

LA VISTA CITY COUNCIL MEETING AGENDA
August 20, 2019
6:00 P.M.
Harold “Andy” Anderson Council Chamber
La Vista City Hall
8116 Park View Blvd

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- **Service Awards: Jean Hurst – 40 years**

All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. CONSENT AGENDA

1. **Approval of the Agenda as Presented**
 2. **Approval of the Minutes of the August 5, 2019 City Council Meeting**
 3. **Approval of the Minutes of the July 18, 2019 Planning Commission Meeting**
 4. **Monthly Financial Report – June 2019**
 5. **Request for Payment – Alfred Benesch & Company – Professional Services – 2019 Park View Blvd Resurfacing – \$8,649.26**
 6. **Request for Payment – Berry Dunn McNeil & Parker LLC – Professional Services – IT Strategic Plan – \$14,820.00**
 7. **Request for Payment – Burns & McDonnell – Professional Services – La Vista Sewer Rate Study – \$575.97**
 8. **Request for Payment – Design Workshop, Inc. – Professional Services – 84th Streetscape Plan – \$8,067.33**
 9. **Request for Payment – DLR Group – Professional Services – City Centre Parking Facility – \$3,265.74**
 10. **Request for Payment – Graham Construction, Inc. – Construction Services – Civic Center Park Sanitary Sewer Relocation – \$260,668.90**
 11. **Request for Payment – HGM Associates, Inc. – Professional Services – East La Vista Sewer and Pavement Rehabilitation – Phase I Investigation – \$78,732.12**
 12. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking & LA Services – \$15,431.84**
 13. **Approval of Claims**
- **Reports from City Administrator and Department Heads**
- B. Ordinance – Amend and Replace Section 113.10 with Section 113.50 of the La Vista Municipal Code**
- C. Ordinance – Amend Section 113.01 of the La Vista Municipal Code**
- D. Ordinance – Amend Section 113.02 of the La Vista Municipal Code**
- E. Ordinance – Amend Section 113.05 of the La Vista Municipal Code**
- F. Restaurants and Drinking Places Occupation Tax**
1. **Public Comment**
 2. **Ordinance**
- G. Ordinance – Fiscal Years 18/19 and 19/20 Biennial Municipal Budget – Second Reading**
- H. Resolution – Addendum to Interlocal Cooperation Agreement – IT Services and Public Safety Software**
- I. Resolution – Approval of Addition to Area of Liquor License – Beyond Golf LLC dba Beyond Golf Bar & Kitchen**
- J. Resolution – Approval of Addition to Area of Liquor License – Froelich Investments LLC dba Ref’s Sports Bar & Grill**
- K. Resolution – La Vista City Centre Theater Preliminary Plat**

- L. Resolution – Professional Services Agreement**
- M. Resolution – Purchase of Wide Area Mower**
- N. Resolution – Purchase of Motorola Radios**
- O. Executive Session: Personnel**
 - **Comments from the Floor**
 - **Comments from Mayor and Council**
 - **Adjournment**

The public is welcome and encouraged to attend all meetings. If special accommodations are required, please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to five minutes. We ask for your cooperation in order to provide for an organized meeting.



CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

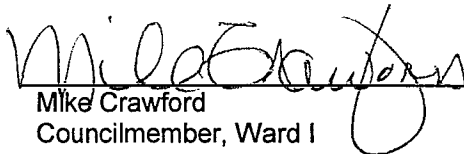
A CERTIFICATE OF APPRECIATION PRESENTED TO **JEAN HURST OF THE LA VISTA PUBLIC LIBRARY**, FOR 40 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.


WHEREAS, **Jean Hurst** has served the City of La Vista since August 6, 1979; and


WHEREAS, **Jean Hurst's** input and contributions to the City of La Vista have contributed to the success of the City;


NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Jean Hurst** on behalf of the City of La Vista for 40 years of service to the City.

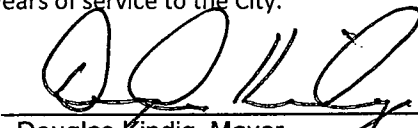
DATED THIS 20TH DAY OF AUGUST 2019.

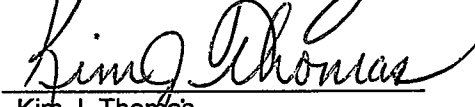

Mike Crawford
Councilmember, Ward I



Ronald Sheehan
Councilmember, Ward II

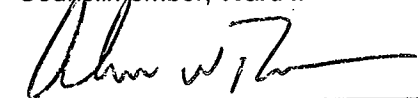

Deb Hale
Councilmember, Ward III



Kelly R. Sell
Councilmember, Ward IV


Douglas Kindig, Mayor

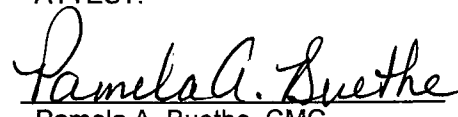

Kim J. Thomas
Councilmember, Ward I

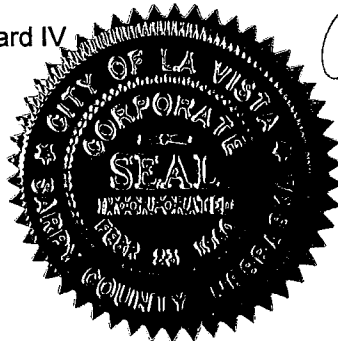

Terrilyn Quick
Councilmember, Ward II


Alan W. Ronan
Councilmember, Ward III


Jim Frederick
Councilmember, Ward IV

ATTEST:


Pamela A. Buethe, CMC
City Clerk



MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING AUGUST 5, 2019

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on August 5, 2019. Present were Councilmembers: Frederick, Ronan, Sheehan, Crawford, 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 Public Works Soucie, Assistant Library Director Norton, Assistant Recreation Director Karlson, Finance Director Miserez, City Engineer Kottmann, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on July 24, 2019. 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 with Matthew Murray, and made the announcements.

Mayor Kindig read a letter written to the Mayor and Council by Matthew Murray.

SERVICE AWARDS: MARCIA GUSTAFSON AND MEGHAN ENGBERG – 5 YEARS

Mayor Kindig presented service awards to Marcia Gustafson and Meghan Engberg for 5 years of service to the City.

CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 16, 2019 CITY COUNCIL
MEETING
3. APPROVAL OF THE MINUTES OF THE JULY 16, 2019 BUDGET WORKSHOP
4. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – 2019
PARK VIEW BLVD RESURFACING – \$22,357.90
5. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES –
CITY CENTRE PARKING FACILITY – \$4,137.94
6. REQUEST FOR PAYMENT – HAWKINS CONSTRUCTION COMPANY –
CONSTRUCTION SERVICES – PARKING GARAGE DISTRICT NO. 2,
STRUCTURE NO. 1 – \$356,851.80
7. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL
SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS AND
OTHER WORKS – \$12,099.67
8. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL
SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION –
PHASE I INVESTIGATION – \$10,668.00
9. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY
CENTRE PHASE I PUBLIC INFRASTRUCTURE – \$41,822.98
10. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY
CENTRE LOT 17 PARKING GARAGE – \$15,703.65
11. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL
SERVICES – PLACEMAKING & LA SERVICES – \$35,622.86
12. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION
SERVICES – PARK VIEW BLVD RESURFACING – \$521,313.75
13. REQUEST FOR PAYMENT – THOMPSON, DREESSEN, & DORNER, INC. –
PROFESSIONAL SERVICES – PHASE 2 GOLF COURSE TRANSFORMATION
– PROPOSED LAKE IMPROVEMENTS – \$4,790.25
14. APPROVE MANAGER APPLICATION – CLASS C LIQUOR LICENSE – HOA
RESTAURANT HOLDER, LLC. DBA HOOTERS – JAMAL JOUDEH
15. APPROVE MANAGER APPLICATION – CLASS D LIQUOR LICENSE –
WALMART INC. DBA WALMART #3173 – GARY FULLER
16. REQUEST FOR PAYMENT – BURTON – PROFESSIONAL SERVICES -
EMERGENCY WATER MAIN REPAIR - \$10,273.47

MINUTE RECORD

August 5, 2019

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

17. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	27.50
ABM SUPPLY, services	5,530.00
ACCO UNLIMITED CORP, supplies	757.50
AMAZON CAPITAL SERVICES, supplies	26.98
AMERICA'S FENCE STORE, services	16,849.87
A-RELIEF, services	748.00
ASPHALT & CONCRETE MATERIALS, maint.	696.38
AT&T MOBILITY LLC, phones	93.80
ATLAS AWNING CO INC, services	350.00
BADGER BODY & TRUCK EQUIP, maint.	96.00
BAUER BUILT INC, maint.	187.98
BELLEVUE LIBRARY FOUNDATION, services	1,500.00
BERRY DUNN, services	7,980.00
BISHOP BUSINESS EQUIPMENT CO, services	1,287.33
BKD LLP, services	940.00
BLACK HILLS ENERGY, utilities	50.37
BOTACH INC, services	439.98
BUILDERS SUPPLY, maint.	297.25
BURNS & MCDONNELL ENGINEERING CO, services	17,455.03
CATHERINE DEMES MAYDEW, services	2,307.50
CENTER POINT, INC, books	364.32
CENTURY LINK, phones	405.49
CENTURY LINK BUSN SVCS, phones	203.28
CINTAS CORP, services	44.19
CITY OF OMAHA, services	42,279.27
COMP CHOICE INC, services	530.61
CONSOLIDATED MANAGEMENT CO, services	7.88
COX COMMUNICATIONS, services	147.03
D & K PRODUCTS, supplies	1,547.50
DELL MARKETING L.P., services	6,135.60
DESIGN WORKSHOP, services	60,378.60
DOG AND PONY PRODUCTIONS INC, services	550.00
DOUGLAS COUNTY SHERIFF'S OFC, services	1,475.00
DULTMEIER SALES LLC, maint.	31.32
EBSCO INFORMATION, services	805.00
ED ROEHR SAFETY PRODUCTS, services	1,188.59
EMBLEMS INC, services	281.00
EXPRESS DISTRIBUTION, supplies	530.39
FAC PRINT & PROMO CO, services	198.00
FASTENAL CO, supplies	38.64
FILTER CARE OF NEBRASKA, maint.	10.35
FINDAWAY WORLD, LLC, services	659.95
FIRST NATIONAL BANK FREMONT, bonds	1,029,631.25
FITZGERALD SCHORR BARMETTLER, services	29,424.10
FOCUS PRINTING, services	3,488.70
GALE, books	793.80
GCR TIRES & SERVICE, maint.	187.00
GENERAL FIRE & SAFETY EQUIP, services	160.00
GODFATHER'S PIZZA, services	741.00
GRAHAM CONSTRUCTION, INC, services	105,673.05
GRETN SMALL ENGINE, maint.	845.24
HANEY SHOE STORE, apparel	150.00
HAWKINS CONSTRUCTION CO, services	274,290.30
HEIMES CORP, services	83.04
HOME DEPOT, bld&grnds	78.99
IA NE SD PRIMA CHAPTER, services	100.00
IGM TECHNOLOGY CORP, services	2,000.00
INDUSTRIAL SALES CO, services	383.36
INGRAM LIBRARY SERVICES, books	297.49

MINUTE RECORD

August 5, 2019

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

JOHNSON, ALLEN L., services	351.00
KEVIN JONES, services	900.00
LV COMM FOUNDATION, payroll	60.00
LIBRARY IDEAS LLC, books	10.50
LOGAN CONTRACTORS SUPPLY, services	252.36
LOU'S SPORTING GOODS, supplies	100.00
LOVELAND GRASS PAD, services	980.55
MAMA'S PIZZA, services	1,670.35
MENARDS-RALSTON, bld&grnds	563.81
MUD, utilities	9,463.90
MIDWEST TAPE, media	67.63
MIDWEST TURF & IRRIGATION, services	103.32
MOBOTREX, INC, services	3,010.00
NAT'L RESEARCH CENTER INC, services	9,975.00
NE DEPT OF LABOR, services	3,312.00
NE DEPT OF REVENUE, taxes	79,090.00
NE LAW ENFORCEMENT, services	2,152.00
NLA-NEBRASKA LIBRARY ASSN, services	480.00
NOBBIES INC, supplies	284.24
NOLL, MARGARET M, services	240.00
NORTH AMERICAN RESCUE LLC, services	358.92
NORTH STAR DESTINATION STRATEGIES, services	26,000.00
OCLC INC, services	310.78
OFFICE DEPOT INC, supplies	1,516.75
OLSSON, INC, services	56,256.75
OMAHA COMPOUND CO, supplies	138.14
OMNI ENGINEERING, maint.	290.39
O'REILLY AUTO ENTERPRISES, maint.	311.28
PAPIO-MISSOURI RIVER NRD, services	129,493.59
PAY-LESS OFFICE PRODUCTS, supplies	563.24
PEPSI COLA CO, supplies	952.08
PER MAR SECURITY, services	111.00
PITNEY BOWES GLOBAL, services	526.71
PLAINS EQUIPMENT GROUP, maint.	671.12
PROJECT LIFESAVER INC, supplies	179.96
QUICK, T., travel	289.00
RALSTON AREA BASEBALL ASSN, services	2,557.50
RAY ALLEN MANUFACTURING CO INC, services	10.00
READY MIXED CONCRETE CO, services	3,894.12
REED TRAILER SALES, services	7,875.00
RICK NELSON PHOTOGRAPHY, services	1,300.00
ROTELLA'S ITALIAN BAKERY, supplies	127.09
RTC MANUFACTURING, INC, services	794.45
SARPY COUNTY COURTHOUSE, services	4,207.68
SARPY COUNTY TREASURER, services	59,455.00
SIGN IT, services	88.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	919.95
SUBURBAN NEWSPAPERS INC, services	384.58
SUN COUNTRY DISTRIBUTING LTD, services	13.19
SWANK MOTION PICTURES INC, services	643.00
TED'S MOWER SALES, maint.	238.15
THOMPSON DREESSEN & DORNER, INC, services	5,221.80
TRACES CENTER FOR HISTORY & CULTURE, books	95.00
TRAFFIC CONTROL CORP, services	36.00
UNITED PARCEL, services	8.42
V & V MANUFACTURING INC, services	328.85
VALENTINO'S, services	628.48
VERIZON CONNECT NWF, INC, phones	731.25
VERIZON WIRELESS, phones	210.71
WAL-MART, supplies	2,352.38

MINUTE RECORD

August 5, 2019

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

WESTLAKE HARDWARE, bld&grnds
ZEE MEDICAL SERVICE, supplies

1,178.33
101.35

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez reported that over 900 people attended Taste of La Vista and that there were over 30 volunteers from the City, the La Vista Community Foundation, and Werner.

Assistant Recreation Director Karlson reported on the Concert & Movie night at City Hall on August 9th.

Chief Lausten reported that four officers participated in the Police Athletics for Community Engagement (PACE) League softball.

Director of Public Works Soucie reported that the contractor is working on the park shelter at Eberle-Walden Park and that Swain Construction is working on manholes along Park View Blvd. He also reported that OPPD will be removing the old transmission lines.

Assistant Director of Public Works Calentine reported on the clean-up event that will be held October 17-20.

INTERFACE PROJECT PRESENTATION – RDG PLANNING & DESIGN

Bruce Niedermeyer with RDG Planning & Design gave a presentation on the interface project and small areas around the 84th Street corridor.

B. ZONING TEXT AMENDMENTS – SECTIONS 7.01-7.04 SIGNS

1. PUBLIC HEARING

At 6:50 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed zoning text amendments.

At 6:51 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1358 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, REGARDING REGULATION OF SIGNS; TO AMEND SECTIONS 7.01, 7.02, 7.03, AND 7.04 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 7.01, 7.02, 7.03, AND 7.04 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Hale 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. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question, "Shall Ordinance No. 1358 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent:

MINUTE RECORD

August 5, 2019

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

Thomas and Quick. 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.

C. LA VISTA PROPERTY ASSESSED CLEAN ENERGY DISTRICT

1. PUBLIC HEARING

At 6:53 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Property Assessed Clean Energy District.

At 6:54 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1359 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO CREATE A CLEAN ENERGY ASSESSMENT DISTRICT; TO ESTABLISH DEFINITIONS; TO PROVIDE FOR THE FINANCING, ADMINISTRATION, AND COLLECTIONS, TO PROMOTE ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY SYSTEMS; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1359 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

D. FISCAL YEARS 18/19 AND 19/20 BIENNIAL MUNICIPAL BUDGET

1. PUBLIC HEARING

At 6:54 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed amendment to the FY19/20 Biennial Budget.

At 6:55 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1360 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1323 AND THE BIENNIAL BUDGET APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2018 AND ENDING ON SEPTEMBER 30, 2019; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020, AND SPECIFICALLY TO

MINUTE RECORD

August 5, 2019

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

AMEND AMOUNTS APPROPRIATED FOR THE SECOND YEAR OF SUCH BIENNIAL BUDGET FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE FILING AND CERTIFICATION OF THE BUDGET AND TAX LEVY HEREIN SENT TO THE STATE AUDITOR AND COUNTY CLERK OF SARPY COUNTY; TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES OR RESOLUTIONS AS ORIGINALLY ENACTED; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sheehan made a motion to approve Ordinance No. 1360 on its first reading and pass it on to a second reading. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

E. RESOLUTION – AMENDMENT TO THE SARPY COUNTY SWAT AND CRISIS NEGOTIATION TEAM INTERLOCAL COOPERATION AGREEMENT

Councilmember Sell introduced and moved for the adoption of Resolution No.19-104 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT ADDING THE CITY OF BELLEVUE TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LA VISTA, THE CITY OF PAPILLION, AND SARPY COUNTY, NEBRASKA, FOR PARTICIPATION ON THE SARPY COUNTY SPECIAL WEAPONS AND TACTICS TEAM AND CRISIS NEGOTIATION UNIT.

WHEREAS, it has long been recognized that mutual aid between law enforcement agencies sharing similar demands is highly desirable; and

WHEREAS, the responses to critical incidents require the specialized attention of a team trained to be effective in highly volatile situations; and

WHEREAS, the police departments also recognize that delivery of these services can be done most cost-effectively and with enhanced flexibility when forces are combined and said agreement is in the best interest of the citizens of La Vista; and

WHEREAS, Sarpy County and the cities of Papillion and La Vista ("Current Participants") entered an Interlocal Agreement for participation on the Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit dated on or about April 2, 2019, attached hereto as Exhibit "A" ("Interlocal Cooperation Agreement"); and

WHEREAS, the City of Bellevue ("Bellevue") executed a First Amendment to Interlocal Agreement on July 16, 2019, attached as Exhibit B, for Bellevue to become a party to the Interlocal Cooperation Agreement effective August 1, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute the First Amendment to Interlocal Agreement presented with this resolution to amend and add Bellevue as a party to the Interlocal Cooperation Agreement between the City of Papillion, the City of La Vista and Sarpy County, Nebraska, for participation on the Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit.

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

MINUTE RECORD

August 5, 2019

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

F. RESOLUTION – CHANGE ORDER NO. 13 – 84TH STREET REDEVELOPMENT AREA – OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 1

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-105 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 13 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO INCLUDE ADDITIONS TO THE FIRE SUPPRESSION SYSTEM WHICH WILL RESULT IN AN INCREASE IN THE CONTRACT PRICE OF \$12,471.00.

WHEREAS, the City has determined it is necessary to make changes and additions to the contract; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, change order number 13 will increase the contract amount by \$12,471.00 to a total of \$4,146,122.91;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 13 to the contract with Hawkins Construction Co., Omaha, Nebraska, to include additions to the fire suppression system which will result in an increase in the contract price of \$12,471.00.

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

G. RESOLUTION – CHANGE ORDER NO. 3 – CIVIC CENTER PARK – PHASE II

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-106 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 3 TO THE CONTRACT WITH BLADE MASTERS GROUND MAINTENANCE, INC., BENNINGTON, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK AND A NEW SUBSTANTIAL COMPLETION DATE FOR THE CIVIC CENTER PARK PHASE II CONTRACT IN AN AMOUNT NOT TO EXCEED \$81,881.79.

WHEREAS, the City has determined it is necessary for additions of work and a new substantial completion date for the contract; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, the contract amount will increase by \$81,881.79 for a contract total of \$1,841,659.13 with change order number 3;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 3 to the contract with Blade Masters Grounds Maintenance, Inc., Bennington, Nebraska, to provide for additions of work and a new substantial completion date for the Civic Center Park Phase II contract in an amount not to exceed \$81,881.79.

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

H. RESOLUTION – CONTRACT AWARD – 72ND STREET PAVEMENT LEVELING OVER THOMPSON CREEK

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-107 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO URETEK – GREAT PLAINS REGION, TOMBALL, TEXAS, FOR PAVEMENT LEVELING ON 72ND STREET OVER THOMPSON CREEK IN AN AMOUNT NOT TO EXCEED \$15,500.00.

MINUTE RECORD

August 5, 2019

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

WHEREAS, the City Council of the City of La Vista has determined that the leveling of pavement on 72nd Street over Thompson Creek is necessary; and

WHEREAS, the FY19/FY20 Biennial Budget provides funding for this project; and

WHEREAS, proposals were solicited; 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 award the contract to URETEK – Great Plains Region, Tomball, Texas for pavement leveling on 72nd Street over Thompson Creek in an amount not to exceed \$15,500.00.

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

I. RESOLUTION – AGREEMENT – PUBLIC PARKING SERVICES

Councilmember Crawford introduced and moved for the adoption of Resolution No. 19-108 with any changes from the City Attorney entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ABM INDUSTRY GROUPS, LLC, RALSTON, NEBRASKA, FOR PUBLIC PARKING SERVICES IN AN AMOUNT NOT TO EXCEED \$157,312.00.

WHEREAS, the City Council of the City of La Vista has determined that public parking services are necessary for Parking Structure 1 adjacent to Civic Center Park and the City Centre development; and

WHEREAS, the Off-Street Parking Fund includes funding for these services; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of a professional services agreement with ABM Industry Groups, LLC, Ralston, Nebraska, for public parking services in an amount not to exceed \$157,312.00.

Seconded by Councilmember Sheehan. Scott Houck with ABM Industry Groups, LLC was present to answer questions. Council discussion was held. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

Councilmember Crawford motioned to move Comments from the Floor up on the agenda ahead of Item J. Executive Session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

J. EXECUTIVE SESSION: PERSONNEL AND LAND ACQUISITION

At 7:20 p.m. Councilmember Crawford made a motion to go into executive session for protection of the reputation of an individual to discuss personnel matters and for protection of the public interest for negotiating guidance regarding land acquisition. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:57 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

MINUTE RECORD

August 5, 2019

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

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell commented on a replaced street light to LED and the good comments on it. Mayor Kindig reminded Council to attend National Night Out.

At 7:59 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

COPY

PLANNING COMMISSION MINUTES
JULY 18, 2019 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, July 18th, 2019 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Tom Miller called the meeting to order at 6:30 p.m. with the following members present: Gayle Malmquist, Jason Dale, Mike Krzywicki, John Gahan, Tom Miller, Mike Circo, and Harold Sargus. Members absent were: Kevin Wetuski and Kathleen Alexander. Also in attendance were Chris Solberg, Senior Planner; Meghan Engberg, Permit Technician; Cale Brodersen, Assistant Planner; Jeff Calentine, Deputy Director; Pat Dowse, City Engineer; and John Kottmann, City Engineer.

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 Miller at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – June 20, 2019

Malmquist moved, seconded by *Gahan*, to approve the June 20th minutes. **Ayes: Dale, Sargus, Miller, Gahan and Malmquist. Nays: None. Abstain: Krzywicki and Circo. Absent: Wetuski and Alexander. Motion Carried, (5-0-2)**

3. Old Business

A. La Vista City Centre Theater Preliminary Plat

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, La Vista City Centre LLC, is requesting a Preliminary Plat for Lots 11-13 and Outlot A La Vista City Centre, and portions of Tax Lot 12 14-14-12. Staff recommends approval of the La Vista City Centre Theater Preliminary Plat, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final replat, redevelopment agreement amendment, and applicable property conveyances.
- ii. **Applicant Presentation:** Chris Erickson came up and spoke on behalf of applicant. Erickson said that this is the first of many steps to take in order to hopefully receive approval of the music venue. He mentioned that this is the

first time that they have done a presentation in front of the commission and welcomed any questions that they may have. He said that the music venue is about a 50,000-54,000 square foot building indoor facility which would have about 2,400 seats inside. There is also an outdoor amphitheater component to it that is tucked right on the back. It's a private facility as well and would support about 4,500 seats. He mentioned that the indoor and outdoor facilities would be configured for standing and sitting. Erickson said that this will be privately owned by people from his group, a local group, and a group from Kansas City that have a strong foothold in the music world and especially in the midsize music event world. Erickson then showed the commission renderings of the venue. He mentioned the changes from the original concept and that they are needing a different shaped lot, which is why the approval of the Preliminary Plat is needed. He then offered to answer questions.

Sargus asked if the venue would have 2,400 inside and 4,500 outside at the same time.

Erickson said that there would not be indoor and outdoor events going on at the same time.

Krzywicki asked if Erickson could give a delineation on the plan about how much additional space into the park that the redesign is.

Erickson said that the original lot was about .6 acres and the new lot is about 2 acres.

Krzywicki asked Solberg if that causes any issue with events that the city would have wanted to use the outside amphitheater for.

Solberg said that it does not and that they have always looked at different ways to present most of their events. He said that the amphitheater was a proposal by the consultant for the park, so it wasn't something set in stone.

Erickson said that their goal would be to collaborate with the city on the use of the space so it would become home of some of the city events.

Krzywicki brought up the slope on the side closest to the lake and asked if it was now steeper than it used to be.

Erickson said that the original concept for the amphitheater was that the seats would be built into the hill which does not work with the new configuration, so he would that it did get a little bit flatter as it moved out.

Krzywicki asked if there will be fencing to prevent people from falling.

Erickson said that they will make sure that have something there to help transition to the edge of the park.

Miller said that in most of these amphitheaters the seats are up and music projects up and this one is not set up that way. He asked if we would get complaints about the noise.

Erickson said that it's not exactly that way. He said that from the bottom of the stage it tapers up and the sound will be focused down into the people and the grassy areas. He said that they are aware that noise does travel and are conscience of that and will do what they can to help control that.

Gahan said that their partner in Kansas City sounds like they are very experienced and would know how to deal with that problem.

Erickson said that they deal with it everyday and they run one of the largest outdoor amphitheaters in Kansas City.

Dale asked if parking was going to be an issue with the increased size and increased number of people.

Erickson said that between the 2 garages, there will be plenty of parking.

Krzywicki asked if this will require a conditional use permit down the road.

Solberg said that it would.

- iii. **Recommendation:** Sargus moved, seconded by Malmquist to recommend approval of the La Vista Centre Theater Preliminary Plat subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final replat, redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances. **Ayes: Dale, Sargus, Miller, Malmquist, Gahan, Krzywicki, and Circo. Nays: None. Abstain: None. Absent: Wetuski and Alexander. Motion Carried, (7-0).**

4. New Business

A. La Vista City Centre – Replat 3

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, La Vista City Centre LLC, is requesting a replat for Lots 5-12 La Vista City Centre and Lot 1 La Vista City Centre Replat 1 into multiple lots for development. Staff's recommendation is for approval of La Vista City Centre Replat as the Replat request is consistent with the Comprehensive Plan and the Subdivision Regulations.
- ii. **Applicant Presentation:** Chris Erickson came up and spoke on behalf of the applicant. He said that this has largely to do with what they just spoke about, but that there are other elements to it as well. He mentioned that they had Chili's in place in the original plat and they were working with them to get the ability to build that new primary access road that extended beyond until earlier this year. They were

finally able to get that done with them and get a place for them to relocate to. They were able to get more clarification of some of the right-of-way's and provide more public space now that they have been able to find somewhere for Chili's to go.

Circo asked where Chili's is going to relocate.

Erickson showed them a slide and pointed out where it will be. He said that they will be in a similar level of prominence that they are now.

- iii. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approval of La Vista City Centre Replat 3 as the replat request is consistent with the Comprehensive Plan and the Subdivision Regulations. **Ayes: Dale, Sargus, Miller, Malmquist, Gahan, Krzywicki, and Circo. Nays: None. Abstain: None. Absent: Wetuski and Alexander. Motion Carried, (7-0).**

B. Comprehensive Plan Amendment – Future Land Use Map

- i. **Staff Report – Chris Solberg:** Solberg stated that at this time the application for the Comprehensive Plan Amendment – Future Land Use Map is not ready for review by the Planning Commission. Staff recommend opening and continuing the public hearing for Agenda Item 4B (Comprehensive Plan Amendment – Future Land Use Map) until the August 15th Planning Commission meeting.
- ii. **Public Hearing: Miller opened the public hearing.**
- iii. **Recommendation:** Kryzwicki moved, seconded by Circo to continue the public hearing to the next meeting. **Ayes: Dale, Sargus, Miller, Malmquist, Gahan, Krzywicki, and Circo. Nays: None. Abstain: None. Absent: Wetuski and Alexander. Motion Carried, (7-0).**

C. Capital Improvements Plan

- i. **Staff Report – Jeff Calentine:** Calentine came up and presented some changes for the 2020 budget cycle. He told the commission that he will go over a few carryover items, some new projects coming up and will be highlighting things that the commission may have questions about. He then stated that he will answer any questions they may have after he's done.

Circo asked if it was known what specifically was being done with the pool after it gets demolished.

Calentine said they see that area as being very synergistic to the City Centre development and Civic Centre Park and that the 84th St. underpass will tie into that space. He said that they don't what exactly will happen to that space, but that there may possibly be parking. He said that he does not feel that the new pool will end up there just because of how important that area will be for the new development.

Solberg said that he felt that a good chunk of the \$500,000 listed in the 2020 projects are the design fees for the new pool.

Miller asked if there is a guarantee on how many years a road resurfacing will last.

Dowse said yes and no. He said that a lot of it depends on traffic volume and discussed the impacts of traffic volume on the life expectancy of a road overlay.

Sargus asked if there were any updates on the MultiSport Complex.

Calentine said that he was not sure what is going on with that project. He said that he believes they are still committed to do public infrastructure on our end if they can get their end taken care of.

Kottmann said that the developer is still trying to move forward with making the soccer fields happen, but that it's not moving forward at this time.

ii. Public Hearing: Miller opened the public hearing.

Miller closed the public hearing as no members of the public came forward.

iii. Recommendation: Malmquist moved, seconded by Sargus to recommend to move forward the Capital Improvement Plan program as presented with the FY21 projects in the capital fund as presented and to recommend approval. *Ayes: Dale, Sargus, Miller, Malmquist, Gahan, Krzywicki, and Circo. Nays: None. Abstain: None. Absent: Wetuski and Alexander. Motion Carried, (7-0).*

5. Comments from the Floor:

No members of the public came forward.

6. Comments from the Planning Commission:

Malmquist asked how the process was going for the finding of a new Community Development Director.

Solberg said that they have started the interview stage and will continue down the decision making process after that.

7. Comments from Staff:

Solberg mentioned that Taste of La Vista is next weekend. He said that they are still looking for volunteers and for them to contact Mitch Beaumont or Rose Barcal if interested.

