

Section 3. Effective Date. This ordinance shall be in full force and effect upon the date passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF MARCH 2017.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2016-ZMA-05

For Hearing of: March 21, 2017  
Report Prepared on: March 13, 2017

**I. GENERAL INFORMATION**

**A. APPLICANT:**

J & H Investments LLC  
9144 S. 147<sup>th</sup> St.  
Omaha, NE 68138

**B. PROPERTY OWNER:**

TC Accomodator 115, LLC  
9140 West Dodge Road, Ste 380  
Omaha, NE 68154

R & D Development  
9004 S. 145<sup>th</sup> St  
Omaha, NE 68138

Doris M. Klingemann  
Hotsy Equipment Co.  
8902 S. 145h St.  
Omaha, NE 68138

Maguire Properties  
17649 Douglas Cir.  
Omaha, NE 68118

**C. LOCATION:** Northwest of the intersection of Meadows Blvd. and 145<sup>th</sup> Street.

**D. LEGAL DESCRIPTION:** S 1551.37 FT of Tax Lot 4 (23-14-11), Lot 1 Lakeview South II, Lot 1 Lakeview South II Replat 4, Lot 1 Lakeview South II Replat 6, Lot 2 Lakeview South II Replat 6, Lot 2 Lakeview South II Replat 2

**E. REQUESTED ACTION(S):**

1. Zoning Map Amendment (Rezoning);
  - S 1551.37 FT of Tax Lot 4 (23-14-11) - From C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and a Planned Unit Development (PUD) Overlay District to I -2 Heavy Industrial
  - Lakeview South II Lots - From I-1 Light Industrial with a Gateway Corridor Overlay (Overlay District) to I -2 Heavy Industrial with a Gateway Corridor District (Overlay District).

**F. EXISTING ZONING AND LAND USE:**

- S 1551.37 FT of Tax Lot 4 (23-14-11), C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and a Planned Unit Development (PUD) Overlay District\*; Vacant
- Lot 1 Lakeview South II, I-1 Light Industrial with a Gateway Corridor District (Overlay District); Sale of Recreational Vehicles
- Lot 1 Lakeview South II Replat 4, I-1 Light Industrial with a Gateway Corridor District (Overlay District); Building Materials Dealer
- Lot 1 Lakeview South II Replat 6, I-1 Light Industrial with a Gateway Corridor District (Overlay District); Vacant
- Lot 2 Lakeview South II Replat 6, I-1 Light Industrial with a Gateway Corridor District (Overlay District); Vacant
- Lot 2 Lakeview South II Replat 2 I-1 Light Industrial with a Gateway Corridor District (Overlay District); Contractor Office

\* On October 18, 2016 S 1551.37 FT of Tax Lot 4 (23-14-11) was inadvertently rezoned from I-1 to C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and a Planned Unit Development (PUD) Overlay District as a rezoning action for the property to the north of it mistakenly designated the rezoning action for "Tax Lot 4", rather than the portion that was split off in a 2015 deed split.

**G. PURPOSE OF REQUEST:** Zoning Map Amendment to allow for the rezoning of the aforementioned parcels.

**H. SIZE OF SITE:** 31.45 Acres

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** Three of the parcels are currently vacant, the other three parcels are developed as industrial uses. The land is relatively flat near 145<sup>th</sup> and Meadows Blvd., with an increasing downward slope towards the north.

**B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:**

1. **North:** C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District) and a Planned Unit Development (PUD) Overlay District; Vacant
2. **East:** The Meadows Subdivision; R-1 Single Family Residential; Single Family Houses
3. **South:** Lakeview South; I-1 Light Industrial (Sarpy County); Various Industrial uses.
4. **West:** Chalco Hills Recreation Area; AG Agricultural (Sarpy County); Dam site

**C. RELEVANT CASE HISTORY:**

1. N/A

**D. APPLICABLE REGULATIONS:**

1. Chapter 4 of the La Vista Comprehensive Plan 2007 – Future Land Use Plan
2. Section 5.14 of the Zoning Regulations – I-2 Heavy Industrial District
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan currently shows industrial land uses.

**B. OTHER PLANS:** Not applicable.

**C. TRAFFIC AND ACCESS:**

1. Access to all lots included in the rezoning is provided through frontages along 145<sup>th</sup> Street or Meadows Blvd.

The rezoning itself will not require a traffic study. However, a traffic study has be required in relation to the platting request following this rezoning on the agenda.

**D. UTILITIES:**

1. The properties have access to water, gas, power and communication utilities. Development of the lot described as "South 1551.37 FT" of Tax Lot 4 will require a sanitary sewer connection to an existing sanitary sewer in 145th Street that drains to an existing lift station.

**IV. REVIEW COMMENTS:**

1. The proposed rezoning to I-2 Heavy Industrial matches up favorably with the IL Light Industrial (Sarpy County) zoning to the south of the subject property as the Sarpy County zoning regulations are more comparable to La Vista's Heavy Industrial district than the Light Industrial district.

**V. STAFF RECOMMENDATION – Amendment to the Zoning Map (Rezoning):**

Staff recommends approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and a Planned Unit Development (PUD) Overlay District, and I-1 Light Industrial with a Gateway Corridor District (Overlay District) to I-2 Heavy Industrial and I-2 Heavy Industrial with a Gateway Corridor District (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

**VI. PLANNING COMMISSION RECOMMENDATION – Amendment to the Zoning Map (Rezoning):**

The Planning Commission held a public hearing on February 16, 2017 and unanimously voted to recommend approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and a Planned Unit Development (PUD) Overlay District, and I-1 Light Industrial with a Gateway Corridor District (Overlay District) to I-2 Heavy Industrial and I-2 Heavy Industrial with a Gateway Corridor District (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

**VII. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Staff Review Letters
3. Applicant Response Letter
4. Zoning Map Amendment Exhibit

**VIII. COPIES OF REPORT SENT TO:**

1. Tom Heimes, J & H Investments, LLC
2. Beth Bucklin, TC Accommodator 115, LLC
3. R & D Development
4. Doris M. Klingemann, Hotsy Equipment Co.
5. Maguire Properties
6. Douglas Kellner, P.E., Thompson, Dreessen, & Dorner, Inc.
7. Public Upon Request

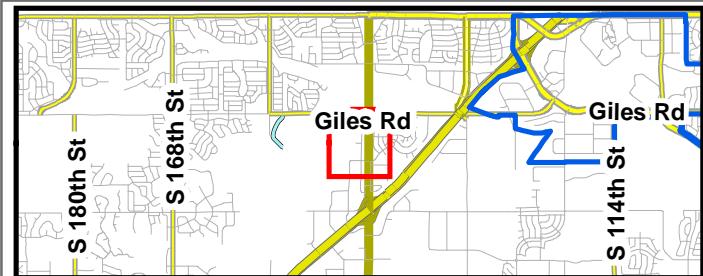
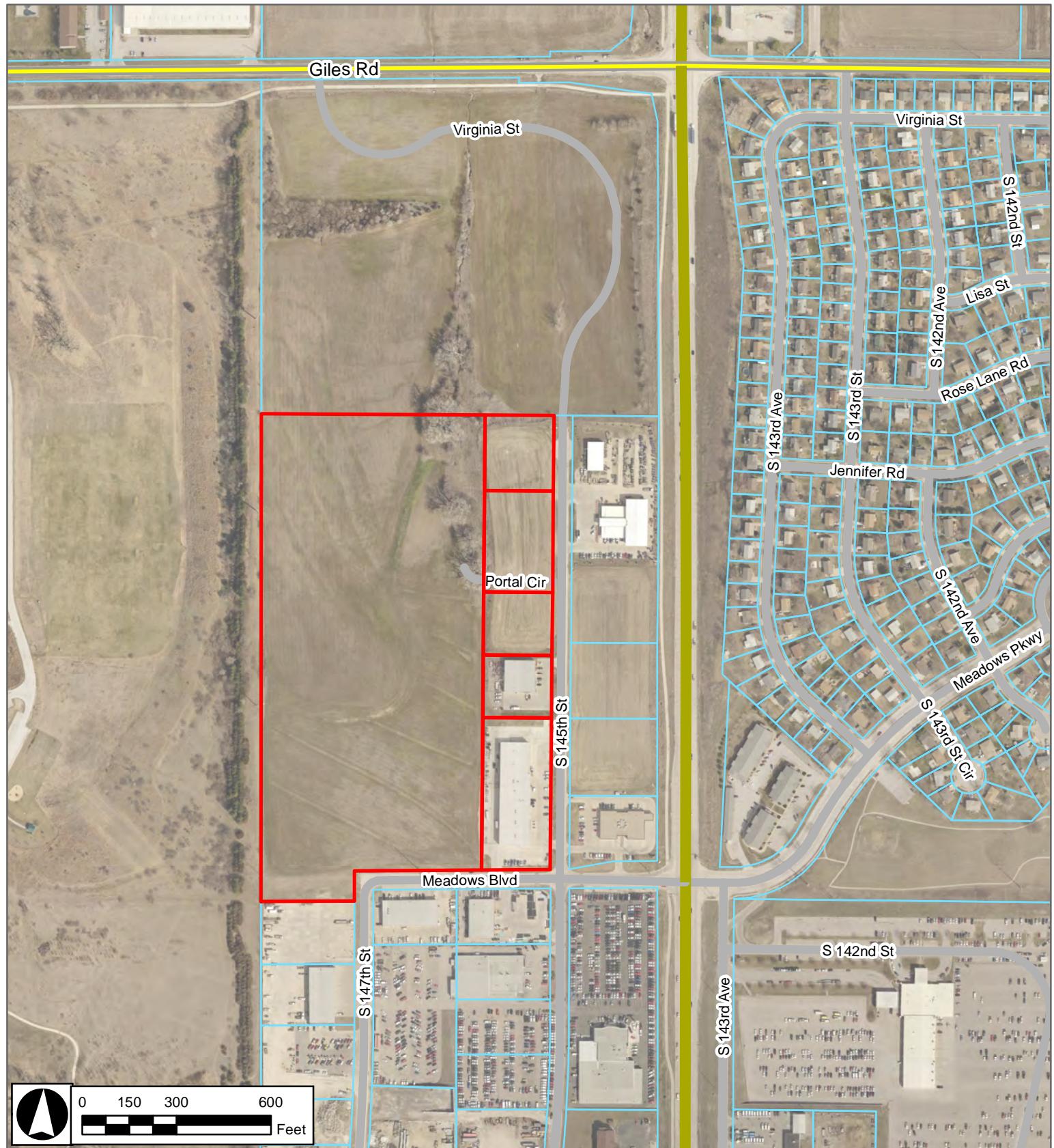
Prepared by:

  
Tom Heimes

3-14-17

Date

Community Development Director



## Zoning Map Amendment

2-9-2017

JMC





January 13, 2017

Tom Heimes  
J & H Investments, LLC  
9144 S 147<sup>th</sup> Street  
Omaha, NE 68138

RE: Revised Preliminary Plat & Rezoning Application  
Heimes  
City Engineer Second Review

Mr. Heimes,

City staff have reviewed the application that was received for with a revised preliminary plat called Heimes and associated request for rezoning in a transmittal dated December 29, 2016. Based on the requirements for a preliminary plat in the City of La Vista Subdivision Regulations and considerations for rezoning, City staff have provided following comments:

General:

1. The preliminary plat and rezoning documents have been sent to the Papio-Missouri River Natural Resources District for review and comment as the subject property abuts the Wehrspann Lake Dam Site which is maintained by the PMRNRD. Additional commentary may be provided based on the results of their review.

Preliminary Plat:

2. In regards to the proposed cul-de-sac, please label the street name as Portal Circle.
3. The water to serve this development needs to come from the Metropolitan Utilities District and a notation to that effect has been added to the plat.
4. In accordance with Article 3.03.15 of the Subdivision Regulations itemized cost estimates for public improvements need to be submitted including proposed sources of funding. The proposed cul-de-sac lies largely within property situated in SID 48. Is it proposed that SID 48 will build and maintain the road? The proposed sanitary sewer connects to an existing sanitary sewer in 145<sup>th</sup> Street that drains to an existing lift station. The preliminary needs to indicate if the intent is to remove the lift station which is implied by Note 8 on the revised preliminary plat. Tract sewer connection fees will be collected on this

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Buildings & Grounds**  
8112 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

property and remitted to Sarpy County. This will include \$5,500 at time of platting which will be remitted entirely to Sarpy County. Then, at building permit time, the tract connection fee of \$6,690 per acre will be collected from which \$5,500 will be sent to Sarpy County and the remainder will be retained by the City. The fee collected at time of building permit is subject to change on January 1<sup>st</sup> of each year.

5. Existing culverts under Giles Road may have capacity limitations in regards to storm water runoff that require detention in addition to the City's standard requirements. The City has requested information from Sarpy County on the culvert capacities under Giles Road and will pass that information along to the applicant to address this limitation. In addition, water quality from proposed public streets will need to be addressed in the drainage study.
6. The boundary of the drainage area and the design flow to Impact Pt. 5 will need to be clarified at the time the public improvement plans are prepared and submitted for review.
7. The existing grading permit will need to be modified to include the proposed cul-de-sac when installation of the improvements is undertaken.

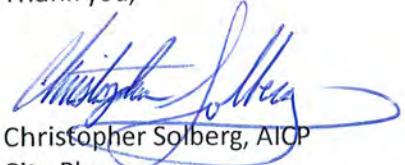
Rezoning:

8. In regards to Article 3.03.19 and relative to the rezoning request, the applicant needs to provide a statement as to the maximum expected peak hour traffic from proposed Lots 1, 2 3, and 4 using trip generation rates for industrial development consistent with the proposed I-2 Heavy Industrial zoning based on the Trip Generation manual published by the Institute of Transportation Engineers. The results of that peak hour estimation will determine whether any additional traffic impact study is required.
9. Lots abutting the west side of S. 145<sup>th</sup> Street should retain the Gateway Corridor Overlay that currently exists over these lots. The exhibits that note the change in the zoning should be amended to include the Gateway Corridor Overlay in addition to the proposed I-2 Heavy Industrial zoning.

In order for the Preliminary Plat and Rezoning to be considered for review at the February 16, 2017 Planning Commission meeting, revised plat documents will need to be provided for further review. Please submit 4 full size copies (along with electronic copies) of the revised documents by January 23, 2017 to ensure that the application stays on track for the review by Planning Commission.

If you have any questions regarding these comments please feel free to contact me at any time.

Thank you,



Christopher Solberg, AICP  
City Planner

cc: Ann Birch, Community Development Director  
John Kottmann, City Engineer  
Douglas Kellner, Thompson, Dreessen, & Dorner, Inc.

December 27, 2016

Chris Solberg  
City Planner  
City of La Vista  
8116 Park View Boulevard  
La Vista, Nebraska 68128

RE: Preliminary Plat Application – Initial Review  
Heimes  
TD2 File No. 1642-108.2

Mr. Solberg:

The attached documents have been created in response to the initial review dated October 27, 2016. From the comments:

- 1) The Scale has been corrected.
- 2) The plans have been sent to Amanda Grint with the Papio NRD for review and comment.
- 3) The note has been removed.
- 4) Paving thickness has been added on the legend, and the radii have been added as well.
- 5) A note has been added that MUD water will be serving the subdivision.
- 6) The easement information has been updated.
- 7) A cost sheet has been prepared and is attached.
- 8) A note stating that each lot will be required to get its own grading permit.
- 9) A trip generation report was generated by FHU and is attached.
- 10) The drainage study was updated to show impact points for both the 10 and 100 year storms. The calculations showing that 145<sup>th</sup> Street can handle the flows have also been attached. A note was included to list the requirements for stormwater requirements.
- 11) Before improvements are planned, a grading permit modification will be submitted.
- 12) The new proposed zoning is I2 per the sheet.