8. Adjournment

Miller adjourned the meeting at 7:15 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date

A-4

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Total All Funds				
	<u>Budget</u>	<u>MTD</u>	<u>YTD</u>	<u>Over(under)</u>	<u>% of Budget</u>
	<u>(12 month)</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Used</u>
<u>OPERATING REVENUES</u>					
General Fund	\$ 18,435,291	\$ 894,997	\$ 12,414,987	\$ (6,020,304)	67%
Sewer Fund	4,528,909	341,143	3,040,601	(1,488,308)	67%
Debt Service Fund	4,232,911	259,105	3,251,245	(981,666)	77%
Capital Improvement Program Fund	811,366	-	-	(811,366)	0%
Lottery Fund	1,206,691	100,009	882,342	(324,349)	73%
Economic Development Fund	718	-	85	(633)	12%
Off Street Parking Fund	464	1,616	10,448	9,984	
Redevelopment Fund	3,164,298	206,002	1,784,225	(1,380,073)	56%
Police Academy	80,055	-	100,952	20,897	126%
TIF 1A	-	-	9,034	9,034	0%
TIF 1B	-	-	-	-	0%
Sewer Reserve Fund	3,003	941	5,954	2,951	198%
Qualified Sinking Fund	250	78	495	245	198%
Total Operating Revenues	32,463,956	1,803,891	21,500,367	(10,963,589)	66%

OPERATING EXPENDITURES

General Fund	18,155,822	1,278,153	12,274,142	(5,881,680)	68%
Sewer Fund	3,978,263	271,676	1,773,700	(2,204,563)	45%
Debt Service Fund	4,130,462	128,921	2,369,492	(1,760,970)	57%
Capital Improvement Program Fund	-	-	-	-	0%
Lottery Fund	760,175	78,652	424,351	(335,824)	56%
Economic Development Fund	134,559	-	-	(134,559)	0%
Off Street Parking Fund	1,137,642	31,401	641,171	(496,471)	56%
Redevelopment Fund	2,508,057	3,959	426,070	(2,081,987)	17%
Police Academy	95,104	9,659	72,461	(22,643)	76%
TIF 1A	-	-	12,454	12,454	0%
TIF 1B	-	-	19,136	19,136	0%
Sewer Reserve Fund	-	-	-	-	0%
Qualified Sinking Fund	-	-	-	-	0%
Total Operating Expenditures	30,900,084	1,802,420	18,012,978	(12,887,106)	58%

OPERATING REVENUES NET OF EXPENDITURES

General Fund	279,469	(383,156)	140,845	(138,624)
Sewer Fund	550,646	69,466	1,266,901	716,255
Debt Service Fund	102,449	130,184	881,754	779,305
Capital Improvement Program Fund	811,366	-	-	(811,366)
Lottery Fund	446,516	21,357	457,991	11,475
Economic Development Fund	(133,841)	-	85	133,926
Off Street Parking Fund	(1,137,178)	(29,784)	(630,724)	506,454
Redevelopment Fund	656,241	202,043	1,358,155	701,914
Police Academy	(15,049)	(9,659)	28,490	43,539
TIF 1A	-	-	(3,421)	(3,421)
TIF 1B	-	-	(19,136)	(19,136)
Sewer Reserve Fund	3,003	941	5,954	2,951
Qualified Sinking Fund	250	78	495	245
Operating Revenues Net of Expenditures	1,563,872	1,471	3,487,389	1,923,517
	-	0	-	(0)

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Total All Funds				
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>OTHER FINANCING SOURCES & USES</u>					
<u>TRANSFERS IN</u>					
General Fund	96,902	-	122,652	25,750	127%
Sewer Fund	3,000	-	-	(3,000)	0%
Debt Service Fund	724,604	-	-	(724,604)	0%
Capital Improvement Program Fund	2,570,012	838,634	1,831,664	(738,348)	71%
Lottery Fund	-	-	2,460	2,460	
Economic Development Fund	200,000	-	-	(200,000)	0%
Off Street Parking Fund	1,138,651	-	607,239	(531,412)	53%
Redevelopment Fund	-	-	-	-	
Police Academy	20,000	-	20,000	-	100%
TIF 1A	-	-	-	-	
TIF 1B	-	-	-	-	
Sewer Reserve Fund	1,201,125	-	1,201,125	-	100%
Qualified Sinking Fund	100,000	-	100,000	-	100%
Total Transfers In	6,054,294	838,634	3,885,139	(2,169,155)	64%
<u>TRANSFERS OUT</u>					
General Fund	(772,604)	-	(80,250)	692,354	10%
Sewer Fund	(1,201,125)	-	(1,201,125)	-	100%
Debt Service Fund	(3,179,106)	(833,303)	(1,873,698)	1,305,408	59%
Capital Improvement Program Fund	(90,000)	-	-	90,000	0%
Lottery Fund	(395,902)	(5,331)	(177,983)	217,919	45%
Economic Development Fund	-	-	-	-	
Off Street Parking Fund	-	-	-	-	
Redevelopment Fund	(415,557)	-	(552,083)	(136,526)	133%
Police Academy	-	-	-	-	
TIF 1A	-	-	-	-	
TIF 1B	-	-	-	-	
Sewer Reserve Fund	-	-	-	-	
Qualified Sinking Fund	-	-	-	-	
Total Transfers Out	(6,054,294)	(838,634)	(3,885,139)	2,169,155	64%
<u>NET TRANSFERS</u>					
General Fund	(675,702)	-	42,402	718,104	
Sewer Fund	(1,198,125)	-	(1,201,125)	(3,000)	100%
Debt Service Fund	(2,454,502)	(833,303)	(1,873,698)	580,804	76%
Capital Improvement Program Fund	2,480,012	838,634	1,831,664	(648,348)	74%
Lottery Fund	(395,902)	(5,331)	(175,523)	220,379	44%
Economic Development Fund	200,000	-	-	(200,000)	0%
Off Street Parking Fund	1,138,651	-	607,239	(531,412)	53%
Redevelopment Fund	(415,557)	-	(552,083)	(136,526)	133%
Police Academy	20,000	-	20,000	-	100%
TIF 1A	-	-	-	-	
TIF 1B	-	-	-	-	
Sewer Reserve Fund	1,201,125	-	1,201,125	-	100%
Qualified Sinking Fund	100,000	-	100,000	-	100%
Total Net Transfers	-	-	-	(0)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Total All Funds				
	<u>Budget</u>	<u>MTD</u>	<u>YTD</u>	<u>Over(under)</u>	<u>% of Budget</u>
	<u>(12 month)</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Used</u>
<u>OTHER REVENUE: BOND PROCEEDS</u>					
Sewer Fund	-	-	-	-	
Capital Improvement Program Fund	10,270,000	-	-	(10,270,000)	0%
Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
Off Street Parking Fund	2,503,611	-	-	(2,503,611)	0%
Redevelopment Fund	17,130,000	-	-	(17,130,000)	0%
Total Bond Proceeds	32,903,611	-	-	(32,903,611)	0%

OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM

Sewer Fund	125,000	10,668	10,668	(114,332)	9%
Capital Improvement Program Fund	8,982,012	228,918	1,574,040	(7,407,972)	18%
Off Street Parking Fund	6,852,315	284,034	1,973,325	(4,878,990)	29%
Redevelopment Fund	10,780,187	193,599	3,281,351	(7,498,836)	30%
Total Capital Improvement Program	26,739,514	717,219	6,839,384	(19,900,130)	26%

OTHER EXPENDITURES: EDP GRANT

Economic Development Fund	<u>3,000,000</u>	<u>-</u>	<u>-</u>	<u>(3,000,000)</u>	<u>0%</u>
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NET FUND ACTIVITY

General Fund	(396,233)	(383,156)	183,246	579,479	
Sewer Fund	(772,479)	58,798	55,108	827,587	
Debt Service Fund	(2,352,053)	(703,119)	(991,945)	1,360,108	
Capital Improvement Program Fund	4,579,366	609,716	257,624	(4,321,742)	
Lottery Fund	50,614	16,026	282,468	231,854	
Economic Development Fund	66,159	-	85	(66,074)	
Off Street Parking Fund	(4,347,231)	(313,818)	(1,996,810)	2,350,421	
Redevelopment Fund	6,590,497	8,444	(2,475,280)	(9,065,777)	
Police Academy	4,951	(9,659)	48,490	43,539	
TIF 1A	-	-	(3,421)	(3,421)	
TIF 1B	-	-	(19,136)	(19,136)	
Sewer Reserve Fund	1,204,128	941	1,207,079	2,951	
Qualified Sinking Fund	100,250	78	100,495	245	
Net Activity	\$ 4,727,969	(715,748)	(3,351,995)	(8,079,964)	
	-	-	0	-	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Total All Funds				
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>FUND BALANCE</u>	<u>As of FYE 9/30/18</u>		<u>As of 6/30/2019</u>	<u>Variance</u>	<u>Notes</u>
General Fund	6,050,646		6,020,442	(30,204)	
Sewer Fund	825,173		1,819,909	994,736	
Debt Service Fund	2,577,299		4,611,222	2,033,923	
Capital Improvement Program Fund	4,568,738		(293,870)	(4,862,608)	Bond Proceeds
Lottery Fund	3,387,235		3,465,074	77,839	
Economic Development Fund	178,182		7,018	(171,164)	
Off Street Parking Fund	619,369		2,947,429	2,328,060	Bond Proceeds
Redevelopment Fund	16,539,092		7,861,848	(8,677,244)	Bond Proceeds
Police Academy	13,554		67,533	53,979	
TIF 1A	0		(3,421)	(3,421)	
TIF 1B	0		(19,136)	(19,136)	
Sewer Reserve Fund	1,204,128		1,207,079	2,951	
Qualified Sinking Fund	100,250		100,495	245	
Net Fund Balance	36,063,666	-	27,791,622	(8,272,045)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

General Fund					
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Property Taxes	\$ 8,102,903	\$ 130,466	\$ 4,963,889	\$ (3,139,014)	61%
Sales and use taxes	5,196,961	402,638	3,470,882	(1,726,079)	67%
Payments in Lieu of taxes	281,875	-	305,721	23,846	108%
State revenue	1,868,498	144,863	1,361,332	(507,166)	73%
Occupation and franchise taxes	882,000	9,830	747,047	(134,953)	85%
Hotel Occupation Tax	1,007,475	98,304	690,170	(317,305)	69%
Licenses and permits	460,250	47,964	306,563	(153,687)	67%
Interest income	30,992	4,540	54,834	23,842	177%
Recreation fees	170,710	22,043	116,785	(53,925)	68%
Special Services	19,500	2,698	18,146	(1,354)	93%
Grant Income	163,185	8,680	98,457	(64,728)	60%
Other	250,942	22,972	281,162	30,220	112%
Total Revenues	18,435,291	894,997	12,414,987	(6,020,304)	67%
<u>EXPENDITURES</u>					
Administrative Services	529,503	34,562	382,011	(147,492)	72%
Mayor and Council	242,643	12,164	146,363	(96,280)	60%
Boards & Commissions	10,338	36	2,850	(7,488)	28%
Public Buildings & Grounds	670,385	56,405	387,106	(283,279)	58%
Administration	768,999	47,305	550,611	(218,388)	72%
Police and Animal Control	5,103,734	372,716	3,696,635	(1,407,099)	72%
Fire	1,975,871	161,544	1,459,923	(515,948)	74%
Community Development	691,268	30,963	444,054	(247,214)	64%
Public Works	3,826,276	274,528	2,439,552	(1,386,724)	64%
Recreation	866,314	73,282	510,078	(356,236)	59%
Library	880,477	56,475	567,498	(312,979)	64%
Information Technology	268,300	17,776	213,292	(55,008)	79%
Human Resources	1,010,268	59,401	595,450	(414,818)	59%
Public Transportation	106,272	6,643	64,565	(41,707)	61%
Finance	463,027	24,835	321,128	(141,899)	69%
Capital outlay	742,147	49,519	493,027	(249,120)	66%
Total Expenditures	18,155,822	1,278,153	12,274,142	(5,881,680)	68%
<u>REVENUES NET OF EXPENDITURES</u>	279,469	(383,156)	140,845	(138,624)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (Lottery)	96,902	-	122,652	25,750	127%
Operating transfers out (DSF, OSP, CIP)	(772,604)	-	(80,250)	692,354	10%
Total other Financing Sources (Uses)	(675,702)	-	42,402	718,104	
<u>NET FUND ACTIVITY</u>	\$ (396,233)	\$ (383,156)	\$ 183,246	\$ 579,479	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Sewer Fund				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>(Under) Budget</u>	<u>% of Budget Used</u>
<u>REVENUES</u>					
User fees	\$ 4,352,612	\$ 328,700	2,890,357	\$ (1,462,255)	66%
Service charge and hook-up fees	170,173	10,415	139,965	(30,208)	82%
Miscellaneous	115	13	136	21	118%
Total Revenues	4,522,900	339,128	3,030,458	(1,492,442)	67%
<u>EXPENDITURES</u>					
Personnel Services	618,649	44,019	408,813	(209,836)	66%
Commodities	39,046	620	9,515	(29,531)	24%
Contract Services	2,856,232	217,419	1,294,545	(1,561,687)	45%
Maintenance	38,201	1,543	17,949	(20,252)	47%
Other	227	-	2,048	1,821	
Storm Water Grant	54,000	5,000	13,150	(40,850)	24%
Capital Outlay	371,908	3,076	27,681	(344,227)	7%
Total Expenditures	3,978,263	271,676	1,773,700	(2,204,563)	45%
<u>OPERATING INCOME (LOSS)</u>	544,637	67,452	1,256,758	712,121	Note 1
<u>NON-OPERATING REVENUE (EXPENSE)</u>					
Interest income	6,009	2,014	10,143	4,134	169%
	6,009	2,014	10,143	4,134	169%
<u>INCOME (LOSS) BEFORE</u>					
<u>OPERATING TRANSFERS</u>	550,646	69,466	1,266,901	716,255	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (Lottery Events)	3,000	-	-	(3,000)	0%
Operating transfers out (CIP)	(1,201,125)	-	(1,201,125)	-	100%
Bond/registered warrant proceeds				-	0%
Capital Improvement	(125,000)	(10,668)	(10,668)	114,332	9%
Total other Financing Sources (Uses)	(1,323,125)	(10,668)	(1,211,793)	111,332	92%
<u>NET INCOME (LOSS)</u>	\$ (772,479)	\$ 58,798	\$ 55,108	\$ 827,587	

Note 1: Restatement of Operating Income Variance

Operating Income Variance	712,121
City of Omaha billing in arrears 3 months	(600,000)
Adjusted Operating Income Variance	<u>112,121</u>

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Debt Service Fund				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>
<u>REVENUES</u>					
Property Taxes	\$ 940,376	\$ 10,987	610,634	\$ (329,742)	65%
Sales and use taxes	2,598,480	201,319	1,735,441	(863,039)	67%
Payments in Lieu of taxes	91,225	-	37,435	(53,790)	41%
Interest income	18,586	4,362	35,994	17,408	194%
Other (Special Assessments; Fire Reimbursmt)	584,244	42,437	831,741	247,497	142%
Total Revenues	4,232,911	259,105	3,251,245	(981,666)	77%
<u>EXPENDITURES</u>					
Administration	162,869	72	18,887	(143,982)	12%
Fire Contract Bond	122,513	10,209	91,881	(30,632)	75%
Debt service					
Principal	3,180,000	-	1,900,000	(1,280,000)	60%
Interest	665,080	118,640	358,724	(306,356)	54%
Total Expenditures	4,130,462	128,921	2,369,492	(1,760,970)	57%
<u>REVENUES NET OF EXPENDITURES</u>	102,449	130,184	881,754	779,305	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF Hwy Alloc)	724,604	-	-	(724,604)	0%
Operating transfers out (CIP, OSP)	(3,179,106)	(833,303)	(1,873,698)	1,305,408	59%
Total other Financing Sources (Uses)	(2,454,502)	(833,303)	(1,873,698)	580,804	
<u>NET FUND ACTIVITY</u>	\$ (2,352,053)	\$ (703,119)	\$ (991,945)	\$ 1,360,108	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Capital Fund				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>
<u>REVENUES</u>					
Interest income	\$ 11,366	\$ -	\$ -	\$ (11,366)	0%
Grant Income	-	-	-	-	0%
Special Assessment	800,000	-	-	(800,000)	0%
Interagency	-	-	-	-	0%
Total Revenues	811,366	-	-	(811,366)	0%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	0%
<u>REVENUES NET OF EXPENDITURES</u>	811,366	-	-	(811,366)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF)	2,570,012	838,634	1,831,664	(738,348)	71%
Operating transfers out (DSF)	(90,000)	-	-	90,000	0%
Bond/registered warrant proceeds	10,270,000	-	-	(10,270,000)	0%
Capital outlay	(8,982,012)	(228,918)	(1,574,040)	7,407,972	18%
Total other Financing Sources (Uses)	3,768,000	609,716	257,624	(3,510,376)	7%
<u>NET FUND ACTIVITY</u>	\$ 4,579,366	\$ 609,716	\$ 257,624	\$ (4,321,742)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	<u>Lottery Fund</u>				
	<u>Budget</u>	<u>MTD</u>	<u>YTD</u>	<u>Over(under)</u>	<u>% of Budget</u>
	<u>(12 month)</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Used</u>
<u>REVENUES</u>					
Lottery Rev/Community Betterment	\$ 850,000	\$ 67,171	602,535	\$ (247,465)	71%
Lottery Tax Form 51	340,000	26,795	240,535	(99,465)	71%
Event Revenue	-	-	-	-	0%
Interest income	16,691	6,043	39,271	22,580	235%
Miscellaneous / Other	-	-	-	-	0%
Total Revenues	1,206,691	100,009	882,342	(324,349)	73%
<u>EXPENDITURES</u>					
Professional Services	285,813	31,674	101,736	(184,077)	36%
Salute to Summer	32,634	7,992	25,230	(7,404)	77%
Community Events	11,832	144	15,081	3,249	127%
Events - Marketing	31,668	7,347	21,924	(9,744)	69%
Recreation Events	4,507	-	523	(3,984)	12%
Concert & Movie Nights	13,721	4,700	9,323	(4,398)	68%
City Anniversary Celebration	30,000	-	10,000	(20,000)	33%
Travel & Training	-	-	-	-	0%
State Taxes	350,000	26,795	240,535	(109,465)	69%
Other	-	-	-	-	0%
Capital outlay	-	-	-	-	0%
Total Expenditures	760,175	78,652	424,351	(335,824)	56%
<u>REVENUES NET OF EXPENDITURES</u>	446,516	21,357	457,991	11,475	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-	-	2,460	2,460	
Operating transfers out (GF, SF, DSF)	(395,902)	(5,331)	(177,983)	217,919	45%
Total other Financing Sources (Uses)	(395,902)	(5,331)	(175,523)	220,379	44%
<u>NET FUND ACTIVITY</u>	\$ 50,614	\$ 16,026	\$ 282,468	\$ 231,854	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	Economic Development				
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Other Income	\$	-	-	-	
Interest income	718	-	85	(633)	
Total Revenues	718	-	85	(633)	
<u>EXPENDITURES</u>					
Professional Services	75,000	-	-	(75,000)	0%
Debt service: (Warrants)					0%
Principal	-	-	-	-	0%
Interest	59,559	-	-	(59,559)	0%
Total Expenditures	134,559	-	-	(134,559)	0%
<u>REVENUES NET OF EXPENDITURES</u>	(133,841)	-	85	133,926	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF)	200,000	-	-	(200,000)	0%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	3,000,000			(3,000,000)	0%
Community Development - Grant	(3,000,000)	-	-	3,000,000	0%
Total other Financing Sources (Uses)	200,000	-	-	(200,000)	0%
<u>NET FUND ACTIVITY</u>	\$ 66,159	\$ -	\$ 85	\$ (66,074)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

Off Street Parking					
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Interest income	\$ 464	1,616	10,448	9,984	
Total Revenues	<u>464</u>	<u>1,616</u>	<u>10,448</u>	<u>9,984</u>	
<u>EXPENDITURES</u>					
General & Administrative	20,518	1,013	8,176	(12,343)	40%
Professional Services	163,150	30	981	(162,169)	1%
Maintenance	34,073	-	4,668	(29,405)	14%
Debt service: (Warrants)					
Principal	670,000	-	485,000	(185,000)	72%
Interest	249,901	30,358	142,346	(107,555)	57%
Total Expenditures	<u>1,137,642</u>	<u>31,401</u>	<u>641,171</u>	<u>(496,471)</u>	<u>56%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>(1,137,178)</u>	<u>(29,784)</u>	<u>(630,724)</u>	<u>506,454</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF, RDF)	1,138,651	-	607,239	(531,412)	53%
Operating transfers out		-	-		0%
Bond/registered warrant proceeds	2,503,611	-	-	(2,503,611)	0%
Capital Improvement	(6,852,315)	(284,034)	(1,973,325)	4,878,990	29%
Total other Financing Sources (Uses)	<u>(3,210,053)</u>	<u>(284,034)</u>	<u>(1,366,086)</u>	<u>1,843,967</u>	<u>43%</u>
<u>NET FUND ACTIVITY</u>	\$ <u>(4,347,231)</u>	\$ <u>(313,818)</u>	\$ <u>(1,996,810)</u>	\$ <u>2,350,421</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

Redevelopment Fund					
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Sales and use taxes	\$ 2,598,480	201,319	1,735,441	(863,039)	67%
Franchise Fee & Occupation Tax	500,000	-	-	(500,000)	0%
Interest income	65,818	4,683	48,784	(17,034)	74%
Total Revenues	<u>3,164,298</u>	<u>206,002</u>	<u>1,784,225</u>	<u>(1,380,073)</u>	<u>56%</u>
<u>EXPENDITURES</u>					
Community Development	-	-	-	-	0%
Professional Services	556,639	3,929	3,943	(552,696)	1%
Financial / Legal Fees	175,500	30	103,318	(72,182)	59%
Debt service: (Warrants)	-	-	-	-	0%
Principal	775,000	-	-	(775,000)	0%
Interest	1,000,918	-	318,809	(682,109)	32%
Total Expenditures	<u>2,508,057</u>	<u>3,959</u>	<u>426,070</u>	<u>(2,081,987)</u>	<u>17%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>656,241</u>	<u>202,043</u>	<u>1,358,155</u>	<u>701,914</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-	-	-	-	0%
Operating transfers out (OSP)	(415,557)	-	(552,083)	(136,526)	133%
Bond/registered warrant proceeds	17,130,000	-	-	(17,130,000)	0%
Capital Improvement	(10,780,187)	(193,599)	(3,281,351)	7,498,836	30%
Total other Financing Sources (Uses)	<u>5,934,256</u>	<u>(193,599)</u>	<u>(3,833,435)</u>	<u>(9,767,691)</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ 6,590,497</u>	<u>\$ 8,444</u>	<u>\$ (2,475,280)</u>	<u>\$ (9,065,777)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

Police Academy Fund					
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Other Income	\$ 80,000	-	100,877	20,877	126%
Interest income	55	-	75	20	136%
Total Revenues	<u>80,055</u>	<u>-</u>	<u>100,952</u>	<u>20,897</u>	<u>126%</u>
<u>EXPENDITURES</u>					
Personnel Services	76,404	5,760	56,252	(20,152)	74%
Commodities	3,500	98	673	(2,827)	19%
Contract Services	11,700	297	8,643	(3,057)	74%
Other Charges	3,500	3,504	6,893	3,393	197%
Total Expenditures	<u>95,104</u>	<u>9,659</u>	<u>72,461</u>	<u>(22,643)</u>	<u>76%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>(15,049)</u>	<u>(9,659)</u>	<u>28,490</u>	<u>43,539</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF)	20,000	-	20,000	-	100%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	<u>20,000</u>	<u>-</u>	<u>20,000</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ 4,951</u>	<u>\$ (9,659)</u>	<u>\$ 48,490</u>	<u>\$ 43,539</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

		TIF 1A			
	<u>Budget</u>	<u>MTD</u>	<u>YTD</u>	<u>Over(under)</u>	<u>% of Budget</u>
	<u>(12 month)</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Used</u>
<u>REVENUES</u>					
Property Tax	\$	-	9,034	9,034	0%
Interest income				-	0%
Total Revenues	<u>-</u>	<u>-</u>	<u>9,034</u>	<u>9,034</u>	<u>0%</u>
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Contract Services	-	-	12,454	12,454	0%
Total Expenditures	<u>-</u>	<u>-</u>	<u>12,454</u>	<u>12,454</u>	
<u>REVENUES NET OF EXPENDITURES</u>	<u>-</u>	<u>-</u>	<u>(3,421)</u>	<u>(3,421)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in				-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>(3,421)</u>	\$ <u>(3,421)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

	TIF 1B				
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Property Tax	\$			-	0%
Interest income				-	0%
Total Revenues	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Contract Services	-	-	19,136	19,136	0%
Total Expenditures	<u>-</u>	<u>-</u>	<u>19,136</u>	<u>19,136</u>	
<u>REVENUES NET OF EXPENDITURES</u>	<u>-</u>	<u>-</u>	<u>(19,136)</u>	<u>(19,136)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in				-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>(19,136)</u>	\$ <u>(19,136)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

Sewer Reserve Fund					
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Interest income	\$ 3,003	941	5,954	2,951	198%
Total Revenues	3,003	941	5,954	2,951	198%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	
<u>REVENUES NET OF EXPENDITURES</u>	3,003	941	5,954	2,951	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	1,201,125	-	1,201,125	-	100%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	1,201,125	-	1,201,125	-	
<u>NET FUND ACTIVITY</u>	\$ 1,204,128	\$ 941	\$ 1,207,079	\$ 2,951	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the nine months ending June 30, 2019
75% of the Fiscal Year 2019

Qualified Sinking Fund					
	<u>Budget</u> <u>(12 month)</u>	<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>
<u>REVENUES</u>					
Interest income	\$ 250	78	495	245	198%
Total Revenues	250	78	495	245	198%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	-
<u>REVENUES NET OF EXPENDITURES</u>	250	78	495	245	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	100,000	-	100,000	-	100%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	100,000	-	100,000	-	
<u>NET FUND ACTIVITY</u>	\$ 100,250	\$ 78	\$ 100,495	\$ 245	



Mr. John Kottmann
 City Engineer/Assistant Public Works Director
 City of La Vista
 9900 Portal Road
 La Vista, NE 68128

August 2, 2019

Project No: 00120600.00

Invoice No: 139726

Construction Engineering Services
 2019 Park View Blvd Resurfacing

Professional Services from July 1, 2019 to July 28, 2019

Task 00001 Project Management

Professional Personnel

	Hours	Rate	Amount	
E1a Professional Engineer/Project Mgr				
O'Bryan, Timothy	1.00	176.00	176.00	
Totals	1.00		176.00	
Total Labor				176.00
Total this Task				\$176.00

Task 00002 Construction Inspection

Professional Personnel

	Hours	Rate	Amount	
E1a Professional Engineer/Project Mgr				
O'Bryan, Timothy	3.00	176.00	528.00	
E4 Sr Tech, Sr Insp, Sr Env Tech				
Barahona, Alejandro	84.00	90.00	7,560.00	
E8 Project Assistant II				
Compas, Karen	1.00	68.00	68.00	
Totals	88.00		8,156.00	
Total Labor				8,156.00

Unit Billing

2019 Chevy Silverado-WBR362 22WD55

7/1/2019	46.0 Miles @ 0.58	26.68
7/2/2019	46.0 Miles @ 0.58	26.68
7/9/2019	32.0 Miles @ 0.58	18.56
7/10/2019	33.0 Miles @ 0.58	19.14
7/13/2019	58.0 Miles @ 0.58	33.64
7/15/2019	46.0 Miles @ 0.58	26.68
7/16/2019	46.0 Miles @ 0.58	26.68
7/17/2019	46.0 Miles @ 0.58	26.68
7/18/2019	46.0 Miles @ 0.58	26.68
7/23/2019	41.0 Miles @ 0.58	23.78
7/24/2019	40.0 Miles @ 0.58	23.20

Project	00120600.00	2019 Park View Blvd Resurfacing	Invoice	139726
7/25/2019		21.0 Miles @ 0.58	12.18	
7/26/2019		46.0 Miles @ 0.58	26.68	
Total Units			317.26	317.26
			Total this Task	\$8,473.26

Billing Limits	Current	Prior	To-Date
Total Billings	8,649.26	25,819.68	34,468.94
Limit			62,260.00
Remaining			27,791.06

Total this Invoice \$8,649.26 ←

Outstanding Invoices

Number	Date	Balance
138127	7/7/2019	22,357.90
Total		22,357.90

O.K. to pay
 JMK 8-6-2019
 05.71.0947.003

A-6



Berry Dunn McNeil & Parker, LLC
PO Box 1100 Portland, ME 04104-1100

I N V O I C E

07/31/2019
Client #: 110382.42
Invoice #: 382655

City of La Vista
Kevin Pokorny
8116 Park View Boulevard
La Vista, NE 68128

\$ _____
AMOUNT REMITTED

City of La Vista

BerryDunn
Invoice #: 382655

07/31/2019

Professional services rendered by our Government Consulting Group related to the project to assist the City of La Vista with consulting services to develop a Strategic Technology Plan.

Phase 1: Initial Project Planning and Fact Finding (Complete)	\$14,820.00
Current Amount Due	\$ <u>14,820.00</u>

08,81.0303.056

P. Bueth
8/6/19

For your convenience, payments can be made at our website with VISA, MASTERCARD or AMEX. For information on ACH Payments, please send an email to AR@berrydunn.com.
A late charge of 1.5% per month (18% per annum) is added to the balance after 30 days

(207)775-2387
www.berrydunn.com

Consent Agenda 8/20/19



CREATE AMAZING.

July 26, 2019

 Invoice: 111085-5
 Federal ID: 43-0956142

LA VISTA NEBRASKA JOHN M KOTTMAN, PE CITY OF LA VISTA 9900 PORTAL RD LA VISTA NE 68128	SEND PAYMENT TO: Burns & McDonnell Engineering Co., Inc. PO Box 411883 Kansas City, MO 64141-1883 Reference Invoice Number with Payment TERMS: PAYABLE UPON RECEIPT - 1.5% INTEREST PER MONTH IF NOT PAID WITHIN 45 DAYS	WIRE INSTRUCTIONS: Account: 9801192345 Routing: 101000695 SWIFT Code: UMKCUS44 United Missouri Bank 1010 Grand KANSAS CITY, MO 64141 (816)-860-7000
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Professional Services for the La Vista Sewer Rate Study

SERVICE THROUGH: 30-Jun-2019

LABOR

<u>Labor Classification</u>	<u>Level</u>	<u>Regular Hours</u>	<u>Regular Rate</u>	<u>Amount</u>
Associate	15	3.00	235.00	705.00
		3.00		705.00

EXPENSE

(See Attached) 0.40

Less: Amount Over Authorized Maximum (129.43)

Subtotal Amount	575.97
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TOTAL AMOUNT DUE THIS INVOICE	575.97 USD
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Contract Maximum	41,640.00
Less Total Billed to Date	41,640.00
Amount Remaining	0.00

jkottmann@cityoflavista.org

 O.K. to pay
 JMK 8-6-2019
 02.42.0303

Thank you for your business. We appreciate the opportunity to serve you.

 Project Manager: David Naumann 816-822-4207 dnaumann@burnsmcd.com
 Invoice Inquiry: Clint Williamson 816-605-7950 clwilliamson@burnsmcd.com

Consent Agenda 8/20/19 @

A-8

Design Workshop, Inc.
Landscape Architecture
Planning
Urban Design

August 8, 2019
Invoice No: 0062337

Cindy Miserez
City of La Vista
8116 Parkview Blvd.
La Vista, NE 68128

Current Invoice Total \$8,067.33

Project 005806.00 84th Streetscape Plan
Professional Planning and Design Services including -

1. Design Development
2. Travel Arrangements for Cost Scenarios Presentation

Professional Services from July 1, 2019 to July 31, 2019

Task	010	Existing Context Survey & Mapping				
Fee						
			Fee	Percent Complete	Earned to Date	Previous Fee Billing
						Current Fee Billing
			48,920.00	100.00	48,920.00	48,920.00
						0.00
			Total Fee			0.00
			Total this Task			0.00
Task	020	Meetings				
Fee						
			Fee	Percent Complete	Earned to Date	Previous Fee Billing
						Current Fee Billing
			73,130.00	100.00	73,130.00	73,130.00
						0.00
			Total Fee			0.00
			Total this Task			0.00
Task	030	Conceptual Illustrative Plan				
Fee						
			Fee	Percent Complete	Earned to Date	Previous Fee Billing
						Current Fee Billing
			63,740.00	100.00	63,740.00	63,740.00
						0.00
			Total Fee			0.00

Consent Agenda 8/20/19
Re

DESIGNWORKSHOP

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Shanghai
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303.623.5186 • 303.623.2260 (fax)

Project	005806.00	84th Streetscape Plan				Invoice	0062337
Total this Task							0.00

Task	040	Selection of Preferred Streetscape Plan					
Fee		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		55,245.00	100.00	55,245.00	55,245.00	0.00	
Total Fee							0.00
Total this Task							0.00

Task	041	Additional Services #1 (Phase I)					
Fee		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		4,999.00	100.00	4,999.00	4,999.00	0.00	
Total Fee							0.00
Total this Task							0.00

Task	050	Meetings and Project Management					
Fee		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		34,360.00	97.00	33,329.20	33,329.20	0.00	
Total Fee							0.00
Total this Task							0.00

Task	060	Design Development					
Fee		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		240,880.00	89.6015	215,832.21	208,205.96	7,626.25	
Total Fee							7,626.25
Total this Task							\$7,626.25

Task	070	Construction Documentation (Phase I)					
Fee							

DESIGNWORKSHOP

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Shanghai
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303.623.5186 • 303.623.2260 (fax)

Project	005806.00	84th Streetscape Plan			Invoice		0062337
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		118,940.00	0.00	0.00	0.00	0.00	
		Total Fee					0.00
		Total this Task					0.00
<hr/>							
Task	080	Bidding and Negotiation					
Fee		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		22,935.00	0.00	0.00	0.00	0.00	
		Total Fee					0.00
		Total this Task					0.00
<hr/>							
Task	099	Reimbursable Expenses					
Fee		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing	
		33,250.00	95.5812	31,780.74	31,339.66	441.08	
		Total Fee					441.08
		Total this Task					\$441.08
		Total this Invoice					\$8,067.33

Please include invoice number on remittance to:

1390 Lawrence Street, Suite 100, Denver, CO 80204

APPROVED

CAS 7/5/19

Consent Agenda

16-71-0935.001

DESIGNWORKSHOP

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Shanghai
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303.623.5186 • 303.623.2260 (fax)

A-9

Invoice

listen.DESIGN.deliver
6457 Frances Street, Suite 200
Omaha, NE 68106
402-393-4100 Fax 402-393-8747

John Kottmann, PE
Director Public Works
City of La Vista
Email Inv: jkottmann@cityoflavista.org
9900 Portal Road
La Vista, NE 68128

August 9, 2019
Project No: 10-17105-01
Invoice No: 0165211

Project 10-17105-01 La Vista City Centre Parking Fac CA

Billing Period: July 1, 2019 to July 31, 2019

Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	34,000.00	100.00	34,000.00	34,000.00	0.00
Additional Services	13,458.00	75.00	10,093.50	9,420.60	672.90
Total Fee	47,458.00		44,093.50	43,420.60	672.90
Total Fee					672.90

Consultants

AGA Consulting, Inc.	2,565.00	
Total Consultants	2,565.00	2,565.00

Reimbursable Expenses

Travel Expenses-Mileage	27.84	
Total Reimbursables	27.84	27.84

Total this Invoice \$3,265.74

Outstanding Invoices

Number	Date	Balance
0164572	7/10/2019	4,137.94
Total		4,137.94

Billings to Date

	Current	Prior	Total
Fee	672.90	43,420.60	44,093.50
Consultant	2,565.00	28,267.50	30,832.50
Expense	27.84	985.04	1,012.88
Totals	3,265.74	72,673.14	75,938.88

O.K. to pay
MK 8-13-2019
15,71,0911.003

We appreciate your confidence in us and thank you in advance for your payment.
Being environmentally friendly, we encourage payments via Wire Transfer.
Routing number: 121000248 Account Number: 4945435436

Matthew Gulsvig, AIA, LEED AP

Payment due and interest charged per contract terms. Remit to address at the top of this invoice.

Consent Agenda 8/20/19

A-10

TD² File No. 171-417.51
August 2, 2019

**FINAL PAYMENT RECOMMENDATION ON CONTRACT FOR CIVIC CENTER PARK SANITARY
SEWER RELOCATION, LA VISTA, NEBRASKA**

Owner: City of La Vista, Nebraska
8116 Park View Blvd.
La Vista, NE 68128

Contractor: Graham Construction, Inc.
6912 N. 97th Cir., Ste. 3
Omaha, NE 68122

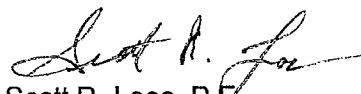
ORIGINAL CONTRACT AMOUNT: \$260,000.00

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATION: NONE

Item Description	Approx. Quantity	Unit Price	Amount
<u>PHASE 1</u>			
1A Mobilization	0.6 L.S.	\$90,861.92 / L.S.	\$ 54,517.15
2A Clearing & Grubbing	0.23 L.S.	\$ 7,500.00 / L.S.	\$ 1,725.00
4A Tie into Existing Manhole with PSX Direct Drive Boot	1 EA.	\$ 812.00 / EA.	\$ 812.00
6A Construct 12", SDR 35 PVC Sanitary Sewer with Bedding STA. 0+00 to STA. 2+24.59	222.1 L.F.	\$ 97.86 / L.F.	\$ 21,734.71
7A Adjust Existing Manhole to Grade	1 EA.	\$ 2,820.00 / EA.	\$ 2,820.00
SUBTOTAL			\$ 81,608.86
<u>PHASE 2</u>			
1A Mobilization	0.4 L.S.	\$90,861.92 / L.S.	\$ 36,344.77
2A Clearing & Grubbing	0.77 L.S.	\$ 7,500.00 / L.S.	\$ 5,775.00
3A Disconnect, Remove & Seal Existing Sanitary Sewer Line	0.57 L.S.	\$19,595.00 / L.S.	\$ 11,169.15
4A Tie into Existing Manhole with PSX Direct Drive Boot	1 EA.	\$ 812.00 / EA.	\$ 812.00
5A Construct Sanitary Manhole	41 V.F.	\$ 815.76 / V.F.	\$ 33,446.16
6A Construct 12", SDR 35 PVC Sanitary Sewer with Bedding STA. 2+24.59 to STA. 9+83.15	774.8 L.F.	\$ 97.86 / L.F.	\$ 75,821.93
7A Adjust Existing Manhole to Grade	1 EA.	\$ 2,820.00 / EA.	\$ 2,820.00
SUBTOTAL			\$166,189.01
<u>Addition per Change Order No. 1</u>			
1 Remove Soil Pre-Load	1 L.S.	\$12,870.94 / L.S.	\$ 12,870.94
SUBTOTAL			\$247,797.86
TOTAL AMOUNT DUE CONTRACTOR			\$260,668.80 ←

We recommend that payment in the amount of \$260,668.80 be made to Graham Construction, Inc.

Respectfully submitted,



Scott R. Loos, P.E.
THOMPSON, DREESSEN & DORNER, INC.

O.K. to pay
JMK 8-8-2019
16,71,0942.003

SRL/tjp

cc: Graham Construction, Inc.

Consent Agenda 8/20/19.
(20)

A-11



5022 S 114th Street
Suite 200
Omaha, NE 68137
(712) 323-0530

INVOICE

Invoice Number: 702619-2
Date: August 08, 2019
Client Code: 7220

City of LaVista
Attn: Mr. Patrick Dowse, P.E.
9900 Portal Road
LaVista, NE 68128

Progress billing for engineering services for the East LaVista Sewer and Pavement Rehabilitation - Phase I Investigation, per agreement dated June 4, 2019.

For Phase I - Work Items/Tasks by HGM: Pavement PHASER Inspection, Project Management, Coordination of subcontractors. Work Items/Tasks by sub contractors: 1) TREKK: Project management and Sanitary sewer CCTV and cleaning and 2) Emspace + Lovgren: Public involvement & neighborhood coordination. Through: July 31, 2019

	Hours	Rate	Current Period	Billed To Date
001: Phase I Investigation (LS \$53,340)				
		40% Complete	\$10,668.00	\$21,336.00
002: Trekk (Hrly)				
TREKK Design Group, LLC			\$47,244.45	
			<u>\$47,244.45</u>	\$47,244.45
003: Thiele Geotech (Hrly)				
Thiele Geotech, Inc.			\$18,675.00	
			<u>\$18,675.00</u>	\$18,675.00
004: Emspace & Lovgren (Hrly)				
Emspace + Lovgren			\$507.17	
Emspace + Lovgren			\$1,637.50	
			<u>\$2,144.67</u>	\$2,144.67
Total Amount Billed				\$89,400.12
Less Previous Invoices				<u>\$10,668.00</u>
Invoice Total				<u><u>\$78,732.12</u></u>

OK TO PAY →
PMD 8/14/19
02. 71,0892.001

Outstanding Invoices

Invoice		0 - 30	31 - 60	61-90	Over 90	Balance
702619-1	7/9/2019	\$10,668.00				\$10,668.00
		<u>\$10,668.00</u>				\$10,668.00

Consent Agenda 8/20/19 (K)

A-12



July 31, 2019

Project No:

R3003.066.00

Invoice No:

46007

Rita Ramirez
 Assistant City Administrator
 City of La Vista
 8116 Parkview Blvd
 La Vista, NE 68128

Project R3003.066.00 LaVista, City of - Placemaking & LA Svcs

Professional Services through July 31, 2019

Fee

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	237,167.50	36.50	86,566.14	71,197.68	15,368.46
Schematic Design	12,482.50	0.00	0.00	0.00	0.00
Total Fee	249,650.00		86,566.14	71,197.68	15,368.46
Total Fee					15,368.46

Reimbursable Expenses

Printing				63.38	
Total Reimbursables				63.38	63.38

Total this Invoice \$15,431.84

Outstanding Invoices

Number	Date	Balance
45773	6/30/2019	35,622.86
Total		35,622.86

Consent Agenda 8/20/2019

R. Ramirez
8-16-19
16,711,093.023



User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
130219	08/06/2019	AA WHEEL & TRUCK SUPPLY INC	3.06	N
130220	08/06/2019	ACCENT DRYWALL SUPPLY COMPANY	746.24	N
130221	08/06/2019	ALFRED BENESCH & COMPANY	22,357.90	N
130222	08/06/2019	ASPHALT & CONCRETE MATERIALS	291.16	N
130223	08/06/2019	BOOT BARN	150.00	N
130224	08/06/2019	BURTON A/C, HEATING & PLUMBING	10,273.47	N
130225	08/06/2019	CENTURY LINK	27.01	N
130226	08/06/2019	CITY OF OMAHA	179,992.34	N
130227	08/06/2019	DATASHIELD CORPORATION	80.00	N
130228	08/06/2019	DEBRA HALE	309.00	N
130229	08/06/2019	DLR GROUP	4,137.94	N
130230	08/06/2019	FOCUS PRINTING	150.00	N
130231	08/06/2019	GRAYBAR ELECTRIC COMPANY INC	219.64	N
130232	08/06/2019	H & H CHEVROLET LLC	199.97	N
130233	08/06/2019	HAWKINS CONSTRUCTION COMPANY	356,851.80	N
130234	08/06/2019	HDR ENGINEERING INC	12,099.67	N
130235	08/06/2019	HEIMES CORPORATION	82.00	N
130236	08/06/2019	HGM ASSOCIATES, INC.	10,668.00	N
130237	08/06/2019	JOE PUTJENTER	2,000.00	N
130238	08/06/2019	LOGAN CONTRACTORS SUPPLY	257.86	N
130239	08/06/2019	MALLOY ELECTRIC	198.19	N
130240	08/06/2019	MARCO INCORPORATED	114.31	N
130241	08/06/2019	MARTIN ASPHALT - MONARCH OIL	240.50	N
130242	08/06/2019	MENARDS-RALSTON	48.43	N
130243	08/06/2019	METROPOLITAN COMMUNITY COLLEG	14,846.67	N
130244	08/06/2019	MSC INDUSTRIAL SUPPLY CO	134.08	N
130245	08/06/2019	NE DEPT OF LABOR	120.00	N
130246	08/06/2019	NEWMAN TRAFFIC SIGNS INC	15.51	N
130247	08/06/2019	NMC EXCHANGE LLC	103.74	N
130248	08/06/2019	OLSSON, INC.	57,526.63	N
130249	08/06/2019	OMAHA PUBLIC POWER DISTRICT	6,848.40	N
130250	08/06/2019	OMAHA SLINGS INCORPORATED	67.77	N
130251	08/06/2019	RDG PLANNING & DESIGN	35,622.86	N
130252	08/06/2019	READY MIXED CONCRETE COMPANY	8,325.89	N
130253	08/06/2019	SAPP BROS PETROLEUM INC	207.50	N
130254	08/06/2019	STOREY KENWORTHY / MATT PARROT	965.38	N
130255	08/06/2019	SWAIN CONSTRUCTION INC	521,313.75	N
130256	08/06/2019	THOMPSON DREESSEN & DORNER, IN	4,790.25	N
130257	08/06/2019	TRANE U S INCORPORATED	362.20	N
130258	08/06/2019	WOODHOUSE LINCLN-MAZDA-PORSC	1,162.60	N
130259	08/15/2019	CINTAS CORPORTATION	2,755.92	N
130263	08/20/2019	ACCENT DRYWALL SUPPLY COMPANY	474.88	N
130264	08/20/2019	ACCURATE TESTING INC	190.00	N
130265	08/20/2019	ANDERSON FORD OF LINCOLN	34,399.00	N
130266	08/20/2019	ART F/X SCREENPRINTING & EMBROID	1,555.74	N
130267	08/20/2019	ASPHALT & CONCRETE MATERIALS	242.35	N
130268	08/20/2019	BIBLIOTHECA LLC	17,734.20	N
130269	08/20/2019	BISHOP BUSINESS EQUIPMENT COMPA	982.70	N
130270	08/20/2019	CALENTINE, JEFFREY	342.00	N
130271	08/20/2019	CARROLL CONSTRUCTION SUPPLY	8,707.92	N
130272	08/20/2019	CENTER POINT, INC.	364.32	N
130273	08/20/2019	CENTURY LINK	687.90	N
130274	08/20/2019	CITY OF OMAHA	194,507.11	N
130275	08/20/2019	CITY OF PAPILLION	170,752.00	N
130276	08/20/2019	COLIBRI SYSTEMS NORTH AMER INC	2,082.92	N
130277	08/20/2019	COMP CHOICE INC	77.50	N
130278	08/20/2019	CONNER PSYCHOLOGICAL SERVICES, P	730.00	N
130279	08/20/2019	CONTROL MASTERS INCORPORATED	172.19	N
130280	08/20/2019	COX COMMUNICATIONS, INC.	277.40	N
130281	08/20/2019	CULLIGAN OF OMAHA	17.50	N

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Check #	Check Date	Vendor Name	Amount	Voided
130282	08/20/2019	D & K PRODUCTS	3,629.70	N
130283	08/20/2019	DARECATALOG.COM	324.14	N
130284	08/20/2019	DATASHIELD CORPORATION	60.00	N
130285	08/20/2019	DIAMOND VOGEL PAINTS	662.60	N
130286	08/20/2019	DILLON BROS HARLEY DAVIDSON	10.99	N
130287	08/20/2019	DUMMIES UNLIMITED	3,340.00	N
130288	08/20/2019	FBG SERVICE CORPORATION	5,965.00	N
130289	08/20/2019	FIRST NATIONAL BANK FREMONT	263,526.25	N
130290	08/20/2019	FOCUS PRINTING	7,917.28	N
130291	08/20/2019	GALE	239.90	N
130292	08/20/2019	GALLS LLC	120.00	N
130293	08/20/2019	GCR TIRES & SERVICE	309.81	N
130294	08/20/2019	GENERAL FIRE & SAFETY EQUIP CO	100.00	N
130295	08/20/2019	GRAYBAR ELECTRIC COMPANY INC	80.00	N
130296	08/20/2019	GREAT PLAINS UNIFORMS	627.00	N
130297	08/20/2019	GREATAMERICA FINANCIAL SERVICES	1,127.00	N
130298	08/20/2019	HARM'S CONCRETE INC	157.50	N
130299	08/20/2019	HARTS AUTO SUPPLY	218.00	N
130300	08/20/2019	HAWKEYE TRUCK EQUIPMENT CO INC	133.30	N
130301	08/20/2019	HERC RENTALS INC	316.14	N
130302	08/20/2019	HOBBY LOBBY STORES INC	143.64	N
130303	08/20/2019	HOTSY EQUIPMENT COMPANY	136.52	N
130304	08/20/2019	IGM TECHNOLOGY CORP.	5,100.00	N
130305	08/20/2019	INGRAM LIBRARY SERVICES	1,812.78	N
130306	08/20/2019	INLAND TRUCK PARTS	14.68	N
130307	08/20/2019	JEBRO INC	55.00	N
130308	08/20/2019	JOHNSON, ALLEN L.	273.00	N
130309	08/20/2019	KIMBALL MIDWEST	112.58	N
130310	08/20/2019	KRIHA FLUID POWER CO INC	64.92	N
130311	08/20/2019	LARSEN SUPPLY COMPANY	1,024.62	N
130312	08/20/2019	LIBRARY IDEAS LLC	689.10	N
130313	08/20/2019	LOVELAND GRASS PAD	94.75	N
130314	08/20/2019	LOWE'S CREDIT SERVICES	170.97	N
130315	08/20/2019	MARK A KLINKER	200.00	N
130316	08/20/2019	MENARDS-RALSTON	115.33	N
130317	08/20/2019	MID-WEST MILITARY REAL ESTATE, LLC	40.00	N
130318	08/20/2019	MIDWEST FENCE COMPANY	5,098.04	N
130319	08/20/2019	MIDWEST TAPE	691.59	N
130320	08/20/2019	MR. PICNIC	1,280.00	N
130321	08/20/2019	MUZZY ICE SERVICE INC	387.50	N
130322	08/20/2019	NEBRASKA STATEWIDE ARBORETUM IN	100.00	N
130323	08/20/2019	NEENAH FOUNDRY INCORPORATED	489.00	N
130324	08/20/2019	ODEYS INCORPORATED	1,440.76	N
130325	08/20/2019	OFFICE DEPOT INC	1,103.77	N
130326	08/20/2019	OMAHA PUBLIC POWER DISTRICT	52,431.13	N
130328	08/20/2019	OMAHA TACTICAL LLC	1,516.00	N
130329	08/20/2019	OMNI ENGINEERING	795.20	N
130330	08/20/2019	ONE CALL CONCEPTS INC	519.66	N
130331	08/20/2019	PAPILLION SANITATION	1,538.46	N
130332	08/20/2019	PATRICIA ROBEY	246.38	N
130333	08/20/2019	PER MAR SECURITY SERVICES	126.00	N
130334	08/20/2019	PIZZA WEST INC	600.00	N
130335	08/20/2019	PLAINS EQUIPMENT GROUP	12.96	N
130336	08/20/2019	PSI PLASTIC GRAPHICS	464.31	N
130337	08/20/2019	R. L. CRAFT CO., INC	4,147.40	N
130338	08/20/2019	READY MIXED CONCRETE COMPANY	8,391.40	N
130339	08/20/2019	RIVER CITY RECYCLING	159.53	N
130340	08/20/2019	SARPY COUNTY CHAMBER OF COMME	40.00	N
130341	08/20/2019	SCHEMMER ASSOCIATES INC	200.00	N
130342	08/20/2019	SOUICIE, JOSEPH H JR	285.00	N

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Check #	Check Date	Vendor Name	Amount	Voided
130343	08/20/2019	SOUTHERN UNIFORM & EQUIPMENT	1,195.88	N
130344	08/20/2019	SUBURBAN NEWSPAPERS INC	199.84	N
130345	08/20/2019	SWANK MOTION PICTURES INC	665.00	N
130346	08/20/2019	TORNADO WASH LLC	865.00	N
130347	08/20/2019	TOSHIBA FINANCIAL SERVICES	138.00	N
130348	08/20/2019	TRANS UNION RISK AND ALT. DATA S	50.00	N
130349	08/20/2019	U.S. CELLULAR	1,205.29	N
130350	08/20/2019	UNITE PRIVATE NETWORKS LLC	3,850.00	N
130351	08/20/2019	UNITED SEEDS INCORPORATED	105.00	N
130352	08/20/2019	VERIZON CONNECT NWF, INC.	731.25	N
130353	08/20/2019	VERIZON WIRELESS	210.73	N
130354	08/20/2019	VOGEL TRAFFIC SERVICES	13,156.35	N
130355	08/20/2019	VOIANCE LANGUAGE SERVICES, LLC	3.00	N
130356	08/20/2019	WATER'S EDGE AQUATIC DESIGN	3,149.00	N
130357	08/20/2019	WICK'S STERLING TRUCKS INC	39.70	N
TOTAL:			2,097,505.90	

APPROVED BY COUNCIL MEMBERS ON: 08/20/2019

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
739(E)	07/05/2019	ELAN FINANCIAL SERVICES	20,402.12	N
746(E)	07/31/2019	ACCESS BANK	3,066.27	N
747(E)	07/31/2019	ALLY BANK	356.91	N
748(E)	07/31/2019	AMERICAN HERITAGE LIFE INSURANCE	1,372.30	N
749(E)	07/31/2019	BLUE CROSS BLUE SHIELD OF NEBR	107,099.08	N
750(E)	07/31/2019	CATERPILLAR FINANCIAL SVCS CORP	6,151.24	N
751(E)	07/31/2019	CCAP AUTO LEASE LTD	449.00	N
752(E)	07/31/2019	DEARBORN NATIONAL LIFE INSURANC	6,351.46	N
753(E)	07/31/2019	ESSENTIAL SCREENS	175.50	N
754(E)	07/31/2019	FIRST STATE BANK	6,536.93	N
755(E)	07/31/2019	FIRST STATE BANK	5,668.85	N
756(E)	07/31/2019	LINCOLN NATIONAL LIFE INS CO	6,270.14	N
757(E)	07/31/2019	MID-AMERICAN BENEFITS INC	643.50	N
758(E)	07/31/2019	NE DEPT OF REVENUE-SALES TAX	1,554.49	N
759(E)	07/31/2019	PITNEY BOWES-EFT POSTAGE	1,315.00	N
760(E)	07/31/2019	TASC	9,066.38	N
761(E)	07/31/2019	TOSHIBA FINANCIAL SERVICES	127.40	N
762(E)	07/31/2019	UNITED HEALTHCARE INSURANCE CO	900.17	N
763(E)	07/31/2019	FIRST STATE BANK	4,399.70	N
764(E)	07/31/2019	FIRST STATE BANK	2,137.23	N
765(E)	07/31/2019	FIRST STATE BANK	5,668.85	N
TOTAL:			189,712.52	

APPROVED BY COUNCIL MEMBERS ON: 08/20/2019

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AMEND AND REPLACE SECTION 113.10 (FAILURE TO PAY) WITH SECTION 113.50 (ADMINISTRATION; REMEDIES)	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN L. POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

An ordinance has been prepared to amend, renumber, and replace in its entirety Sections 113.10 Failure to Pay of the La Vista Municipal Code with Section 113.50.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

This ordinance would amend, renumber and replace in its entirety Section 113.10 with Section 113.50 which would provide for Administrative remedies and provisions regarding municipal code involving occupation taxes. Section 113.10 only addressed failure to pay. New Section 113.50 would provide administrative duties, remedies and provisions for business' subject to all occupation taxes.

ORDINANCE NO.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AMENDING AND RENUMBERING SECTION 113.10 OF THE LA VISTA MUNICIPAL CODE REGARDING OCCUPATION TAXES AS SECTION 113.50; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, as follows:

Section 1. Section 113.10 of the La Vista Municipal Code is amended, renumbered, and replaced in its entirety with Section 113.50 as follows:

“§ 113.50 ADMINISTRATION; REMEDIES.

§ 113.50.1. - Administration of chapter; miscellaneous provisions.

(a) Administration. Except as otherwise expressly provided in this chapter or other provisions of the Code or ordinances, administration of provisions of this chapter is hereby vested in the City Administrator or any designee of the City Administrator (“City Administrator”), who shall be authorized to prescribe forms and rules and regulations in conformity with this chapter as the City Administrator determines necessary or appropriate for the making of returns or for the ascertainment, assessment, collection, administration, or enforcement of the taxes imposed under this chapter.

(b) Notices. Unless otherwise specified in this chapter, it shall be sufficient for the purpose of this chapter that any notices required to be given to a taxpayer be in writing and personally delivered to the taxpayer or provided to the taxpayer by registered or certified mail, postage prepaid, return receipt requested at the taxpayer's last-known address, or otherwise in accordance with applicable law.

(c) Duty to keep books and records. It shall be the duty of every taxpayer to keep and preserve suitable records and other books or accounts as may be necessary to determine the amount of any tax for which such taxpayer is liable under this chapter.

(1) Records of the gross revenues, receipts, or such other basis by which any tax is calculated or measured shall be kept separate and apart from other records in order to facilitate the examination of books and records as necessary for the collection of taxes pursuant to this chapter.

(2) It shall be the duty of every such taxpayer to keep and preserve for a period of four (4) years all such books, invoices and other records, which shall be open for examination at any time by the City Administrator. If such taxpayer keeps or maintains the taxpayer's books, invoices, accounts and other records, or any thereof, outside of the City, upon demand by the City Administrator the taxpayer shall make the same available at a suitable place within the City, to be designated by the City Administrator, for examination, inspection or audit by the City Administrator as the City Administrator from time to time determines. The taxpayer shall reimburse the City for the reasonable costs of the examination, inspection, or audit if the City Administrator determines that the taxpayer paid ninety percent (90%) or less of the tax owing for the period of the examination.

(3) The City Administrator, in the City Administrator's discretion, may make, permit or cause to be made the examination, inspection or audit of books, invoices, accounts or other records so kept or maintained by such taxpayer outside of the City at the place where same are kept or maintained or at any place outside the City where the same will be made available, provided such taxpayer shall have entered into a binding agreement with the City to reimburse it for all costs and expenses incurred by it in order to have such examination, inspection or audit made in such place.

(d) Investigation of taxpayer's books. For the purpose of ascertaining the correctness of a return or payment, or for the purpose of determining the amount of tax due from any taxpayer, the City Administrator may conduct investigations and hold hearings concerning any matters arising out of or related to this chapter; and may examine any relevant books, papers, records or memoranda of any such taxpayer; and may require the attendance or appearance of such taxpayer, or any officer or employee of such taxpayer, or of any person having knowledge thereof; and may take testimony or require proof of information provided by the taxpayer. The City Administrator shall have power to administer oaths to such persons.

(e) Sale of business. Whenever any taxpayer sells the taxpayer's business subject to any tax under this chapter or quits engaging in such business, taxpayer shall notify the City at least thirty days before closing of the sale or cessation of operations, and any tax payable under this chapter shall become immediately due and payable and the taxpayer shall immediately make a report and pay the tax due upon the earlier of closing or cessation of business.

(f) Status of unpaid tax in bankruptcy or receivership. Whenever the business or property of any taxpayer subject to this chapter is placed in receivership, bankruptcy or assignment for the benefit of creditors, or seized under distraint for property taxes, all taxes, penalties and interest imposed by this chapter and for which the taxpayer is in any way liable under the terms of this chapter shall be a prior and preferred lien against all the property of the taxpayer, except as to preexisting claims or liens of a bona fide mortgagee, pledgee, judgment creditor or purchaser whose rights shall have attached prior to the filing of the notice as hereinafter provided on the property of the taxpayer, other than the goods, stock-in-trade, and business fixtures of such taxpayer; and no sheriff, receiver, assignee or other officer shall sell the property of any person subject to this chapter under process or order of any court without first ascertaining from the City Administrator the amount of any taxes due and payable under this chapter; and, if there be any such taxes due, owing and unpaid, it shall be the duty of such officer to first pay the amount of such taxes out of the proceeds of such sale before making payment of any moneys to any judgment creditor or other claimants of whatsoever kind or nature, except the costs of the proceedings and other preexisting claims or liens as above provided.

(g) Release of liens. The taxes imposed by this chapter, together with the interest and penalties herein provided and the costs of collection which may be incurred, shall be and, until paid, remain a first and prior lien, except as otherwise provided by constitution or statute, superior to all other liens, on all the merchandise, furniture and fixtures, tools and equipment of the taxpayer within the City, and may be foreclosed by seizing under distraint and sale of so much of said merchandise, furniture and fixtures, tools and equipment as may be necessary to discharge the lien, or may be foreclosed by any other method allowed by law or equity. The lien created by this chapter shall apply only to tax obligations incurred after the adoption of applicable provisions of this chapter on which the taxes or lien is based. Any lien for taxes as shown on the records of the county clerks and recorders as herein provided shall, upon the payment of all taxes, penalties and interest covered thereby, be released by the City Administrator in the same manner as mortgages or judgments are released.

(h) Statute of limitations. Any suit for collection of any taxes imposed by this chapter or for any interest thereon or penalties with respect thereto shall be instituted, or any other action to collect the same shall be commenced, or any notice of lien shall be filed in accordance with Nebraska law. The taxpayer and the City Administrator may agree in writing to an extension of any limitation and the period so agreed may be extended by subsequent agreements in writing.

§ 113.50.2. - Failure to file return or pay; delinquency; assessment by City Administrator.

(a) If any person neglects or refuses to file a return or pay any taxes as required by this chapter, the City Administrator may proceed to collect the tax in accordance with applicable law. Not in limitation of the foregoing sentence, the City Administrator may make an estimate, based upon such information as may be reasonably available to the City Administrator, of the amount of the taxes due for the period or periods for which the taxpayer is delinquent, and upon the basis of

such estimated amount, compute and assess the tax and in addition thereto such penalties and interest as applicable under the circumstances pursuant to subsection 113.50.6 below. Interest shall compound quarterly.

(b) The City Administrator shall give the delinquent taxpayer written notice of any such estimated taxes, penalties, and interest. Such estimate shall be an assessment, and such assessment shall be final and due and payable from the taxpayer to the City ten days from the date of service or mailing of the notice; however, within such ten-day period the delinquent taxpayer may petition the City Administrator for a revision or modification of such assessment and shall, within such ten-day period, furnish the City Administrator the facts and figures supporting a different amount of such taxes. Such petition and the facts and figures submitted shall be submitted in writing and shall be given under oath of the taxpayer.

(c) The City Administrator shall be authorized to modify such assessment as the City Administrator determines appropriate in accordance with the facts and figures which the City Administrator deems correct. Any adjusted assessment shall be made in writing and notice thereof provided to the taxpayer within ten days. All decisions shall become final upon the expiration of 30 days from the date of service or mailing unless proceedings are commenced within that time for appeal in the District Court of Sarpy County, Nebraska in accordance with applicable laws, rules, and regulations.

§ 113.50.3. - Jeopardy assessment.

(a) If the City Administrator finds that collection of any tax will be jeopardized by delay, the City Administrator, in the City Administrator's discretion, may declare the taxable period immediately terminated, determine the tax, and issue notice and demand for payment thereof; and, having done so, the tax shall be due and payable forthwith, and the City Administrator may proceed to collect such tax.

(b) Collection may be stayed if the taxpayer gives such security for payment as shall be satisfactory to the City Administrator.

§ 113.50.4. - Recovery of unpaid tax by action at law.

(a) The City Administrator may treat any taxes, penalties or interest due and unpaid as a debt due the City, recoverable as permitted by applicable law or equity.

(b) In case of failure to pay the taxes, or any portion thereof, or any penalty or interest thereon when due, the City Administrator may recover at law the amount of such taxes, penalties and interest in any court of Sarpy County or of the county in which the taxpayer resides or has a place of business.

(c) The return of the taxpayer or the assessment, penalties, or interest made or calculated by the City Administrator, as herein provided, shall be prima facie proof of the amount due.

(d) Such actions, in addition to any other permissible action under applicable law, may be actions in attachments, and writs of attachment may be issued to the constable or sheriff, as the case may be; and in any such proceeding no bond shall be required of the City Administrator except as may be required by statute, nor shall any constable or sheriff require of the City Administrator an indemnifying bond for executing the writ of attachment or writ of execution upon any judgment entered in such proceedings; and, in accordance with the procedure established by statute, if any, the City Administrator may prosecute appeals or writs of error in such cases without the necessity of providing bond therefor.

(e) The City Attorney, when requested by the City Administrator, may commence an action for the recovery of taxes, penalties or interest due under this chapter. This and all other remedies set forth in this chapter shall be in addition to all other applicable remedies provided in the code, statutes or applicable law.

§ 113.50.5. - City a party to title actions for determination of lien.

In any action affecting title, ownership, or rights in or to real estate or personal property subject to attachment of a lien for collection of taxes pursuant to this

chapter, the City may be made a party defendant for the purpose of obtaining a judgment or determination of its lien upon the property involved therein.

§ 113.50.6. - Penalties and Interest.

(a) *Penalties and interest for deficiencies for reasons other than fraud or intent to evade.* If any part of any deficiency under this chapter is for reasons other than fraud or an intent to evade the tax, there shall be added ten percent of the total amount of the deficiency; and in such case interest shall be collected at the rate of one percent per month, or fraction thereof, on the amount of the deficiency and additional amount from the earlier of the date the return or payment was due until filed and paid, from the person required to file the return or pay the tax, which deficiency, interest and addition shall be paid within ten days after written notice and demand by the City Administrator.

(b) *Penalties and interest for deficiency in cases of intent to defraud or evade.* If any part of a deficiency under this chapter is due to fraud or intent to evade the tax, then there shall be added fifty percent of the total amount of the deficiency, and in such case the whole amount of the tax that is unpaid and such additions, and interest on such amounts and additions calculated in the manner described in subsection “a” above, shall be paid within ten days after written notice and demand by the City Administrator.

(c) *Order of Application of Payments.* Any payments received by the City pursuant to this section shall be applied in the following order: First to pay any interest, next to pay any late fees or other charges, and any remainder to the principal amount of tax that is due.

§ 113.50.7. - Authority of City Administrator to waive penalty.

The City Administrator is hereby authorized to waive, for good cause shown, any penalty assessed pursuant to this chapter. Any interest imposed in excess of six percent per annum shall be deemed a penalty.

Section 2. Repeal of Conflicting Provisions. Section 113.10 of the La Vista Municipal Code, and any part of any other previously enacted ordinance that conflicts with any part of this Ordinance, are hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 4. Publication and Effective Date. This Ordinance shall be published and shall be in force and take effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

~~§ 113.10 FAILURE TO PAY.~~

~~If any person, company or corporation fails or neglects to pay the occupation taxes as provided herein on the day it becomes due and payable, a late fee in such amount as set from time to time by the Mayor and the City Council shall be added and the city shall then proceed by civil suit to collect the amount due. (Neb. RS 17-525) ('79 Code, § 10-508) (Am. Ord. 927, passed 2-3-04)~~

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AMEND SECTION 113.01 OF THE LA VISTA MUNICIPAL CODE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN L. POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

An ordinance has been prepared to amend, Section 113.01 Purpose of the La Vista Municipal Code.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

This ordinance would amend Section 113.01 to allow the administrative provisions of Chapter 113 to apply to all types of occupation tax.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; 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. Section 113.01 of the La Vista Municipal Code is amended to read as follows:

§ 113.01 PURPOSE.

For the purpose of raising revenue there is hereby levied an occupation tax upon each and every classification of occupation, business and service carried on within the corporate limits of the City of La Vista, Nebraska as specified and enumerated in this chapter, the city's master fee ordinance, or other city ordinance. An occupation tax levied and collected pursuant to Neb. RS 16-205 shall be imposed in the manner provided in Neb. 18-1208, to the extent applicable. Every person, firm, partnership, limited liability company, corporation association, or other entity carrying on any classification of occupation, business or service specified in this chapter, the city's master fee ordinance, or other city ordinance within the corporate limits of said city shall pay to the City Clerk the sum or sums set forth in this chapter, the city's master fee ordinance, or other city ordinance as a tax upon said occupation or business, to be paid annually on or before the first day of January unless otherwise provided in this chapter, the city's master fee ordinance, or other ordinances of the city. Except as otherwise specified in this chapter, the master fee ordinance or other ordinance of the city, all money so collected shall be paid over forthwith by the City Clerk to the City Treasurer who will credit the same to the General Fund of the city; and said money shall be and remain under the control of the Mayor and City Council of said city and used for such purposes as are permitted in case of other moneys belonging to the General Fund.

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

§ 113.01 PURPOSE.

For the purpose of raising revenue there is hereby levied an occupation tax upon each and every classification of occupation, business and service carried on within the corporate limits of the City of La Vista, Nebraska as specified and enumerated in this chapter, the city's master fee ordinance, or other city ordinance. An occupation tax levied and collected pursuant to Neb. RS 16-205 shall be imposed in the manner provided in Neb. 18-1208, to the extent applicable. Every person, firm, partnership, limited liability company, corporation, ~~or association, or other entity~~ carrying on ~~the~~ any classification of occupation, business or service ~~hereinafter~~ specified in this chapter, the city's master fee ordinance, or other city ordinance within the corporate limits of said city shall pay to the City Clerk ~~annually on or before the first day of January~~ the sum or sums ~~hereinafter~~ set forth in this chapter, the city's master fee ordinance, or other city ordinance as a tax upon said occupation or business, to be paid annually on or before the first day of January unless otherwise provided in this chapter, the city's master fee ordinance, or other ordinances of the city. Except as otherwise specified in this chapter, the master fee ordinance or other ordinance of the city, aAll money so collected shall be paid over forthwith by the City Clerk to the City Treasurer who will credit the same to the General Fund of the city; and said money shall be and remain under the control of the Mayor and City Council of said city and used for such purposes as are permitted in case of other moneys belonging to the General Fund.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AMEND SECTION 113.02 OF THE LA VISTA MUNICIPAL CODE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN L. POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

An ordinance has been prepared to amend, Section 113.02 Amounts of the La Vista Municipal Code.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

This ordinance would amend Section 113.02 to allow the administrative provisions of Chapter 113 to apply to all types of occupation tax.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; 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. Section 113.02 of the La Vista Municipal Code is amended to read as follows:

§ 113.02 AMOUNTS.

For the purpose of raising revenue, an occupation tax is hereby levied on the classifications of businesses and in such amounts as specified in this chapter or set from time to time by the Mayor and City Council in the city's master fee ordinance or other ordinances of the city, which shall be maintained by the City Clerk. An occupation tax levied and collected pursuant to NEB. R.S. 16-205 shall be imposed in the manner provided in Neb. R.S. 18-1208 to the extent applicable.

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

§ 113.02 AMOUNTS.

For the purpose of raising revenue, an occupation tax is hereby levied on the typesclassifications of businesses and in such amounts as specified in this chapter or set from time to time by the Mayor and City Council, ~~and a current record of such businesses and amounts shall be outlined~~ in the city's master fee ordinance or other ordinances of the city, which shall be maintained by the City Clerk. An occupation tax levied and collected pursuant to NEB. R.S. 16-205 shall be imposed in the manner provided in Neb. R.S. 18-1208 to the extent applicable.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AMEND SECTION 113.05 OF THE LA VISTA MUNICIPAL CODE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN L. POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

An ordinance has been prepared to amend, Section 113.02 Collection Date of the La Vista Municipal Code.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

This ordinance would amend Section 113.05 to allow the administrative provisions of Chapter 113 to apply to all types of occupation tax.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; 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. Section 113.05 of the La Vista Municipal Code is amended to read as follows:

§ 113.05 COLLECTION DATE.