I have included 4 copies, along with electronic copies for your review.

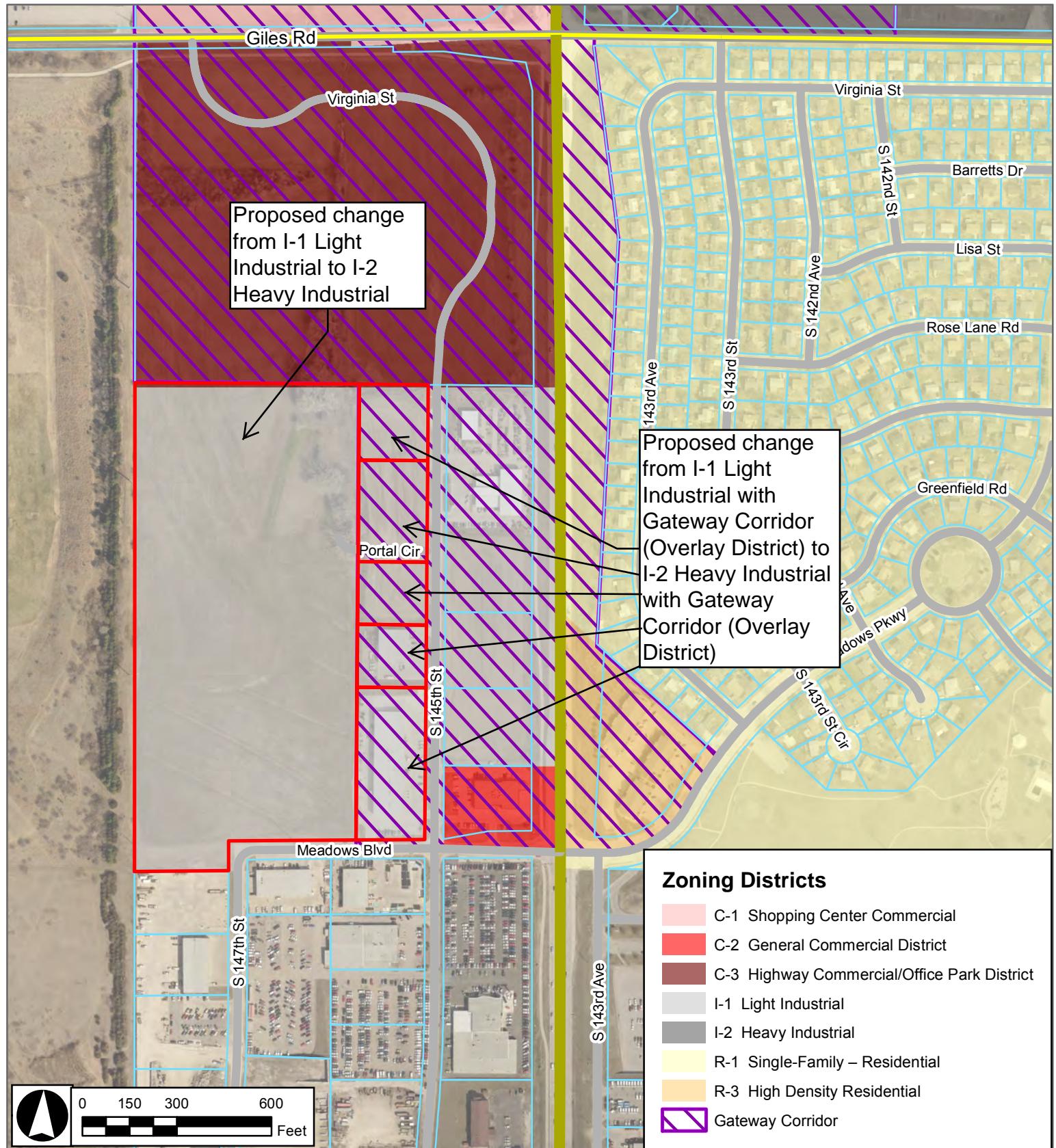
Respectfully Submitted,



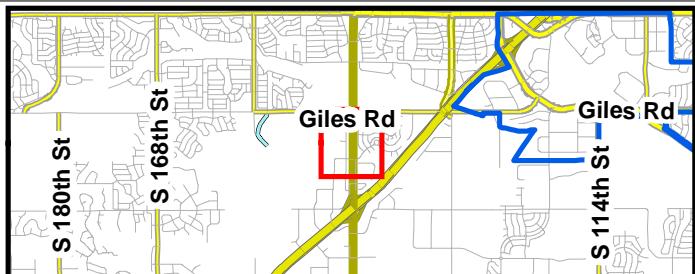
Benjamin Drews, EI  
THOMPSON, DREESSEN, & DORNER, INC.

BSD/tjp

Attachments



## Project Vicinity Map



## Zoning Map Amendment Exhibit

2-7-2017  
JMC



**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR WAIVER, REVISED PRELIMINARY PLAT, FINAL PLAT, SUBDIVISION AGREEMENT, PUD SITE PLAN & CUP FOR AN AUTOMOBILE DEALERSHIP – TAX LOT 4 EXC S 1551.37 FT & EXC ROW 23-14-11 (SW OF 144 <sup>TH</sup> & GILES ROAD)	RESOLUTIONS ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

An application was received to consider a waiver of the Subdivision Regulations regarding the minimum centerline radius of a local street, a revised preliminary plat, a final plat and subdivision agreement; and a public hearing scheduled to consider a Planned Unit Development (PUD) site plan, and a Conditional Use Permit (CUP) for an automobile dealership, for approximately 30.67 acres located southwest of 144<sup>th</sup> Street and Giles Road. Staff is recommending the public hearing be continued as the application is not ready for review by the City Council.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Open and continue public hearing.

**BACKGROUND**

A public hearing has been scheduled and resolutions prepared to consider applications for a waiver of the Subdivision Regulations regarding the minimum centerline radius of a local street, a revised preliminary plat, a final plat, subdivision agreement, a Planned Unit Development (PUD) site plan, and a Conditional Use Permit (CUP) for an automobile dealership, submitted by LB Southwest, LLC on approximately 30.67 acres currently described as Tax Lot 4 EXC S 1551.37 FT & EXC ROW 23-14-11. The property is generally located on the southwest corner of 114<sup>th</sup> Street and Giles Road.

Staff is recommending the public hearing be opened and continued as the application is not ready for review by the City Council.

D

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS D LIQUOR LICENSE APPLICATION FOR FANTASY'S INC DBA SOUTHPORT FANTASY'S, IN LA VISTA, NEBRASKA.

WHEREAS, Fantasy's Inc dba Southport Fantasy's, 7828 S 123<sup>rd</sup> Plaza, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class D Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class D Liquor License application submitted by Fantasy's Inc dba Southport Fantasy's, 7828 S 123<sup>rd</sup> Plaza, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

CITY OF LA VISTA

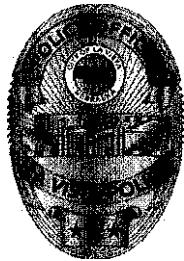
---

Douglas Kindig, Mayor

ATTEST:

---

Mandy Garrod, CMC  
Deputy City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** Pam Buethe, City Clerk

**FROM:** Chief Robert S. Lausten

**DATE:** March 16, 2017

**RE:** LOCAL BACKGROUND- LIQUOR LICENSE- MANAGER  
FANTASY'S SOUTHPORT

**CC:**

---

The police department conducted a check of computerized records for criminal conduct regarding the applicant for the Liquor License and Manager application. Karen Shramek has no criminal record.

As with all Nebraska Retail Liquor Licenses, I am asking that the applicant strictly conform to Nebraska Liquor Control Commission rules and regulations under (Sec 53-131.01) Nebraska Liquor Control Act.

**APPLICATION FOR LIQUOR LICENSE  
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

<b>RECEIVED</b>	
MAR 01 2017	
<b>NEBRASKA LIQUOR CONTROL COMMISSION</b>	
Hot List: YES / NO	New/Replacing # <u>78004</u>
Class Type <u>D</u>	Initial <u>BK</u>
<b>121590</b>	

Applicant name Fantasy's, Inc.

Trade name Southport Fantasy's

Previous trade name \_\_\_\_\_

Contact email address diane@fantasys-carwash.com

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

Office use only	PAYMENT TYPE <u>CK 56231</u>
AMOUNT: <u>400</u>	 1700003673
Received: <u>jm</u>	

**RECEIVED**  
MAR 01 2017  
PAGE 1

1.  Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures". See Form 147 for further information, this form MUST be included with your application. **NSP**

2.  Enclose application fee of \$400 (nonrefundable), check made payable to the Nebraska Liquor Control Commission or you may pay online at PAYPORT.

3.  Enclose the appropriate application forms:

Individual License (requires insert form 1)

Partnership License (requires insert form 2)

\*Corporate License (requires insert form 3a & 3c)

Limited Liability Company (LLC) (requires form 3b & 3c)

4. N/A If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company (LLC) making application. Lease term must run through the license year being applied for.

5.  If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.

6.  If buying the business of a current liquor license holder:

- a. Provide a copy of the purchase agreement from the seller (must read applicants name) Inherited
- b. Provide a copy of alcohol inventory being purchased (must include brand names and container size)
- c. Enclose a list of the assets being purchased (furniture, fixtures and equipment)

7. N/A If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (Form 125).

8. None Enclose a list of any inventory or property owned by other parties that are on the premises.

9.  For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper

- a. For residency enclose proof of registered voter in Nebraska
- b. If permanent resident include Employment Authorization Card or Permanent Resident Card
- c. See guideline for further assistance

10.  Corporation or Limited Liability Company (LLC) must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office.

11.  Submit a copy of your business plan.

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

Karen Shramel  
Signature

8-24-2017

Date

**RECEIVED**

MAR 01 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)

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**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**CHOOSE THE TYPE OF LIQUOR LICENSE YOU ARE APPLYING FOR**

**RETAIL LICENSE(S)**

Application Fee \$1400 (nonrefundable)

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE - MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

**CHOOSE THE TYPE OF BUSINESS ORGANIZATION YOU ARE APPLYING FOR**

- Individual License (requires insert 1 FORM 104)
- Partnership License (requires insert 2 FORM 105)
- Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

Name Diane Mills

Phone number: 402-891-9455

Firm Name Fantasy's

Trade Name (doing business as) Southport Fantasy's

Street Address #1 7828 S 123rd Plaza

**RECEIVED**

Street Address #2 \_\_\_\_\_

**MAR 01 2017**

City LaVista

County Sarpy

Zip Code 68128

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Premises Telephone number 402-934-4470

Business e-mail address diane@fantasys-carwash.com

Is this location inside the city/village corporate limits: YES  NO

Mailing address (where you want to receive mail from the Commission)

Name Fantasy's

Street Address #1 8930 S 137th Circle

Street Address #2 \_\_\_\_\_

City Omaha

State NE

Zip Code 68138

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction, form and number of floors of the building.

\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 129 x width 46 in feet

Is there a basement? Yes        No x

If yes, length        x width        in feet

Is there an outdoor area? Yes        No x

If yes, length        x width        in feet

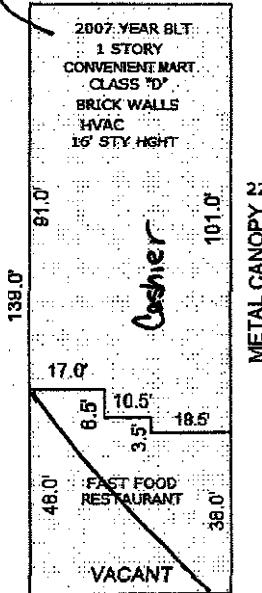
PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

*See attached diagram*

7828 S 123rd Plaza  
LaVista

8 PUMPS TOTAL  
1 PUMP 3 HANDLES  
1 PUMP 4 HANDLES  
6 TWIN

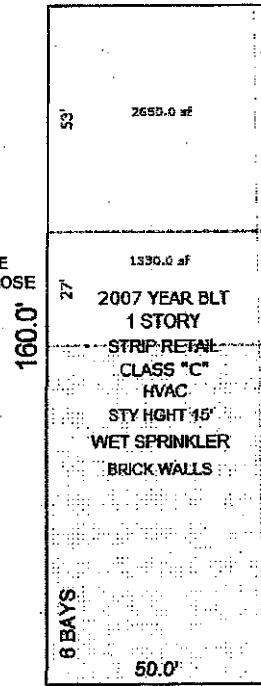
Beer coolers



YEAR BUILT 2007  
1 STORY  
COFFEE KIOSK

15.5'  
20.0'  
CLASS D  
BRICK WALLS  
HVAC  
STY HGT 14'

48 LF 9 HGT CEMENT PROPANE ENCLOSURE  
22 LF 6 HGT METAL PROPANE METAL ENCLOSURE  
38 LF 9 HGT CONCRETE TRASH X 2  
10 LF 6 HGT METAL TRASH  
38 LF 4 HGT METAL FENCE  
CONCRETE PAVING - 37,074 SF  
CONCRETE CURB - 892 LF  
5-30' LIGHT POLES  
6 LIGHT FIXTURES



Sketch by Apex Sketch

Z ↙

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MAR 01 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**EXTRA INFORMATION****1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. ~~include traffic violations~~. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

**RECEIVED****MAP 01 2017****NEBRASKA LIQUOR  
CONTROL COMMISSION**YES  NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted ( city & state)	Description of Charge	Disposition

**2. Are you buying the business of a current retail liquor license?**YES  NOIf yes, give name of business and liquor license number 078004

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

**3. Was this premise licensed as liquor licensed business within the last two (2) years?**YES  NOIf yes, give name and license number 078004**4. Are you filing a temporary operating permit (TOP) to operate during the application process?**YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) **Great Western Bank**

**RECEIVED**

MAR 01 2017

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (all involved persons must be disclosed on application)

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner.

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

Provide letter of support or opposition, see FORM 134 – church or FORM 135 - campus

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

**Great Western Bank, Karen Shramek, authorized signer**

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

None

**RECEIVED**

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. **MAP 01/2017** These persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Karen Shramek	8/15/99	Fantasy's Convenience Stores

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date \_\_\_\_\_  
 Deed  
 Purchase Agreement

14. When do you intend to open for business? Currently open

15. What will be the main nature of business? Convenience Store with Gasoline and Car Wash

16. What are the anticipated hours of operation? 6 AM - 11PM

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCE FOR THE PAST 10 YEARS (THE CANDIDATE AND SPOUSE MUST SIGN)					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Omaha, NE	1981	current			

If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

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Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

*MAP 01/2017*

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

*Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.*

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures

Karen Shramel

Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

Karen Shramek

Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

#### ACKNOWLEDGEMENT

State of Nebraska

County of

Douglas

24th of February 2017

date

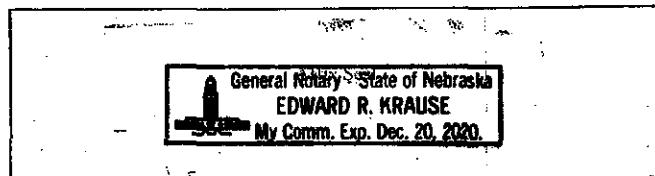
by

Karen Shramek

name of person(s) acknowledged (individual(s) signing)

EDWARD R. KRAUSE

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
CORPORATION  
INSERT - FORM 3a**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.licc.nebraska.gov](http://www.licc.nebraska.gov)

Office Use

**RECEIVED**

MAR 01 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Officers, directors and stockholders holding over 25% shares of stock, including spouses, are required to adhere to the following requirements:

- 1) All officers, directors and stockholders must be listed
- 2) President/CEO and stockholders holding over 25% and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Officers, directors and stockholders holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License Form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Incorporation (must show electronic stamp or barcode receipt by Secretary of States Office)

Karen Shramek

Name of Registered Agent:

Name of Corporation that will hold license as listed on the Articles

Fantasy's, Inc.