All occupation taxes shall be due and payable on the first day of January of each year, except in the event that the said tax is stated on a daily or other basis (other than annually), or another date is specified in this chapter or the city's master fee ordinance, or otherwise by City Council by ordinance. Class C liquor license holder occupation taxes shall be due and payable on the first day of November, and all liquor license holder occupation taxes with the exception of Class C shall be due and payable on the first day of May. Occupation taxes levied on pawnbroker transactions shall be due and payable on a monthly basis no later than the last day of the calendar month immediately after the month in which the subject pawnbroker transactions occur. Every occupation tax levied by this chapter at a daily or yearly rate must be paid in one payment in advance before the business is commenced. Upon the payment of any occupation taxes by any person or persons to the City Clerk, the said Clerk shall give a receipt, properly dated, and specifying the person paying the said tax and the amount paid. The City Clerk shall have the option to provide a single receipt for the aggregate amount of all occupation taxes paid on pawnbroker transactions during a calendar year, so long as the city maintains a current record of occupation taxes paid during the year, and the receipt is provided no later than March 1 following the calendar year in which the taxes are paid. Except as otherwise specified in this chapter, the master fee ordinance or other ordinance of the city, the revenue collected shall then be immediately deposited into the General Fund by the City Treasurer. The City Treasurer shall keep an accurate account of all revenue turned over to him or her. All forms and receipts herein mentioned shall be issued in duplicate. One copy shall then be kept by each party in the transaction.

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

§ 113.05 COLLECTION DATE.

All occupation taxes shall be due and payable on the first day of January of each year, except in the event that the said tax is stated on a daily or other basis (other than annually), or another date is specified below in this chapter or the city's master fee ordinance, or otherwise by City Council by ordinance. ~~Occupation taxes collected from~~ Class C liquor licensee holder occupation taxes shall be due and payable on the first day of November, and ~~occupation taxes collected from~~ all liquor license holder occupation taxes with the exception of Class C shall be due and payable on the first day of May. Occupation taxes levied on pawnbroker transactions shall be due and payable on a monthly basis no later than the last day of the calendar month immediately after the month in which the subject pawnbroker transactions occur. Every occupation tax levied by this chapter at a daily or yearly rate must be paid in one payment in advance before the business is commenced. Upon the payment of any occupation taxes by any person or persons to the City clerk, the said Clerk shall give a receipt, properly dated, and specifying the person paying the said tax and the amount paid. The City Clerk shall have the option to provide a single receipt for the aggregate amount of all occupation taxes paid on pawnbroker transactions during a calendar year, so long as the city maintains a current record of occupation taxes paid during the year, and the receipt is provided no later than March 1 following the calendar year in which the taxes are paid. Except as otherwise specified in this chapter, the master fee ordinance or other ordinance of the city, ~~¶~~ the revenue collected shall then be immediately deposited into the General Fund by the City Treasurer. The City Treasurer shall keep an accurate account of all revenue turned over to him or her. All forms and receipts herein mentioned shall be issued in duplicate. One copy shall then be kept by each party in the transaction.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
RESTAURANTS AND DRINKING PLACES OCCUPATION TAX	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

An ordinance has been prepared to implement a 1.5% Restaurants and Drinking Places Occupation Tax. (AKA: Restaurant Tax)

FISCAL IMPACT

The City projects proceeds up to \$700,000 annually.

RECOMMENDATION

Approval.

BACKGROUND

The proposed occupation tax would help ensure the City's continued fiscal strength and address challenges resulting from rapid growth. Businesses that provide food and beverages are vital to the City's overall economy and, while the City welcomes the many visitors these businesses bring into the community, they also impact municipal services. This tax is being contemplated as a means to share the burden equally with non-residents and residents alike.

This occupation tax would be calculated as a percentage of the gross receipts of a restaurant or drinking place from the sale of food or beverage. It would apply to any restaurant or drinking place such as, but not limited to cafés, bakeries, coffee shops, food trucks, caterers, as well as restaurants or drinking places in grocery or convenience stores, and it would apply to both alcoholic and non-alcoholic beverages.

The Finance Department has prepared a financial analysis based on estimates and available sales tax information, which projects what the restaurants and drinking places tax might have generated if it were in place in 2016, 2017, 2018 and the full 2019 year. Although the City Finance Department is not privy to all the relevant sales tax information on restaurant and drinking places, the department's analysis estimates the City would have had generated revenue of \$598,649 in 2016; \$620,254 in 2017; \$638,441 in 2018; and \$654,402 in 2019. Furthermore, the restaurants and drinking places tax if approved, the analysis estimates receipts of \$670,762 in 2020 and \$687,531 in 2021. The Finance Department believes that these projections might overstate occupation tax receipts for calculating the occupation tax generally would be less than amounts subject to sales tax. Nevertheless, the greater amounts were used for the analysis and the ordinances, based on this analysis, provides for a rate review period of every two years to consider any recommended adjustments to the occupation tax rate or review period based on actual occupation tax receipts.

Community Outreach to share this proposal has included: Fact Sheet being distributed to over 450 business in La Vista, posting the fact sheet on the City's website, and distributing a press release to the news media. Since, City Hall has received only nine contacts from the public in regard to this proposal. There were seven against (2 of which were non-residents) and 2 support of the proposed restaurant tax.

ORDINANCE NO.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA LEVYING AND IMPOSING RESTAURANTS AND DRINKING PLACES OCCUPATION TAX AS SECTION 113.10 OF THE LA VISTA MUNICIPAL CODE; SPECIFYING ADMINISTRATIVE PROVISIONS AND USE OF TAX PROCEEDS; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, as follows:

Section 1. The Mayor and City Council of the City of La Vista desire to levy and impose a new Restaurants and Drinking Places Occupation Tax as Section 113.10 of the La Vista Municipal Code as provided in this Ordinance.

Section 2. Section 113.10 of the La Vista Municipal Code is hereby adopted and approved as follows:

“§ 113.10 Restaurants and Drinking Places Occupation Tax

§ 113.10.0. - Definitions. As used in this section, the following words and phrases shall have the meanings ascribed to them in this subsection, except where the context clearly indicates or requires a different meaning:

Applicable Rate shall mean the rate of tax from time to time specified in the master fee ordinance for the tax imposed by this Section 113.10. The initial tax rate of one and one half percent (1.5%) and any subsequent rate as adjusted shall satisfy any applicable requirements of Neb. Rev. Stat. Section 18-1208, including without limitation, that the initial rate or any increased rate or other rate adjustment shall be projected to generate annual occupation tax revenues that are not in excess of the applicable amount listed in Neb. Rev. Stat. Section 18-1208(2), unless approved by registered voters at an election held within the City or otherwise permitted by Nebraska Statutes.

Beverage shall mean any drinkable liquid for humans for hydration, nutrition, taste, pleasure or similar purposes, including without limitation, any such liquid that is frozen, alcoholic or nonalcoholic.

City shall mean the City of La Vista and the area within the corporate limits of the City of La Vista, as adjusted from time to time.

City Clerk shall mean the City of La Vista City Clerk or any designee of the City Clerk.

City Administrator shall mean the City of La Vista City Administrator or any designee of the City Administrator.

Drinking place shall mean any establishment or business offering on-premises consumption of alcoholic and/or nonalcoholic beverages including, but not limited to, bars, taverns, coffee shops, night clubs, dance halls, concession or other types of stands, drive-through, take out, and “to go” facilities, and establishments, facilities, or spaces or areas at or within race tracks, golf courses, sports facilities, meeting or event facilities, arenas, stadiums, hotels, motels, bed and breakfasts, boarding houses, hospitals, grocery stores, shopping centers, convenience stores, supermarkets, or office buildings where beverages are obtained or consumed if a charge is made for them. The term includes all types of facilities, locations and delivery methods by, from or through which a drinking place from time to time might be conducted, including without limitation any permanent, temporary, fixed, mobile, contracted, third party, stand-alone, colocated, joint, or bundled facilities, locations, or delivery methods. Without limiting the foregoing, the term includes caterers, stands and mobile vendors, push carts, beverage wagons or trucks, and other temporary or mobile facilities from which beverages ready for consumption are provided. Also included are places consisting solely of drive-through facilities. A drinking place may also be a restaurant.

(1) The term does not include any establishment or business offering beverages free of charge. The term "free of charge" means without any consideration, donation, contributions, or monetary charges of any nature paid for access to the

beverages and, without limitation, requires the absence of any admission charge, cover charge, table reservation fee, gate charges, seat charges, entertainment fee, green fees, or required minimum purchase of beverages, food, or merchandise.

(2) The term does not include a place offering beverages on premises owned or operated by a civic, charitable, educational, religious, governmental, or political organization exempt from income taxes under the United States Internal Revenue Code, except as to use of such place or premises by a person that is not exempt from income taxes under the United States Internal Revenue Code to offer beverages to the public.

Effective Date shall mean October 1, 2019.

Engaged in shall mean to conduct, offer to the public, carry on, or take part in the operation of an enterprise or activity as owner, operator, or agent. Not in limitation of foregoing parts of this definition, a person renting or using a facility, place or premises for a taxable enterprise or activity or service, as a promoter, producer, one-time event, full-time, or otherwise, shall be considered to be engaged in the enterprise or activity.

Food shall mean all edible substances, whether solid, semi-solid, liquid, concentrated, frozen, dried, dehydrated, or otherwise, for ingestion, chewing, or consumption by humans for nutrition, taste, refreshment, pleasure or similar purposes.

Gross receipts shall mean the total amount of receipts, revenues, consideration, donations, contributions, or monetary charges of any nature received for or to provide access to food or beverage without any deduction on account of expenses, taxes, or other costs.

(1) The term includes, without limitation:

- (i) The price charged for food or beverages;
- (ii) Any admission charge, cover charge, membership fee, table reservation fee, gate charges, seat charges, or entertainment fee or similar payment if the payment gives the payor a right to access or obtain food or beverage which is otherwise subject to this tax;
- (iii) The amount received by a person from vendors or contractors who provide food or beverages to that person's customers on or off the premises and which are within the scope of this tax; and
- (iv) Receipts from the sale of beverages or food of a restaurant or drinking place for immediate consumption even if it is not actually consumed on the premises, including without limitation the receipts from prepared "take out," "drive-through," or "to go" food or beverages, or food or beverages provide through a food or beverage delivery platform or other kind of food or beverage delivery service.

(2) The term does not include:

- (i) The value of food or beverages furnished by restaurants or drinking places to employees as part of their compensation when no charge is made to the employees.
- (ii) Tips to an employee of a restaurant or drinking place when the amount of the tip is wholly in the discretion of the purchaser and the full amount of the tip is turned over to the employee, regardless whether or not the tip is paid to the employee or added to the bill.
- (iii) Payments received by a caterer from a civic, charitable, educational, religious, governmental, or political organization exempt from income taxes under the United States Internal Revenue Code for food or beverage delivered to the premises of the organization;
- (iv) Receipts from sales of food or beverage exempt or otherwise not subject to Nebraska sales and use taxes imposed by the Nebraska Revenue Act of 1967, as amended from time to time; or

(v) Receipts from sales of snack foods or beverages, meaning unopened bottles, cans or packages of soft drinks, alcoholic beverages, sports drinks, flavored drinks, bottled water, chewing gum, candy, popcorn, pretzels, nuts, cookies, donuts, crackers, chips, or other items of essentially the same nature, prepackaged in sealed containers and sold for home consumption, except when provided in connection with any prepared food or beverages with respect to which receipts from the snack foods or beverages, together with the prepared food or beverages, are subject to Nebraska sales and use taxes pursuant to the Nebraska Revenue Act of 1967.

Person shall mean any natural person, individual, partnership, association, organization, corporation, or entity of any kind or character engaging in a restaurant or drinking place.

Rate Review Date shall mean the date that is two years after the Effective Date, and every two years thereafter or any other date that the City Council or City Administrator determines necessary or advisable in connection with setting or reviewing a rate or adjusted rate for the tax pursuant to this section in accordance with applicable law.

Rate Review Period shall mean the applicable period ending the day before a Rate Review Date that is used for purposes of reviewing the Applicable Rate.

Restaurant shall mean any place that is kept, used, maintained, advertised, or held out as a place where food is prepared and sold for immediate consumption either on the premises or elsewhere.

(1) The term includes, but is not limited to, cafes, grills, bistros, delicatessens, coffee shops, bakeries, lunch counters, sandwich stands, concession or other types of stands, drive-through, take out, and "to go" facilities, and establishments, facilities, spaces or areas at or within race tracks, golf courses, sports facilities, meeting or event facilities, arenas, stadiums, hotels, motels, bed and breakfasts, boarding houses, hospitals, grocery stores, shopping centers, convenience stores, supermarkets, or office buildings where food is obtained or consumed if a separate charge is made for the food. A restaurant may also be a drinking place. The term includes all types of facilities, locations and delivery methods by, from or through which a restaurant from time to time might be conducted, including without limitation any permanent, temporary, fixed, mobile, contracted, third-party, stand-alone, collocated, joint, or bundled facilities, locations, or delivery methods. Without limiting the foregoing, the term includes caterers, stands and mobile food vendors, push carts, lunch or food wagons or trucks, ice cream trucks, and other temporary or mobile facilities from which food ready for consumption is sold. Also included are places consisting solely of drive-through facilities.

(2) The term does not include:

(i) A place operated by a religious, civic, educational, charitable, governmental, or political organization exempt from income taxes under the United States Internal Revenue Code where food is offered solely to its members or students;

(ii) A public or private daycare center that offers food solely to its employees or the children staying at the center;

(iii) A convalescent home, nursing home, home for the aged or infirmed, or substance abuse facility that offers food solely to its residents;

(iv) Premises where food is obtained solely from vending machines operated by coin, cards, or other per-purchase operation regardless of whether the food may be consumed on the premises;

(v) Temporary stands at annual festivals or similar events from which food ready for consumption is sold unless entrance to the place at which the food is sold is subject to an admission charge;

(vi) Any establishment or business offering food free of charge. The term "free of charge" means without any consideration, donation, contributions, or monetary charges of any nature paid for access to the food and, without limitation, requires the absence of any admission charge, cover charge,

table reservation fee, gate charges, seat charges, entertainment fee, green fees, or required minimum purchase of food, beverages, or merchandise; or

(vii) A place offering food on premises owned or operated by a civic, charitable, educational, religious, governmental, or political organization exempt from income taxes under the United States Internal Revenue Code, except as to use of such place or premises by a person that is not exempt from income taxes under the United States Internal Revenue Code to offer food to the public.

Provided, however, with the exception of subsection (iv), any such place, center, home, facility, premises, establishment, or business described in this subsection "2" shall constitute a restaurant subject to the occupation tax with respect to any receipts from food sales that are subject to Nebraska sales and use taxes pursuant to the Nebraska Revenue Act of 1967.

Retail Sale shall mean sale for use or consumption and not for resale.

Taxpayer shall mean any person engaged in a restaurant or drinking place who is required to pay the tax herein imposed.

§ 113.10.1. - Findings, Intent and purpose of Section.

(a) The City Council finds, determines, and declares that persons engaging in restaurants and drinking places are benefited from tourism, leisure, and recreational activities that place unique demands on the City's resources, but which are activities that should be promoted and encouraged. Further, residents and nonresidents who patronize restaurants and drinking places are enjoying a discretionary activity that is dependent upon, and generating revenue from, the restaurant's or drinking place's location within the City and its access to services provided by the City. Subjecting restaurants and drinking places to taxation for purposes of raising revenues is fair, reasonable, appropriate, and just.

(b) Pursuant to the authority of Neb. Rev. Stat. § 16-205, the City Council finds, determines, and declares that restaurants and drinking places form discrete and reasonable classifications of businesses, users of space, or kinds of transactions engaged in within the City and it is appropriate that an occupation tax be imposed on such classifications of businesses, users of space, or kinds of transactions for the purpose of raising revenue to support and further City activities, services, and purposes. These findings, determinations, and declarations are made with due recognition of such businesses, users of space, and transactions within the City and the relation of such businesses, users of space, and transactions to the municipal welfare and the expenditures required of the City, and with consideration of just, proper and equitable distribution of tax burdens within the City as the City Council in its sole discretion determines appropriate, and other proper considerations.

(c) The City Council further determines that some activity or revenue should be excluded from the scope of this section, for reasons including without limitation (i) the activity is offered without charge, (ii) the activity has a primary purpose other than to generate revenue for the business or establishment by the sale of food or drink, (iii) the revenue is generated from activity that does not have the discretionary characteristics and qualities that support using restaurant or drinking place revenue as a measure of determining the amount of taxation, (iv) the sale of food or beverages is primarily intended to encourage and support the civic, charitable, educational, or religious activities of a nonprofit corporation and/or (v) the sale of food or drink is by a nonprofit corporation contracting with the City of La Vista and assessing a tax measured by those sales potentially has the contradictory effect of reducing revenue paid to the City as compensation for the contract.

(d) The restaurants and drinking places occupation tax pursuant to this Section 113.10 is specifically imposed for general revenue purposes and proceeds of the tax shall be deposited in the general fund of the City, except as may otherwise be approved by the City Council from time to time to use or pledge such proceeds for

one or more specific projects of the City and deposit such proceeds in a special fund rather than the City's general fund.

(e) The Mayor and City Council find and determine based on analysis supplied by the City Administrator ("Analysis") that annual revenues generated by the tax at the initial Applicable Rate during the initial period ending on the first Rate Review Date are not projected to exceed \$700,000.00. The Mayor and City Council hereby ratify, affirm, adopt, and approve the Analysis.

§ 113.10.2. - Tax Levied and Imposed.

(a) On and after the Effective Date, and in each calendar month thereafter, there is hereby levied and imposed a restaurant and drinking place occupation tax upon each and every person conducting, engaging in, or operating a restaurant or drinking place within the City at any time during a calendar month. The tax shall begin on the Effective Date at 4:00 a.m. The amount of the tax shall be the Applicable Rate of all gross receipts for each calendar month derived from the retail sale of food or beverages of restaurants and drinking places subject to this tax. It shall be unlawful for any person engaging in a restaurant or drinking place to fail to pay the tax required by this section, or to fail to file any return or information required by this section. Each day any such person engages in a restaurant or drinking place after failing to pay the required tax, or failing to file any required return or information, shall constitute a separate offense and shall be punishable as provided in section 10.99 of this Code, in addition to any other remedy provided in this chapter; provided, however, delinquency in payment of the tax required by this section, or conviction for violation of this section, shall not be grounds for suspension or revocation of any other license issued to any person within the City under any licensing provision of this code or other ordinances, or of any license issued by any licensing authority pursuant to Nebraska Statutes.

(b) The City Administrator within an administratively practicable time after each Rate Review Date shall estimate projected annual revenues until the next Rate Review Date and make such recommendations as the City Administrator determines necessary or appropriate, including without limitation, any recommended adjustments to the Applicable Rate or Rate Review Date as determined necessary or appropriate to satisfy applicable Nebraska Statutes, including without limitation Neb. Rev. Stat. Section 18-1208. Such estimates, projections, and any recommended adjustments shall be based on actual revenues from the tax during the applicable Rate Review Period and such other information, factors, or considerations as the City Administrator determines appropriate. Any proposed adjustment to the Applicable Rate shall be presented as an amendment to the master fee ordinance for consideration at a City Council meeting. Any such adjustment, if approved, shall be effective beginning at 4:00 a.m. on the first day of the fiscal year beginning immediately after the adjustment is approved, or on such other date as specified by the City Council.

(c) The tax imposed by this section 113.10 is a tax on the taxpayer for the privilege of engaging in the particular occupations within the City. The person engaged in a restaurant or drinking place may elect to itemize the tax levied and pass the cost of the tax through to customers or purchasers on bills, receipts, or other invoices provided to such customers or purchasers but such itemization and pass-through of the cost of the tax shall not be required and each person engaged in the restaurant or drinking place shall remain liable for the tax imposed by this section.

(d) Notwithstanding anything in this subsection 113.10.2 to the contrary, the City Council at any time shall have the option to submit any proposed tax or tax rate increase described in this section 113.10 to registered voters of the City.

§ 113.10.3. - Tax imposed for revenue purposes; tax cumulative.

(a) The tax imposed by this section is for revenue purposes to support the government of the City and its activities. The levy of the tax under this section is in addition to all other fees, taxes, excises, and licenses levied or imposed under any contract or any other provisions of this code or ordinances of the City from time to time, and in addition to any fee, tax, excise, or license imposed by the State or federal government.

(b) Not in limitation of immediately preceding subsection 113.10.3(a), payment of the tax imposed by this section shall not relieve the person paying it from the payment of any other tax now or hereafter imposed by contract or ordinance or by this Code, including without limitation those imposed for any business or occupation carried on along with the restaurant or drinking place, unless otherwise provided therein. It is the intent of the Council that the occupation tax imposed by this section shall be cumulative unless otherwise expressly provided.

§ 113.10.4. – Return

(a) Each and every person engaged in a restaurant or drinking place within the City for any period of time on or after the Effective Date shall prepare and file with the City Administrator a return for each calendar month and at the same time pay to the City the tax herein imposed. The return shall be on and in such form and content and include such supporting data as may be prescribed by the City Administrator from time to time, and shall be verified and sworn to by an officer responsible for the restaurant or drinking place, and shall be filed with the City Administrator on or before the last day of the month immediately following receipt of any gross receipts included for purposes of calculating the tax. Returns and tax payments shall be filed and paid (i) hand delivery or by United States mail, properly addressed, postage prepaid and postmarked no later than the last day of the appropriate month, or (ii) by electronic filing and payment by Automated Clearing Housing or Credit Card no later than the last day of the appropriate month, and in accordance with such procedures as prescribed by the City Administrator from time to time.

§ 113.10.5. - Effective Date.

The occupation tax imposed by this section shall commence on the Effective Date and shall continue and remain in effect unless terminated by City ordinance. Provided, however, the tax shall be eligible for reconsideration every ten years as follows. The City Council shall vote on any motion of any City Council member at a Council meeting that is seconded directing the City Administrator to prepare a proposed Ordinance to terminate the tax. The motion must be made within the first ninety days of the fiscal year beginning immediately after the ten-year anniversary of such tax, or within the first ninety days of the fiscal year beginning immediately after any subsequent ten-year anniversary. If the motion is approved, the City Administrator shall prepare a proposed Ordinance for consideration of the City Council at a subsequent Council meeting held within an administratively practicable time. If a motion is not made, or if the motion or proposed Ordinance fails, the tax will continue in effect.

Section 3. Repeal of Conflicting Provisions. Any conflicting provision of any previously enacted ordinance is hereby repealed, effective at midnight on the day before the Effective Date.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 5. Publication and Effective Date of Ordinance. This Ordinance shall be published in full and shall be in force and take effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

DINING OUT - TAX RATES - SARPY COUNTY & DOUGLAS COUNTY CITIES

CITY OR SPECIAL DISTRICT	RESTAURANTS & DRINKING PLACES TAX RATE	GBOT* RATE	CITY SALES TAX	STATE SALES TAX	DATE RESTAURANTS & DRINKING PLACES TAX ENACTED	INCLUDING ALCOHOL	COUNCIL OR VOTER-APPROVED
Bellevue	0.00%	0.00%	1.50%	5.50%	n/a	n/a	n/a
Gretna	0.00%	0.00%	1.50%	5.50%	n/a	n/a	n/a
Gretna - Nebraska Crossing	0.00%	1.95%	1.50%	5.50%	n/a	n/a	n/a
La Vista	<i>1.50%</i>	0.00%	2.00%	5.50%	n/a	n/a	n/a
Omaha	2.50%	0.00%	1.50%	5.50%	10/1/2010	Yes	Council
Omaha - Blackstone Dist.	2.50%	1.95%	1.50%	5.50%	10/1/2010	Yes	Council
Omaha - Capitol District Redev. Project Area	2.50%	0.50%	1.50%	5.50%	10/1/2010	Yes	Council
Omaha - South Capitol District Area	2.50%	0.30%	1.50%	5.50%	10/1/2010	Yes	Council
Papillion	0.00%	0.00%	2.00%	5.50%	n/a	n/a	n/a
Ralston	2.50%	0.00%	1.50%	5.50%	11/1/2015	Yes	Council
Springfield	0.00%	0.00%	1.50%	5.50%	n/a	n/a	n/a

Percentages in italics are proposed percentages.

*General Business Occupation Tax in Enhanced Employment Area

**Original Ordinance approved by Council. Then July 1, 2016 as amended and approved by voters.

TOTAL COST OF A \$50.00 MEAL - SARPY COUNTY & DOUGLAS COUNTY CITIES

CITY OR SPECIAL DISTRICT	MEAL COST PRE-TAX	RESTAURANTS & DRINKING PLACES TAX*	GBOT TAX*	SUBTOTAL	SALES TAX	TOTAL MEAL COST
Bellevue	\$50.00	\$0.00	\$0.00	\$50.00	\$3.50	\$53.50
Gretna	\$50.00	\$0.00	\$0.00	\$50.00	\$3.50	\$53.50
Gretna - Nebraska Crossing	\$50.00	\$0.00	\$0.98	\$50.98	\$3.57	\$54.55
La Vista	\$50.00	<i>\$0.75</i>	\$0.00	<i>\$50.75</i>	<i>\$3.81</i>	<i>\$54.56</i>
Omaha	\$50.00	\$1.25	\$0.00	\$51.25	\$3.59	\$54.84
Omaha - Blackstone Dist.	\$50.00	\$1.25	\$0.98	\$52.23	\$3.66	\$55.89
Omaha - Capitol District Redev. Project Area	\$50.00	\$1.25	\$0.25	\$51.50	\$3.61	\$55.11
Omaha - South Capitol District Area	\$50.00	\$1.25	\$0.15	\$51.40	\$3.60	\$55.00
Papillion	\$50.00	\$0.00	\$0.00	\$50.00	\$3.75	\$53.75
Ralston	\$50.00	\$1.25	\$0.00	\$51.25	\$3.59	\$54.84
Springfield	\$50.00	\$0.00	\$0.00	\$50.00	\$3.50	\$53.50

*Assumes all items are taxable under the Food & Beverage Tax when applicable
Italicized amounts are based on proposed percentages.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AMEND FISCAL YEARS 18/19 & 19/20 MUNICIPAL BUDGET FOR CHANGES TO FISCAL YEAR 19/20	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CINDY MISEREZ FINANCE DIRECTOR

SYNOPSIS

The second reading of the Appropriations Ordinance has been prepared to adopt the proposed amendment to the FY20 municipal budget. Only the second reading of the budget ordinance is requested at this time as the final assessed property valuation of the City will not be received from Sarpy County until August 20, 2019.

FISCAL IMPACT

The proposed amended budget for FY20 is \$57,780,848 in all funds. The total proposed preliminary property tax request for FY20 is for \$9,173,661 which will require a property tax levy of \$0.55 per \$100 dollars of assessed valuation.

The owner of a home valued at \$150,000 will pay \$825 in property taxes, or \$68.75 per month. The proposed budget has no increase in the property tax levy.

RECOMMENDATION

Approval of second reading of the Appropriations Ordinance.

BACKGROUND

The City Council held the budget workshop on July 16, 2019. The proposed budget ordinance is based on the discussion in this meeting.

ORDINANCE NO. 1360

AN ORDINANCE TO AMEND ORDINANCE NO. 1323 AND THE BIENNIAL BUDGET APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2018 AND ENDING ON SEPTEMBER 30, 2019; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020, AND SPECIFICALLY TO AMEND AMOUNTS APPROPRIATED FOR THE SECOND YEAR OF SUCH BIENNIAL BUDGET FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE FILING AND CERTIFICATION OF THE BUDGET AND TAX LEVY HEREIN SENT TO THE STATE AUDITOR AND COUNTY CLERK OF SARPY COUNTY; TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES OR RESOLUTIONS AS ORIGINALLY ENACTED; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Section 1. That (i) the Mayor and City Council find and determine that there are circumstances which could not reasonably have been anticipated at the time the budget for the biennial period was adopted, and proposed revisions to the previously adopted budget statement have been presented and are hereby ratified and affirmed, and (ii) after publication of notice and conducting a public hearing in accordance with applicable requirements, the Mayor and City Council desire to approve the proposed revised budget.

Section 2. That Section 1 of Ordinance No.1323 is hereby amended to revise amounts of the current biennial budget specified for the Fiscal Year beginning October 1, 2019 and ending September 30, 2020 as follows:

“Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statements, as amended and on file with the City Clerk, is hereby approved as The Annual Appropriation Bill for the fiscal year beginning October 1, 2018, through September 30, 2019 and the fiscal year beginning October 1, 2019, through September 30, 2020, including summaries and supporting documentation. All sums of money contained in the revised budget statement are hereby appropriated for the necessary expenses and liabilities of the City of La Vista. The following amounts appropriated shall be raised primarily as follows. A copy of the budget document, as amended, shall be forwarded as provided by law to the Auditor of Public Accounts, State Capital, Lincoln, Nebraska, and to the County Clerk of Sarpy County, Nebraska for use by the levying authority.

Fund	Budget of Disbursements and Transfers FY19	Proposed Budget of Disbursements and Transfers FY20	Amount to be Raised by Property Tax Levy FY19	Amount to be Raised by Property Tax Levy FY20
General Fund	18,928,426.00	20,253,223.00	7,556,495.00	8,172,898.00
Sewer Fund	5,304,388.00	4,516,571.00	0.00	0.00
Sewer Reserve	0.00	0.00	0.00	0.00
Debt Service Fund	7,309,568.00	4,408,685.00	925,285.00	1,000,763.00
Capital Fund	9,072,012.00	9,266,912.00	0.00	0.00
Lottery Fund	1,320,819.00	1,532,398.00	0.00	0.00
Economic Development	3,134,559.00	3,137,466.00	0.00	0.00
Off-Street Parking	7,989,957.00	2,091,698.00	0.00	0.00
Redevelopment Fund	13,703,801.00	11,933,687.00	0.00	0.00
TIF – City Centre Phase 1	0.00	541,612	0.00	0.00
Qualified Sinking Fund	0.00	0.00	0.00	0.00
Police Academy Fund	95,104.00	98,596.00	0.00	0.00
Total All Funds	66,858,634.00	57,780,848.00	8,481,780.00	9,173,661.00

Section 3. Section 1 of Ordinance No. 1289, and any other ordinance or resolution of the City, or part of any such ordinance or resolution of the City, as previously enacted that is inconsistent or in conflict with this Ordinance is hereby repealed to the extent of the conflict or inconsistency.

Section 4. This ordinance shall take effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

CITY OF LA VISTA FY20 Budget Amendment

ALL FUNDS SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
Revenues			
Property Tax	9,043,279	9,076,984	9,768,865
Sales Tax	10,393,921	11,274,970	9,383,327
Payments in Lieu of Taxes	373,100	380,147	382,428
State Revenue	1,868,498	1,958,268	1,958,268
Occupation and Franchise Taxes	1,382,000	1,683,900	913,385
Hotel Occupation Tax	1,007,475	1,017,550	1,017,550
Licenses and Permits	460,250	440,250	440,250
Interest Income	153,952	160,720	160,720
Recreation Fees	170,710	172,710	172,710
Special Services	19,500	19,500	19,500
Grant Income	163,185	150,575	150,575
Restaurant Tax	0	0	700,000
Miscellaneous	1,560,186	838,208	749,927
Bond Proceeds	32,903,611	8,460,000	18,000,000
Sewer Charges	4,522,900	4,905,890	4,406,033
Special Assessments - Principal	50,000	50,000	50,000
Special Assessments - Interest	25,000	25,000	25,000
Community Betterment	850,000	850,000	850,000
Taxes - Form 51	340,000	340,000	340,000
Police Academy	80,000	84,000	100,000
Tax Increment Financing	0	541,612	541,612
Parking Garage Fees	0	0	115,000
Total Revenue	65,367,567	42,430,284	50,245,150
Expenditures			
Salary & Benefits	11,675,130	12,116,878	12,116,878
Commodities	583,470	580,014	580,014
Contractual Services	8,813,128	8,793,866	8,989,066
Maintenance	844,871	799,414	799,414
Other Charges	4,146,459	763,704	3,839,204
Debt Service	6,722,971	8,973,911	5,868,608
Capital Improvement	26,739,514	15,828,231	20,566,912
Total Expenditures	59,525,543	47,856,018	52,760,096

CITY OF LA VISTA FY20 Budget Amendment

ALL FUNDS SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
Total Capital Items	1,114,055	784,636	784,636
Total Expenditures & Capital	60,639,598	48,640,654	53,544,732
Other Financing Sources (Uses)			
Transfers In	6,054,294	5,123,185	4,236,116
Transfers Out	(6,054,294)	(5,123,185)	(4,236,116)
Total Other Uses of Funds (SID Trf)	0	0	0
Prior Year Fund Balance	31,141,155	21,412,070	21,412,070
Net Change	4,727,969	(6,210,370)	(3,299,582)
Ending Fund Balance	35,869,124	15,201,700	18,112,488

CITY OF LA VISTA FY20 Budget Amendment

OPERATING EXPENDITURE SUMMARY BY DEPARTMENT

	FY19 Adopted	FY20 Adopted	FY20 Proposed
General Fund Operating Expenditures			
Administrative Services	529,503	555,523	555,523
Mayor and Council	242,643	258,001	258,001
Adv. Boards and Commissions	10,338	10,544	10,544
Building Maintenance	682,385	666,644	666,644
Administration	768,999	814,815	814,815
Police	5,304,912	5,383,050	5,403,050
Animal Control	56,822	58,775	58,775
Fire	1,975,871	2,072,326	2,072,326
Community Development	718,268	687,211	687,211
Street Admin.	390,701	445,393	445,393
Streets Operating	2,302,236	2,522,062	2,522,062
Parks	1,147,210	1,180,306	1,180,306
Recreation	744,146	762,557	762,557
Sports Complex	392,356	413,496	413,496
Library	904,397	908,468	908,468
Information Technology	268,300	289,745	289,745
Swimming Pool	133,168	135,826	135,826
Human Resources	1,010,268	1,023,722	1,023,722
Public Transportation	6,181	6,243	6,243
Senior Bus	100,091	119,142	119,142
Finance	467,027	489,213	489,213
Total General Fund	18,155,822	18,803,062	18,823,062
Sewer Fund Operating Expenditures			
Operating Expenditures	3,924,263	3,683,401	3,683,401
Storm Water Management	54,000	54,540	54,540
Total Sewer Fund	3,978,263	3,737,941	3,737,941
Police Academy Operating Expenditures			
Police Academy	95,104	98,596	98,596
Total Police Academy Fund	95,104	98,596	98,596

CITY OF LA VISTA FY20 Budget Amendment

GENERAL FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
Revenues			
Property Tax	8,102,903	8,138,063	8,754,466
Sales Tax	5,196,961	5,637,486	4,691,663
Payments in Lieu of Taxes	281,875	288,922	288,922
State Revenue	1,868,498	1,958,268	1,958,268
Occupation and Franchise Taxes	882,000	883,900	883,900
Hotel Occupation Tax	1,007,475	1,017,550	1,017,550
Licenses and Permits	460,250	440,250	440,250
Interest Income	30,992	28,708	28,708
Recreation Fees	170,710	172,710	172,710
Special Services	19,500	19,500	19,500
Grant Income	163,185	150,575	150,575
Restaurant Tax	0	0	700,000
Miscellaneous	250,942	329,213	243,213
Total Revenue	18,435,291	19,065,145	19,349,725
Expenditures			
Salary & Benefits	10,980,078	11,455,487	11,455,487
Commodities	527,652	519,914	519,914
Contractual Services	4,832,464	5,073,647	5,093,647
Maintenance	755,869	699,126	699,126
Other Charges	317,612	304,081	304,081
Total Expenditures	17,413,675	18,052,255	18,072,255
Total Capital Items	742,147	750,807	750,807
Total Expenditures & Capital	18,155,822	18,803,062	18,823,062

CITY OF LA VISTA FY20 Budget Amendment

GENERAL FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
Other Financing Sources (Uses)			
OSP Transfer	(68,000)	(94,900)	(844,408)
DSF Transfer	(634,604)	(698,850)	(185,753)
Police Academy Transfers	(20,000)	(21,000)	0
Lottery Transfer	96,902	100,293	100,293
Qualified Sinking Fund Transfer	(50,000)	0	(400,000)
Total Other Uses of Funds	(675,702)	(714,457)	(1,329,868)
Prior Year Fund Balance	5,837,195	5,681,860	5,681,860
Net Change	(396,233)	(452,374)	(803,205)
Ending Fund Balance	5,440,962	5,229,486	4,878,655
Operating Reserve %	31%	29%	27%

CITY OF LA VISTA FY20 Budget Amendment

SEWER FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Sewer Service Charges	70,173	11,000	25,095
Sewer User Fees	4,352,612	4,794,872	4,277,805
Sales Tax Collection Fee	115	18	18
Sewer Hookup Fee	100,000	100,000	103,115
Interest Income	6,009	4,059	4,059
Bond Proceeds	-	-	-
Total Revenue	4,528,909	4,909,949	4,410,092
EXPENDITURES			
Salary & Benefits	618,649	581,719	581,719
Commodities	39,046	39,200	39,200
Contractual Services	2,869,232	3,002,971	3,002,971
Maintenance	68,201	68,884	68,884
Other Charges	11,227	11,338	11,338
Debt Service	-	-	-
Capital Improvement Program	125,000	-	50,000
Total Expenditures	3,731,355	3,704,112	3,754,112
Total Capital Items	371,908	33,829	33,829
Total Expenditures & Capital	4,103,263	3,737,941	3,787,941
Other Financing Sources (Uses)			
Lottery Transfer	3,000	3,000	3,000
Sewer Reserve Transfer	(1,201,125)	(1,172,665)	(728,630)
Total Other Uses of Funds	(1,198,125)	(1,169,665)	(725,630)
Prior Year Fund Balance	1,764,804	1,050,464	1,050,464
Net Change	(772,479)	2,343	(103,479)
Ending Fund Balance	992,325	1,052,807	946,985
Operating Reserve %	24%	28%	25%
Sewer Reserve Fund Balance	1,204,128	1,204,128	1,944,692

CITY OF LA VISTA FY20 Budget Amendment

DEBT SERVICE FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Property Tax	940,376	938,921	1,014,399
Sales Tax	2,598,480	2,818,742	2,345,832
Special Assessments - Principal	50,000	50,000	50,000
Special Assessments - Interest	25,000	25,000	25,000
Bond Proceeds	0	0	0
Interest Income	18,586	11,937	11,937
Other	600,469	600,220	600,220
Total Revenue	4,232,911	4,444,820	4,047,388
EXPENDITURES			
Operating - Other			
Debt Service - Bond Principal	3,180,000	2,967,500	2,605,000
Debt Service - Bond Interest	665,080	731,757	414,237
County Treasurer Fees	9,094	9,059	9,059
Debt Payment - PFD	122,513	121,611	121,611
Financial/Legal Fees	153,775	3,775	3,775
Total Expenditures	4,130,462	3,833,702	3,153,682
Other Financing Sources (Uses)			
Lottery Transfer	0	29,029	29,029
Transfer from SID	0	0	0
Transfer from General Fund (Hwy A)	634,604	698,850	185,753
Trf from CIP	90,000	0	0
Transfer to CIP	(2,324,012)	(702,500)	(702,500)
Transfer to OSP	(655,094)	(713,538)	(552,503)
Transfer to EDP	(200,000)	(200,000)	0
Total Other Sources/Uses of Funds	(2,454,502)	(888,159)	(1,040,221)
Prior Year Fund Balance	5,603,166	2,510,706	2,510,706
Net Change	(2,352,053)	(277,041)	(146,515)
Ending Fund Balance	3,251,113	2,233,665	2,364,191
Debt Service Coverage Ratio	0.95	1.07	1.01

CITY OF LA VISTA**FY20 Budget Amendment*****CAPITAL FUND SUMMARY***

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
MISC. REVENUE/MISC. BILLING AR	800,000	0	0
INTEREST INCOME & GAIN/LOSS	11,366	22,411	22,411
BOND PROCEEDS	10,270,000	2,500,000	8,500,000
Total Revenue	11,081,366	2,522,411	8,522,411
EXPENDITURES - Capital Improvement Program			
Streets	8,228,512	2,800,000	8,143,912
Parks	457,500	452,500	460,000
Sports Complex	0	138,000	138,000
Administration	100,000	150,000	150,000
Public Buildings	196,000	252,000	375,000
Total Expenditures	8,982,012	3,792,500	9,266,912
Other Financing Sources (Uses)			
Transfer to DSF	(90,000)	0	0
Transfer from DSF	2,324,012	702,500	702,500
Transfer from Lottery Fund	246,000	440,000	440,000
Total Other Sources/Uses of Funds	2,480,012	1,142,500	1,142,500
Prior Year Fund Balance	(553,954)	32,783	32,783
Net Change	4,579,366	(127,589)	397,999
Ending Fund Balance	4,025,412	(94,806)	430,782

CITY OF LA VISTA FY20 Budget Amendment

LOTTERY FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Community Betterment	850,000	850,000	850,000
Interest Income	16,691	16,420	16,420
Taxes - Form 51	340,000	340,000	340,000
Total Revenue	1,206,691	1,206,420	1,206,420
EXPENDITURES - Contractual Services			
Professional Services	251,068	184,159	184,159
Events Marketing	31,668	29,734	29,734
Concerts & Movie Nights	13,721	11,145	11,145
Recreation Events	4,507	4,642	4,642
Community Events	43,723	63,560	63,560
Salute to Summer	30,743	31,746	31,746
Other Contractual Services	34,745	35,090	35,090
Other Charges (Taxes)	350,000	350,000	350,000
Total Expenditures	760,175	710,076	710,076
Other Financing Sources (Uses)			
General Fund Transfer	(96,902)	(100,293)	(100,293)
Sewer Fund Transfer	(3,000)	(32,029)	(32,029)
CIP Transfer	(246,000)	(440,000)	(440,000)
RDF Transfer	0	0	(200,000)
QSF Transfer	(50,000)	(50,000)	(50,000)
Total Other Uses of Funds	(395,902)	(622,322)	(822,322)
Prior Year Fund Balance	3,182,599	3,226,382	3,226,382
Net Change	50,614	(125,978)	(325,978)
Ending Fund Balance	3,233,213	3,100,404	2,900,404

CITY OF LA VISTA FY20 Budget Amendment

ECONOMIC DEVELOPMENT FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Bond Proceeds	3,000,000	0	3,000,000
Interest Income	718	517	517
Total Revenue	3,000,718	517	3,000,517
EXPENDITURES			
Debt Service - Bond Principal	0	230,000	0
Debt Service - Bond Interest	59,559	115,897	62,466
Grants	3,000,000	0	3,000,000
Financial Fees	75,000	0	75,000
Total Expenditures	3,134,559	345,897	3,137,466
Other Financing Sources (Uses)			
Debt Service Fund Transfer - Sales Tax	200,000	200,000	0
Total Other Uses of Funds	200,000	200,000	0
Prior Year Fund Balance	6,933	206,968	206,968
Net Change	66,159	(145,380)	(136,949)
Ending Fund Balance	73,092	61,588	70,019

CITY OF LA VISTA FY20 Budget Amendment

OFF-STREET PARKING FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Interest Income	464	771	771
Bond Proceeds	2,503,611	5,960,000	0
Parking Garage Fees	0	0	115,000
Total Revenue	2,504,075	5,960,771	115,771
EXPENDITURES			
Commodities	13,272	17,365	17,365
Contractual Services	32,918	45,318	220,518
Maintenance	20,801	31,404	31,404
Debt Service - Bond Principal	670,000	950,000	685,000
Debt Service - Bond Interest	249,901	584,946	210,911
Land/Construction	6,852,315	6,000,000	850,000
Financial Fees	150,750	76,000	76,500
Total Expenditures	7,989,957	7,705,033	2,091,698
Other Financing Sources (Uses)			
Transfer In - General Fund	68,000	94,900	500,000
Transfer In - General Fund DS	0	0	344,408
Transfer In - Debt Service Fund	655,094	713,538	552,503
Transfer In - Redevelopment Fund	415,557	897,408	0
Total Other Uses of Funds	1,138,651	1,705,846	1,396,911
Prior Year Fund Balance	4,944,239	611,205	611,205
Net Change - Operations	(4,347,231)	(38,416)	(579,016)
Ending Fund Balance	597,008	572,789	32,189

CITY OF LA VISTA FY20 Budget Amendment

REDEVELOPMENT FUND SUMMARY

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Sales Tax	2,598,480	2,818,742	2,345,832
GBOT - Retail Sales	500,000	800,000	29,485
Bond Proceeds	17,130,000	0	6,500,000
Interest Income	65,818	66,252	66,252
Total Revenue	20,294,298	3,684,994	8,941,569
EXPENDITURES			
Contract - Professional Services	656,639	300,000	300,000
Other:			
Debt Service - Bond Principal	775,000	1,190,000	505,000
Debt Service - Bond Interest	1,000,918	1,546,004	728,187
Land/Construction	10,780,187	6,035,731	10,400,000
Financial/Legal Fees	75,500	500	500
Total Expenditures	13,288,244	9,072,235	11,933,687
Other Financing Sources (Uses)			
Transfer from Lottery	0	0	200,000
Transfer to OSP	(415,557)	(897,408)	0
Total Other Uses of Funds	(415,557)	(897,408)	200,000
Prior Year Fund Balance	10,337,128	6,781,760	6,781,760
Net Change	6,590,497	(6,284,649)	(2,792,118)
Ending Fund Balance	16,927,625	497,111	3,989,642

CITY OF LA VISTA FY20 Budget Amendment

POLICE ACADEMY FUND

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Police Academy Revenue	80,000	84,000	100,000
Interest Income	55	83	83
Total Revenue	80,055	84,083	100,083
EXPENDITURES			
Personnel Services	76,404	79,672	79,672
Commodities	3,500	3,535	3,535
Contractual Services	11,700	11,854	11,854
Maintenance	0	0	0
Other Charges	3,500	3,535	3,535
Total Expenditures	95,104	98,596	98,596
Other Financing Sources (Uses)			
General Fund Transfer	20,000	21,000	0
Total Other Uses of Funds	20,000	21,000	0
Prior Year Fund Balance	19,045	24,873	24,873
Net Change	4,951	6,487	1,487
Ending Fund Balance	23,996	31,360	26,360
Operating Reserve %	25%	32%	27%

CITY OF LA VISTA FY20 Budget Amendment

TIF CITY CENTRE PHASE 1A

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
TIF Revenue	0	541,612	541,612
Total Revenue	0	541,612	541,612
EXPENDITURES - Other			
Debt Service	0	536,196	536,196
Other Charges	0	5,416	5,416
Total Expenditures	0	541,612	541,612
Other Financing Sources (Uses)			
Transfer	0	0	0
Total Other Uses of Funds	0	0	0
Prior Year Fund Balance	0	(3,420)	(3,420)
Net Change	0	0	0
Ending Fund Balance	0	(3,420)	(3,420)

CITY OF LA VISTA FY20 Budget Amendment

TIF CITY CENTRE PHASE 1B

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
TIF Revenue	0	0	0
Interest Income	0	0	0
Total Revenue	0	0	0
EXPENDITURES - Other			
Debt Service	0	0	0
Other Charges	0	0	0
Total Expenditures	0	0	0
Other Financing Sources (Uses)			
Transfer	0	0	0
Total Other Uses of Funds	0	0	0
Prior Year Fund Balance	0	(19,136)	(19,136)
Net Change	0	0	0
Ending Fund Balance	0	(19,136)	(19,136)

CITY OF LA VISTA FY20 Budget Amendment

SEWER RESERVE FUND

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Interest Income	3,003	8,937	8,937
Total Revenue	3,003	8,937	8,937
EXPENDITURES			
Other Charges	0	0	0
Total Expenditures	0	0	0
Other Financing Sources (Uses)			
Transfer In	1,201,125	1,172,665	728,630
Transfer Out	0	0	0
Total Other Uses of Funds	1,201,125	1,172,665	728,630
Prior Year Fund Balance	0	1,207,125	1,207,125
Net Change	1,204,128	1,181,602	737,567
Ending Fund Balance	1,204,128	2,388,727	1,944,692

CITY OF LA VISTA FY20 Budget Amendment

QUALIFIED SINKING FUND

	FY19 Adopted	FY20 Adopted	FY20 Proposed
REVENUES			
Interest Income	250	625	625
Total Revenue	250	625	625
EXPENDITURES			
Other Charges	0	0	0
Total Expenditures	0	0	0
Other Financing Sources (Uses)			
Transfer from General Fund	50,000	0	400,000
Transfer from Lottery Fund	50,000	50,000	50,000
Transfer to General Fund	0	0	0
Total Other Uses of Funds	100,000	50,000	450,000
Prior Year Fund Balance	0	100,500	100,500
Net Change	100,250	50,625	450,625
Ending Fund Balance	100,250	151,125	551,125

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
ADDENDUM TO INTERLOCAL COOPERATION AGREEMENT - IT SERVICES AND PUBLIC SAFETY SOFTWARE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	KEVIN POKORNY DIRECTOR ADMINISTRATIVE SERVICES

SYNOPSIS

A resolution has been prepared to accept the Interlocal Cooperation Agreement with Sarpy County for Information Technology services and Public Safety Software.

FISCAL IMPACT

This was funded in the FY19/20 Biennial Budget.

RECOMMENDATION

Approval.

BACKGROUND

The City has been operating with an Interlocal Agreement with Sarpy County Information Systems to provide Information Technology (IT) and Public Safety Software services which is scheduled to expire September 30, 2019. On September 26, 2017, the City and Sarpy County combined the IT Services Interlocal and the Public Safety Software Interlocal Agreements into one IT Services and Public Safety Software Interlocal Agreement. The City and Sarpy County officials amended the agreement for IT and Public Safety Software services for a one-year extension (expiring September 30, 2019). Recommended for approval is a three-year agreement which would expire September 30, 2022.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN ADDENDUM TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA FOR IT SERVICES AND PUBLIC SAFETY SOFTWARE

WHEREAS, the City has been operating under an Interlocal Agreement with Sarpy Information Systems for the provision of IT services and Public Safety software; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the proposed services; and

WHEREAS, the City, working with Sarpy County Information Services, has prepared an addendum to the agreement for continued IT services and Public Safety software until September 30, 2022;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed addendum to the interlocal agreement between Sarpy County and the City of La Vista regarding IT Services and Public Safety Software for the City of La Vista is hereby approved, and authorizing the Mayor and City Clerk to execute said addendum on behalf of the City of La Vista in form and content approved by the City Administrator.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement is made and entered into by and between the County of Sarpy, State of Nebraska (hereinafter “County”) and City of La Vista, located in Sarpy County, State of Nebraska (hereinafter “City”), pursuant to the authority granted to the parties under Neb. Rev. Stat. § 13-801, *et seq.*

WHEREAS, County is a duly existing body politic and corporate, created by the laws of the State of Nebraska; and,

WHEREAS, the City wishes to utilize the resources of the County’s Information Systems Department and to fairly compensate the County for the expense of said services; and

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, *et seq.*, the Parties wish to permit their local governmental units to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with the geographic, economic, population, and other factors influencing the needs and development of local communities.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE AND FOREGOING, IT IS AGREED:

A. **DUTIES OF COUNTY:** County will, in consideration of the above:

1. Provide certain Information Technology Support Services and Public Safety Records Management Systems Support Services to the City, as further outlined in the Statement of Works and Service Level Agreements, attached hereto and

hereby incorporated by this reference as “Attachment A” and “Attachment B” respectively.

2. Provide City with monthly reports detailing activities performed by County during subsequent months under the terms of this agreement.
3. Keep all City data and information confidential, unless required to disclose said data or information pursuant to a court order or law.
4. Provide all Administrative Passwords in a sealed envelope upon request of the City. City will be notified when Administrative Passwords have been changed. City will immediately notify Sarpy County Information Systems if the sealed envelope is opened.
5. Maintain Cyber Security Insurance in the amount of at least three million dollars (\$3,000,000).

B. DUTIES OF CITY:

1. City shall compensate the County for Information Technology Support Services in the amount of \$41,990.00 for Fiscal Year (FY) 2020. Said compensation represents 475 hours of Information Technology Support Services. Should the City exceed 475 hours of Information Technology Support Services, the City shall compensate the County at the rate of \$88.40 per hour during FY 2020. In the event that this Agreement is terminated prior to the end of its term, City's obligation to pay County shall be limited to an amount prorated for services described in this subsection. The hourly reimbursement rate for Information Technology Support Services shall increase by 4% in FY 2021 to a rate of \$91.94 per hour for a total annual amount of \$43,669.60,

and again by 4% in FY 2022 to a rate of \$95.61 per hour for a total annual amount of \$45,416.38. Should the City exceed 950 hours of Information Technology Support Services in FY 2020 and FY 2021, the City shall compensate the County for each hour over 950 hours at the applicable hourly rate for the respective year.

2. City shall compensate the County for Public Safety Records Management Systems Support Services (excluding services in connection with the Sarpy County ProPhoenix Law Enforcement Records Management System pursuant to separate interlocal agreement) in the amount of \$6,425.00 annually. Said costs are detailed in the document attached hereto and hereby incorporated by this reference as "Attachment C." In the event that this Agreement is terminated prior to the end of its term, City shall be obligated to pay in full for the services described in this subsection. The Public Safety Records Management Systems Support Services rates shall be determined on May 1 of each year by dividing the total number of City's then fiscally authorized sworn law enforcement personnel by the sum total of then fiscally sworn law enforcement personnel of the City of Bellevue, City of Papillion, City of La Vista, and Sarpy County, and actual usage of license and storage.
3. For the services and compensation described in Sections B.1. and B.2. (above), City shall pay the County a total of \$48,415.00 in FY 2020 in four (4) equal quarterly installments (three months), with the first payment due October 1, 2019, and with subsequent payments at three (3) month intervals thereafter. City shall pay the County a total of \$50,094.60 in FY 2021 in four (4) equal quarterly installments (three months), with the first payment due October 1, 2020, and with subsequent payments at three (3) month intervals thereafter. City shall pay the

County a total of \$51,841.38 in FY 2022 in four (4) equal quarterly installments (three months), with the first payment due October 1, 2021, and with subsequent payments at three (3) month intervals thereafter.

4. City shall also be responsible for the cost of any parts or hardware necessary, including the cost of shipping. In the event County uses parts or hardware in the County's inventory on the City's system, City shall reimburse County for the cost to County to replace said parts or hardware, or the original cost to County for the purchase of said parts or hardware, whichever is greater, within sixty (60) days. The County may utilize vendor accounts setup by the City with the City's permission to purchase replacement parts as required.
5. City will grant to County such access to the City's facilities and network resources as needed for the County to perform its duties as described herein.

C. EXCLUSION OF OTHER AGREEMENTS: The terms of this agreement do not release either party from their respective obligations in any previous agreements between the parties.

D. COMPLIANCE WITH LAWS: City and County promise to comply with all applicable Federal and State laws regarding the activities of either party under the terms of this Agreement.

E. INSURANCE AND HOLD HARMLESS CLAUSE: Each party hereby warrants it is adequately insured for the activities and the period of this Agreement. Each party shall and does hereby save the other party, and its officers, employees, agents, contractors and subcontractors harmless from any and all claims and/or liability whatsoever due to

or arising out of its acts, conduct, omissions, or negligence to any other person or persons, trust or trustee, estate, partnership, corporation, business, company, political subdivision, or property thereof.

F. TERM OF AGREEMENT AND CHANGES HERETO: This Agreement is effective from October 1, 2019 through September 30, 2022 but may be terminated by either party upon 120 days' notice. This Agreement states the complete understanding of the parties, and may not be amended except by written agreement of the parties. Notice to parties shall be given in writing to the individuals shown below:

COUNTY: Ms. Deb Houghtaling
Sarpy County Clerk
1210 Golden Gate Drive
Papillion, NE 68046

CITY: La Vista City Clerk
8116 Park View Blvd.
La Vista, NE 68128

G. AUTHORITY TO ACT: Each party hereto declares that it has taken all steps which are legally necessary or required to authorize this Agreement, and the rights, duties, and obligations hereunder. Each party further represents and warrants that each has the power and authority to enter into this Agreement, to perform its obligations hereunder, and to consummate the contemplated transactions.

H. NEITHER PARTY AGENT FOR THE OTHER: Each party declares, represents, warrants and acknowledges that it is not an agent for the other now, nor will it be in the future. Each party is an independent contractor, and neither party is nor will become the employee of the other as a result of the contractual relationship created by this Agreement. Furthermore, County and City will separately administer their respective

rights and responsibilities under this Agreement, there being no joint or cooperative body created for the financing, operating, or management of the same. This Agreement does not constitute a joint venture between the parties.

[The remainder of this page is intentionally blank]

EXECUTED this _____ day of _____, 2019.

CITY OF LA VISTA, NEBRASKA
A Body Politic and Corporate.

Mayor

(SEAL)
ATTEST:

City Clerk

COUNTY OF SARPY, NEBRASKA,
A Body Politic and Corporate.

Chairman, Board of Commissioners of Sarpy County

(SEAL)
ATTEST:

Sarpy County Clerk

Approved as to form:

Deputy Sarpy County Attorney

Attachment A

Sarpy County Information Systems Technical Support Statement of Work and Service Level Agreement

Section I: Technical Support Information

County Work Days (normal working hours)

Sarpy County Information Systems (SCIS) will provide technical support and contact via an Omaha Metro Area local phone number (Help Desk) that is always answered between the hours of 7:30 a.m. and 5:00 p.m. Central Time (CT) on all County work days. County Holidays are defined below; any defined date holiday that falls on Saturday will be observed on the preceding Friday, and any defined date holiday that falls on Sunday will be observed on the following Monday.

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24 @ Noon
Christmas Day	December 25

County Holidays that do not coincide with City Holidays Support

SCIS will work with the City to provide technical support on County Holidays that do not coincide with City Holidays. SCIS will try to resolve any non-urgent (level 3 and 4 on Severity Level Chart, Appendix #1) issue via phone and provide on-site service on urgent issues (level 1 and 2 on Severity Level Chart, Appendix #1).

Weekend and after Normal Working Hours Support

SCIS will provide telephone support on weekends and after normal working hours (see County Work Days above). SCIS will try to resolve any non-urgent (level 3 and 4 on Severity Level Chart, Appendix #1) issue via phone and provide on-site service on urgent (level 1 and 2 on Severity Level Chart, Appendix #1) issues. SCIS will work scheduled events after hours or on weekends when needed. An example of a scheduled event would be to upgrade a server or network device.

Support Response Time

SCIS will typically respond to a support call immediately (via Help Desk) but may require (1) hour for initial contact. If the support requires on-site response, SCIS will be on-site within three (3) hours or at a mutually agreed scheduled time. Initial contact may consist of a phone call, email, or face-to-face response.

Support Reporting

SCIS will provide the City a monthly detailed report containing a description and the amount of time for each incident. This report will be emailed to the designated City employee(s) by the 10th day of the following month the report is for. SCIS will also provide monthly an annual summary report indicating the number of incidents and the total amount of time provided by SCIS.

SCIS will provide in the monthly report an indicator for when warranty work was performed on hardware.

Section II: Technical Equipment Inventory

SCIS will maintain an inventory of all technical equipment for the City. SCIS will also affix City provided asset tags if requested. SCIS will provide the City a copy of the Inventory quarterly (every three months) for review.

Personal computers, laptops, and server inventory information maintained by SCIS will be: manufacturer, hard-drive capacity, amount of memory (RAM), model, CPU type and speed, serial #, asset tag #, Installed licensed software, purchase price, date purchased, warranty expiration, location, etc.

Other technical equipment inventory information maintained by SCIS will be specific by device type but will be similar to what is kept for personal computers (above).

SCIS will relocate/move technical equipment as needed or requested. This helps ensure that equipment is handled appropriately and that inventory records can be updated.

Section III: Technical Equipment Diagnosis and Repair

Personal Computers, laptops, notebooks, and servers

Warrantied items

- Provide hardware diagnosis and repair.
 - Contact vendor and have failed warrantied part(s) shipped.
 - Replace part(s) and ship failed part(s) to vendor. (City/Vendor responsible for shipping)
- Non-Warrantied items**

- Provide diagnosis and provide City with estimate to repair/replace.
- Order and repair/replace item. (City responsible for replacement item)

Printers, plotters, and scanners

- Assess inoperable printers and provide recommendations for repair/replacement and/or maintenance contracts.
- Contact manufacturer/vendor/reseller for warranty work and coordinate repair/replacement.

Network Equipment

- Configure hubs, switches, and routers.
- Provide hardware diagnosis and provide recommendations for repair/replacement and/or maintenance contracts.
- Contact manufacturer/vendor/reseller for warranty work and coordinate repair/replacement.

Other technical Equipment

- Assess inoperable devices and provide recommendations for repair/replacement and/or maintenance contracts.
- Contact manufacturer/vendor/reseller for warranty work and coordinate repair/replacement.

Section IV: Software

SCIS will:

- Maintain an inventory of all software licenses.
- Provide written recommendations on PC/Server software with justification and estimated cost.
- Perform software installation.
- Ensure Server Operating Systems are properly patched/updated as needed.
- Work with individual departments on the use and implementation of various custom software packages.

Section V: Technical Training

SCIS will make available technical training for city employees.

Sarpy County currently has a Technical Training Contract and a facility with up to ten workstations for training on various PC software. The classes are usually 3 hours in length and are scheduled from 9:00-noon or 1:00-4:00. The various software packages include the Microsoft Office Suite of products (Word, Excel, Outlook, PowerPoint, and Access), Crystal Reports, iPad, and the Windows Explorer.

Section VI: Consulting

SCIS staff will be made available (if requested):

- To review and/or make recommendations for various Information Technology projects that the City may consider or undertake.
- Attend various meetings as needed, including City Council meetings.
- To act as a liaison between technology vendors and the City.
- To recommend technology vendors or products for the City.
- Assist in budget recommendations and/or planning.

SCIS will attempt to provide the same individual(s) to ensure cohesion on

projects. **Section VII: Budget Recommendations**

SCIS staff will provide the City, by May 1st of each calendar year (or agreed upon date), a detailed assessment of the current I.T. infrastructure and make recommendation(s) to meet the City's goals for the next budget cycle.

Section VIII: Security

SCIS currently has an Information Security Analyst on staff. The Information Security Analyst or his assignee will be made available to address security concerns/incidents.

SCIS will also work with the City to provide "End User Security Awareness" Training.

SCIS will make various recommendations to the City to aid in securing the City's I.T. assets

and data. **Section IX: Miscellaneous**

It is the goal of SCIS to provide the City with the best possible technical support, while simplifying payment with a annual price to cover the Interlocal agreement. If the City appears to be nearing the limit of agreement, SCIS will notify the City. Additional work exceeding the hours in the agreement will be billed at same rate per hour as indicated in the Interlocal Agreement and will

be tracked in increments of 1/4 hour (15 minutes) billed on a monthly basis.

SCIS will work with the City to obtain pricing for software and hardware through various governments contracts available. SCIS will provide quotes through various sources to provide the City with the best possible pricing.

SCIS will maintain an accurate network diagram for the City.

Section X: Exclusions

This agreement does not include GIS services or software programming/development.

Any research or discovery from backups and/or archives of email is excluded from this agreement. SCIS will respond to such a request with a detailed estimate of the work and materials required to perform such request. The City may then request that such work be performed. SCIS will perform such work and submit a detailed invoice stating the type of work and the number of hours. Payment is due NET 30. Pricing for hourly work by SCIS staff will be the same rate per hour as the hourly rate indicated in the Interlocal Agreement.

Severity Level Definitions

Appendix #1

Level	Description	Scope	Example
1 (high)	A major outage, performance degradation, or instability causing significant impact to the City.	Many/Most staff unable to function Mission Critical System Down Mission Critical Application Down Mission Critical Server/Circuit Down	Email Server Down Internet not working Server unreachable
2	Large number of staff impacted. Entire office, department or building is experiencing a problem. Small number of staff unable to use a mission critical application.	Multiple staff unable to function Major Performance Issues Multiple staff utilizing contingencies	Network Switch out Phone issues WAN down
3	Individual unable to use non- mission critical application(s). Individual can work with minimal impact to their productivity.	Individual having difficulty, but basically operational. Individual unable to carry out their tasks.	Issue with Software One of two monitors fail Recover a document/file
4 (low)	Individual request or problem that does not impact business.	Individual needs information Install, Move, Add, Change something Simple question or problem Needs a "How to" answer Procedural question	Change font size Find a file, change name

Attachment B

Public Safety Records Management Systems and Infrastructure

Statement of Work / Service Level Agreement

- 1.** Sarpy County will remit payment to various vendors and service providers for the continuous service of:
 - a. Zoll Data Fire Records Management System (via Motorola)
 - b. Motorola Premier Mobile Data Computer Client Software
 - c. Motorola Premier Mobile Data Computer Hosting (via Douglas County)
 - d. Netmotion Software
- 2.** Sarpy County will provide the infrastructure and resources to operate and support the:
 - a. Fire Records Management System
 - b. Electronic Patient Care Reporting System (Zoll Data)
 - c. Netmotion Server to support Netmotion Clients
- 3.** Sarpy County will provide redundancy for the systems:
 - a. Warm Site. Sarpy County will provide a warm site for Hosted Services and Storage that will be maintained at an alternate location (not at the Courthouse).
 - b. Warm Site Response Time. Warm Site startup may take up to 4 hours.
- 4.** Sarpy County will provide backup, file recovery, and disaster recovery:
 - a. Online Backup. Sarpy County will store a backup off-site, generally secured in a cloud-based solution.
 - b. File Recovery. Sarpy County will provide for File Recovery for the City for Public Records Management System related files on Sarpy County hosted systems.
 - c. Disaster Recovery. Sarpy County will work to restore services in the event of disaster. Recovery may take up to 24 hours.

5. Sarpy County will provide data connectivity:

- a. Sarpy County will provide fiber service to each City.
- b. Communications services are reliant on a third party to maintain, Sarpy County cannot control the connectivity up-time or recovery time on a failure. Current communications contracts with fiber service provider states that service should be recovered within 8 hours.

DRAFT

**FY 2020 Public Safety Software
Records Management Software Maintenance Costs
Attachment C**

For all Infrastructure (Hosted Services) Cost the pricing matrix in HSP-Table-1 is

used. HSP-Table-1

Hosted Services Pricing (Monthly) 2019 Pricing		
Item	Unit	Cost
CPU	Core	\$25.00
Memory	GB	\$3.00
Storage	GB	\$0.30
Bandwidth	Fiber	\$100.00
Backup/Replication*	GB	\$0.15

Support will continue to be provided by Sarpy County Information Systems staff but each support call will be logged by Agency and Product to ensure that support hours are being accounted for under the appropriate City Interlocal Agreement. Below are the FY20 Software Maintenance Costs - these costs do **NOT** include infrastructure costs (Storage, Servers, CPU, Backup).

Due/Expiration Dates for Software Licensing		
Item	Date	Amount
LRMS (Motorola)	N/A	0
PMDC Client Software (Motorola)	Oct 1, 2019	\$37,842
Netmotion Client Software (Netmotion)	Aug 1, 2019	\$5,866
PMDC Hosting (Douglas Co.)	Jul 1, 2019	\$5,600
FRMS (Zoll Data, through Motorola)	Oct 1, 2019	\$10,939

**FY 2020 Public Safety Software
Records Management Software Maintenance Costs
Attachment C**

Expenditures by Agency

Note: FRMS/ePCR costs are equally divided between Bellevue and Papillion (see page 6).

City of Bellevue					
Dept.	PMDC (Software)	PMDC (Netmotion)	LRMS	FRMS/ePCR	Total
FD	\$4,259	\$582		\$6,015	\$10,856
PD	\$12,493	\$1,704	\$1,311		\$15,508
	\$16,752	\$2,286	\$1,311	\$6,015	\$26,364
City of Papillion					
Dept.	PMDC (Software)	PMDC (Netmotion)	LRMS	FRMS/ePCR	Total
FD	\$3,407	\$748		\$6,015	\$10,170
PD	\$6,247	\$831	\$621		\$7,699
	\$9,654	\$1,579	\$621	\$6,015	\$17,869
City of La Vista					
Dept.	PMDC (Software)	PMDC (Netmotion)	LRMS	FRMS/ePCR	Total
PD	\$5,111	\$790	\$524		\$6,425
	\$5,111	\$790	\$524	\$0	\$6,425
Sarpy County Sheriff					
Dept.	PMDC (Software)	PMDC (Netmotion)	LRMS	FRMS/ePCR	Total
SCSO	\$11,925	\$1,745	\$1,615	\$0	\$15,285
	\$11,925	\$1,745	\$1,615	\$0	\$15,285

**FY 2020 Public Safety Software
Records Management Software Maintenance Costs
Attachment C**

LRMS Software with Infrastructure Costs

LRMS-Table-1 shows the cost of the software maintenance and the cost of the Server, Storage, and backup resources (Infrastructure Costs) to operate the LRMS product in the Sarpy County hosted environment.