Corporation Address: 8930 S 137th Circle, Suite 2

City: Omaha State: NE Zip Code: 68138

Corporation Phone Number: 402-891-9455 Fax Number: 402-861-9824

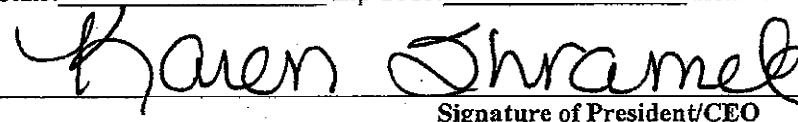
Total Number of Corporation Shares Issued: 45000

Name and notarized signature of President/CEO (Information of president must be listed on following page)

Last Name: Shramek First Name: Karen MI: A

Home Address: 10302 Rockbrook Rd City: Omaha

State: NE Zip Code: 68124 Home Phone Number: 402-510-1054

  
Signature of President/CEO

**ACKNOWLEDGEMENT**

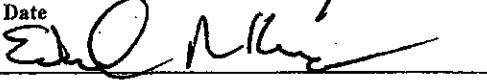
State of Nebraska County of Douglas The foregoing instrument was acknowledged before me this

24th of February 2017

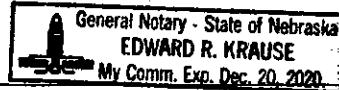
by

Karen Shramek

name of person acknowledge

  
Date

Affix Seal



List names of all officers, directors and stockholders including spouses (even if a spousal affidavit has been submitted)

RECEIVED

Last Name: Shramek

First Name: Karen

MAR 01 2017  
MI:

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SKA LIQUOR  
CONTROL COMMISSION

Title: President

Number of Shares \_\_\_\_\_

45000

Spouse Full Name (indicate N/A if single): N/A

Spouse Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_

Number of Shares \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_

Number of Shares \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_

Number of Shares \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

List names of all officers, directors and stockholders including spouses. (Even if a spousal affidavit has been submitted)

**RECEIVED**

MAR 01 2017

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Is the applying corporation controlled by another corporation/company?

**RECEIVED**

YES

NO

MAR 01 2017

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Indicate the Corporation's tax year with the IRS (Example January through December)

Starting Date: January \_\_\_\_\_ Ending Date: December \_\_\_\_\_

Is this a Non-Profit Corporation?

YES

NO

If yes, provide the Federal ID # \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format.

# Nebraska Secretary of State

FANTASY'S, INC.

Fri Mar 10 10:56:37 2017

SOS Account Number  
1005219  
Status  
Active

Principal Office Address  
8930 S. 137TH CIRCLE # 2  
OMAHA, NE 68138

Registered Agent and Office Address  
JOHN SPAUSTAT  
10302 ROCKBROOK ROAD  
OMAHA, NE 681240000

Nature of Business  
CONVENIENCE STORE  
Entity Type  
Domestic Corp  
Date Filed  
Mar 08 1989

Corporation Position	Name	Address
President	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000
Secretary	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000
Treasurer	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000
Director	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000

## Filed Documents

Filed documents for FANTASY'S, INC. may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

Code	Document	Date Filed	Price	
AP	Articles Perpetual	Mar 08 1989	\$1.35 = 3 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
NN	New Name	Mar 10 1989	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
PP	Proof of Publication	Apr 04 1989	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
PP	Proof of Publication	Apr 04 1989	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
AO	Change of Agent or Office	May 03 1991	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
AO	Change of Agent or Office	Jun 06 1998	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
AO	Change of Agent or Office	Apr 13 1998	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
TR	Tax Return	Apr 15 1999	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
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NP	Non Payment of Taxes	Apr 16 2000		
CR	Certificate of Revival	Jul 11 2000	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
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TR	Tax Return	Apr 19 2001	\$0.90 = 2 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>

# Nebraska Secretary of State

FANTASY'S, INC.

Fri Mar 10 10:56:37 2017

**SOS Account Number**

1005219

**Status**

Active

**Principal Office Address**

8830 S. 137TH CIRCLE # 2  
OMAHA, NE 68138

**Registered Agent and Office Address**

JOHN SPAUSTAT  
10302 ROCKBROOK ROAD  
OMAHA, NE 681240000

**Nature of Business**

CONVENIENCE STORE

**Entity Type**

Domestic Corp

**Date Filed**

Mar 08 1989

Corporation Position	Name	Address
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Secretary	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000
Treasurer	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000
Director	JOHN SPAUSTAT	10302 ROCKBROOK RD OMAHA, NE 681340000

**Filed Documents**

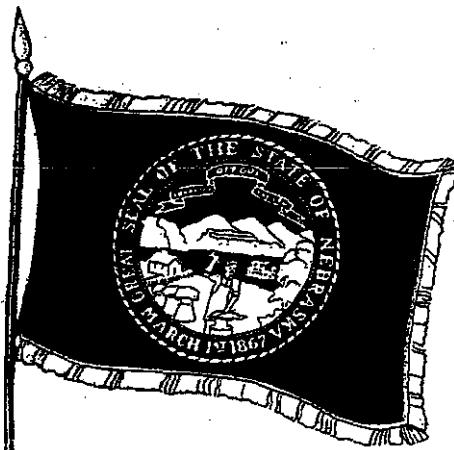
Filed documents for FANTASY'S, INC. may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

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AO	Change of Agent or Office	Jun 05 1996	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
AO	Change of Agent or Office	Apr 13 1998	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>
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TR	Tax Return	Apr 19 2001	\$0.90 = 2 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>

STATE OF

NEBRASKA

United States of America, }  
State of Nebraska } ss.



Department of State

I, Allen J. Beermann, Secretary of State of the  
State of Nebraska do hereby certify that  
the attached is a true and correct copy of  
Articles of Amendment to the Articles of  
Incorporation of

FANTASIES, INC.

RECEIVED

MAR 01 2017

with registered office located in Omaha,  
Nebraska, changing the corporate name to

NEBRASKA LIQUOR  
CONTROL COMMISSION

FANTASY'S, INC.

as filed and recorded in this office on  
March 10, 1989.

In Testimony Whereof,

I have hereunto set my hand and  
affixed the Great Seal of the State  
of Nebraska.

Done at Lincoln this

tenth

day of March

in the year of our Lord, one thousand  
nine hundred and eighty-nine.

Allen J. Beermann

SECRETARY OF STATE

DEPUTY

STATE OF NEBRASKA  
DEPARTMENT OF CLERK  
LINCOLN, NEBRAKA

BOOK 328 PAGE 165 MAR 10 1989

MAR 15 9 12 AM '89

STATE OF NEBRASKA  
DEPARTMENT OF CLERK

Lincoln, Nebraska

50.5 878

ARTICLES OF AMENDMENT TO THE  
ARTICLES OF INCORPORATION OF  
FANTASIES, INC.,  
a Nebraska corporation

I.

Comm  
6351 \$28.00

The name of the corporation filing these Articles of Amendment to the Articles of Incorporation is Fantasies, Inc.

II.

The following amendment was adopted:

Article I of the Articles of Incorporation is amended to provide that the name of the corporation shall be changed to FANTASY'S, INC.

III.

At the time of the adoption of the amendment, there were no shares of stock issued and outstanding.

IV.

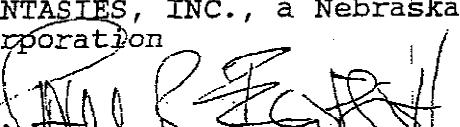
These Articles of Amendment to the Articles of Incorporation have been approved and adopted by each of the incorporators of the corporation.

V.

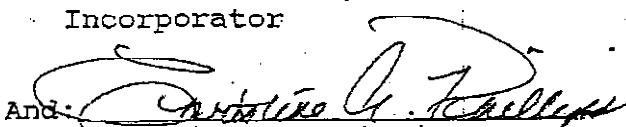
The effective date of the amendment is the 9th day of March, 1989.

FANTASIES, INC., a Nebraska corporation

By:

  
Paul R. Elofson,  
Incorporator

And:

  
Christine A. Phillips,  
Incorporator

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NEBRASKA LIQUOR  
CONTROL COMMISSION

5.00

**MANAGER APPLICATION**  
**INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

Office Use

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**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE  
PROCESSED**

**MANAGER MUST:**

- Complete all sections of the application. Be sure it is signed by a **member or corporate officer**, corporate officer or member must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application

Spouse who **will not** participate in the business, **spouse must:**

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who **will** participate in the business, the **spouse must:**

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required

BARCODE

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

Office Use

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MAR 01 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**MUST BE:**

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

Name of Corporation/LLC: Fantasy's, Inc.

Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_ (if new application leave blank)

Premises Trade Name/DBA: Southport Fantasy's

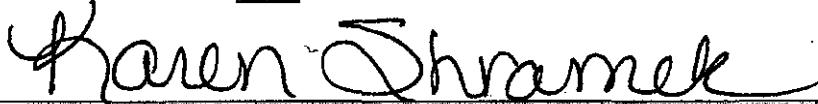
Premises Street Address: 7828 S 123rd Plaza

City: LaVista County: Sarpy Zip Code: 68128

Premises Phone Number: 402-934-4470

Premises Email address: southport@fantasys-carwash.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information here.



**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**

(Faxed signatures are acceptable)

Manager's Information must be completed below. PLEASE PRINT CLEARLY

Last Name: **Shramek**

First Name: **Karen**

MI:

Home Address: **10302 Rockbrook Rd**

**RECEIVED**

City: **Omaha**

County: **Douglas**

Zip Code: **68124017**

Home Phone Number:

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Driver's License Number & State: **Nebraska**

Social Security Number:

Date Of Birth:

Place Of Birth: **Omaha, NE**

Email address: **karen@fantasys-carwash.com**

YES

NO

Spouse's Information

Spouses Last Name:  First Name:  MI:

Social Security Number:

Driver's License Number & State:

Date Of Birth:

Place Of Birth:

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Omaha, NE	1981	current			

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1999	current	Fantasy's	None	402-891-9455

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, ~~include traffic violations~~. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES  NO

MAR 01 2017

If yes, please explain below or attach a separate page.

**RECEIVED**  
**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES  NO

IF YES, list the name of the premise(s):  
\_\_\_\_

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES  NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

<b>RECEIVED</b>		
Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
		MAR 01 2017
		<b>NEBRASKA LIQUOR CONTROL COMMISSION</b>

\*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
VP of Operations	1999-2016	Fantasy's Convenience Stores

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

The above individual(s), being first duly sworn upon oath, deposes and states that undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

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MAR 01 2017

NEBRASKA LIQUOR  
CONTROL COMMISSION

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

*Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.*

*Karen Shramek*

Signature of Manager Applicant

\_\_\_\_\_  
Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska

County of

*Douglas*

The foregoing instrument was acknowledged before me this

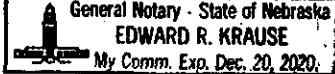
*24th of February 2017*  
date

*Karen Shramek*

NAME OF PERSON BEING ACKNOWLEDGED

*ED Krause*

Notary Public signature

Affix Seal	 General Notary - State of Nebraska EDWARD R. KRAUSE My Comm. Exp. Dec. 20, 2020.
------------	--

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

E

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION FOR PLAYMAKERS ENTERTAINMENT GROUP, LLC DBA PLAYMAKERS PIZZERIA & SPORTS GRILL, IN LA VISTA, NEBRASKA.

WHEREAS, Playmakers Entertainment Group, LLC dba Playmakers Pizzeria & Sports Grill, 12744 Westport Parkway, Suite 1A, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class D Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by Playmakers Entertainment Group, LLC dba Playmakers Pizzeria & Sports Grill, 12744 Westport Parkway, Suite 1A, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

CITY OF LA VISTA

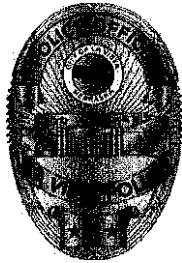
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Douglas Kindig, Mayor

ATTEST:

---

Mandy Garrod, CMC  
Deputy City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** Pam Buethe, City Clerk

**FROM:** Chief Robert S. Lausten

**DATE:** March 16, 2017

**RE:** LOCAL BACKGROUND- LIQUOR LICENSE- MANAGER  
PLAYMAKERS PIZZERIA AND SPORTS GRILL

**CC:**

---

The police department conducted a check of computerized records for criminal conduct regarding the applicant for the Liquor License and Manager application. Michael Boyd was fined \$50 for Disorderly Conduct in Douglas County 2010. Christopher Bursiek has no record in Nebraska.

As with all Nebraska Retail Liquor Licenses, I am asking that the applicant strictly conform to Nebraska Liquor Control Commission rules and regulations under (Sec 53-131.01) Nebraska Liquor Control Act.

**APPLICATION FOR LIQUOR LICENSE  
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

<b>RECEIVED</b>	
FEB 22 2017	
Hot List: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	NEBRASKA LIQUOR CONTROL COMMISSION New/Replacing #
Class Type <input checked="" type="checkbox"/> C	Initial <b>RS</b>
<b>121553</b>	

Applicant name **Michael Boyd**

Trade name **Playmakers Pizzeria and Sports Grill**

Previous trade name

Contact email address **mikeboyd@playmakerspizza.com**

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

received  
2/23/17

Office use only	PAYMENT TYPE <b>CK# 833511019</b>	 1700003017
	AMOUNT: <b>\$400</b>	
Received: <b>DS</b>		

1.  Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures". See Form 147 for further information, this form **MUST** be included with your application.
2.  Enclose application fee of \$400 (nonrefundable), check made payable to the Nebraska Liquor Control Commission or you may pay online at PAYPORT.
3.  Enclose the appropriate application forms:  
Individual License (requires insert form 1)  
Partnership License (requires insert form 2)  
Corporate License (requires insert form 3a & 3c) **NEBRASKA LIQUOR**  
Limited Liability Company (LLC) (requires forms 3a & 3c) **CONTROL COMMISSION**
4.  If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company (LLC) making application. Lease term must run through the license year being applied for.
5.  If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
6.  If buying the business of a current liquor license holder:
  - a. Provide a copy of the purchase agreement from the seller (must read applicants name)
  - b. Provide a copy of alcohol inventory being purchased (must include brand names and container size)
  - c. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
7.  If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (Form 125).
8.  Enclose a list of any inventory or property owned by other parties that are on the premises.
9.  For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
  - a. For residency enclose proof of registered voter in Nebraska
  - b. If permanent resident include Employment Authorization Card or Permanent Resident Card
  - c. See guideline for further assistance
10.  Corporation or Limited Liability Company (LLC) must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office.
11.  Submit a copy of your business plan.