LRMS-Table-1

LRMS (FY20 Expenditures)		
Item	Annual	Description
LRMS – Software Maintenance	\$0	Software End-of-Life is 08/31/2018
LRMS – Database Storage	\$450	125 GB
LRMS – Hardware (Hosted @ Sarpy)	\$2,712	4 CPU x 4GB x 380GB
LRMS - Backup/Remote Backup	\$909	380 + 125 = 505GB
	\$4,071	TOTAL LRMS

LRMS-Table-2 shows what the above costs of the software and infrastructure costs will be if distribution was done by each agency by sworn officer count.

LRMS-Table-2

LRMS Expenditure by Agency (May 2019 Sworn)				
Law Agency	Sworn	LRMS Total	Agency %	Total
Bellevue PD	95	\$4,071	32.20%	\$1,311
Papillion PD	45	\$4,071	15.25%	\$621
La Vista PD	38	\$4,071	12.88%	\$524
Sarpy County Sheriff	117	\$4,071	39.66%	\$1,615
Totals	295		100.00%	\$4,071

**FY 2020 Public Safety Software
Records Management Software Maintenance Costs
Attachment C**

PMDC and Netmotion with Infrastructure Costs

PMDC-Table-1 are the estimated FY20 expenditures for the MDC infrastructure. PMDC-Table-2 and PMDC-Table-3 breakdown the PMDC and Netmotion expenditures by Agency and Department. Not all MDC units are utilizing Netmotion for communication so there are differences in totals.

PMDC-Table-1

Premier Mobile Data Computer (FY20 Est. Expenditures)		
Item	Annual	Description
PMDC Software Maintenance	\$37,842	Premier Mobile Data Computer maintenance agreement for Mobile Data Computers in Law Enforcement vehicles and Fire/EMS apparatus
PMDC Message Switch Maintenance	\$5,600	Sarpy has MOU with Douglas County Sheriff, Omaha Fire Dept. We share the cost of the PMDC Message Switch Server License.
PMDC TOTAL	\$43,442	
Netmotion Software Maintenance	\$5,866	Used by all Sarpy Public Safety units with MDC. Software manages the communications.
Netmotion Hardware (Hosted at Sarpy)	\$534	1 CPU x 4GB x 35GB
Netmotion TOTAL	\$6,400	
Total Both (FY18) [confirm FY]	\$49,842	

PMDC-Table-2

Premier Mobile Data Computer Licensing (PMDC)				
Agency	#	%	Cost	Share
Bellevue Fire	15	9.80%	\$43,442	\$4,259
Bellevue PD	44	28.76%	\$43,442	\$12,493
La Vista PD	18	11.76%	\$43,442	\$5,111
Papillion Fire	12	7.84%	\$43,442	\$3,407
Papillion PD	22	14.38%	\$43,442	\$6,247
Sarpy County Sheriff	42	27.45%	\$43,442	\$11,925
Totals	153			\$43,442

PMDC-Table-3

**FY 2020 Public Safety Software
Records Management Software Maintenance Costs
Attachment C**

Premier Mobile Data Computer Licensing (NetMotion)				
Agency	NetMotion	%	Cost	Share
Bellevue Fire	14	9.09%	\$6,400	\$582
Papillion Fire	18	11.69%	\$6,400	\$748
Bellevue PD	41	26.62%	\$6,400	\$1,704
La Vista PD	19	12.34%	\$6,400	\$790
Papillion PD	20	12.99%	\$6,400	\$831
Sarpy County Sheriff	42	27.27%	\$6,400	\$1,745
Totals	154	100.00%		\$6,400

**FY 2020 Public Safety Software
Records Management Software Maintenance Costs
Attachment C**

FRMS and ePCR with Infrastructure Costs

Currently only Bellevue Fire (BFD) and Papillion Fire (PFD) utilize the FRMS product. ePCR software maintenance costs and licenses are currently being handled and managed by BFD and PFD. Sarpy County hosts both the FRMS and ePCR systems on the County's infrastructure.

Proposed Costs

Bellevue Fire and Papillion Fire should share the maintenance and hardware hosting costs for the FRMS and ePCR systems. The table below (FRMS-Table-1) shows the expected future costs for the software maintenance and Sarpy County hosting services for these systems.

FRMS-Table-1

FRMS and ePCR (FY20 Expenditures)		
Item	Annual	Description
FRMS – Software Maintenance	\$10,939	FRMS Software
FRMS Hardware (Hosted at Sarpy)	\$852	2 CPU x 2GB x 50GB
FRMS Database Storage	\$26	7 GB
ePCR Database Storage	\$96	32 GB
FRMS Backup/Remote Backup	\$116	48 + 7 + 2 = 57GB
	\$12,029	TOTAL FRMS

I.S. will continue to support these products and will categorize the hours used to support these products in the monthly reports to the cities. It is recommended that all licensing and support contracts be sent to Papillion FD and Bellevue FD to fund directly (as they currently are).

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 ADDITION TO THE LIQUOR LICENSE FOR BEYOND GOLF LLC IN LA VISTA, NEBRASKA.

WHEREAS, Beyond Golf LLC dba Beyond Golf Bar & Kitchen, 12040 McDermott Plz. #330, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their 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 addition to the Liquor License submitted by Beyond Golf LLC dba Beyond Golf Bar & Kitchen, 12040 McDermott Plz. #330, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



LA VISTA POLICE DEPARTMENT INTER-DEPARTMENT MEMO

TO: Pam Buethe, City Clerk

FROM: Robert S. Lausten, Police Chief

DATE: 8-8-2019

RE: Nebraska Liquor Control Commission
Request for Addition to Indoor Area - Beyond Golf

CC:

The La Vista Police Department received notice from the La Vista City Clerk regarding the application from Beyond Golf to the Nebraska Liquor Control Commission for an Addition to their space.

A check of activity shows the applicant was cited in March 2019 for sales to a minor. A hearing was held on July 10, 2019 where the applicant pled guilty to the charge. This is the only negative action on their file.

Wednesday, July 10th, 2019

Type of Hearing	Name of Entity	Time	Class
10) Informal Meeting	Beyond Golf LLC	9:00	C-082199
RE: Sale to Minor	"Beyond Golf"		
	12040 McDermott Plaza,		
	Suite 330 LaVista NE 68128		

PLEAD 12 DAYS SUSPENSION + TRAINING

As a condition of approval, I would require the applicant strictly conform to Nebraska Liquor Control Commission rules and regulations under the Nebraska Liquor Control Act.

**APPLICATION FOR ADDITION
TO LIQUOR LICENSE**

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

Office Use

RECEIVED

AUG 02 2019

**NEBRASKA LIQUOR
CONTROL COMMISSION**

Application:

- Must include processing fee of \$45.00 check made payable to the Nebraska Liquor Control Commission or you may pay online at www.ne.gov/go/NLCCpayport
- Must include a copy of the lease or deed showing ownership of area to be added. This is still required even if it's the same as on file with original application
- Must include simple hand drawn sketch showing existing licensed area and area to be added, must include outside dimensions in feet (not square feet), show direction north.
NO BLUE PRINTS
- May include approval from the local governing body; no addition shall be approved unless endorsed by the local governing body
- Check with your local governing body for any additional requirements that may be necessary in making this request for addition

LIQUOR LICENSE # 82199 CLASS TYPE C
LICENSEE NAME BEYOND GOLF LLC
TRADE NAME BEYOND GOLF BAR + KITCHEN
PREMISE ADDRESS 12040 MCGONMORT PLZ #330
CITY LA VISTA ZIP CODE 68128 COUNTY SARASOTA
CONTACT PERSON JOSH GAWIN
PHONE NUMBER OF CONTACT PERSON 402-598-7877
EMAIL ADDRESS OF CONTACT PERSON josh@beyondgolf.com

Payport 82-19
\$ 45.00



1900008284

1. What is being added?

Explain the type of addition that is being requested, i.e. beer garden, adding to building

ANOTHER SUITE IN THE STRIP MALL (SUITE 320)

2. Will this addition cause the location to be 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).

Must include supplemental Form 134 found at this link: <http://www.lcc.ne.gov/formsdiv.html>

If proposed location is within 300 feet of a campus, the Commission may waive this restriction upon written approval from the governing body of the college or university. (Rev. Stat. 53-177)(1).

Must include supplemental Form 135 found at this link: <http://www.lcc.ne.gov/formsdiv.html>

3. Include a sketch of the area to be added showing:

- ✓ existing licensed area with length & width in feet
- ✓ area to be added with length & width in feet
- ✓ direction north

20x75

4. If adding an outdoor area explain:

- ✓ type of fencing
- ✓ height of fence
- ✓ length & width of outdoor area in feet

12.07 Outdoor area shall mean an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors and which is contained by a permanent fence, wall or other barrier approved by the Commission and shall be in compliance with all building and fire, or other applicable local ordinances.

Rule Chapter 2-012.07

I acknowledge under oath that the premises as added to comply in all respects with the requirements of the act. Neb Rev Stat §53-129

[Signature]
Signature of Licensee or Officer

State of Nebraska

County of SARPY

August 2nd 2019
Date

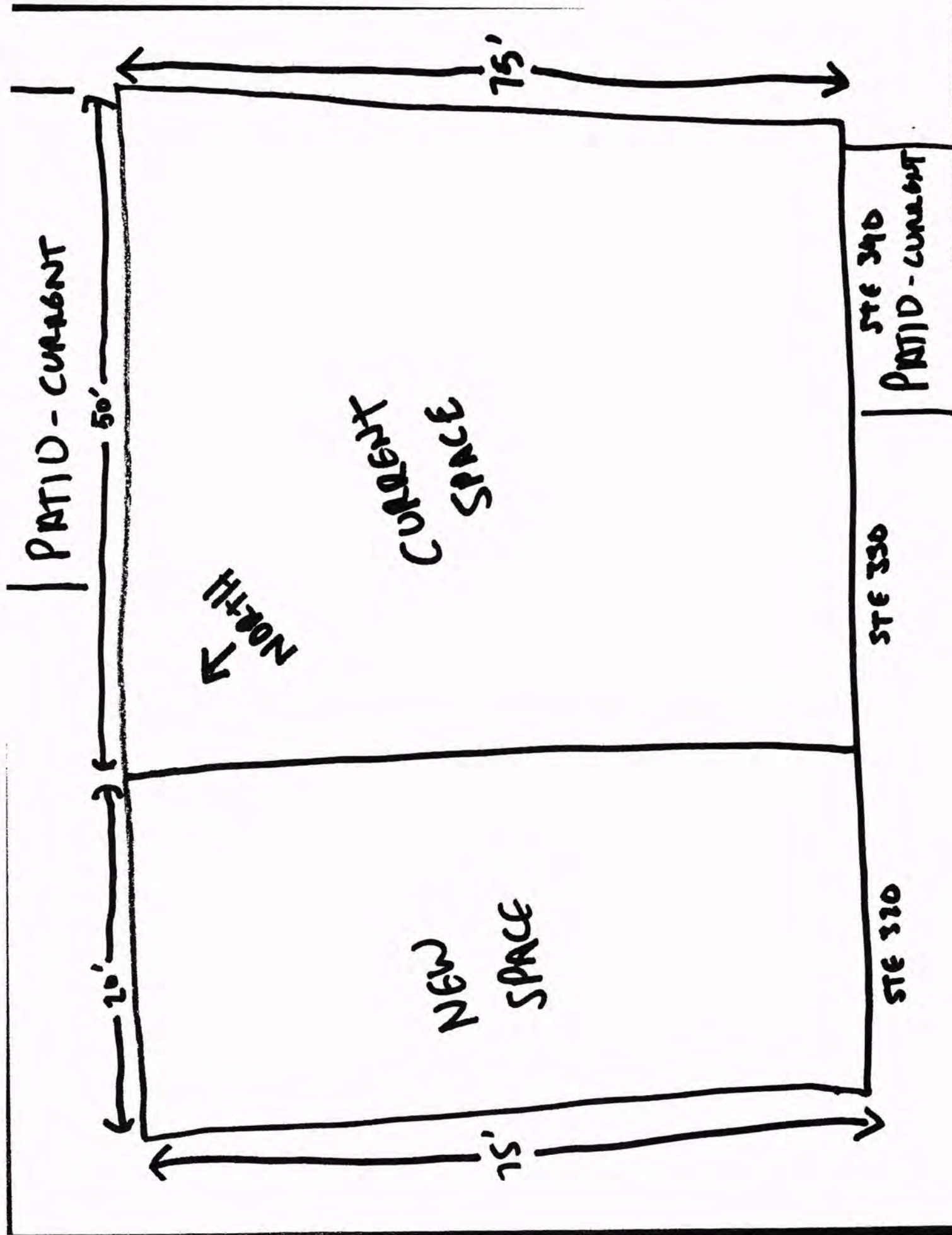
by

Joshua R Galvin
name of person acknowledged (individual(s) signing document)

[Signature]
Notary Public signature

Affix Seal





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 ADDITION TO THE LIQUOR LICENSE FOR FROEHLICH INVESTMENTS, LLC IN LA VISTA, NEBRASKA.

WHEREAS, Froehlich Investments LLC dba Ref's Sports Bar & Grill, 9723-9727 Giles Rd., La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their 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 addition to the Liquor License submitted by Froehlich Investments LLC dba Ref's Sports Bar & Grill, 9723-9727 Giles Rd., La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



LA VISTA POLICE DEPARTMENT INTER-DEPARTMENT MEMO

TO: Pam Buethe, City Clerk

FROM: Robert S. Lausten, Police Chief

DATE: 8-12-2019

RE: Nebraska Liquor Control Commission
Request for Addition to Indoor Area - Ref's Sports Bar & Grill

CC:

The La Vista Police Department received notice from the La Vista City Clerk regarding the application from Ref's Sports Bar & Grill to the Nebraska Liquor Control Commission for an Addition to their space.

A check of activity shows the applicant has no negative actions with the Liquor Commission on file.

As a condition of approval, I would require the applicant strictly conform to Nebraska Liquor Control Commission rules and regulations under the Nebraska Liquor Control Act.

**APPLICATION FOR ADDITION
TO LIQUOR LICENSE**

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

Office Use

RECEIVED

AUG 09 2019

**NEBRASKA LIQUOR
CONTROL COMMISSION**

Application:

- Must include processing fee of \$45.00 check made payable to the Nebraska Liquor Control Commission or you may pay online at www.ne.gov/go/NLCCpayport
- Must include a copy of the lease or deed showing ownership of area to be added. This is still required even if it's the same as on file with original application
- Must include simple hand drawn sketch showing existing licensed area and area to be added, must include outside dimensions in feet (not square feet), show direction north.
NO BLUE PRINTS
- May include approval from the local governing body; no addition shall be approved unless endorsed by the local governing body
- Check with your local governing body for any additional requirements that may be necessary in making this request for addition

LIQUOR LICENSE # 122431 CLASS TYPE C
LICENSEE NAME Froehlich Investments, LLC
TRADE NAME Ref's Sports Bar & Grill
PREMISE ADDRESS 9723-9727 Giles Rd
CITY Lavista ZIP CODE 68128 COUNTY Sarpy
CONTACT PERSON Angela Froehlich
PHONE NUMBER OF CONTACT PERSON 402-301-5315
EMAIL ADDRESS OF CONTACT PERSON Refssportsbarlavista@cox.net

Payport 8-9-19
45046



1900008717

1. What is being added?

Explain the type of addition that is being requested, i.e. beer garden, adding to building

adding 9727 Giles Rd to 9723-9725 Giles Rd

2. Will this addition cause the location to be 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).

Must include supplemental Form 134 found at this link: <http://www.lcc.ne.gov/formsdiv.html>

If proposed location is within 300 feet of a campus, the Commission may waive this restriction upon written approval from the governing body of the college or university. (Rev. Stat. 53-177)(1).

Must include supplemental Form 135 found at this link: <http://www.lcc.ne.gov/formsdiv.html>

3. Include a sketch of the area to be added showing:

- ✓ existing licensed area with length & width in feet
- ✓ area to be added with length & width in feet
- ✓ direction north

4. If adding an outdoor area explain:

- ✓ type of fencing
- ✓ height of fence
- ✓ length & width of outdoor area in feet

12.07 Outdoor area shall mean an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors and which is contained by a permanent fence, wall or other barrier approved by the Commission and shall be in compliance with all building and fire, or other applicable local ordinances.

Rule Chapter 2-012.07

I acknowledge under oath that the premises as added to comply in all respects with the requirements of the act. Neb Rev Stat §53-129

Angele J. Froehlich
Signature of Licensee or Officer

State of Nebraska

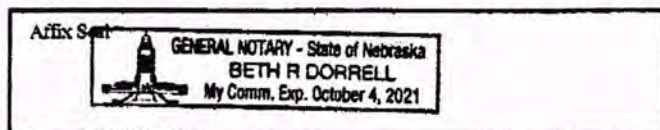
County of Sarpy

8/9/2019
Date

The foregoing instrument was acknowledged before me this

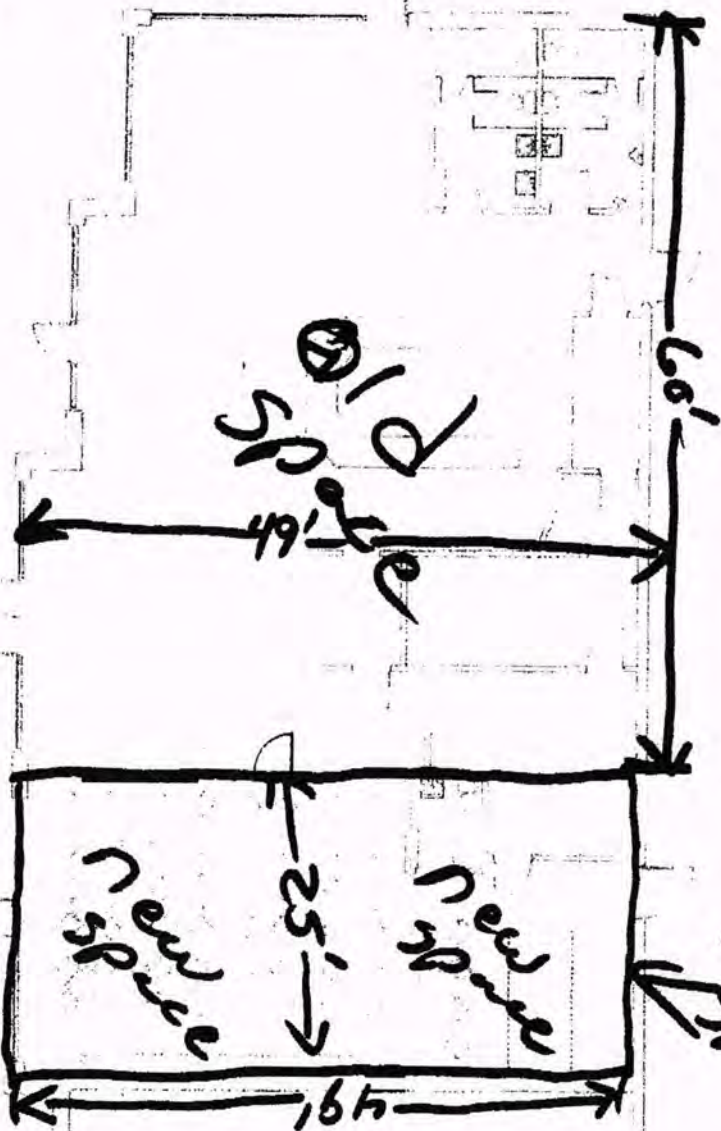
by Angele J. Froehlich
name of person acknowledged (individual(s) signing document)

Beth R Dorrell
Notary Public signature



Ref's Sports Bar

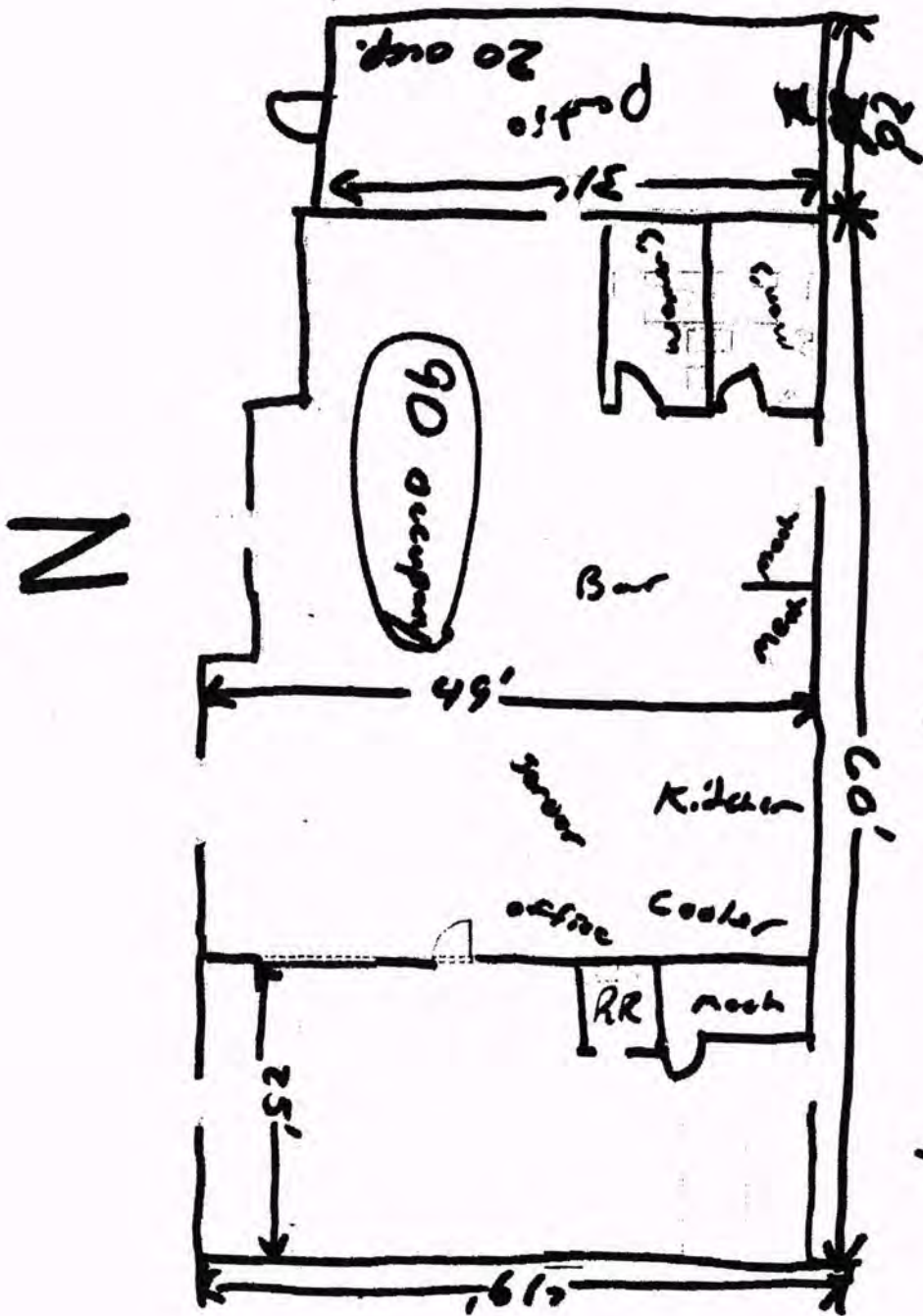
Service



FLOOR PLAN

2/6/80

Ref's Sports Bar & Grill



**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
LA VISTA CITY CENTRE PRELIMINARY PLAT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRIS SOLBERG SENIOR PLANNER

SYNOPSIS

A resolution has been prepared for Council to consider a Preliminary Plat for three lots for proposed event venue, anchor office building, and public facilities, and the dedication of associated right-of-way in La Vista City Centre. Approval would be subject to satisfaction of all applicable requirements, including notices, hearings, and approvals of redevelopment plan, redevelopment contract, and subdivision agreement amendments and applicable property conveyances.

FISCAL IMPACT

None.

RECOMMENDATION

Approval, subject to satisfaction of all applicable requirements, including without limitation, notices, hearings, and approvals of redevelopment plan, redevelopment contract, and subdivision agreement amendments and applicable property conveyances. For accuracy and ease of tracking, Staff recommends retitling the plat as Replat 4.

BACKGROUND

A Preliminary Plat application has been submitted by La Vista City Centre, LLC for approximately 4.635 acres currently described as Lots 11-13 and Outlot A, La Vista City Centre, and portions of Tax Lot 12 14-14-12. The purpose of the request is to replat the property into three lots for proposed event venue, anchor office building, and public facilities, with associated right-of-way. A detailed staff report is attached.

The Planning Commission held a meeting on July 18, 2019 and unanimously voted to recommended approval of the Preliminary Plat subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final replat, redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances. For accuracy and ease of tracking, Staff recommends retitling the plat as Replat 4. (Note that a separate Replat 3 is scheduled for Council approval before this Replat 4.)

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE PRELIMINARY PLAT FOR LOTS 11-13 AND OUTLOT A LA VISTA CITY CENTRE, AND PORTIONS OF TAX LOT 12 14-14-12, TO BE REPLATTED INTO THREE LOTS FOR EVENT VENUE, OFFICE BUILDING, AND PUBLIC FACILITIES.

WHEREAS, the applicant, La Vista City Centre, LLC on behalf of the owners of the above described pieces of property, and the City, have made application for approval of a preliminary plat as presented at this meeting for Lots 11-13 and Outlot A La Vista City Centre, and portions of Tax Lot 12 14-14-12 ("Preliminary Plat"), and

WHEREAS, the City Engineer has reviewed the Preliminary Plat; and

WHEREAS, on July 18, 2019, the La Vista Planning Commission reviewed the Preliminary Plat and recommended approval, subject to satisfaction of applicable requirements.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that, subject to satisfaction of all applicable requirements, including without limitation, notices, hearings, and approvals of redevelopment plan, redevelopment contract, and subdivision agreement amendments and applicable property conveyances, the Preliminary Plat be, and hereby is, approved; provided, however, for accuracy and tracking purposes said Preliminary Plat shall be retitled "Replat 4," and such title shall be incorporated into the plat that is presented for final approval.

BE IT FURTHER RESOLVED that recitals above are incorporated into this Resolution by reference.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2019.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PSPP 19-0001

FOR HEARING OF: August 20, 2019

Report Prepared on: August 8, 2019

I. **GENERAL INFORMATION**

A. **APPLICANT:**

La Vista City Centre LLC
P.O. Box 428
Boys Town, NE 68010

B. **PROPERTY OWNERS:**

Lots 1, 11, & 12 La Vista City Centre Replat Three and Lot 13 La Vista City Centre:

La Vista City Centre LLC
222 S. 15th Street, Suite 1404S
Omaha, NE 68102

Outlot A La Vista City Centre and PT of Tax Lot 12, 14-14-12:

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

C. **LOCATION:** North of the intersection of Main Street and City Centre Drive.

D. **LEGAL DESCRIPTION:** Lots 11-13 and Outlot A La Vista City Centre, and portions of Tax Lot 12 14-14-12

E. **REQUESTED ACTION(S):** Preliminary Plat for three lots for proposed event venue, anchor office building, and public facilities, and the dedication of associated right-of-way for the purpose of redevelopment.

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

MU-CC, Mixed Use City Centre District, R-1, Single-Family Residential, and FF/FW Flood Plain District (Overlay District); vacant. (proposed to be rezoned to entirely MU-CC, Mixed Use City Centre District).

G. **PURPOSE OF REQUEST:**

1. Preliminary plat to replat the lots listed in the request into 3 lots and the dedication of associated right-of-way for the purpose of redevelopment.

H. **SIZE OF SITE:** 4.635 Acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** The land is generally flat with a gradual downward slope generally north and east, with a significantly increasing downward slope to the north.
- B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:**
- 1. North:** La Vista Civic Centre Park, R-1 Single-Family Residential with a Gateway Corridor Overlay (Overlay District) and a FF/FW Flood Plain District (Overlay District); Open Recreation Space
 - 2. East:** La Vista City Centre; MU-CC, Mixed Use City Centre District; Mixed Use development.
 - 3. South:** La Vista City Centre; MU-CC, Mixed Use City Centre District; Mixed Use development.
 - 4. West:** Brentwood Plaza; C-1 Shopping Center Commercial with a Gateway Corridor District (Overlay District); Strip center commercial development.
- C. RELEVANT CASE HISTORY:**
- 1.** The final plat for La Vista City Centre was originally approved by City Council on July 19, 2016.
- D. APPLICABLE REGULATIONS:**
- 1.** Section 5.06 of the Zoning Regulations – R-1 Single-Family Residential
 - 2.** Section 5.18 of the Zoning Regulations – FF/FW Flood Plain District (Overlay District)
 - 3.** Section 5.19 of the Zoning Regulations – MU-CC Mixed Use City Centre District
 - 4.** Section 3.03 of the Subdivision Regulations – Preliminary Plats

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates areas within the existing La Vista City Centre plat area as Mixed Use. The areas north of the existing La Vista City Centre plat area are currently designated as Parks and Recreation and will need to be redesignated for Mixed Use prior to redevelopment.
- B. OTHER PLANS:** This area was identified in *A Vision Plan for 84th Street* as a possible location for an amphitheater that adjoins into Civic Center park, “a regional destination for the entire community.” This area has also been designated as blighted and substandard and in need of redevelopment. An amendment to the *84th Street Redevelopment Plan* to add the northern portion of the La Vista City Centre Theater plat to the specific redevelopment area is anticipated.

C. TRAFFIC AND ACCESS:

1. The Preliminary Plat includes the dedication of additional right-of-way along City Centre Drive.
2. The access point at 84th Street and Summer Drive has been converted to a temporary construction entrance. Existing access to City Centre Drive is from Main Street, with connections to 84th Street and Giles Road through the internal road system. The development plan also proposes the connection of City Center Drive to 84th Street in the near future.

Sidewalk and trail connections will be made at the time of development for each of the parcels involved in the plat.

3. A technical memorandum regarding traffic has been provided to update the previous traffic impact study performed by Olsson in August 2016 for the La Vista City Centre project. This memorandum was compiled to assess the traffic impacts associated with the proposed land use change on the north end of the La Vista City Centre project.

Staff review of the technical memorandum concluded that the infrastructure that exists and that has been designed and nearing completion in La Vista City Centre is sufficient for the smaller entertainment events. That is based on the prediction in the memo that up to 400 persons in 200 vehicles would be arriving during the PM peak hour, which will overlap with the typical PM peak demand of the corridor.

For the large outdoor events (estimated at 10 per year) and the larger indoor events (estimated at 15 per year), an event traffic management plan needs to be prepared and needs to be part of the Conditional Use Permit for the proposed event center. If the anticipated traffic for events overlapping with peak hour traffic on 84th Street is greater than the predicted in the technical memorandum, then the conditional use permit will need a provision allowing for starting times to be delayed as to offset traffic demand from the peak hour in the corridor.

D. UTILITIES:

1. The properties have access to water, sanitary sewer, gas, power and communication utilities.

IV. REVIEW COMMENTS:

1. Applicant intends to develop the proposed Lot 1 with an Event Center use. Development of such use will require the rezoning of portions of the property north of the existing La Vista City Centre

plat boundary within this Preliminary Plat to the MU-CC, Mixed Use-City Center zoning district. Areas already zoned FF/FW Flood Plain District (Overlay District) would remain zoned with that overlay.

To complete the rezoning, a Comprehensive Plan amendment will be necessary to re-designate the areas of this Preliminary Plat that are north of the original La Vista City Center plat area from Parks and Recreation to Mixed Use prior to City Council review of the rezoning request.

As the proposed event center use is only allowed within the Mixed-Use City Centre zoning district as a conditional use, the applicant will need to obtain a conditional use permit to allow the use.

2. The land swap areas identified on the Preliminary Plat will require the exchange of deeds as part of the subdivision or redevelopment agreements and that process would need to be completed prior to the final plat being recorded.
3. An existing sanitary and an existing storm sewer easement will be released as part of this plat. New easements are shown and will be dedicated as separate instruments in conjunction with the plat.
4. A portion of Lot 2, as proposed, will fall within the FF/FW Flood Plain District (Overlay District). A Floodplain Development Permit will most likely need to be obtained as to ensure flood hazards are analyzed as to satisfy the conditions of the zoning ordinance.
5. An amendment to the Subdivision Agreement will be needed to address public infrastructure installation and expenditures prior to City Council consideration of the replat. There will also be a need for some form of development agreement to address shared, common-area improvements between the lots. Such an agreement could affect the configuration of the boundary between proposed Lots 1 and 2.
6. The overall disturbed area will exceed five acres. Notations indicate that sediment traps/basins, silt fences, and inlet filters will be utilized for sediment control at a minimum. Dependent on which entity undertakes the site preparation grading for these lots will identify which erosion control permit needs to be modified in Permix to include this area.

V. STAFF RECOMMENDATION – Preliminary Plat:

Staff recommends approval of the Preliminary Plat, subject to satisfaction of all applicable requirements, including without limitation, notices, hearings, and approvals of redevelopment plan, redevelopment contract, and subdivision agreement amendments and applicable property conveyances. For accuracy and ease of tracking, Staff recommends retitling the plat as Replat 4.

VI. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on July 18, 2019 and unanimously voted to recommend approval of the proposed Preliminary Plat, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final replat, redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances.