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

  
Signature

2/2/17  
Date

## APPLICATION FOR LIQUOR LICENSE RETAIL

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)

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NEBRASKA LIQUOR  
CONTROL COMMISSION

### CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES

**CHECKED DESIRED CLASS**

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE - MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

### CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert 1 **FORM 104**)
- Partnership License (requires insert 2 **FORM 105**)
- Corporate License (requires insert 3a **FORM 101** & 3c **FORM 103**)
- Limited Liability Company (LLC) (requires form 3b **FORM 102** & 3c **FORM 103**)

### NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (If applicable)

Commission will call this person with any questions we may have on this application

Name \_\_\_\_\_ Phone number: \_\_\_\_\_

Firm Name \_\_\_\_\_

**INVESTIGATION**Trade Name (doing business as) Playmakers Pizzeria and Sports Grill**RECEIVED**Street Address #1 12744 Westport Parkway

FEB 22 2017

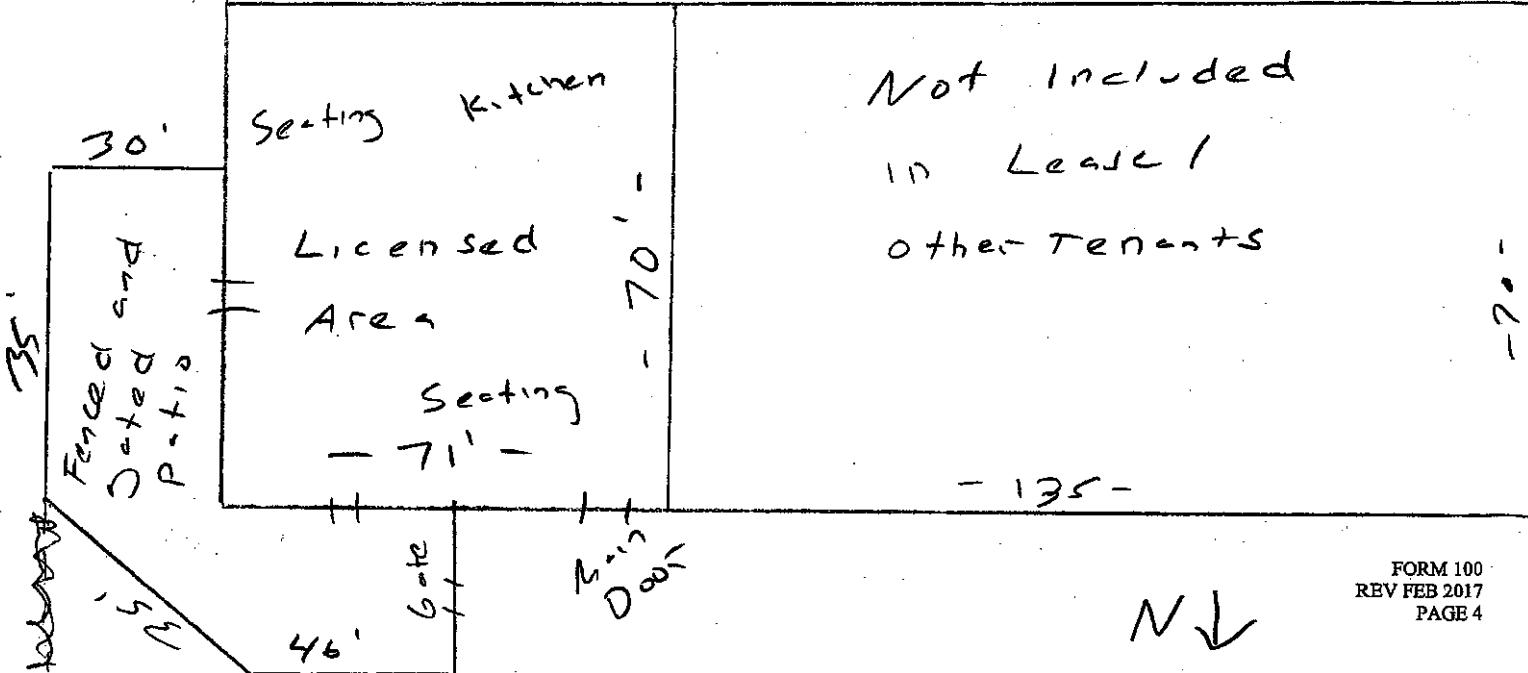
Street Address #2 Suite 1ACity La VistaCounty Sarpy**NEBRASKA LIQUOR  
CONTROL COMMISSION**Zip Code 68128Premises Telephone number 4026199799Business e-mail address mikeboyd@playmakerspizza.comIs this location inside the city/village corporate limits: YES  NO 

Mailing address (where you want to receive mail from the Commission)

Name Michael BoydStreet Address #1 11160 Sherman StStreet Address #2 City PapillionState NEZip Code 68046**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED****READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and **number of floors** of the building.

\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 71' x width 70' in feetIs there a basement? Yes  No If yes, length  x width  in feetIs there an outdoor area? Yes  No If yes, length  x width  in feet**PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET**

**APPLICANT INFORMATION****1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and nature of conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

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 YES  NO

If yes, please explain below or attach a separate page

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Michael Boyd			SEE ATTACHED	SEE ATTACHED
Christopher Bursiek	08/2016	Altoona, IA	Speeding Ticket	Ticket Paid

**2. Are you buying the business of a current retail liquor license?** YES  NO

If yes, give name of business and liquor license number \_\_\_\_\_

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

**3. Was this premise licensed as liquor licensed business within the last two (2) years?** YES  NO

If yes, give name and license number \_\_\_\_\_

**4. Are you filing a temporary operating permit (TOP) to operate during the application process?** YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  XX  NO

If yes, list the lender(s) \_\_\_\_\_

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6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

XX  YES  NO

If yes, explain. (all involved persons must be disclosed on application) **NEBRASKA LIQUOR**

**Chris Bursiek, LLC Member** **CONTROL COMMISSION**

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  XX  NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  XX  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

Provide letter of support or opposition, see **FORM 134** – church or **FORM 135** - campus

9. Is anyone listed on this application a law enforcement officer?

YES  XX  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

**US Bank - Michael P Boyd**

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

Michael Boyd - Reel Entertainment Group, Colosseum Entertainment Group, Blurred Entertainment Group

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

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NEBRASKA LIQUOR  
CONTROL COMMISSION

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Michael Boyd	02/2017	Univ of Nebr Responsible Food and Beverage Service Training
<del>Michael Boyd</del>	<del>02/2017</del>	<del>Safe Safe Alcohol</del>

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Michael Boyd / Owner - Operator		<b>Listed Licenses Above</b>

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

XXX Lease: expiration date September 30, 2027

Deed

Purchase Agreement

14. When do you intend to open for business? May 2017

15. What will be the main nature of business? Restaurant / Sports Bar and Grill

16. What are the anticipated hours of operation? 11 am to 2 am

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS. APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR FROM      TO		SPOUSE: CITY & STATE	YEAR FROM      TO	
Michael Boyd - See Attached					
Chris Bursiek - See Attached					

If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

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Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures

NEBRASKA LIQUOR  
CONTROL COMMISSION



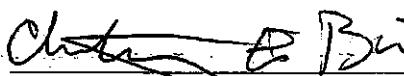
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

Michael P Boyd

Print Name

\_\_\_\_\_  
Print Name



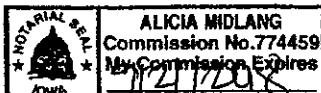
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

Christopher Bursiek

Print Name

\_\_\_\_\_  
Print Name



ACKNOWLEDGEMENT

State of Nebraska

County of Douglas

The foregoing instrument was acknowledged before me this

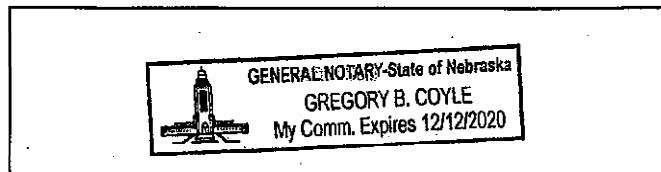
2/7/2017  
date

by Michael P. Boyd

name of person(s) acknowledged (individual(s) signing)



Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

Office Use

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FEB 22 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: **Michael P Boyd**

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

**Playmakers Entertainment Group, LLC** **010237792**

LLC Address: **11160 Sherman St**

City: **Papillion** State: **NE** Zip Code: **68046**

LLC Phone Number: **4026199799** LLC Fax Number: \_\_\_\_\_

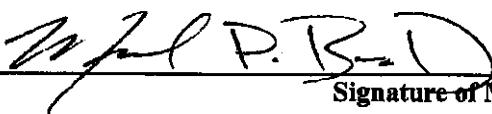
Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: **Boyd** First Name: **Michael** MI: **P**

Home Address: **11160 Sherman St** City: **Papillion**

State: **NE** Zip Code: **68046** Home Phone Number: **4026199799**



Signature of Managing/Contact Member

**ACKNOWLEDGEMENT**

State of Nebraska  
County of Douglas

The foregoing instrument was acknowledged before me this

21-1-2017

Date

by Michael P. Boyd

name of person acknowledge

Affix Seal	GENERAL NOTARY-State of Nebraska GREGORY B. COYLE My Comm. Expires 12/12/2020
------------	---

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Boyd First Name: Michael MI: P

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): N/A **RECEIVED**

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: FEB 22 2017

Percentage of member ownership 50% NEBRASKA LIQUOR  
CONTROL COMMISSION

---

Last Name: Bursiek First Name: Christopher MI: E

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): N/A

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 50%

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**RECEIVED**

Spouse Full Name (indicate N/A if single): \_\_\_\_\_ Date: **FEB 22 2017**

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_ **NEBRASKA LIQUOR**  
**CONTROL COMMISSION**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Is the applying Limited Liability Company controlled by another corporation/company?

YES

NO

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above \_\_\_\_\_
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

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NEBRASKA LIQUOR  
CONTROL COMMISSION

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: January      Ending Date: December

Is this a Non Profit Corporation?

YES

NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format.

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

Office Use

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FEB 22 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**MUST BE:**

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

Corporation/LLC Information

Name of Corporation/LLC: Playmakers Entertainment Group, LLC

Premises Information

Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_ (if new application leave blank)

Premises Trade Name/DBA: Playmakers Pizzeria and Sports Grill

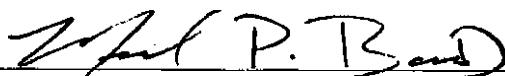
Premises Street Address: 12744 Westport Parkway Suite 1A

City: La Vista County: Sarpy Zip Code: 68128

Premises Phone Number: 4026199799

Premises Email address: mikeboyd@playmakerspizza.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).



**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**

(Faxed signatures are acceptable)

**Manager's information must be completed below. PLEASE PRINT CLEARLY**

Last Name: Boyd First Name: Michael MI: P

Home Address: **11160 Sherman St**

City: Papillion County: Sarpy Zip Code: 68046

Home Phone Number: **4026199799** **RECEIVED**

Driver's License Number & State: **NE**      **EEB 22 2017**

DRIVER'S LICENSE NUMBER OR STATE:

Social Security Number: \_\_\_\_\_ NEBRASKA LIQUOR

Date Of Birth: - - - Place Of Birth: **Omaha, NE**

mikeboyd@playmakerspizza.com

Email address: lrcboyd@playmakerspizza.com

Are you married? (If yes, complete 10035 and 10036) If you are not married, (under 18, has been married) \_\_\_\_\_

YES

Sparses Matrix Operations in C++

Spouses Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

APPENDIX 8: PROUSIENSKI, R. (1991). FOREST BIRDS AS INDICATORS OF ENVIRONMENTAL CHANGES IN POLAND. *Environmental Biology of Fishes* 29: 211-220.

<b>CITY &amp; STATE</b>	<b>YEAR FROM</b>	<b>YEAR TO</b>	<b>CITY &amp; STATE</b>	<b>YEAR FROM</b>	<b>YEAR TO</b>
See Attached					

## MANAGER'S LEASER/OWNER INFORMATION

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2010	2016	Meridian Relocation Services	Self Employeed	4026199799
2008	2010	Homes By Design One	Steve Smithberg	No longer in business

## 1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

RECEIVED  
10/10/2017  
NEBRASKA LIQUOR  
CONTROL COMMISSION

YES  NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Michael Boyd - See Attached				

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES  NO

IF YES, list the name of the premise(s):

Reel, Colosseum, Kennedy's

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES  NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: **Michael P Boyd**

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
<b>Michael Boyd</b>	<b>02/2017</b>	Univ of Nebr Responsible Food and Beverage Service Training
<del>Michael Boyd</del>	<del>02/2017</del>	<del>• Serv-Safe Alcohol</del>
		<b>RECEIVED</b>
		<b>FEB 22 2017</b>

\*For list of NLCC Certified Training Programs see [training](#)

Experience:

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
<b>Michael Boyd</b>		Owner / Operator of Licenses listed above

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

**PERSONAL OATH AND CONSENT OF INVESTIGATION**

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec 553-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

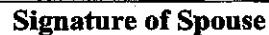
The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

**RECEIVED**

FEB 22 2017

  
Signature of Manager Applicant

  
Signature of Spouse

NEBRASKA LIQUOR  
CONTROL COMMISSION

**ACKNOWLEDGEMENT**

State of Nebraska

County of Douglas

The foregoing instrument was acknowledged before me this

2/7/2017  
date

by Michael P. Boyd  
NAME OF PERSON BEING ACKNOWLEDGED

  
Notary Public signature

Affix Seal	GENERAL NOTARY-State of Nebraska GREGORY B. COYLE My Comm. Expires 12/12/2020
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In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INTERLOCAL COOPERATION AGREEMENT — NEBRASKA MULTISPORT AGENCY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared to approve an Interlocal Cooperation Agreement with Sarpy County to jointly establish the Nebraska Multisport Agency.

**FISCAL IMPACT**

There are substantial public benefits to be realized by the City and its residents from the proposed development of a multisport complex, including new construction, permanent jobs, availability of new recreational facilities for residents and potential for additional hotel, dining, retail, entertainment and other development, and related tax revenues.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On November 3, 2015, the City Council approved a Statement of Intent (SOI) describing proposed development of a state of the art championship athletic complex designed to host local, regional and national championship competitions in the areas of swimming, diving, soccer, and tennis, and provide facilities for public use, including recreational swimming. Formation of the Nebraska Multisport Agency by the City and County is recommended to construct and equip the recreational facilities. The Agency will issue revenue bonds to finance project costs and shall repay such bonds from revenues generated by or for the project and other available sources. Bonds issued by the Agency would not be a debt of either the City or County and will not constitute a general obligation of the Agency. The Agency will be responsible for repayment of Bonds and the use, operation and maintenance of the project. The City by separate action intends to construct public streets, parking, and other infrastructure up to \$10 million in accordance with a prudent phasing schedule and maintain such streets, parking, and infrastructure.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY TO ESTABLISH THE NEBRASKA MULTISPORT AGENCY.

WHEREAS, Article XV, Section 18 of the Constitution of the State of Nebraska and the Interlocal Cooperation Act (Chapter 13, Article 8, Reissue Revised Statutes of Nebraska, as amended, the "Interlocal Act") authorize any two or more public agencies to exercise jointly any power or powers, privileges or authority exercised or capable of exercise by any of the participating public agencies, and to enter into agreements with one another for such purposes.

WHEREAS, Each of the City and the County (each a "Party" and, collectively, the "Parties") is a "public agency" as defined in the Interlocal Act and is authorized to acquire, operate and maintain real and personal property for the purpose of providing recreational facilities.

WHEREAS, Each Party deems it necessary, desirable, advisable and in its best interest to construct, equip, furnish, operate and maintain joint recreational facilities to be known as the "Nebraska Multisport Complex" (the "Project") and to enter into an Interlocal Cooperation Agreement for such purposes in the form presented with this resolution (the "Agreement").

WHEREAS, Each Party desires to enter into the Agreement to jointly establish, plan, construct, equip, furnish, operate and maintain the Project as provided in the Interlocal Act and the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City shall enter into an Interlocal Cooperation Agreement creating the Nebraska Multisport Agency with the County, and the Mayor and City Clerk be and they are hereby authorized to execute on behalf of the City said Agreement in substantially the form presented but with any changes as such officers shall deem appropriate for and on behalf of the City; and that the Mayor or his designee and City Administrator or her designee are hereby appointed to serve as the initial representatives of the City (each referred to as a "Board Member") to serve on the Board of Directors of the Agency formed pursuant to the Agreement. Each such Board Member shall be authorized to designate one or more alternates to act on his or her behalf as Board Member, unless and until the Council names one or more alternates to serve in such capacities.

This resolution shall be in full force and take effect from and after adoption as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Garrod, CMC  
Deputy City Clerk

**INTERLOCAL COOPERATION AGREEMENT**  
**ESTABLISHING THE**  
**NEBRASKA MULTISPORT AGENCY**

This **INTERLOCAL COOPERATION AGREEMENT**, dated \_\_\_\_\_, 2017 (the “**Agreement**”), is between the **CITY OF LA VISTA, NEBRASKA**, (the “**City**”) and **THE COUNTY OF SARPY, IN THE STATE OF NEBRASKA** (the “**County**”).

**RECITALS**

**1.** Article XV, Section 18 of the Constitution of the State of Nebraska and the Interlocal Cooperation Act (Chapter 13, Article 8, Reissue Revised Statutes of Nebraska, as amended, the “**Interlocal Act**”) authorize any two or more public agencies to exercise jointly any power or powers, privileges or authority exercised or capable of exercise by any of the participating public agencies, and to enter into agreements with one another for such purposes.

**2.** Each of the City and the County (each a “**Party**” and, collectively, the “**Parties**”) is a “public agency” as defined in the Interlocal Act and is authorized to acquire, operate and maintain real and personal property for the purpose of providing recreational facilities.

**3.** Each Party deems it necessary, desirable, advisable and in its best interest to construct, equip, furnish, operate and maintain joint recreational facilities to be known as the “Nebraska Multisport Complex” and to enter into this Agreement for such purposes.

**4.** Each Party desires to enter into this Agreement to jointly establish, plan, construct, equip, furnish, operate and maintain the Project as provided in the Interlocal Act and this Agreement.

Now, for and in consideration of the terms and provisions of this Agreement and the mutual obligations and undertaking of the Parties contained in this Agreement, the Parties hereby agree as follows:

**ARTICLE I**  
**DEFINITIONS**

The following terms when used in this Agreement have the following meanings:

“**Agency**” means the “Nebraska Multisport Agency”, a separate legal entity and a public body corporate and politic of the State organized and existing pursuant to the provisions of the Interlocal Act and this Agreement.

“**Agreement**” means this Interlocal Cooperation Agreement dated as of the date first written above as it may be amended and supplemented from time to time.

“**Board**” means the Board of Directors of the Agency established pursuant to **Article IV** hereof.

“**Bonds**” means bonds, notes or other evidences of indebtedness issued by the Agency pursuant to the provisions of the Interlocal Act to finance or refinance all or any part of the costs of the Project.

**“City”** means the City of La Vista, Nebraska, a body corporate and political subdivision of the State.

**“Construction Costs”** means all reasonable or necessary costs and expenses to be paid with respect to the construction of the Project, including the total of all reasonable or necessary expenses incidental to the acquisition and construction of the Project, including without limitation the following:

- (a) the expenses of studies and surveys, land title and mortgage title policies, architectural and engineering services and the cost of legal, organization or marketing services;
- (b) financial and underwriting fees and expenses;
- (c) the cost of acquiring or demolishing existing structures, if any, developing the site of and constructing and equipping a new building constituting a part of the Project;
- (d) rehabilitating, reconstructing, repairing or remodeling existing buildings constituting a part of the Project; and
- (e) all other necessary and incidental expenses, including interest during construction on Bonds issued to finance the Project to a date subsequent to the estimated date of completion thereof, and any other costs permitted under this Agreement.

**“County”** means The County of Sarpy, in the State of Nebraska, a body corporate and political subdivision of the State.

**“Director”** means an individual appointed by the governing body of the County or City to serve on the Board.

**“Effective Date”** means the date on which this Agreement shall be fully effective, which shall be the date this Agreement has been executed by the City and County.

**“Expenses”** means all reasonable and necessary expenses of operation, maintenance and repair of the Project and keeping the Project in good repair and working order, determined in accordance with generally accepted accounting principles, including without limiting the generality of the foregoing, current maintenance charges, expenses of reasonable upkeep and repairs, salaries, wages, costs of materials and supplies, annual audits, properly allocated share of charges for insurance, the cost of purchased water, gas and power, if any, and all other expenses incident to the operation of the Project, but shall exclude all general administrative expenses of the Parties not related to the operation of the Project.

**“Fiscal Year”** means July 1 through June 30.

**“Improvement Costs”** means all reasonable and necessary cost and expenses to be paid with respect to the Project for the alteration, improvement and/or extension of the Project, including the physical buildings or infrastructure of the building.

**“Interlocal Act”** means the Interlocal Cooperation Act (Chapter 13, Article 8, Reissue Revised Statutes of Nebraska, as amended.

**“Party”** or **“Parties”** has the meaning provided in the Recitals hereof.

**“Project”** means a multisport complex which may include (a) a natatorium (aquatic Center) including competition pools, teaching and fitness pools, (b) an outdoor recreational pool and spectator seats, a tennis center with indoor and outdoor courts and spectator seats, (c) a soccer complex and playing fields, and (d) a support center and other related and ancillary facilities.

**“State”** means the State of Nebraska.

## **ARTICLE II** **ESTABLISHMENT OF THE AGENCY**

Pursuant to the authority contained in the Interlocal Act, the Parties hereby create and organize Nebraska Multisport Agency as a separate legal entity and a joint entity as a public body corporate and politic of the State to accomplish the Project and to provide for the joint use, operation and maintenance of the Project, all pursuant to the terms, provisions and limitations contained in this Agreement.

## **ARTICLE III** **PURPOSE**

The purposes of the Agency are to exercise any power, privilege or authority determined to be necessary by the Board to construct, equip, furnish, use, operate, maintain, repair, replace, and finance the Project, or any parts thereof, in such manner as shall be necessary, desirable, advisable or in the best interests of the Parties in the manner and as provided for by the Interlocal Act and this Agreement. The Agency shall issue Bonds to pay a portion of the Project Costs and shall pay such Bonds from revenues generated by the Project, and funds provided to the Agency for purposes of such Project and pledged for the Bonds and from contracts entered into with respect to such Project, and from other available sources of the Agency. The Agency shall be responsible for the use, operation and maintenance of the Project.

## **ARTICLE IV** **ORGANIZATION**

**Section 401. Appointment of Directors.** Concurrently with the authorization and approval of this Agreement, the City Council of the City shall appoint two Directors, and the Board of Commissioners of the County shall appoint two Directors. Each governing body shall be authorized to provide for one or more alternates who are authorized to act on behalf of a Director. Each Director shall serve at the pleasure of the governing body appointing such Director and may be removed at any time, with or without cause, by such governing body. Each Director may be, but need not be, a member of the governing body of the Party making such appointment. In the event of the death, disability or disqualification of an individual serving as a Director, the governing body appointing such Director shall promptly appoint a successor. A vacancy shall be filled for the balance of such unexpired term in the same manner as the original appointment until such term expires or the Director is removed by the Party making such appointment. No Director shall receive compensation for his or her services, but shall be entitled to actual and necessary expenses incurred in the discharge of his or her official duties.

**Section 402. Term of Office.** Each Director shall serve a three-year term beginning immediately upon appointment and ending on the earlier of (1) the end of the calendar year containing the three year anniversary of the Director's appointment, (2) the expiration of the Director's term on the governing body appointing such Director or (3) appointment of a successor. Each Director shall be

eligible for reappointment to one or more additional terms upon the expiration of his or her initial or any subsequent term.

**Section 403. Voting.** Unless the Board unanimously adopts different rules, each Director shall have one vote on matters before the Board. Except as may otherwise be provided herein, or in any agreement to which the Agency is a party, all actions of the Agency may be taken with the concurrence of a majority of the Directors entitled to vote.

**Section 404. Rules of Governance.** The Board shall adopt rules of governance that will include at a minimum, the following:

(a) ***Quorum.*** A majority of the Directors shall constitute a quorum for the transaction of any business.

(b) ***Officers.*** The Board shall elect a president, a vice president, a secretary and a treasurer from among the Directors. One Director may serve as secretary and treasurer.

**Section 405. Meetings and Notice.** The Board shall meet within 30 days of the Effective Date for the purpose of electing officers and addressing other organizational matters as it deems necessary or appropriate. Thereafter, the Board shall meet at least annually at such time and place as it shall designate. Special meetings of the Board may be called by the chair or any two Directors. Written notice of each meeting and the related agenda shall be provided to each Director at least two days prior to each such meeting.

The Board shall give public notice of each meeting by such method designated by the Board from time to time, and each meeting shall be conducted in accordance with the Nebraska Open Meetings Act (Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended).

## **ARTICLE V DURATION**

This Agreement shall be in effect from its Effective Date for a term of 99 years, or such earlier date as may be mutually agreed by the Parties. Notwithstanding the foregoing, in no event shall this Agreement terminate so long as any Bonds issued by the Agency remain outstanding and unpaid.

## **ARTICLE VI POWERS**

The Agency shall have all powers of a joint entity under the Interlocal Act, including, without limitation, the power to engage in any and all lawful acts and activities concerning the construction, equipping, furnishing, use, operation, maintenance, repair, replacement, or financing of the Project, or any parts thereof, and related functions, as and to the same extent that such power is possessed and capable of exercise by either Party under applicable law. The powers so conferred upon and delegated to the Agency shall include, without limitation of the generality of the foregoing, the power to:

(a) enter into contracts with public or private corporations, public agencies and other entities or persons for the construction, equipping, furnishing, operation, maintenance, repair, replacement, or financing of the Project, or any parts thereof, and all other contracts, agreements and transactions necessary or desirable in connection with the Project;

(b) acquire by gift, grant, purchase, or otherwise and to lease any property (real or personal), building, works or improvements necessary or convenient for the purposes provided for in this Agreement;

(c) issue Bonds, borrow money or incur indebtedness pursuant to the Interlocal Act, including Bonds as to which the principal and interest are payable exclusively from all or a portion of the revenue from the Project or other property of the Agency, from one or more revenue-producing contracts, including securities acquired from any person, or leases made by the joint entity with any person or the Parties, or from its revenue generally or which may be additionally secured by a pledge of any grant, subsidy, or contribution from any person or a pledge of any income or revenue, funds, or money of the Agency from any source whatsoever or a mortgage or security interest in any real or personal property, commodity, product, or service or interest therein;

(d) to borrow money or accept contributions, grants or other financial assistance from the State, public agencies, public or private corporations and other entities or persons, and to comply with such conditions and enter into such contracts, covenants, mortgages, trust indentures, leases or agreements as may be necessary, convenient or desirable;

(e) to contract with and compensate consultants for professional services including, but not limited to, architects, engineers, planners, lawyers, accountants, financial advisors and others found necessary or useful and convenient to the stated purposes of the Agency;

(f) sue and be sued in its own name; and

(g) take such other actions, engage in such other transactions, enter into such contracts and agreements and do all other things as may be necessary, convenient or appropriate to accomplish its purposes or carry out any of its powers.

All of the power of the Agency shall be exercised by or under the control, supervision and direction of the Board. The enumeration of powers herein shall not be construed as limitation on the powers of the Agency, and the Agency shall have the ability to exercise all other powers necessary or desirable to the accomplishment of its purposes. The delegation of powers to the Agency herein is non-exclusive and the exercise of any or all of these powers by the Agency shall not preclude any Party of contemporaneously exercising the same or similar powers.

## **ARTICLE VII** **ALLOCATION OF COSTS; PERSONAL PROPERTY**

**Section 701. Allocation of Construction Costs.** The Construction Costs for the Project shall be paid from (a) the proceeds of the Bonds issued by the Agency, (b) the proceeds of grants or appropriations received for the express purposes of funding the Project, and (c) other available funds of the Agency.

**Section 702. Allocation of Expenses.** The Agency shall maintain complete and accurate books and records of all its costs and expenses that are properly classified as Expenses. All amounts received by the Agency for the use of the Project shall be credited and applied to the payment of Expenses, subject to any agreements entered into in connection with the issuance of Bonds. Neither Party shall be responsible for payment of Expenses from funds of such Party.

**Section 703. Real and Personal Property.** Title to the all real and personal property, including the Project, shall be held by the Agency during the term of this Agreement. Upon the expiration of the term of this Agreement or upon its termination, or upon other dissolution of this Agreement, title to all such property shall be distributed to the City. All conveyances of real property owned or held in the name of the Agency shall be authorized by resolution of the Board and executed by an officer of the Agency on behalf of the Agency.

## **ARTICLE VIII ANNUAL BUDGET; ISSUANCE OF BONDS**

**Section 801. Annual Operations Budget.** The Board shall prepare a budget based on the Agency's Fiscal Year for the operation of the Agency, the same to be adopted by the Board no later than the end of the immediately preceding Fiscal Year. No budget shall be required for the Agency's initial fiscal year. The annual budget of Expenses and the annual budget of Construction Costs shall be consolidated into a comprehensive budget that reflects all of the Agency's operations and the Project. The financial records of the Agency shall be audited at the end of each fiscal year by an independent certified public accountant appointed by the Board. The Agency shall make and file such financial reports and budget documents as may be required by law.

In the event the Board fails to approve a final budget by the beginning of any Fiscal Year, the Agency shall operate in accordance with the budget for the immediately preceding Fiscal Year until a budget is approved by the Board.

**Section 802. Issuance of Bonds.** The Agency may by resolution of the Board issue Bonds in one or more series from time to time to finance Project Costs. All such Bonds shall be special obligations of the Agency. Any bonds or debt issued will not constitute an indebtedness of County or City and will not constitute a general obligation of Agency. The Agency will comply with all applicable requirements for the issuance of bonds.

**Section 803. Improvements Approval, Budget and Costs.** The Board may consider the construction or installation of improvements to the Project, including any alteration, improvement and/or extension of the Project.

## **ARTICLE IX OPERATIONS**

**Section 901. Project Administration, Management and Operation.** The Board shall provide for the administration, management and operation of the Agency and the Project. The Board from time to time may arrange for any Party to provide any administrative, management, professional, or other services or to perform or carry out any administrative, management or operational acts or functions on behalf of the Agency, or may contract with any other political subdivision or other entity or person for any such services, acts, or functions; and the Agency may pay or reimburse all costs and expenses for such services, acts, or functions.

**Section 902 Administrative Agent.** Notwithstanding anything in this Agreement to the contrary and in addition to any other persons or entities from time to time designated in any resolution, action, document or instrument of the Agency or Board, and unless otherwise determined by the Board or

City, the City shall serve as the lead agent on behalf of the Agency in carrying out all administrative, management and operating functions of the Agency (the “Administrative Agent”). In such capacity as the Administrative Agent, the City may use any and all City staff, resources, representatives and advisors as deemed appropriate, and shall follow City policies and procedures, unless otherwise specifically directed or approved by the Board. Any and all actions taken by the City and its representatives, staff or advisors pursuant to this Section 902 shall be deemed to have been properly taken on behalf of the Agency, unless otherwise specifically directed or ordered by the Board. The Agency may pay or reimburse all costs and expenses of any Party in connection with this Section 902.

## **ARTICLE X NOT FOR PROFIT**

It is expressly understood that the Agency is a public body and is to be operated not for profit, and no profit, dividend or asset of the Agency shall inure to the benefit of any individual.

## **ARTICLE XI DISSOLUTION**

The Agency shall not be dissolved so long as any Bonds are outstanding under the instrument pursuant to which they were issued. Upon dissolution of the Agency, all interest in real and personal property, including the Project and any related capital improvements used in the operation of the Project, shall be distributed to the City.