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Staff Review Letter and Applicant Response Letter
3. Preliminary Plat Map set

VIII. COPIES OF REPORT SENT TO:

1. Eric Williams, Olsson Associates Inc.
2. Chris Erickson, La Vista City Centre, LLC
3. Public Upon Request

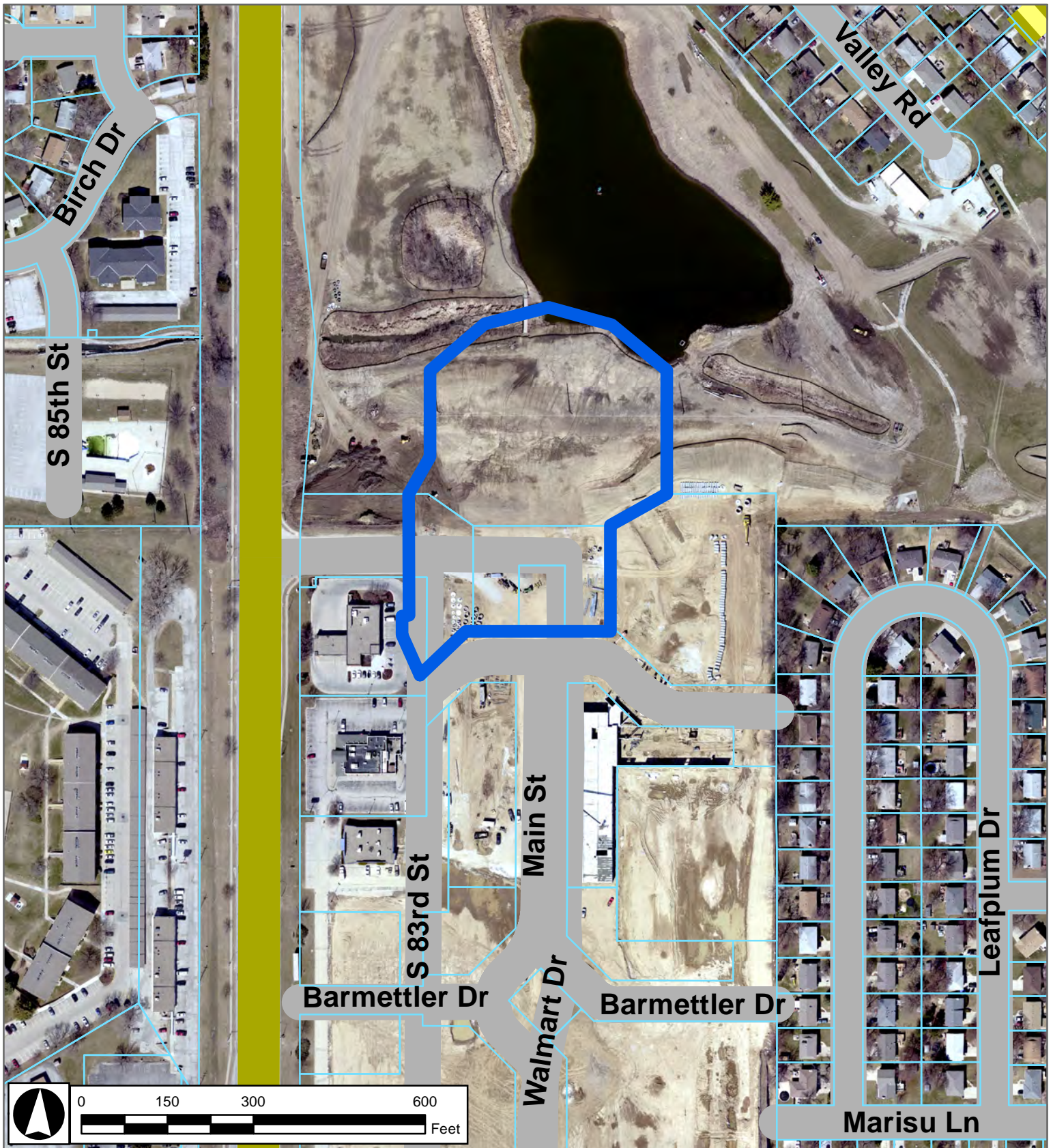
Prepared by:



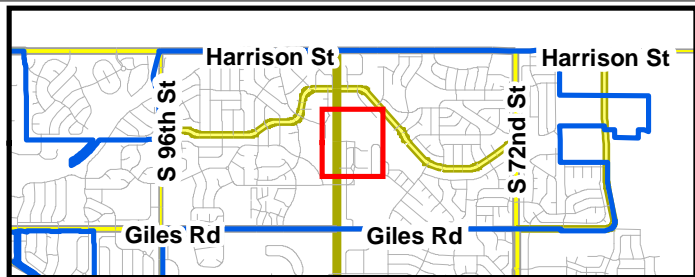
8/16/19

Community Development Director

Date



Project Vicinity Map



La Vista City Centre Theater Preliminary Plat

6/10/2019
CAS





May 22, 2019

Chris Erickson
La Vista City Centre, LLC
PO Box 428
Boys Town NE, 68010

RE: Preliminary Plat – Initial Review
La Vista City Centre Theater

Mr. Erickson,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable section of the Subdivision Regulations for the Replat the City has the following comments:

Preliminary Plat Review

1. Article 3.03.02: Due to the nature of this preliminary plat please include proposed floor elevations on Lot 14 and on Lot 1. This should include the main floor elevation on Lot 14 and the bottom floor, stage and upper floor elevations on Lot 1.
2. Article 3.03.06: Please provide a legal description of the area being platted, including acreage of the proposed development.
3. Article 3.03.07: The location of the existing edge of normal water surface in the Civic Center Park lake needs to be shown as this affects the boundary of proposed Lot 2. The location of the relocated sanitary outfall sewer north of Lots 1 and 2 should be shown. Both of these can be based on the TD2 topographic survey of the "interface" area dated January 31, 2019. If Olsson does not already have a copy of this survey, the City will make arrangements for Olsson to receive it.
4. Article 3.03.09: The proposed lot areas should be identified in square footage and not acres since appraisals and negotiations will need the areas in square feet.
5. Article 3.03.10: An easement for the public sanitary sewer through Lots 1 and 2 to the outfall sewer needs to be shown. Any storm sewer easements (public or private) proposed over Lots 1 through 3 need to be shown. There should be notations in regards to any proposed blanket easements for ingress and egress amongst the lots and for public benefit.

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

www.cityoflavista.org
info@cityoflavista.org

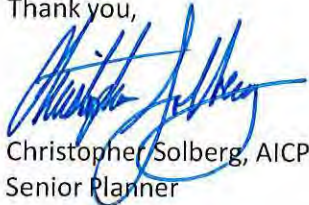
6. Article 3.03.12: It appears that an existing sanitary sewer easement and an existing storm sewer easement will need to be released. Please add notations indicating the intent in regards to these easements.
7. Article 3.03.13: Please provide any established floodplain overlay lines. Per Zoning Ordinance Section 5.18, the development's proximity to the delineated Zone A Floodplain will most likely require a Floodplain Development Permit be obtained as to ensure flood hazards are analyzed as to satisfy the conditions of the aforementioned zoning ordinance.
8. Article 3.03.15: An amendment to Subdivision Agreement will be needed to address public infrastructure installation and expenditures prior to City Council consideration of the replat. There will also be a need for some form of development agreement to address shared, common-area improvements between the lots. Such an agreement could affect the configuration of the boundary between Lots 1 and 2.
9. Article 3.03.16: On Sheet C3.1 some notations or illustrations are needed to address this requirement. The overall disturbed area will exceed five acres and add notations that sediment traps/basins, silt fences, and inlet filters will be utilized for sediment control at a minimum. Dependent on which entity undertakes the site preparation grading for these lots will identify which erosion control permit needs to be modified in Permix to include this area.
10. Article 3.03.19: To verify that the previous traffic impact study is still adequate, please provide an update on the proposed theater capacity and peak hour parking needs. This would need to identify the time of day for the peak hour events.
11. Article 3.03.20:
 - a. Per Item 2 above, show the sanitary outfall sewer.
 - b. The storm drainage plan (Sheet C3.1) needs to include conceptual information for proposed water quality treatment. The 2-year peak runoff increase can be addressed in the storm water detention facility in Civic Center Park.
 - c. Information concerning a PCSMP plan needs to be provided on Sheet C3.1. This would include reference to the current plan for PCSMP No. 20170324-3736P and particularly Note 2 on Exhibit "B". Notations as to how runoff from the proposed truck dock and bus parking aprons will be treated are needed at a minimum. These locations have the most potential for pollutants that could affect the lake.
12. A full metes and bounds description of each piece of property proposed to change hands through this process will need to be provided to allow for the commencement of an appraisal process.

In addition to the comments provided above, additional redline comments have been provided in the attached document.

Please submit 4 full size copies (along with electronic copies) of the revised documents for final review.

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

Thank you,

A handwritten signature in blue ink, appearing to read "Christopher Solberg", is written over the printed name and title.

Christopher Solberg, AICP
Senior Planner

Attachement

cc: John Kottmann, City Engineer
Pat Dowse, City Engineer
Eric Williams, Olsson Associates

Comment Response: Preliminary Plat-Final Plat Theater

Preliminary Plat Review

1. Article 3.03.02: Due to the nature of this preliminary plat please include proposed floor elevations on Lot 14 and on Lot 1. This should include the main floor elevation on Lot 14 and the bottom floor, stage and upper floor elevations on Lot 1. **Response: Elevations have been provided.**
2. Article 3.03.06: Please provide a legal description of the area being platted, including acreage of the proposed development. **Response: Legal description has been provided.**
3. Article 3.03.07: The location of the existing edge of normal water surface in the Civic Center Park lake needs to be shown as this affects the boundary of proposed Lot 2. The location of the relocated sanitary outfall sewer north of Lots 1 and 2 should be shown. Both of these can be based on the TD2 topographic survey of the "interface" area dated January 31, 2019. If Olsson does not already have a copy of this survey, the City will make arrangements for Olsson to receive it. **Response: This was coordinated with TD2 and the boundary has been revised to accommodate the edge of waterway. Relocated sanitary sewer has also been provided.**
4. Article 3.03.09: The proposed lot areas should be identified in square footage and not acres since appraisals and negotiations will need the areas in square feet. **Response: This has been updated**
5. Article 3.03.10: An easement for the public sanitary sewer through Lots 1 and 2 to the outfall sewer needs to be shown. Any storm sewer easements (public or private) proposed over Lots 1 through 3 need to be shown. There should be notations in regards to any proposed blanket easements for ingress and egress amongst the lots and for public benefit. **Response: This easement has been added for the existing line through the lot.**
6. Article 3.03.12: It appears that an existing sanitary sewer easement and an existing storm sewer easement will need to be released. Please add notations indicating the intent in regards to these easements. **Response: This will be shown as released on the preliminary plat.**
7. Article 3.03.13: Please provide any established floodplain overlay lines. Per Zoning Ordinance Section 5.18, the development's proximity to the delineated Zone A Floodplain will most likely require a Floodplain Development Permit be obtained as to ensure flood hazards are analyzed as to satisfy the conditions of the aforementioned zoning ordinance. **Response: Floodplain line has been shown. If permitting is needed, this will be provided with the construction plans.**
8. Article 3.03.15: An amendment to Subdivision Agreement will be needed to address public infrastructure installation and expenditures prior to City Council consideration of the replat. There will also be a need for some form of development agreement to address shared, common-area improvement between the lots. Such an agreement could affect the configuration of the boundary between Lots 1 and 2. **Response: This will be provide.**

9. Article 3.03.16: On Sheet C3.1 some notations or illustrations are needed to address this requirement. The overall disturbed area will exceed five acres and add notations that sediment traps/basins, silt fences, and inlet filters will be utilized for sediment control at a minimum. Dependent on which entity undertakes the site preparation grading for these lots will identify which erosion control permit needs to be modified in Permix to include this area. **Response: Note has been added.**
10. Article 3.03.19: To verify that the previous traffic impact study is still adequate, please provide an update on the proposed theater capacity and peak hour parking needs. This would need to identify the time of day for the peak hour events. **Response:**
11. Article 3.03.20:
- a. Per Item 2 above, show the sanitary outfall sewer. **Response: Provided.**
 - b. The storm drainage plan (Sheet C3.1) needs to include conceptual information for proposed water quality treatment. The 2-year peak runoff increase can be addressed in the storm water detention facility in Civic Center Park. **Response: Storm quality structure has been provided.**
 - c. Information concerning a PCSMP plan needs to be provided on Sheet C3.1. This would include reference to the current plan for PCSMP No. 20170324- 3736P and particularly Note 2 on Exhibit "B". Notations as to how runoff from the proposed truck dock and bus parking aprons will be treated are needed at a minimum. These locations have the most potential for pollutants that could affect the lake. **Response: PCSMP information has been added to sheet C3.1 and PCSMP # has been added. A trench drain has been added along the front of the truck dock and will tie in before the vortex system.**
12. A full metes and bounds description of each piece of property proposed to change hands through this process will need to be provided to allow for the commencement of an appraisal process. **Response: This has been provided with the submittal for the requested areas at the theater.**

TECHNICAL MEMORANDUM

Date: July 10, 2019

To: John Kottmann, PE
Pat Dowse, PE
Christopher Solberg, AICP

From: Dan Bellizzi, PE, PTOE
Michael Piernicky, PE, PTOE

RE: City Centre Lot 13 Music Venue Memorandum

Project #: 016-0546

Cc: File

This memorandum is intended to serve as an update to the approved traffic impact study performed by Olsson in August 2016 (*Olsson 2016*) for the La Vista City Centre project located on the northeast quadrant of 84th Street & Brentwood Drive. This memorandum documents the results of traffic impacts associated with the proposed land use update on Lot 13 of the previously approved La Vista City Centre project.

In the *Olsson 2016* study, Lot 13 was proposed to only contain an outdoor music venue and green space; and it was assumed site traffic would be isolated to weekend or off-peak hours. Based on an updated site plan, Lot 13 is proposed to include an indoor amphitheater in addition to the outdoor music venue. The operating times of the indoor venue provided by the owner suggest a portion of site traffic for this use will occur during the typical weekday PM peak period. The dates of the shows will vary based on the availability of musicians. The indoor amphitheater is intended to hold 150 concerts per year. Of the 150 concerts, it is estimated 15 will be at-capacity events. A separate special event traffic and parking plan should be prepared for these at-capacity and outdoor amphitheater events.

Based on conversations with the City of La Vista, the remaining 135 events are anticipated to generate 400 attendees arriving in the PM peak hour. It is assumed there will be two attendees per vehicle, resulting in 200 arriving vehicles in the PM peak period. These 200 entering vehicles were distributed throughout the network using the external trip distribution provided in the approved *Olsson 2016* study. The trip distribution and site trips for the indoor amphitheater are illustrated in **Figure A** and **Figure B** at the end of this memorandum.

Both opening day and long-range plus site volume scenarios were updated to include music venue traffic. A capacity analysis was performed for all intersections included in the Olsson report for opening day and long-range scenarios. Updated Opening Day (2020) and 2040 plus Site traffic volumes and capacity analysis summaries are shown in **Figures C-F** at the end of this memorandum.

Protected-permitted phasing for the southbound left-turning movement at 84th Street & City Centre Drive was included in both capacity analyses.

Results of the capacity analyses indicate signalized intersections and their respective turning movements are generally anticipated to operate similar to those shown in the *Olsson 2016* report with the addition of anticipated typical music venue site trips during weekday PM peak periods. The signal and individual turning movements at 84th Street & City Centre Drive are anticipated to operate at acceptable levels of service (LOS D or better) in the PM peak hour for both future year scenarios. The 95th percentile queue length for the southbound left-turning movements at this intersection is anticipated to be approximately 225 feet in the PM peak hour. This is an increase of approximately 100 feet from the queue reported in the *Olsson 2016* study. The available storage for this movement will be approximately 500 feet on opening day.

Based on the results of the updated analyses, it is recommended that a special event traffic and parking plan be developed for at-capacity music events. There are no additional recommended public roadway improvements as part of the proposed Lot 13 land use update.

LEGEND

xx% Entering Distribution

XX% External Distribution

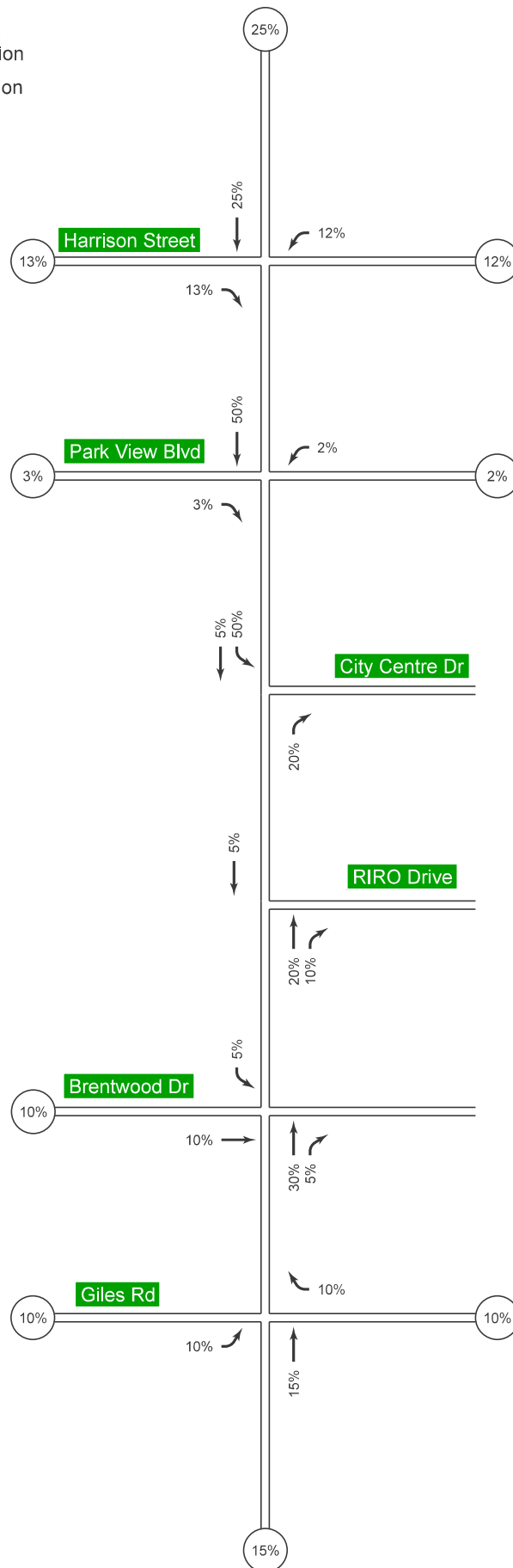


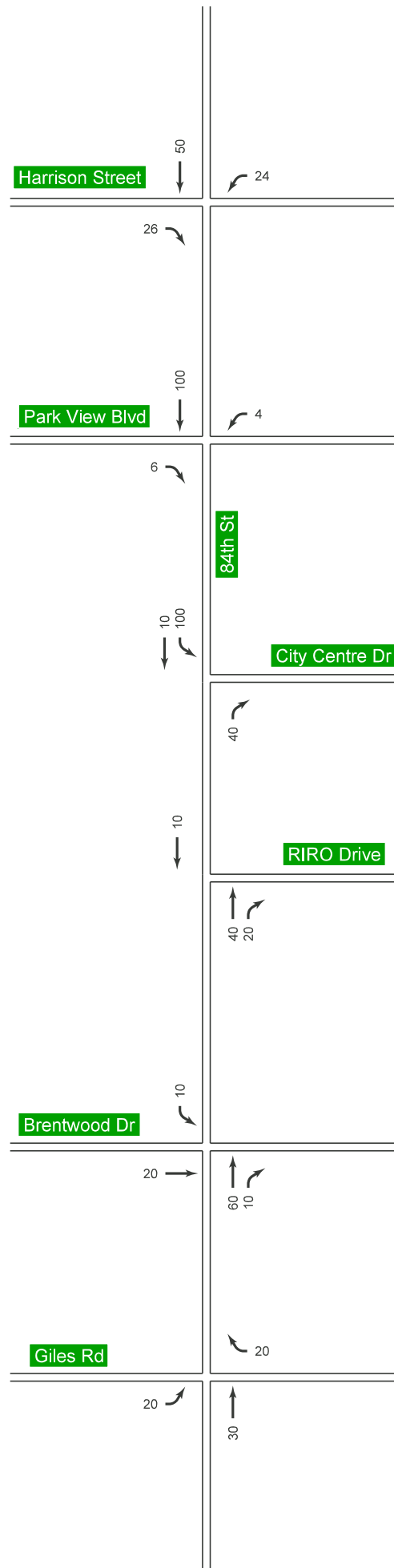
FIGURE A
Trip Distribution

LEGEND

xx PM Entering Trips

FIGURE B

Primary
Site Trips



LEGEND

xx PM Peak Hour Volume

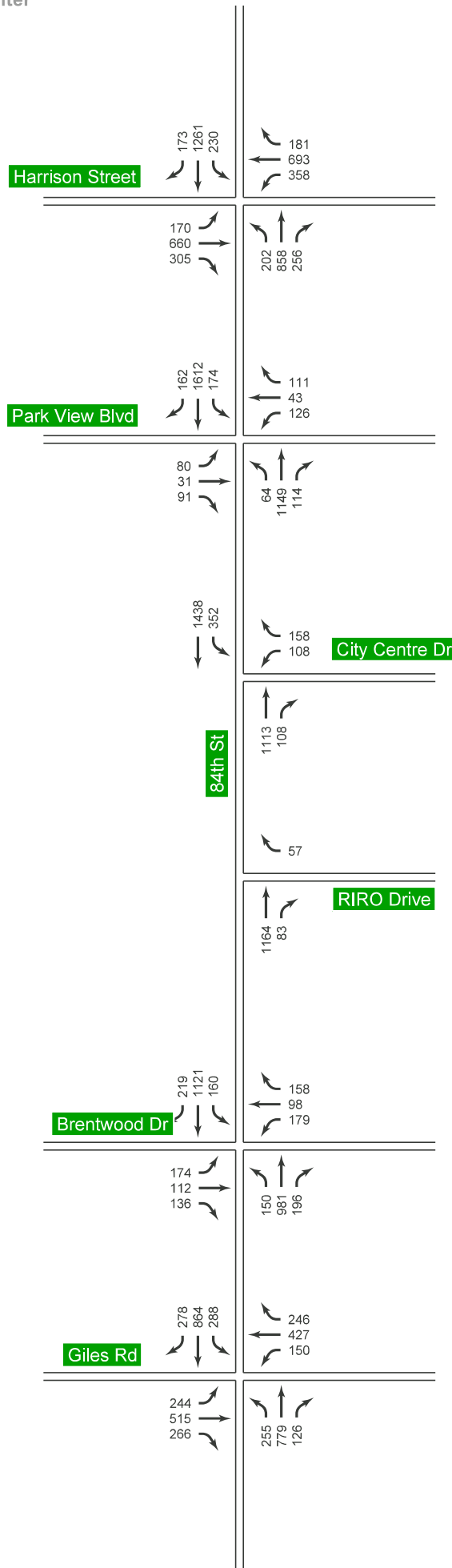


FIGURE C

Opening Day
Traffic Volumes
PM Peak Hour

LEGEND

xx PM Peak Hour Volume

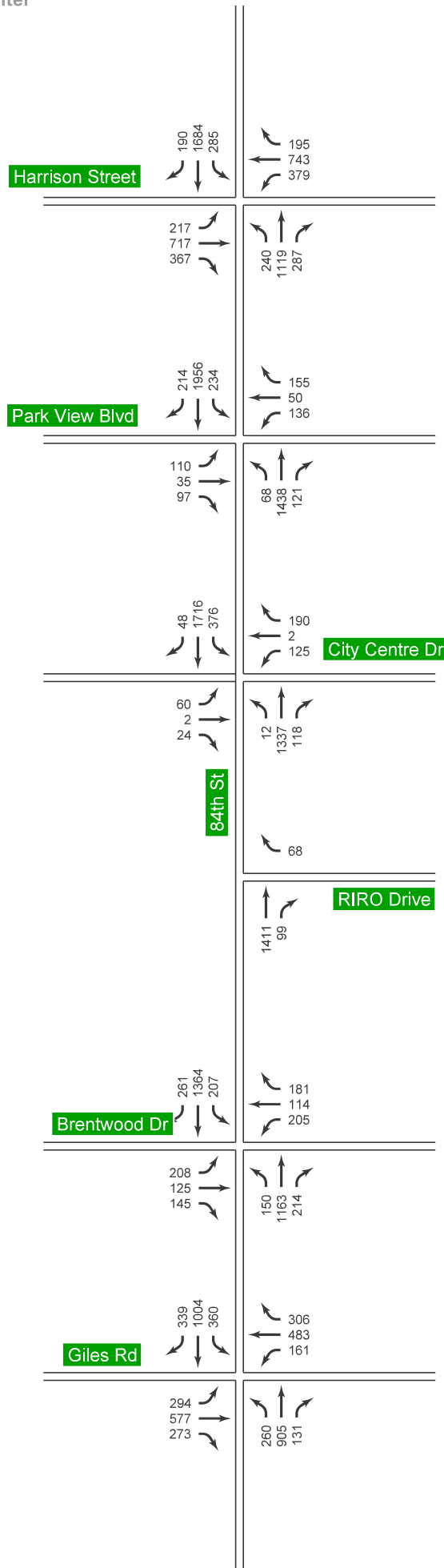



FIGURE D

2040 Plus Site
Traffic Volumes
PM Peak Hour

LEGEND

- X PM Signalized Intersection LOS
- x PM Movement LOS
-  Stop Controlled Intersection
-  Stop Sign
-  Lane Geometry

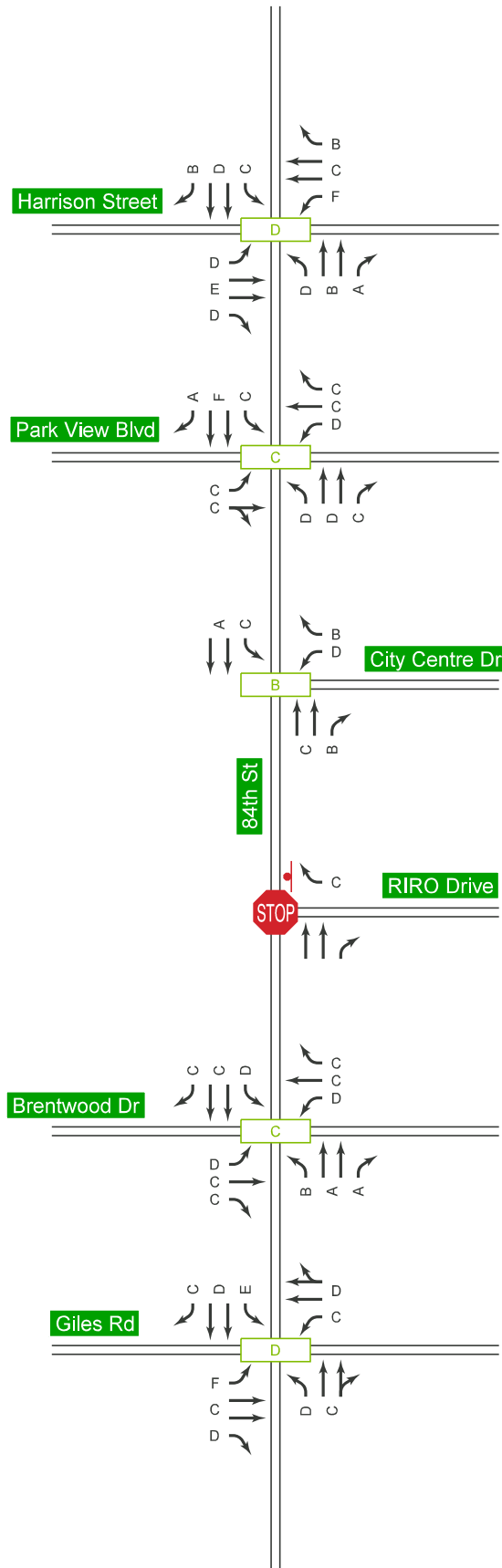





FIGURE E
Opening Day
Capacity Analysis
PM Peak Hour

LEGEND

- X PM Signalized Intersection LOS
- x PM Movement LOS
-  Stop Controlled Intersection
-  Stop Sign
-  Lane Geometry

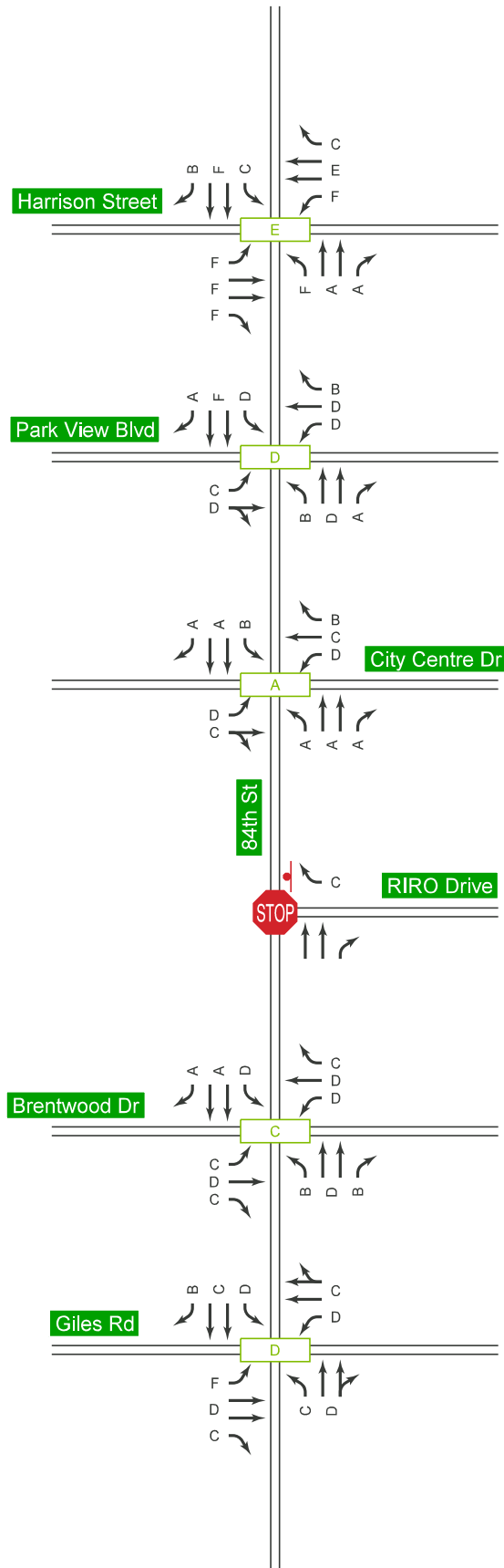


FIGURE F
2040 Plus Site
Capacity Analysis
PM Peak Hour

Intersection

Int Delay, s/veh 0.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations		↗	↗↗	↗		↗↗
Traffic Vol, veh/h	0	57	1164	83	0	1546
Future Vol, veh/h	0	57	1164	83	0	1546
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	150	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	63	1293	92	0	1718

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	-	647	0
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	6.94	-
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	3.32	-
Pot Cap-1 Maneuver	0	414	-
Stage 1	0	-	-
Stage 2	0	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	414	-
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-













Approach	WB	NB	SB
HCM Control Delay, s	15.3	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBT
Capacity (veh/h)	-	-	414
HCM Lane V/C Ratio	-	-	0.153
HCM Control Delay (s)	-	-	15.3
HCM Lane LOS	-	-	C
HCM 95th %tile Q(veh)	-	-	0.5

Queues

8: 84th St. & Harrison

07/10/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	189	733	339	398	770	201	224	953	284	256	1401	192
v/c Ratio	0.80	0.98	0.54	1.14	0.78	0.27	0.91	0.73	0.30	0.85	0.94	0.21
Control Delay	47.6	65.4	17.3	114.9	36.7	10.5	64.8	13.0	1.9	43.8	38.3	5.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	47.6	65.4	17.3	114.9	36.7	10.5	64.8	13.0	1.9	43.8	38.3	5.1
Queue Length 50th (ft)	71	219	85	~208	212	42	83	42	0	86	390	21
Queue Length 95th (ft)	#155	#340	170	#387	281	86	m#174	142	m9	#217	#543	52
Internal Link Dist (ft)	1058				583				1057			
Turn Bay Length (ft)	250		160	180		110	180		500	210		150
Base Capacity (vph)	235	747	624	350	983	760	246	1303	947	305	1494	927
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.80	0.98	0.54	1.14	0.78	0.26	0.91	0.73	0.30	0.84	0.94	0.21

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

8: 84th St. & Harrison

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	170	660	305	358	693	181	202	858	256	230	1261	173
Future Volume (veh/h)	170	660	305	358	693	181	202	858	256	230	1261	173
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	189	733	339	398	770	201	224	953	284	256	1401	192
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	251	750	440	337	987	613	253	1349	831	373	1500	793
Arrive On Green	0.08	0.21	0.20	0.14	0.28	0.27	0.18	0.76	0.74	0.11	0.42	0.41
Sat Flow, veh/h	1781	3554	1585	1781	3554	1585	1781	3554	1585	1781	3554	1585
Grp Volume(v), veh/h	189	733	339	398	770	201	224	953	284	256	1401	192
Grp Sat Flow(s),veh/h/ln	1781	1777	1585	1781	1777	1585	1781	1777	1585	1781	1777	1585
Q Serve(g_s), s	7.0	18.5	17.7	13.0	18.0	8.0	7.3	12.5	5.0	7.7	33.8	6.2
Cycle Q Clear(g_c), s	7.0	18.5	17.7	13.0	18.0	8.0	7.3	12.5	5.0	7.7	33.8	6.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	251	750	440	337	987	613	253	1349	831	373	1500	793
V/C Ratio(X)	0.75	0.98	0.77	1.18	0.78	0.33	0.88	0.71	0.34	0.69	0.93	0.24
Avail Cap(c_a), veh/h	251	750	440	337	987	613	253	1349	831	396	1500	793
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	0.68	0.68	0.68	1.00	1.00	1.00
Uniform Delay (d), s/veh	29.5	35.3	29.9	25.5	30.0	19.4	18.9	8.2	4.7	16.4	24.8	12.8
Incr Delay (d2), s/veh	12.1	27.1	8.1	107.4	4.1	0.3	21.5	2.1	0.8	4.6	12.0	0.7
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.0	10.3	7.2	15.3	7.7	2.8	3.7	2.9	1.2	3.2	15.1	2.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	41.7	62.4	38.0	132.9	34.0	19.7	40.5	10.4	5.5	21.0	36.8	13.5
LnGrp LOS	D	E	D	F	C	B	D	B	A	C	D	B
Approach Vol, veh/h		1261			1369			1461			1849	
Approach Delay, s/veh		52.7			60.7			14.0			32.2	
Approach LOS		D			E			B			C	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	16.0	23.0	9.0	42.0	10.0	29.0	12.8	38.2				
Change Period (Y+Rc), s	3.0	6.0	3.0	6.0	3.0	6.0	3.0	6.0				
Max Green Setting (Gmax), s	13.0	17.0	6.0	36.0	7.0	23.0	11.0	31.0				
Max Q Clear Time (g_c+I1), s	15.0	20.5	9.3	35.8	9.0	20.0	9.7	14.5				
Green Ext Time (p_c), s	0.0	0.0	0.0	0.1	0.0	1.4	0.1	5.4				
Intersection Summary												
HCM 6th Ctrl Delay				38.7								
HCM 6th LOS				D								