## **ARTICLE XII AMENDMENT**

This Agreement may be amended in writing, signed by the Parties; provided, however, any amendment hereto must first be approved by resolution of the governing body of each Party.

## **ARTICLE XIII APPLICABLE LAW**

This Agreement is made under and shall be subject to and construed in accordance with the laws of the State, particularly the Interlocal Act.

*[The remainder of this page intentionally left blank.]*

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement by their respective duly authorized officers this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF LA VISTA, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
**MAYOR**

By: \_\_\_\_\_  
**CITY CLERK**

**THE COUNTY OF SARPY, IN THE STATE OF  
NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
**CHAIR**

By: \_\_\_\_\_  
**COUNTY CLERK**

Approved as to form for the County:

---

Deputy Sarpy County Attorney

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE SUPP. AGREEMENT FOR ARCHITECTURAL SERVICES PUBLIC OFFSTREET PARKING FACILITIES 84 <sup>TH</sup> STREET PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared authorizing the execution of Amendment No. 1 to a Professional Services Agreement on behalf of the City of La Vista with DLR Group Inc. (DLR) for additional architectural design services. The Supplemental Agreement provides for additional design services for public offstreet parking facilities and related public infrastructure in the 84<sup>th</sup> Street public improvement redevelopment project area pursuant to the public improvement redevelopment project. Amendment No. 1 establishes a not-to-exceed fee of \$155,000.00 for the original schematic design services plus the additional services through 65% of design development.

**FISCAL IMPACT**

The FY 17 budget provides funding for CD-17-008 which includes all construction and consultant services. The additional services proposed in this Amendment No. 1 will be covered within that funding.

**RECOMMENDATION**

Approval

**BACKGROUND**

On December 20, 2016 the City Council authorized executing an agreement with DLR for schematic design phase architectural services for this project. Due to ongoing coordination requirements with other development the design services need to continue with design development before the final design services can be agreed upon. Another amendment to the agreement for the balance of the fee with consultant will be brought back to Council.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT WITH DLR GROUP INC. FOR ADDITIONAL ARCHITECTURAL DESIGN SERVICES FOR PUBLIC OFFSTREET PARKING FACILITIES AND RELATED PUBLIC INFRASTRUCTURE IN THE 84<sup>TH</sup> STREET PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT AREA.

WHEREAS, the City Council of the City of La Vista has determined that said services are necessary; and

WHEREAS, the FY17 Capital Improvement Program budget provides funding for the proposed additional services for the project; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, Amendment No. 1 to a professional services agreement with DLR Group, Inc. for additional Architectural Design Services for public offstreet parking facilities and related public infrastructure in the 84<sup>th</sup> Street public improvement redevelopment project area in form and content on file with the City Clerk, subject to any changes the City Administrator or City Engineer determines necessary or advisable.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

ATTEST:

---

**Mandy Garrod, CMC**  
Deputy City Clerk



# AIA® Document G802™ – 2007

## Amendment to the Professional Services Agreement

Amendment Number: 001

TO: John Kottman  
(Owner or Owner's Representative)

In accordance with the Agreement dated: November 16, 2016

**BETWEEN** the Owner:

(Name and address)  
City of La Vista, a Nebraska Municipal Corporation  
8116 Park View Blvd  
La Vista, NE 68128

and the Architect:

(Name and address)  
DLR Group inc. (a Nebraska corporation)  
6457 Frances Street, Suite 200  
Omaha, NE 68106

for the Project:

(Name and address)  
La Vista City Centre Public Off-Street Parking

Authorization is requested

- to proceed with Additional Services.
- to incur additional Reimbursable Expenses.

As follows:

Authorization to Proceed with Professional Services on hourly basis through approximately 65% of Design Development.

DLR Group shall provide Schematic Design and Design Development Services as necessary to provide coordination information for Lot 15 final Design Site development and coordination design, Lot 16 preliminary design coordination and finalization of building code requirements.

The following adjustments shall be made to compensation and time.

(Insert provisions in accordance with the Agreement, or as otherwise agreed by the parties.)

Compensation:

Architect shall work on an hourly basis thru Schematic Design and roughly 65% of Design Development per Exhibit A for a fee not to exceed \$155,000.00 (\$75,000.00 previously authorized + \$80,000.00). DLR Group will submit a lump sum fixed fee proposal for Schematic Design, Design Development, and Construction Documents to Owner for consideration upon confirmation by Construction/Estimating consultant of approved scope and budget. Previous billed fees will be credited toward final approved Lump Sum Fee. Construction Phase Scope of Services and fee to be determined.

Time:

Architect will provide 65% complete Design Development Documents for Contractor/Estimator review and estimating on March 22, 2017.

Final Project Design delivery schedule will be finalized upon confirmation of scope and budget by Construction/Estimating consultant.

**SUBMITTED BY:**

Kenneth P. West  
(Signature)

Kenneth P. West, Principal  
(Printed name and title)

March 14, 2017  
(Date)

**AGREED TO:**

(Signature)

Douglas Kindig, Mayor  
(Printed name and title)

(Date)

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AWARD BID - REPLACEMENT CITY HALL CHILLER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF SIEBELS BUILDING TECHNICIAN

**SYNOPSIS**

A resolution has been prepared award the bid for replacement of a 100-ton chiller for the City Hall/Community Center building from MMC Contractors, Omaha Nebraska, in an amount not to exceed \$91,152.

**FISCAL IMPACT**

The FY17 General Fund Budget provides funding for the replacement.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The current reciprocating air-cooled chiller was installed in 1993 when the building was constructed. During the cooling season last year, the unit required over \$11,000 in repairs. The repairs were a temporary fix. The evaporator head was patched together, is rusty and will leak again. A replacement is not available. The compressor for circuit 2 is likely to fail soon, operating well under half of its capacity. The new system will be a scroll type that is more efficient. Competing bids were received from 4 vendors. They were as follows:

MMC Contractors	\$ 91,152 with 5 year extended warranty.
Johnson Controls	\$104,690 with 5 year extended warranty.
Daikin Applied	\$105,576 with 4 year extended warranty.
Siemens	\$107,516 with 5 year extended warranty.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING THE BID TO MMC CONTRACTORS, OMAHA NEBRASKA FOR REPLACEMENT OF A CHILLER FOR THE CITY HALL/COMMUNITY CENTER BUILDING IN AN AMOUNT NOT TO EXCEED \$91,152.

WHEREAS, the City Council of the City of La Vista has determined that the replacement of the chiller at the City Hall/Community Center buildings is necessary; and

WHEREAS, the FY17 General Fund Budget provides funding for the replacement; and

WHEREAS, Bids were solicited and four bids was received, and

WHEREAS, MMC Contractors., Omaha Nebraska has submitted the lowest most responsible bid, and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award the bid to MMC Contractors, Omaha Nebraska for replacement of the chiller at the City Hall/Community Center buildings in an amount not to exceed \$91,152.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

**ATTEST:**

---

**Pamela A. Buethe, CMC**  
**City Clerk**

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE SUBURBAN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) 2017 Chevrolet 1500 4x4 Suburban from Husker Auto Commercial Fleet, Lincoln, NE, for an amount not to exceed \$41,363.00.

**FISCAL IMPACT**

The FY17 Sewer Maintenance Budget provides funding for the proposed purchase. The purchase is \$1,363.00 over the budgeted \$40,000.00, the difference will be made up through savings in other line items.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed Suburban will be driven by the Director of Public Works. It will be replacing vehicle #3301, a 2002 Chevy Tahoe. The Tahoe will be driven by the Deputy Director of Public Works during the interim of securing an additional vehicle. The Tahoe will then remain in the fleet for general transportation needs at Public Works and other city departments. The decision was made to switch from a five passenger vehicle to an eight passenger vehicle for the times it is necessary to transport more individuals for city tours or special events attended by city staff and elected officials.

The vehicle is being purchased of the State of Nebraska Contract #14650-OC.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2017 CHEVROLET 1500 4X4 SUBURBAN FROM HUSKER AUTO COMMERCIAL FLEET, LINCOLN, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$41,363.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a suburban for the Director of Public Works is necessary, and

WHEREAS, the FY17 Sewer Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby authorize the purchase of one (1) 2017 Chevrolet 1500 4X4 Suburban from Husker Auto Commercial Fleet, Lincoln, Nebraska for an amount not to exceed \$41,363.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

**CITY OF LA VISTA**

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

**Prepared For:**

JOE SOUCIE, PW DIRECTOR  
LA VISTA, CITY OF  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128  
Phone: (402) 331-4343  
Email: jsoucie@cityoflavista.org

**Prepared By:**

CHUCK AMES  
HUSKER AUTO COMMERCIAL/ FLEET  
6833 TELLURIDE DR  
LINCOLN, NE 68521  
Phone: (402) 479-7576  
Fax: (402) 479-7658  
Email: canes@huskerautogroup.com

*Chuck Ames*  
*Business Elite Director*

**2017 Chevrolet Suburban**  
**CK15906 4WD 4dr 1500 Commercial**



Photo may not represent exact vehicle or selected equipment.

## WINDOW STICKER

2017 Chevrolet Suburban 4WD 4dr 1500 Commercial	Interior: - No color has been selected.
5.3L/- TBD - CID Gas/Ethanol V8	Exterior 1: - No color has been selected.
6-Speed Automatic	Exterior 2: - No color has been selected.
<b>CODE</b>	<b>MODEL</b>
CK15906	2017 Chevrolet Suburban 4WD 4dr 1500 Commercial
<b>OPTIONS</b>	
1FL	COMMERCIAL PREFERRED EQUIPMENT GROUP
A95	SEATS, FRONT BUCKET
AYQ	AIR BAGS, FRONTAL AND SIDE-IMPACT FOR DRIVER AND FRONT PASSENGER
D07	CONSOLE, FLOOR
FE9	EMISSIONS, FEDERAL REQUIREMENTS
GMU	PEPPERDUST METALLIC
GU4	REAR AXLE, 3.08 RATIO
H0U	JET BLACK, PREMIUM CLOTH SEAT TRIM
IO3	AUDIO SYSTEM, AM/FM STEREO WITH CD PLAYER AND AUXILIARY INPUT
L83	ENGINE, 5.3L V8 ECOTEC3 WITH ACTIVE FUEL MANAGEMENT, DIRECT INJECTION
MYC	TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY CONTROLLED
R9Y	FLEET FREE MAINTENANCE CREDIT.
RC3	TIRES, P265/70R17 ALL-TERRAIN, BLACKWALL
RD6	WHEELS, 17" X 8" (43.2 CM X 20.3 CM) PAINTED STEEL
UE0	ONSTAR DELETE
VK3	LICENSE PLATE FRONT MOUNTING PACKAGE
VQ2	FLEET PROCESSING OPTION
ZW7	SUSPENSION PACKAGE, PREMIUM SMOOTH RIDE
ZY1	PAINT SCHEME, SOLID APPLICATION
<b>SUBTOTAL</b>	
Advert/Adjustments	
Destination Charge	
<b>TOTAL PRICE</b>	
Est City: 15.00 mpg	
Est Highway: 22.00 mpg	
Est Highway Cruising Range: 682.00 mi	

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 480.0, Data updated 2/28/2017  
 © Copyright 1986-2012 Chrome Data Solutions, LP. All rights reserved.

Customer File:

## PRICING SUMMARY

PRICING SUMMARY - 2017 Fleet/Non-Retail CK15906 4WD 4dr 1500 Commercial

Contract 14650-02

Base Price	\$ 40,799.00	
Total Options:	#3 395.00	40/40 Power Bucket Electric Seat
	#4 169.00	Additional Remote FOB
Vehicle Subtotal		
Advert/Adjustments	\$ 41,363.00	
Destination Charge		
GRAND TOTAL		

Your Cost

Thanks  
J. James

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 460.0, Data updated 2/28/2017  
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Customer File:

March 08, 2017 12:02:05 PM

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**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE PICKUP TRUCK	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ROCKY HENKEL STREET SUPERINTENDENT

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) 2017 Chevrolet 3500, Crew Cab, 4x4, Heavy Duty pickup truck from Sid Dillon Commercial /Fleet Division, 257 West "A" Street, Wahoo, NE 68066 for an amount not to exceed \$57,300.00.

**FISCAL IMPACT**

The FY17 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed purchase is to replace #1108 a 1980 Chevrolet Pickup Truck which is not equipped with a plow. In addition, the cost of repairs to keep the old truck in service exceeds the value of the new truck. A new, plow-equipped truck will allow for more efficient snow removal operations. The new truck will be used by the Streets Division for daily operations and used by all divisions for snow removal operations.

The truck is being purchased off the University of Nebraska Lincoln Contract #2615-16-2510.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2017 CHEVROLET 3500 CREW CAB 4X4 HEAVY DUTY PICKUP TRUCK FROM SID DILLON COMMERCIAL/FLEET DIVISION, WAHOO, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$57,300.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a pickup truck for the Streets Division is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby authorize the purchase of one (1) 2017 Chevrolet 3500 Crew Cab 4X4 heavy duty pickup truck from Sid Dillon Commercial/Fleet Division, Wahoo, Nebraska for an amount not to exceed \$57,300.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

**CITY OF LA VISTA**

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



# Sid Dillon



## Commercial / Fleet Division

UNL contract.....2615-16-2610

<b>3500HD ; Crew Cab, 4x4, LT, Gas, Fiberglas Body</b>		
<b>3500HD Crew Cab, long box, 4x4, Single Rear Wheel, WT.....</b>	<b>32013.00</b>	
<b>Power Windows and Power Locks.....</b>	<b>yes</b>	
<b>Gas engine .....</b>	<b>yes</b>	
<b>Electronic shift 4x4.....</b>	<b>yes</b>	
<b>4.10:1 limited slip rear differential.....</b>	<b>yes</b>	
<b>keyless entry.....</b>	<b>yes</b>	
<b>rear view camera.....</b>	<b>376.00</b>	
<b>Upgrade to 3500HD Crew Cab 4x4 LT.....</b>	<b>2170.00</b>	
<b>Snow plow prep pack, w/HD alternator, battery &amp; suspension.....</b>	<b>595.00</b>	
<b>4 wheel mud flaps.....</b>	<b>120.00</b>	
<b>full set of floor mats.....</b>	<b>yes</b>	
<b>6" chrome step tubes.....</b>	<b>yes</b>	
<b>Spray in bed liner.....</b>	<b>750.00</b>	
<b>Dakota alum service body, flip tops.....</b>	<b>8960.00</b>	
<b>Curt class 5 hitch.....</b>	<b>450.00</b>	
<b>B&amp;W gooseneck hitch, .....</b>	<b>950.00</b>	
<b>pintle hitch with 2" ball.....</b>	<b>150.00</b>	
<b>Western straight, with ultra mount, plow lighting, &amp; snow deflector.....</b>	<b>5130.00</b>	
<b>Western wings.....</b> 790.00 add to straight plow if wanted.....	<b>option</b>	
<b>western v-plow upgrade.....</b> 945.00 add to straight plow if wanted.....	<b>option</b>	
<b>upgrade to 9' straight plow..</b> 683.00 add to 8' plow price.....	<b>option</b>	
<b>All Star Edition.....</b>	<b>2310.00</b>	
<b>remote start.....</b>	<b>yes</b>	
<b>light bar, Acari mount, beacon, arrow stick, with controls in cab.....</b>	<b>1818.00</b>	
<b>4 corner strobe lights with switch in cab.....</b>	<b>978.00</b>	
<b>cloth split bench seat with fold down center section.....</b>	<b>yes</b>	
<b>rubber floor instead of carpet.....</b>	<b>yes</b>	
<b>spare tire.....</b>	<b>yes</b>	
<b>white exterior.....</b>	<b>yes</b>	
<b>carcoal interior.....</b>	<b>yes</b>	
<b>mud/snow tires.....</b>	<b>yes</b>	
<b>Halogen fog lights.....</b>	<b>yes</b>	
<b>trailer wiring.....</b>	<b>yes</b>	
<b>Integrated trailer brake controller.....</b>	<b>yes</b>	
<b>HD automatic transmission w/tow mode and overdrive.....</b>	<b>yes</b>	
<b>full instrumentation .....</b>	<b>yes</b>	
<b>tilt steering wheel.....</b>	<b>yes</b>	
<b>alloy rally wheels.....</b>	<b>yes</b>	
<b>cruise control.....</b>	<b>yes</b>	
<b>Service manual.....</b>	<b>530.00</b>	
	<b>Total</b>	<b>57300.00</b>

Ron Fullerton  
Fleet Manager  
402-540-7578

### Physical Address

257 West 'A' Street  
Wahoo. Ne. 68066

### Mailing Address

P.O. Box 186  
Wahoo, Ne. 68066

### Division Phone

402-540-7578

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE SPREADER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ROCKY HENKEL STREET SUPERINTENDENT

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) Bonnell BVDA, 12' x 4' x 12', Dual Auger Stainless Steel Spreader from Midwest Services & Sales Co., 602 Road 5, Schuyler, NE 68661 for an amount not to exceed \$15,365.00.

**FISCAL IMPACT**

The FY17 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed purchase is to replace the 7 year old spreader in truck #1121. The current spreader has deteriorated from salt corrosion. Currently, the stainless steel spreader in truck #1131 is 14 years old and shows no signs of corrosion. When comparing the cost of a stainless steel spreader versus a standard steel spreader can be justified by the extended life cycle of stainless steel spreaders. The new spreader will be used by all divisions for snow removal operations.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) BONNELL BVDA, 12' X 4' X 12', DUAL AUGER STAINLESS STEEL SPREADER FROM MIDWEST SERVICES & SALES CO., SCHUYLER, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$15,365.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a spreader for the Streets Division is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby authorize the purchase of one (1) Bonell BVDA, 12' x 4' x 12', Dual Auger Stainless Steel Spreader from Midwest Services & Sales Co., Schuyler, Nebraska for an amount not to exceed \$15,365.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

**ATTEST:**

---

Pamela A. Buethe, CMC  
City Clerk

## Rocky Henkel

---

**From:** Ray Crane  
**Sent:** Monday, February 27, 2017 11:03 AM  
**To:** Rocky Henkel  
**Subject:** FW: [Fwd: Bonnell Spreader]  
**Attachments:** Bonnell2016\_BVAspreader\_PDF.pdf

Here it is.

Ray Crane

-----Original Message-----

From: Midwest Service & Sales Co. [mailto:[sales@midwestserviceandsales.com](mailto:sales@midwestserviceandsales.com)]  
Sent: Thursday, February 23, 2017 3:05 PM  
To: Ray Crane  
Subject: [Fwd: Bonnell Spreader]

607 ROAD 5  
SCHUYLER, NE 68661

Ray

A price on a Bonnell BVDA 12' 48" x 12' Dual Auger Spreader Stainless Steel with the same options as for the single auger the price would be \$ 15,365.00 FOB LaVista. Any question please give Steve a call at  
402-615-1970

Terry  
Midwest Service and Sales Co.

----- Original Message -----

Subject: Bonnell Spreader  
From: "Midwest Service & Sales Co." <[sales@midwestserviceandsales.com](mailto:sales@midwestserviceandsales.com)>  
Date: Wed, February 15, 2017 10:12 am  
To: [rcrane@cityoflavista.org](mailto:rcrane@cityoflavista.org)

---

Ray,

In regard to your request for pricing, we are pleased to quote the following:

Bonnell Model BVA-12-48 Stainless Steel 12' long, 48" high with a capacity of 6.8 yards. The auger equipped spreader weighs 2695lbs and will have an 18" Carbon Rigid mount spinner, top screens, inverted vee, and a front bearings grease extension tube to the rear. The price delivered to LaVista is \$12,627.00.

Informational brochure is attached.

Thank you for the opportunity to quote to you. If you have any questions, please contact me on my cell phone 402-615-1970.

Sincerely,  
Steve Svatora

Midwest Service and Sales Co.

**CARBON STEEL BODY**

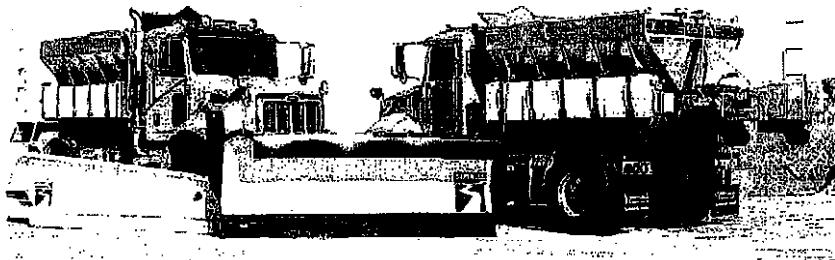
Constructed of 10 gauge steel with 45° sloping sides with 10 gauge side supports for high resistance to twisting under heavy loads.

**AUGER**

7" Hard faced auger with direct drive.

**SPINNER ASSEMBLY**

Swing up assembly with 18" steel spinner disc, one internal directional baffle and four external baffles - one fixed and three adjustable, which are removable without the use of tools.

**RVA-SERIES SPREADER SPECIFICATIONS**

MODEL NO.	V-BOX LENGTH	V-BOX HEIGHT	CAB TO AXLE	CU. YARD CAPACITY	APPROX. WEIGHT
BVA-10-48	10'	48"	84"	5.6	2,385 LBS
BVA-10-54	10'	54"	84"	6.9	2,480 LBS
BVA-10-60	10'	60"	84"	8.3	2,575 LBS
BVA-11-48	11'	48"	96"	6.2	2,525 LBS
BVA-11-54	11'	54"	96"	7.6	2,625 LBS
BVA-11-60	11'	60"	96"	9.0	2,725 LBS
BVA-12-48	12'	48"	108"	6.8	2,695 LBS
BVA-12-54	12'	54"	108"	8.4	2,800 LBS
BVA-12-60	12'	60"	108"	9.9	2,905 LBS
BVA-13-48	13'	48"	96" C.T.	7.3	2,835 LBS
BVA-13-54	13'	54"	96" C.T.	9.0	2,945 LBS
BVA-13-60	13'	60"	96" C.T.	10.7	3,055 LBS
BVA-14-48	14'	48"	108" C.T.	7.9	3,005 LBS
BVA-14-54	14'	54"	108" C.T.	9.7	3,120 LBS
BVA-14-60	14'	60"	108" C.T.	11.6	3,235 LBS
BVA-15-48	15'	48"	120" C.T.	8.4	3,145 LBS
BVA-15-54	15'	54"	120" C.T.	10.3	3,265 LBS
BVA-15-60	15'	60"	120" C.T.	12.2	3,385 LBS
BVA-16-48	16'	48"	132" C.T.	8.9	3585 LBS
BVA-16-54	16'	54"	132" C.T.	10.9	3705 LBS
BVA-16-60	16'	60"	132" C.T.	13.0	3825 LBS

\* longer lengths available upon request

**TOP SCREENS**

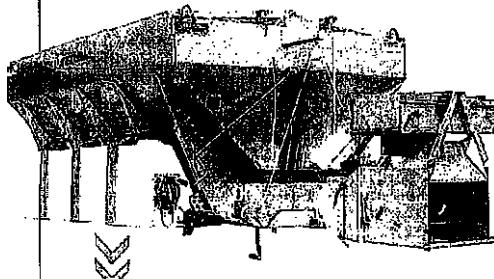
Section top screens are made of 3/8" diameter rods welded to a 1/4" x 2" angle iron frame creating a maximum opening of 2-1/2".

**INVERTED V**

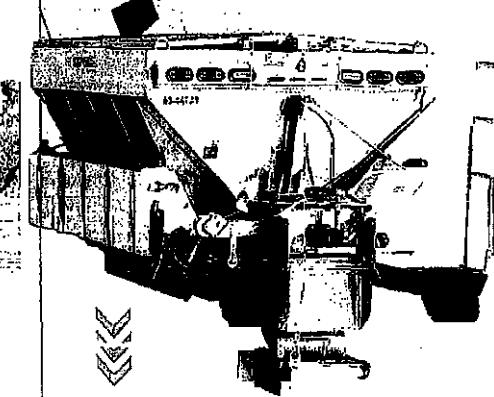
Standard equipment with the purchase of BVA spreader.

**GREASE EXTENSION**

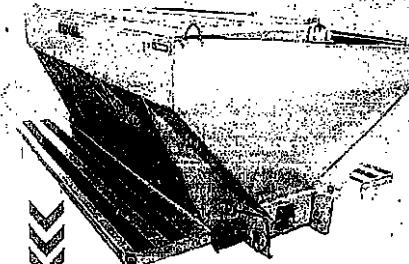
Grease extension to the rear - standard equipment.

**OPTIONS:**

- Hand crank winch for swing up spinner
- Pre-wet systems



- Mounting kits
- Ladders
- Cabshield



- Catwalks
- 12-gauge stainless steel V-box construction (optional 10-gauge stainless)

**OPTIONS NOT SHOWN:**

- Wireless camera system
- Engine over hydraulic systems
- Rear diverted
- Top mount spinner motor
- 20" Poly spinner
- Doghouse cutout for dump body hoist

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE: JOHN DEERE EQUIPMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) John Deere 1570 Front Mower and Deck; one (1) John Deere HPX Diesel Gator; one (1) Broyhill Stadium 80 Gallon Sprayer; one (1) John Deere H260 Loader Arms, Bucket and Snow Blade from Deere & Company, 2000 John Deere Run, Cary, NC for an amount not to exceed \$53,683.95.

**FISCAL IMPACT**

The FY16 General Fund Budget provides funding for the proposed purchases.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed equipment purchase will be directly through Deere & Company. All the equipment will be delivered to Plains Equipment Group in Gretna, NE, which will provide warranty work, repairs and parts. The HPX Gator for the Sports Complex will be replacing Gator #2455, a 1993 JD 6x4 Gator. The JD 1570 mower and sprayer will be replacing mower #2220, a 2004 JD 1445 mower. The H260 Loader Arms, Bucket and Snow Blade were scheduled for purchase in FY17, the equipment being part of this Piggyback contract is a savings of approximately \$1,000. The budgeted amount of \$15,000 in FY17 budget will not be used. The purchase stays within budgeted funds for FY16. As part of this purchase package, mower #2218 a 2008 John Deere Z830A mower will be traded in for \$3,900.00.

The purchase is being made off the NE IA Piggyback Grounds Care Equipment contract #4425-5 (PG 0Q).

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) JOHN DEERE 1570 FRONT MOWER AND DECK; ONE (1) JOHN DEERE HPX DIESEL GATOR; ONE (1) BROYHILL STADIUM 80 GALLON SPRAYER; ONE (1) JOHN DEERE H260 LOADER ARMS, BUCKET AND SNOW BLADE FROM DEERE & COMPANY, CARY, NC FOR AN AMOUNT NOT TO EXCEED \$53,683.95.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of equipment for the Parks and Sports Complex Divisions is necessary, and

WHEREAS, the FY 17 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby authorize the purchase of one (1) John Deere 1570 Front Mower and Deck; one (1) John Deere HPX Diesel Gator; one (1) Broyhill Stadium 80 Gallon Sprayer; one (1) John Deere H260 Loader Arms, Bucket and Snow Blade from Deere & Company, Cary, NC for an amount not to exceed \$53,683.95.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



**JOHN DEERE**

**ALL PURCHASE ORDERS MUST BE MADE OUT  
TO (VENDOR):**  
Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT  
TO DELIVERING DEALER:**  
Plains Equipment Group  
15151 South Highway 31  
Gretna, NE 68028  
402-332-4967  
JDGretna@plainseg.com

**Quote Summary**

**Prepared For:**  
City Of Lavista  
8116 Park View Blvd  
La Vista, NE 68128  
Business: 402-331-4343

**Delivering Dealer:**  
Plains Equipment Group  
Ty Eret  
15151 South Highway 31  
Gretna, NE 68028  
Phone: 402-332-4967  
teret@plainseg.com

**Quote ID:** 14692781  
**Created On:** 02 February 2017  
**Last Modified On:** 28 February 2017  
**Expiration Date:** 10 March 2017

<b>Equipment Summary</b>	<b>Suggested List</b>	<b>Selling Price</b>	<b>Qty</b>	<b>Extended</b>
JOHN DEERE 1570 TerrainCut Commercial Front Mower (Less Mower Deck)	\$ 29,509.00	\$ 22,721.93 X	1 =	\$ 22,721.93
<b>Contract:</b> NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q) <b>Price Effective Date:</b> November 1, 2016				
JOHN DEERE 72 In. 7-Iron PRO Commercial Side Discharge Mower Deck	\$ 4,787.00	\$ 3,685.99 X	1 =	\$ 3,685.99
<b>Contract:</b> NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q) <b>Price Effective Date:</b> November 1, 2016				
JOHN DEERE HPX Diesel Green & Yellow (MY16)	\$ 14,922.81	\$ 12,982.83 X	1 =	\$ 12,982.83
<b>Contract:</b> NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q) <b>Price Effective Date:</b> December 5, 2016				
BROYHILL Stadium 80 Gallon Honda Silver Series Pump 10ft Boom and 25ft hose	\$ 4,367.06	\$ 4,000.00 X	1 =	\$ 4,000.00
<b>Contract:</b> NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q) <b>Price Effective Date:</b>				
JOHN DEERE H260 Standard Loader	\$ 11,280.00	\$ 8,460.00 X	1 =	\$ 8,460.00
<b>Contract:</b> NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q) <b>Price Effective Date:</b> December 5, 2016				

**Salesperson : X** \_\_\_\_\_

**Accepted By : X** \_\_\_\_\_

*Confidential*



**JOHN DEERE**

**ALL PURCHASE ORDERS MUST BE MADE OUT  
TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580; DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT  
TO DELIVERING DEALER:**

Plains Equipment Group  
15151 South Highway 31  
Gretna, NE 68028  
402-332-4967  
JDGretna@plainseg.com

JOHN DEERE BL10B SNOW/UTIL      \$ 4,799.00      \$ 4,223.12 X      1      =      \$ 4,223.12  
BLADEW/FLOAT

**Contract:** NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q)

**Price Effective Date:** February 27, 2017

1.0 cu. yd. (0.8 cu. m.) General      \$ 1,716.00      \$ 1,510.08 X      1      =      \$ 1,510.08  
Purpose Bucket with Skid Shoes and  
Bolt-on Cutting Edge for Quik Tatch

**Contract:** NE IA Piggyback Grounds Care Equip 4425-5 (PG 0Q)

**Price Effective Date:** February 28, 2017

**Equipment Total**      **\$ 57,583.95**

<b>Trade In Summary</b>	<b>Qty</b>	<b>Each</b>	<b>Extended</b>
2008 JOHN DEERE Z830A - TC830AR010380	1	\$ 3,900.00	\$ 3,900.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 3,900.00

**Trade In Total**      **\$ 3,900.00**

<b>* Includes Fees and Non-contract items</b>	<b>Quote Summary</b>
	Equipment Total      \$ 57,583.95
	Trade In      \$ (3,900.00)
	SubTotal      \$ 53,683.95
	Est. Service      \$ 0.00
	Agreement Tax      \$ 0.00
	Total      \$ 53,683.95
	Down Payment      (0.00)
	Rental Applied      (0.00)
	Balance Due      \$ 53,683.95

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential

*M*

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE: MOWER FOR SPORTS COMPLEX	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) Lazer Z X-Series FX921V mower from Exmark Mfg. Co. Inc. in amount not to exceed \$15,598.00.

**FISCAL IMPACT**

The FY17 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed mower purchase is to replace mower #2423, a 2008 John Deere 1445 mower. With the mower being purchased directly from Exmark Mfg. via the HGACBuy contract, J&J Small Engine is the authorized dealer and will provide warranty work, repair and parts.

The mower is being purchased off the HGACBuy contract No. GR01-15. The purchase order will be made out to Exmark Mfg. Co. Inc., the mower will be delivered to J&J Small Engine Service, 6912 S. 36<sup>th</sup>, Bellevue, NE.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA  
AUTHORIZING THE PURCHASE OF ONE (1) LAZER Z X-SERIES FX921V MOWER FROM  
EXMARK MFG. CO. INC. IN AMOUNT NOT TO EXCEED \$15,598.00.**

**WHEREAS, the City Council of the City of La Vista has determined that the purchase of a mower  
for the Soccer Complex is necessary, and**

**WHEREAS, the FY17 General Fund Budget provides funding for the proposed purchase, and**

**WHEREAS, Subsection (c) 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 La Vista, Nebraska,  
do hereby authorize the purchase one (1) Lazer Z X-Series FX921V mower from  
Exmark Mfg. Co. Inc. in amount not to exceed \$15,598.00.**

**PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.**

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

**ATTEST:**

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**Pamela A. Buethe, CMC  
City Clerk**



# **CONTRACT PRICING WORKSHEET**

**For Catalog & Price Sheet Type Purchases**

Contract No.: GR01-15 Date Prepared: 2/27/2017

**This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents  
MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.**

Buying Agency:	City of La Vista	Contractor:	Exmark Mfg. Co. Inc.
Contact Person:	Jeff Thornburg	Prepared By:	Jonathan S. Guarneri
Phone:		Phone:	402-223-6255
Fax:		Fax:	402-223-4154
Email:	jthornburg@cityoflavista.org	Email:	jonathan.guarneri@exmark.com

**A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary**

**B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary.**

(Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Quan	Description	Unit Pr	Total
1	109-9629 KIT, UV DRIVE726	169	169
1	KIT- STRIPER VERT ADJUST 7	314	314
1	ASM- AIR SUSPENSION SEAT	1050	1050

**Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B)**

For this transaction the percentage is:

1194

**C. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges**

<b>Delivery Date:</b>	3/22/2017	<b>D. Total Purchase Price (A+B+C):</b>	1559
		<b>Subtotal C:</b>	

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MARCH 21, 2017 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT – WESTERN STATES CONTRACTING ALLIANCE, DELL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	KEVIN POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

**SYNOPSIS**

A resolution has been prepared approving the following technology related items for the Library:

- Four (4) computers with software from Dell, Western States Contracting Alliance (WSCA) in an amount not to exceed \$5,016.48
- One (1) server from Dell, Western States Contracting Alliance (WSCA) in an amount not to exceed \$3,000.00

**FISCAL IMPACT**

The FY17 Computer Budget provides funding for the proposed Information Technology purchases.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The IT Committee annually reviews the City's computer inventory. Decision to replace computers is based on functionality, warranty replacement, and growth. In functionality, the committee is reviewing the usage of a computer versus the need for a new computer. There are times when moving outgoing computers to a low usage computer location is more practical than purchasing a new computer. Secondly, the committee looks at the warranty on a computer. As the computer's warranty expires, those computers are placed on a scheduled replacement. Finally, as there are additional computer needs for various positions, the decision is made by the committee whether to add additional computers to the city's inventory.

Based on those factors, departments receiving computer are: (4) computers and (1) server for the Library.

WSCA bid for computer services designates Dell as the lowest responsible bidder for computer hardware.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TECHNOLOGY RELATED ITEMS FOR THE LIBRARY FROM WESTERN STATES CONTRACTING ALLIANCE (WSCA) AND DELL IN AN AMOUNT NOT TO EXCEED \$8,016.48.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of technology related items for the library is necessary; and

WHEREAS, the FY 17 Computer Budget provides funding for the proposed Information Technology purchases; 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 La Vista, Nebraska, do hereby authorize the purchase of technology related items for the library, from Western States Contracting Alliance (WSCA) and Dell in an amount not to exceed \$8,016.48.

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

ATTEST:

---

Pamela A. Buethe CMC  
City Clerk

**From:** Rusty Ethridge  
**To:** [Kevin Pokorny](#)  
**Subject:** AIO update  
**Date:** Tuesday, March 14, 2017 9:10:55 AM

---

Below is the updated quote for four AIO computers.

---

**From:** Dell (please do not reply) [mailto:[automated\\_email@dell.com](mailto:automated_email@dell.com)] **On Behalf Of** Dell Inc.  
**Sent:** Tuesday, March 14, 2017 9:10 AM  
**To:** Rusty Ethridge <[rusty@sarpy.com](mailto:rusty@sarpy.com)>  
**Subject:** Dell Computer - Saved Quote Information - 1026996368266

[REDACTED]

You have saved an eQuote 1026996368266

An eQuote is now saved in your Dell Online Store.  
This will be held for 60 days and will expire on 05/13/2017

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**Your eQuote has been sent to:**

Emailed to: [Rusty@sarpy.com](mailto:Rusty@sarpy.com)  
[Rusty@sarpy.com](mailto:Rusty@sarpy.com)

**To retrieve this eQuote**

[Login to Premier](#)

Sign in to City of Lavista and Papillion, Nebraska

Click on "Quotes" in the top menu bar and search for eQuote number 1026996368266

eQuote Name	KP
Saved By	<a href="mailto:Rusty@sarpy.com">Rusty@sarpy.com</a>
eQuote Description	AIO
Authorized Buyer	
Notes/Comments	
Account Name	City of Lavista and Papillion, Nebraska
Contract Code	WN20AGW

**Shipping Info**

RUSTY ETHRIDGE  
1210 GOLDEN GATE DR STE 1130  
PAPILLION, US 68046-2842  
(402) 593-4399

**Billing Info**

KEVIN POKORNY  
8116 PARK VIEW BLVD  
LA VISTA, US 68128-2132

## eQuote Summary

Description	Quantity	Unit Discounted Price	Subtotal Discounted Price
OptiPlex 7440 AIO	4	\$1,254.12	\$5,016.48

eQuote Subtotal	\$5,016.48
Shipping*	\$0.00
Shipping Discount*	\$0.00
Tax*	\$0.00
Environmental Disposal Fee*	\$0.00

**eQuote Total\*** **\$5,016.48**

\*The eQuote total, including applicable taxes and additional fees, may be viewable online.

## eQuote Details

Description	Quantity	Price
xtcoo7440aiousr   OptiPlex 7440 AIO	4	\$7,377.16
Premier Discount		-\$2,360.68
(Unit Price after discount: \$1,254.12 ea.)		<b>\$5,016.48</b>

Module	Description	Product Code	Sku	ID
Processor	Intel® Core™ i7-6700 Processor (Quad Core, 8MB, 8T, 3.4GHz, 65W)	I76700	[338-BHUH]	146
Operating System	Windows 10 Pro 64-bit English	10P64E	[619-AHCR]	11
Microsoft Application Software	No Productivity Software	NOPSW	[630-AAPK]	1002
LCD	23.8" WLED Full-HD AIO Non-Touch Display	NONTCH	[391-BBDM]	760
Stands and Mounts	Basic STND,AIO,7440	BASIC	[575-BBHQ]	558
Video Card	Intel Integrated Graphics	INT	[490-BBFG]	6
Chassis Options	7440 AIO 23.8, FHD NonTouch with Camera, Integrated Graphics, Bronze PSU	CNTUBN	[329-BCST]	116
Memory	16GB (2x8G) 2133MHz DDR4 Memory	16G2D4	[370-ACHW]	3
Hard Drive	2.5 inch 500GB 7200rpm Hard Disk Drive	500572	[400-AJCV]	8
Additional Hard Drive	No Additional Hard Drive	NOHDDA	[401-AADF]	637

Wireless	Intel® Dual Band Wireless 8260 (802.11ac) + Bluetooth	IW8260	[555-BCOY]	19
Driver	Intel® DB WLAN 8260 Software	8260SR	[555-BCOG]	7
Removable Media Storage Device	8x DVD+/-RW 9.5mm Optical Disk Drive	8DVDRW	[429-AAWF]	16
Optical Software	No optical drive Software	NOPDVD	[632-BBBJ]	597
Keyboard	Dell KM636 Wireless Keyboard & Mouse English, Black	US636B	[580-ADJM]	4
Mouse	Mouse included with Keyboard	NM1NKB	[570-AADI]	12
Cable	System Power Cord (English)	US125V	[450-AAOJ]	20
Dell Threat Protection and Endpoint Security Suite	No Dell Data Protection   Endpoint Security Suite Software	NODDP	[634-BENZ]	593
Dell Data Security Encryption	No DDPE Encryption Software	NODDPE	[954-3465]	156
Systems Management	No Out-of-Band Systems Management	NOVPRO	[631-AAUO]	49
Non-Microsoft Application Software	Windows 10	WIN10	[340-AJFC] [422-0008] [525-BBCL] [525-BBCL] [640-BBLW] [658-BBMR] [658-BBNF] [658-BBNF] [658-BCUV]	1003
Operating System Media	OS-Windows Media Not Included for N-Series	NOMEDIA	[620-AALW]	200013
E-Star	ENERGY STAR Version 6.0 7440 AIO	ESTAR	[387-BBKP]	122
OptiPlex 7440 AIO	OptiPlex 7440 AIO-XCTO	7440X	[210-AFLX]	1
Diagnostic CD / Diskette	No Resource DVD	NORDVD	[340-ABJI]	50
Placemat	Placemat Documentation	PLMTW10	[340-ASUX]	60
Canada Ship Options	US No Canada Ship Charge	USNONE	[332-1286]	111
UPC Label	No UPC Label	NOLBL	[389-BCGW]	292
Packaging	Shipping Material For AIO	SHIPDAO	[389-BBUU] [389-BHTB]	465
Processor Branding	Intel® Core™ i7 Label	C175ML	[389-BHGE]	749
Raid Connectivity	NO RAID	NORAI	[817-BBBN]	1009
Intel Rapid Start Technology and Smart Connect	No Intel Rapid Start or Smart Connect	NOIRS	[409-BBCF]	707
Transportation from ODM to region	Standard shipment	STD	[800-BBIO]	200080
TPM Security	TPM	TPM	[329-BBJL]	297
Regulatory Label	Regulatory Label, Non Touch	REGNT	[389-BHSV]	676
Documentation/Disks	Safety/Environment and Regulatory Guide (English/French Multi-language)	EFDOC	[340-AGIK]	21
FGA Module	No FGA	NOFGA	[817-BBBB]	572
Multi-Select Monitors	No Additional Monitor	N	[480-AACF]	496
Cables and Adapters	No Accessories	NOACCES	[461-AABV]	592
External Speakers	No External Speaker	NOESPK	[817-BBBC]	200095
Hardware Support Services	3 Year Hardware Service with Onsite/In-Home Service After Remote Diagnosis	NBD3	[997-6870] [997-6872]	29

eQuote Subtotal \$5,016.48  
 Shipping\* \$0.00  
 Shipping Discount\* \$0.00  
 Tax\* \$0.00  
 Environmental Disposal Fee\* \$0.00

**eQuote Total\* \$5,016.48**

\*The eQuote total, including applicable taxes and additional fees, may be viewable online.

Let's connect. 

Legal Disclaimer: Please note that Dell cannot be responsible for pricing or other errors and reserves the right to cancel any orders arising from such errors. The amount of tax and shipping added to your order depends on where you have asked for the product to be shipped as well as on which products and/or services you've chosen to purchase. Your order is subject to Dell's Terms and Conditions of Sale which include a binding arbitration provision.

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## Paul's Cart

Cart

Saved Items

[Print Cart](#) [E-mail Cart](#) [Continue Shopping](#)Unsaved carts expire after 30 minutes. [Save Cart](#) [Secure Checkout](#)[Summary View](#) | [Detail View](#)**Description****PowerEdge R430 Rack Server**

Date &amp; Time: February 11, 2017 10:12 AM CST

**SYSTEM COMPONENTS**

PowerEdge R430 Rack Server	Qty	1
PowerEdge R430 Server	Unit Price	\$4,125.00
Save 34% on select PowerEdge R430 through Dell		-\$1,406.70

Small Business!

Special Offer

[View Details](#)

Extra \$200 off with coupon SERVER200

Special Offer!

[View Details](#)

No interest if paid in full within 90 days on all

PowerEdge servers!

Only valid on purchases using Dell [View Details](#) Business Credit.**Catalog Number:** 4 PE\_R430\_11598\_A

Module	Description	Show Details
PowerEdge R430	PowerEdge R430 Server	
Trusted Platform Module (TPM)	Trusted Platform Module 2.0 FIPS	
Chassis Configuration	3.5" Chassis with up to 4 Hot Plug Hard Drives	
Shipping	PowerEdge R430 Shipping	
Processor	Intel® Xeon® E5-2620 v4 2.1GHz,20M Cache,8.0GT/s QPI,Turbo,HT,8C/16T (85W) Max Mem 2133MHz	
Additional Processor	No Additional Processor	
PCIe Riser	No Riser - (No add-on PCIe card allowed)	
Processor Thermal Configuration	1 CPU Standard	
Memory DIMM Type and Speed	2400MT/s RDIMMs	
Memory Configuration Type	Performance Optimized	
Memory Capacity	16GB RDIMM, 2400MT/s, Dual Rank, x8 Data Width	
RAID Configuration	RAID 1 for H330/H730/H730P (2 HDDs or SSDs)	
RAID Controller	PERC H330 RAID Controller	
Hard Drives	(2) 1TB 7,2K RPM SATA 6Gbps 3.5in Hot-plug Hard Drive	
Additional Network Cards	On-Board Broadcom 5720 Quad Port 1Gb LOM	
Embedded Systems Management	iDRAC8 Enterprise, Integrated Dell Remote Access Controller, Enterprise	
Internal Optical Drive	DVD, SATA, Internal for 4 HD Chassis	
Bezel	Bezel 4/8 Drive Chassis	
Rack Rails	ReadyRails™ Static Rails for 2/4-post Racks	
Power Management BIOS Settings	Power Saving Dell Active Power Controller	
Power Supply	Dual, Hot-plug, Redundant Power Supply (1+1), 550W	
Power Cords	(2) NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America	
System Documentation	Electronic System Documentation and OpenManage DVD Kit for R430	

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Chat Now >

Accepted forms of payment include the following:

- Dell Business Credit
- Credit/debit cards
- PayPal
- Bitcoin
- Dell gift cards



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Find a lower price somewhere else?  
We'll match it.

[Learn More](#)

Operating System	No Operating System
OS Media Kits	No Media Required
Shipping Information	US No Canada Ship Charge
Hardware Support Services	5 Year Basic Hardware Warranty Repair, 5X10 HW-Only, 5x10 NBD On-site
Deployment Services	No Installation
Remote Consulting Services	Declined Remote Consulting Service
Proactive Systems Management	Dell Proactive Systems Management - Declined

**TOTAL: \$2,718.30**

	<b>Total Price</b>
Sub-total	\$2,718.30
Shipping & Handling	\$0.00
Tax*	\$203.88
*Exemptions reflected in final checkout page only	
<b>Total Price<sup>1</sup></b>	<b>\$2,922.18</b>
In the event that you are subject to a tax holiday, you will not be charged tax. <a href="#">Learn More</a>	

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