Queues

12: 84th St. & Parkview Blvd

07/10/2019



Lane Group	EBL	EBT	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	89	135	140	48	123	71	1277	127	193	1791	181
v/c Ratio	0.37	0.33	0.73	0.13	0.29	0.42	0.74	0.15	0.43	0.82	0.18
Control Delay	35.3	11.5	56.0	28.1	6.2	31.1	27.4	10.6	17.1	13.4	4.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	35.3	11.5	56.0	28.1	6.2	31.1	27.4	10.6	17.1	13.4	4.8
Queue Length 50th (ft)	45	16	76	23	0	41	405	36	38	216	7
Queue Length 95th (ft)	83	58	131	48	36	m58	481	m64	m52	m#354	m20
Internal Link Dist (ft)		619		685			1678			1057	
Turn Bay Length (ft)	200		150		50	200		125	200		100
Base Capacity (vph)	330	515	261	496	519	189	1730	823	446	2171	1001
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.27	0.26	0.54	0.10	0.24	0.38	0.74	0.15	0.43	0.82	0.18

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

12: 84th St. & Parkview Blvd

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	80	31	91	126	43	111	64	1149	114	174	1612	163
Future Volume (veh/h)	80	31	91	126	43	111	64	1149	114	174	1612	163
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	89	34	101	140	48	123	71	1277	127	193	1791	181
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	305	95	281	251	426	361	115	1500	669	308	1726	770
Arrive On Green	0.21	0.23	0.22	0.21	0.23	0.23	0.02	0.14	0.14	0.24	0.97	0.97
Sat Flow, veh/h	1214	415	1233	1254	1870	1585	1781	3554	1585	1781	3554	1585
Grp Volume(v), veh/h	89	0	135	140	48	123	71	1277	127	193	1791	181
Grp Sat Flow(s),veh/h/ln	1214	0	1648	1254	1870	1585	1781	1777	1585	1781	1777	1585
Q Serve(g_s), s	5.8	0.0	6.2	9.8	1.8	5.8	3.6	31.6	6.4	3.6	43.7	0.4
Cycle Q Clear(g_c), s	7.6	0.0	6.2	16.0	1.8	5.8	3.6	31.6	6.4	3.6	43.7	0.4
Prop In Lane	1.00		0.75	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	305	0	376	251	426	361	115	1500	669	308	1726	770
V/C Ratio(X)	0.29	0.00	0.36	0.56	0.11	0.34	0.62	0.85	0.19	0.63	1.04	0.24
Avail Cap(c_a), veh/h	352	0	440	300	499	423	188	1560	696	407	1836	819
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	0.33	0.33	0.33	2.00	2.00	2.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	1.00	1.00	0.69	0.69	0.69	0.29	0.29	0.29
Uniform Delay (d), s/veh	32.2	0.0	29.5	37.8	27.5	29.1	42.9	36.0	25.1	30.3	1.3	0.7
Incr Delay (d2), s/veh	0.5	0.0	0.6	1.9	0.1	0.6	3.7	4.4	0.4	0.6	23.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.7	0.0	2.5	3.1	0.8	2.3	1.7	15.7	2.4	3.2	6.0	0.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	32.7	0.0	30.1	39.7	27.6	29.6	46.6	40.4	25.6	30.9	24.3	0.7
LnGrp LOS	C	A	C	D	C	C	D	D	C	C	F	A
Approach Vol, veh/h		224			311			1475			2165	
Approach Delay, s/veh		31.2			33.9			39.4			22.9	
Approach LOS		C			C			D			C	
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	8.8	48.6		24.0	15.9	41.5		24.0				
Change Period (Y+Rc), s	3.0	5.5		5.5	5.5	5.5		5.5				
Max Green Setting (Gmax), s	9.5	44.5		22.0	14.0	37.5		22.0				
Max Q Clear Time (g_c+I1), s	5.6	45.7		18.0	5.6	33.6		9.6				
Green Ext Time (p_c), s	0.0	0.0		0.5	0.4	2.4		0.7				
Intersection Summary												
HCM 6th Ctrl Delay			30.0									
HCM 6th LOS			C									

Queues

17: 84th St. & City Centre Dr

07/10/2019



Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	120	176	1237	120	391	1598
v/c Ratio	0.49	0.24	0.73	0.15	0.72	0.57
Control Delay	43.6	13.2	23.3	5.7	20.9	1.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	43.6	13.2	23.3	5.7	20.9	1.5
Queue Length 50th (ft)	64	47	310	15	152	8
Queue Length 95th (ft)	119	90	394	43	m222	24
Internal Link Dist (ft)	401		425			1678
Turn Bay Length (ft)		100		150	250	
Base Capacity (vph)	246	747	1700	801	541	2812
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.49	0.24	0.73	0.15	0.72	0.57

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

17: 84th St. & City Centre Dr

07/10/2019



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	108	158	1113	108	352	1438
Future Volume (veh/h)	108	158	1113	108	352	1438
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00		1.00	1.00	
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No		No			No
Adj Sat Flow, veh/h/ln	1900	1900	1885	1900	1707	1885
Adj Flow Rate, veh/h	120	176	1237	120	391	1598
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	0	0	1	0	13	1
Cap, veh/h	241	658	1699	746	573	2826
Arrive On Green	0.13	0.13	0.32	0.31	0.28	0.79
Sat Flow, veh/h	1810	1610	3676	1610	1626	3676
Grp Volume(v), veh/h	120	176	1237	120	391	1598
Grp Sat Flow(s),veh/h/ln	1810	1610	1791	1610	1626	1791
Q Serve(g_s), s	5.5	0.0	27.6	4.9	11.5	15.3
Cycle Q Clear(g_c), s	5.5	0.0	27.6	4.9	11.5	15.3
Prop In Lane	1.00	1.00		1.00	1.00	
Lane Grp Cap(c), veh/h	241	658	1699	746	573	2826
V/C Ratio(X)	0.50	0.27	0.73	0.16	0.68	0.57
Avail Cap(c_a), veh/h	247	664	1699	746	577	2826
HCM Platoon Ratio	1.00	1.00	0.67	0.67	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	0.47	0.47
Uniform Delay (d), s/veh	36.2	17.7	25.5	18.3	25.3	3.6
Incr Delay (d2), s/veh	1.6	0.2	2.8	0.5	1.5	0.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.5	4.4	12.4	1.8	6.7	2.6
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	37.8	17.9	28.3	18.8	26.8	4.0
LnGrp LOS	D	B	C	B	C	A
Approach Vol, veh/h	296		1357			1989
Approach Delay, s/veh	25.9		27.5			8.5
Approach LOS	C		C			A
Timer - Assigned Phs	2		4		5	6
Phs Duration (G+Y+Rc), s	74.5		15.5		28.3	46.2
Change Period (Y+Rc), s	5.5		5.5		5.5	* 5.5
Max Green Setting (Gmax), s	68.7		10.3		23.0	* 41
Max Q Clear Time (g_c+I1), s	17.3		7.5		13.5	29.6
Green Ext Time (p_c), s	11.2		0.3		1.1	5.0

Intersection Summary

HCM 6th Ctrl Delay	17.0
HCM 6th LOS	B

Notes

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Queues

20: 84th St. & Brentwood Drive

07/10/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	193	124	151	199	109	176	167	1090	218	178	1246	243
v/c Ratio	0.71	0.27	0.30	0.77	0.24	0.39	0.54	0.49	0.19	0.70	0.63	0.25
Control Delay	46.6	27.7	5.8	52.3	27.1	14.3	9.3	7.4	2.1	38.2	22.0	5.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	46.6	27.7	5.8	52.3	27.1	14.3	9.3	7.4	2.1	38.2	22.0	5.7
Queue Length 50th (ft)	102	57	0	107	50	35	25	187	14	98	352	17
Queue Length 95th (ft)	161	94	41	169	84	81	m52	m252	m32	#218	444	95
Internal Link Dist (ft)		652			424			1210			503	
Turn Bay Length (ft)	150		150	100		100	100		150	250		250
Base Capacity (vph)	366	601	609	348	601	569	321	2219	1171	255	1969	971
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.53	0.21	0.25	0.57	0.18	0.31	0.52	0.49	0.19	0.70	0.63	0.25

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

20: 84th St. & Brentwood Drive

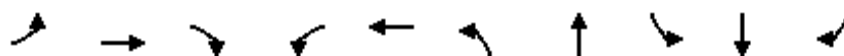
07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	174	112	136	179	98	158	150	981	196	160	1121	219
Future Volume (veh/h)	174	112	136	179	98	158	150	981	196	160	1121	219
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1900	1885	1900	1900	1870	1900	1737	1900	1841	1870	1841
Adj Flow Rate, veh/h	193	124	151	199	109	176	167	1090	218	178	1246	243
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	0	0	1	0	0	2	0	11	0	4	2	4
Cap, veh/h	315	527	443	310	527	440	265	2128	1038	265	1951	857
Arrive On Green	0.26	0.28	0.28	0.26	0.28	0.28	0.06	0.64	0.64	0.17	0.18	0.18
Sat Flow, veh/h	1112	1900	1598	1122	1900	1585	1810	3300	1610	414	3554	1560
Grp Volume(v), veh/h	193	124	151	199	109	176	167	1090	218	178	1246	243
Grp Sat Flow(s),veh/h/ln	1112	1900	1598	1122	1900	1585	1810	1650	1610	414	1777	1560
Q Serve(g_s), s	14.9	4.5	6.8	15.4	4.0	8.1	3.6	15.8	5.0	38.4	29.2	12.1
Cycle Q Clear(g_c), s	18.9	4.5	6.8	20.0	4.0	8.1	3.6	15.8	5.0	45.6	29.2	12.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	315	527	443	310	527	440	265	2128	1038	265	1951	857
V/C Ratio(X)	0.61	0.24	0.34	0.64	0.21	0.40	0.63	0.51	0.21	0.67	0.64	0.28
Avail Cap(c_a), veh/h	358	602	506	354	602	502	324	2128	1038	265	1951	857
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.33	0.33	0.33
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	0.56	0.56	0.56	1.00	1.00	1.00
Uniform Delay (d), s/veh	33.9	25.1	25.9	34.6	24.9	26.4	17.1	8.5	6.6	40.0	28.6	21.6
Incr Delay (d2), s/veh	2.5	0.2	0.5	3.2	0.2	0.6	1.5	0.5	0.3	12.8	1.6	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.2	2.1	2.6	4.4	1.8	3.1	1.7	4.5	1.4	5.1	14.0	4.9
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	36.3	25.4	26.4	37.8	25.1	27.0	18.6	9.0	6.8	52.7	30.2	22.4
LnGrp LOS	D	C	C	D	C	C	B	A	A	D	C	C
Approach Vol, veh/h	468			484			1475			1667		
Approach Delay, s/veh	30.2			31.0			9.8			31.5		
Approach LOS	C			C			A			C		
Timer - Assigned Phs	1	2		4		6		8				
Phs Duration (G+Y+Rc), s	8.6	52.9		28.5		61.5		28.5				
Change Period (Y+Rc), s	3.0	5.5		5.5		5.5		5.5				
Max Green Setting (Gmax), s	8.5	41.0		26.5		52.5		26.5				
Max Q Clear Time (g_c+I1), s	5.6	47.6		22.0		17.8		20.9				
Green Ext Time (p_c), s	0.1	0.0		1.0		7.3		1.1				
Intersection Summary												
HCM 6th Ctrl Delay	23.4											
HCM 6th LOS	C											

Queues

23: 84th St. & Giles Rd

07/10/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	271	572	296	167	747	283	1006	320	960	309
v/c Ratio	1.08	0.65	0.52	0.64	0.81	0.89	0.67	1.16	0.68	0.35
Control Delay	107.4	34.0	11.2	31.7	34.1	47.7	22.9	119.2	23.5	12.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	107.4	34.0	11.2	31.7	34.1	47.7	22.9	119.2	23.5	12.4
Queue Length 50th (ft)	~111	151	30	63	174	93	229	~149	278	126
Queue Length 95th (ft)	#267	206	102	#111	242	#245	298	#315	341	164
Internal Link Dist (ft)		704			836		3898		1210	
Turn Bay Length (ft)	200		150	100		325		300		300
Base Capacity (vph)	250	924	581	262	964	318	1496	277	1414	884
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.08	0.62	0.51	0.64	0.77	0.89	0.67	1.16	0.68	0.35























Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

HCM 6th Signalized Intersection Summary

23: 84th St. & Giles Rd

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	244	515	266	150	427	246	255	779	126	288	864	278
Future Volume (veh/h)	244	515	266	150	427	246	255	779	126	288	864	278
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	271	572	296	167	474	273	283	866	140	320	960	309
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	256	911	406	297	558	320	330	1325	214	323	1418	738
Arrive On Green	0.09	0.26	0.26	0.09	0.26	0.25	0.11	0.43	0.42	0.03	0.13	0.12
Sat Flow, veh/h	1781	3554	1585	1781	2176	1247	1781	3063	495	1781	3554	1585
Grp Volume(v), veh/h	271	572	296	167	387	360	283	502	504	320	960	309
Grp Sat Flow(s),veh/h/ln	1781	1777	1585	1781	1777	1646	1781	1777	1781	1781	1777	1585
Q Serve(g_s), s	8.0	12.8	15.4	6.3	18.6	18.8	8.3	20.1	20.2	7.0	23.2	14.1
Cycle Q Clear(g_c), s	8.0	12.8	15.4	6.3	18.6	18.8	8.3	20.1	20.2	7.0	23.2	14.1
Prop In Lane	1.00		1.00	1.00		0.76	1.00		0.28	1.00		1.00
Lane Grp Cap(c), veh/h	256	911	406	297	456	422	330	768	770	323	1418	738
V/C Ratio(X)	1.06	0.63	0.73	0.56	0.85	0.85	0.86	0.65	0.65	0.99	0.68	0.42
Avail Cap(c_a), veh/h	256	928	414	297	464	430	330	768	770	323	1418	738
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.33	0.33	0.33
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.75	0.75	0.75
Uniform Delay (d), s/veh	29.4	29.7	30.6	24.0	31.8	32.2	19.0	20.2	20.3	26.5	33.5	23.3
Incr Delay (d2), s/veh	72.0	1.3	6.2	2.4	13.6	15.1	19.5	4.3	4.3	41.1	2.0	1.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	6.8	5.4	6.3	2.7	9.4	9.0	4.7	8.3	8.4	7.0	11.2	6.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	101.4	31.0	36.8	26.4	45.4	47.4	38.5	24.5	24.6	67.6	35.5	24.6
LnGrp LOS	F	C	D	C	D	D	D	C	C	E	D	C
Approach Vol, veh/h	1139			914			1289			1589		
Approach Delay, s/veh	49.3			42.7			27.6			39.9		
Approach LOS	D			D			C			D		
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.0	39.4	11.0	26.6	10.0	42.4	11.0	26.6				
Change Period (Y+Rc), s	3.0	5.5	3.0	5.5	3.0	5.5	3.0	5.5				
Max Green Setting (Gmax), s	10.0	33.5	8.0	21.5	7.0	36.5	8.0	21.5				
Max Q Clear Time (g_c+I1), s	10.3	25.2	8.3	17.4	9.0	22.2	10.0	20.8				
Green Ext Time (p_c), s	0.0	3.8	0.0	1.6	0.0	3.7	0.0	0.3				
Intersection Summary												
HCM 6th Ctrl Delay	39.4											
HCM 6th LOS	D											

Intersection

Int Delay, s/veh 0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations		↗	↗↗	↗		↗↗
Traffic Vol, veh/h	0	68	1411	99	0	1865
Future Vol, veh/h	0	68	1411	99	0	1865
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	150	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	76	1568	110	0	2072

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	-	784	0
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	6.94	-
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	3.32	-
Pot Cap-1 Maneuver	0	336	-
Stage 1	0	-	-
Stage 2	0	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	336	-
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	18.8	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBT
Capacity (veh/h)	-	-	336
HCM Lane V/C Ratio	-	-	0.225
HCM Control Delay (s)	-	-	18.8
HCM Lane LOS	-	-	C
HCM 95th %tile Q(veh)	-	-	0.8

Queues

8: 84th St. & Harrison

07/10/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	241	797	408	421	826	217	267	1243	319	317	1871	211
v/c Ratio	1.11	1.19	0.71	1.44	1.00	0.31	1.18	0.83	0.33	1.04	1.08	0.21
Control Delay	122.7	135.3	25.5	239.7	67.5	13.0	133.5	18.5	1.0	85.9	71.6	4.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	122.7	135.3	25.5	239.7	67.5	13.0	133.5	18.5	1.0	85.9	71.6	4.3
Queue Length 50th (ft)	~118	~291	132	~271	~248	52	~135	143	0	~140	~632	22
Queue Length 95th (ft)	#240	#407	242	#454	#377	104	m#191	m228	m1	#305	#770	51
Internal Link Dist (ft)		1058			583			1057			815	
Turn Bay Length (ft)	250		160	180		110	180		500	210		150
Base Capacity (vph)	217	668	576	293	825	693	226	1494	977	305	1730	1009
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.11	1.19	0.71	1.44	1.00	0.31	1.18	0.83	0.33	1.04	1.08	0.21

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

8: 84th St. & Harrison

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	217	717	367	379	743	195	240	1119	287	285	1684	190
Future Volume (veh/h)	217	717	367	379	743	195	240	1119	287	285	1684	190
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	241	797	408	421	826	217	267	1243	319	317	1871	211
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	199	671	387	278	829	562	219	1505	847	369	1737	881
Arrive On Green	0.07	0.19	0.18	0.11	0.23	0.22	0.16	0.85	0.82	0.12	0.49	0.48
Sat Flow, veh/h	1781	3554	1585	1781	3554	1585	1781	3554	1585	1781	3554	1585
Grp Volume(v), veh/h	241	797	408	421	826	217	267	1243	319	317	1871	211
Grp Sat Flow(s),veh/h/ln	1781	1777	1585	1781	1777	1585	1781	1777	1585	1781	1777	1585
Q Serve(g_s), s	6.0	17.0	16.0	10.0	20.9	9.2	7.0	16.0	4.2	8.9	44.0	6.1
Cycle Q Clear(g_c), s	6.0	17.0	16.0	10.0	20.9	9.2	7.0	16.0	4.2	8.9	44.0	6.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	199	671	387	278	829	562	219	1505	847	369	1737	881
V/C Ratio(X)	1.21	1.19	1.05	1.51	1.00	0.39	1.22	0.83	0.38	0.86	1.08	0.24
Avail Cap(c_a), veh/h	199	671	387	278	829	562	219	1505	847	371	1737	881
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	0.46	0.46	0.46	1.00	1.00	1.00
Uniform Delay (d), s/veh	34.2	36.5	34.0	29.3	34.5	21.7	20.3	5.2	3.2	17.1	23.0	10.3
Incr Delay (d2), s/veh	132.8	98.8	60.3	249.4	30.2	0.4	117.5	2.5	0.6	17.9	45.6	0.6
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	8.6	16.1	14.4	23.8	11.9	3.2	9.3	2.5	1.0	4.8	26.6	2.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	167.1	135.3	94.3	278.7	64.7	22.2	137.8	7.7	3.8	35.0	68.6	10.9
LnGrp LOS	F	F	F	F	E	C	F	A	A	C	F	B
Approach Vol, veh/h	1446			1464			1829			2399		
Approach Delay, s/veh	129.0			119.9			26.0			59.1		
Approach LOS	F			F			C			E		
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.0	21.0	8.0	48.0	9.0	25.0	13.9	42.1				
Change Period (Y+Rc), s	3.0	6.0	3.0	6.0	3.0	6.0	3.0	6.0				
Max Green Setting (Gmax), s	10.0	15.0	5.0	42.0	6.0	19.0	11.0	36.0				
Max Q Clear Time (g_c+I1), s	12.0	19.0	9.0	46.0	8.0	22.9	10.9	18.0				
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	7.5				
Intersection Summary												
HCM 6th Ctrl Delay	77.3											
HCM 6th LOS	E											

Queues

12: 84th St. & Parkview Blvd

07/10/2019



Lane Group	EBL	EBT	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	122	147	151	56	172	76	1598	134	260	2173	238
v/c Ratio	0.41	0.47	0.65	0.19	0.32	0.34	0.91	0.15	0.88	1.08	0.25
Control Delay	32.5	17.5	43.0	36.8	7.5	11.5	27.2	2.7	30.4	55.6	3.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	32.5	17.5	43.0	36.8	7.5	11.5	27.2	2.7	30.4	55.6	3.5
Queue Length 50th (ft)	56	20	71	29	15	19	508	4	85	~751	12
Queue Length 95th (ft)	104	76	#141	65	53	m31	#603	m21	m79	m#517	m9
Internal Link Dist (ft)		619		685			1678			1057	
Turn Bay Length (ft)	200		150		50	200		125	200		100
Base Capacity (vph)	294	314	234	298	543	226	1781	875	297	2005	951
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.41	0.47	0.65	0.19	0.32	0.34	0.90	0.15	0.88	1.08	0.25

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

12: 84th St. & Parkview Blvd

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	110	35	97	136	50	155	68	1438	121	234	1956	214
Future Volume (veh/h)	110	35	97	136	50	155	68	1438	121	234	1956	214
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	122	39	108	151	56	172	76	1598	134	260	2173	238
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	316	58	162	251	249	391	252	1775	792	286	1962	875
Arrive On Green	0.08	0.13	0.12	0.08	0.13	0.13	0.02	0.16	0.16	0.23	1.00	1.00
Sat Flow, veh/h	1781	438	1214	1781	1870	1585	1781	3554	1585	1781	3554	1585
Grp Volume(v), veh/h	122	0	147	151	56	172	76	1598	134	260	2173	238
Grp Sat Flow(s),veh/h/ln	1781	0	1652	1781	1870	1585	1781	1777	1585	1781	1777	1585
Q Serve(g_s), s	5.4	0.0	7.6	6.8	2.4	1.2	2.2	39.7	3.7	8.4	0.0	0.0
Cycle Q Clear(g_c), s	5.4	0.0	7.6	6.8	2.4	1.2	2.2	39.7	3.7	8.4	0.0	0.0
Prop In Lane	1.00		0.73	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	316	0	220	251	249	391	252	1775	792	286	1962	875
V/C Ratio(X)	0.39	0.00	0.67	0.60	0.22	0.44	0.30	0.90	0.17	0.91	1.11	0.27
Avail Cap(c_a), veh/h	316	0	220	251	249	391	273	1789	798	286	1962	875
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	0.33	0.33	0.33	2.00	2.00	2.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	1.00	1.00	0.65	0.65	0.65	0.09	0.09	0.09
Uniform Delay (d), s/veh	31.8	0.0	37.5	32.7	34.8	14.1	14.1	35.4	6.7	32.7	0.0	0.0
Incr Delay (d2), s/veh	0.8	0.0	7.5	4.0	0.5	0.8	0.4	5.3	0.3	4.4	49.2	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.4	0.0	3.6	3.2	1.1	2.1	0.8	19.8	2.4	4.9	13.4	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	32.6	0.0	44.9	36.7	35.3	14.8	14.5	40.7	7.0	37.2	49.2	0.0
LnGrp LOS	C	A	D	D	D	B	B	D	A	D	F	A
Approach Vol, veh/h		269			379			1808			2671	
Approach Delay, s/veh		39.3			26.6			37.1			43.6	
Approach LOS		D			C			D			D	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	9.0	53.2	12.0	15.5	13.7	48.4	12.0	15.5				
Change Period (Y+Rc), s	3.0	5.5	5.0	5.5	5.5	5.5	5.0	5.5				
Max Green Setting (Gmax), s	7.0	47.0	7.0	10.0	8.2	43.3	7.0	10.0				
Max Q Clear Time (g_c+I1), s	4.2	2.0	7.4	4.4	10.4	41.7	8.8	9.6				
Green Ext Time (p_c), s	0.0	22.5	0.0	0.4	0.0	1.3	0.0	0.0				
Intersection Summary												
HCM 6th Ctrl Delay			39.9									
HCM 6th LOS			D									

Queues

17: 84th St. & City Centre Dr

07/10/2019



Lane Group	EBL	EBT	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	67	29	139	2	211	13	1486	131	418	1907	53
v/c Ratio	0.38	0.13	0.65	0.01	0.33	0.16	0.77	0.14	1.05	0.69	0.04
Control Delay	43.0	16.1	51.6	34.0	18.2	14.2	11.0	3.1	61.3	2.4	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	43.0	16.1	51.6	34.0	18.2	14.2	11.0	3.1	61.3	2.4	0.0
Queue Length 50th (ft)	35	1	75	1	69	3	141	1	~224	5	1
Queue Length 95th (ft)	76	26	#152	8	125	m5	m207	m6	m#203	m6	m1
Internal Link Dist (ft)		358		401			425			1678	
Turn Bay Length (ft)	100		100		100	275		150	250		150
Base Capacity (vph)	180	228	218	248	640	82	1938	904	398	2772	1206
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.37	0.13	0.64	0.01	0.33	0.16	0.77	0.14	1.05	0.69	0.04

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

17: 84th St. & City Centre Dr

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	60	2	24	125	2	190	12	1337	118	376	1716	48
Future Volume (veh/h)	60	2	24	125	2	190	12	1337	118	376	1716	48
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1900	1870	1900	1870	1885	1900	1707	1885	1870
Adj Flow Rate, veh/h	67	2	27	139	2	211	13	1486	131	418	1907	53
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	0	2	0	2	1	0	13	1	2
Cap, veh/h	234	15	198	275	249	843	179	1930	850	820	3388	1464
Arrive On Green	0.13	0.13	0.13	0.16	0.13	0.16	1.00	1.00	1.00	0.37	0.95	0.92
Sat Flow, veh/h	1168	110	1491	1403	1870	1610	224	3582	1610	1626	3582	1585
Grp Volume(v), veh/h	67	0	29	139	2	211	13	1486	131	418	1907	53
Grp Sat Flow(s),veh/h/ln	1168	0	1602	1403	1870	1610	224	1791	1610	1626	1791	1585
Q Serve(g_s), s	4.8	0.0	1.4	8.5	0.1	0.0	0.8	0.0	0.0	3.2	5.5	0.2
Cycle Q Clear(g_c), s	4.8	0.0	1.4	10.0	0.1	0.0	7.4	0.0	0.0	3.2	5.5	0.2
Prop In Lane	1.00		0.93	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	234	0	213	275	249	843	179	1930	850	820	3388	1464
V/C Ratio(X)	0.29	0.00	0.14	0.50	0.01	0.25	0.07	0.77	0.15	0.51	0.56	0.04
Avail Cap(c_a), veh/h	234	0	213	276	249	843	179	1930	850	820	3388	1464
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.09	0.09	0.09
Uniform Delay (d), s/veh	36.0	0.0	34.5	37.0	33.9	11.8	0.5	0.0	0.0	10.6	0.3	0.3
Incr Delay (d2), s/veh	0.7	0.0	0.3	1.5	0.0	0.2	0.8	3.0	0.4	0.0	0.1	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.4	0.0	0.6	3.0	0.0	2.3	0.0	0.8	0.1	5.0	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	36.6	0.0	34.7	38.5	33.9	11.9	1.3	3.0	0.4	10.7	0.3	0.3
LnGrp LOS	D	A	C	D	C	B	A	A	A	B	A	A
Approach Vol, veh/h	96				352				1630			
Approach Delay, s/veh	36.1				22.5				2.8			
Approach LOS	D				C				A			
Timer - Assigned Phs	2			4		5		6		8		
Phs Duration (G+Y+Rc), s	89.1			17.5		37.1		52.0		17.5		
Change Period (Y+Rc), s	5.5			5.5		5.5		* 5.5		* 5.5		
Max Green Setting (Gmax), s	67.5			11.5		16.0		* 47		* 12		
Max Q Clear Time (g_c+I1), s	7.5			6.8		5.2		9.4		12.0		
Green Ext Time (p_c), s	16.8			0.1		1.3		11.0		0.0		

Intersection Summary

HCM 6th Ctrl Delay	4.7
HCM 6th LOS	A

Notes

* HCM 6th computational engine requires equal clearance times for the phases crossing the barrier.

Queues

20: 84th St. & Brentwood Drive

07/10/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	231	139	161	228	127	201	167	1292	238	230	1516	290
v/c Ratio	0.70	0.48	0.29	0.73	0.50	0.37	0.78	0.89	0.22	0.85	0.84	0.25
Control Delay	39.3	40.9	6.5	42.7	43.8	15.4	29.8	28.9	5.5	47.3	24.0	1.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	39.3	40.9	6.5	42.7	43.8	15.4	29.8	28.9	5.5	47.3	24.0	1.5
Queue Length 50th (ft)	106	73	4	104	68	46	35	375	34	106	280	2
Queue Length 95th (ft)	#184	131	49	#196	124	104	m#59	m#454	m46	m#194	361	26
Internal Link Dist (ft)		652			424			1210			503	
Turn Bay Length (ft)	150		150	100		100	100		150	250		250
Base Capacity (vph)	333	295	561	312	253	546	215	1459	1077	274	1808	1157
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.69	0.47	0.29	0.73	0.50	0.37	0.78	0.89	0.22	0.84	0.84	0.25

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

20: 84th St. & Brentwood Drive

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	208	125	145	205	114	181	150	1163	214	207	1364	261
Future Volume (veh/h)	208	125	145	205	114	181	150	1163	214	207	1364	261
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1900	1885	1900	1900	1870	1900	1737	1900	1841	1870	1841
Adj Flow Rate, veh/h	231	139	161	228	127	201	167	1292	238	230	1516	290
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	0	0	1	0	0	2	0	11	0	4	2	4
Cap, veh/h	354	296	391	334	253	397	317	1520	939	266	1816	1023
Arrive On Green	0.12	0.16	0.16	0.10	0.13	0.13	0.02	0.15	0.15	0.19	1.00	1.00
Sat Flow, veh/h	1810	1900	1598	1810	1900	1585	1810	3300	1610	1753	3554	1560
Grp Volume(v), veh/h	231	139	161	228	127	201	167	1292	238	230	1516	290
Grp Sat Flow(s),veh/h/ln	1810	1900	1598	1810	1900	1585	1810	1650	1610	1753	1777	1560
Q Serve(g_s), s	10.1	6.0	7.6	9.0	5.6	9.8	4.4	34.3	9.2	6.4	0.0	0.0
Cycle Q Clear(g_c), s	10.1	6.0	7.6	9.0	5.6	9.8	4.4	34.3	9.2	6.4	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	354	296	391	334	253	397	317	1520	939	266	1816	1023
V/C Ratio(X)	0.65	0.47	0.41	0.68	0.50	0.51	0.53	0.85	0.25	0.87	0.83	0.28
Avail Cap(c_a), veh/h	354	296	391	334	253	397	317	1520	939	294	1816	1023
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	0.33	0.33	0.33	2.00	2.00	2.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	0.49	0.49	0.49	1.00	1.00	1.00
Uniform Delay (d), s/veh	30.5	34.6	28.6	32.7	36.2	29.0	12.7	35.1	15.3	17.6	0.0	0.0
Incr Delay (d2), s/veh	4.3	1.2	0.7	5.6	1.5	1.0	0.8	3.1	0.3	21.4	4.7	0.7
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.8	2.9	3.0	5.0	2.7	3.8	1.8	15.5	3.9	3.4	1.2	0.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	34.8	35.8	29.3	38.3	37.8	30.0	13.5	38.3	15.6	38.9	4.7	0.7
LnGrp LOS	C	D	C	D	D	C	B	D	B	D	A	A
Approach Vol, veh/h	531			556			1697			2036		
Approach Delay, s/veh	33.4			35.2			32.7			8.0		
Approach LOS	C			D			C			A		
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	9.0	49.5	16.0	15.5	13.5	45.0	14.0	17.5				
Change Period (Y+Rc), s	3.0	5.5	5.0	5.5	5.0	5.5	5.0	5.5				
Max Green Setting (Gmax), s	6.0	44.0	11.0	10.0	10.0	38.0	9.0	12.0				
Max Q Clear Time (g_c+I1), s	6.4	2.0	12.1	11.8	8.4	36.3	11.0	9.6				
Green Ext Time (p_c), s	0.0	12.4	0.0	0.0	0.1	1.2	0.0	0.3				
Intersection Summary												
HCM 6th Ctrl Delay	22.6											
HCM 6th LOS	C											

Queues

23: 84th St. & Giles Rd

07/10/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	SBL	SBT	SBR
Lane Group Flow (vph)	327	641	303	179	537	340	289	1152	400	1116	377
v/c Ratio	0.99	0.78	0.42	0.83	0.92	0.51	0.87	0.84	1.05	0.75	0.39
Control Delay	75.2	40.5	15.6	57.0	61.0	17.7	46.0	31.4	73.5	17.7	8.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	75.2	40.5	15.6	57.0	61.0	17.7	46.0	31.4	73.5	17.7	8.2
Queue Length 50th (ft)	150	181	87	74	160	99	104	301	~185	282	106
Queue Length 95th (ft)	#296	244	155	#151	#257	180	#241	390	m#299	401	m137
Internal Link Dist (ft)		704			836			3898		1210	
Turn Bay Length (ft)	200		150	100		150	325		300		300
Base Capacity (vph)	331	817	728	216	581	667	344	1370	382	1483	970
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.99	0.78	0.42	0.83	0.92	0.51	0.84	0.84	1.05	0.75	0.39

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

























Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

23: 84th St. & Giles Rd

07/10/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	294	577	273	161	483	306	260	905	131	360	1004	339
Future Volume (veh/h)	294	577	273	161	483	306	260	905	131	360	1004	339
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	327	641	303	179	537	340	289	1006	146	400	1116	377
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	318	821	597	222	584	525	353	1218	177	415	1545	865
Arrive On Green	0.13	0.23	0.23	0.07	0.16	0.15	0.12	0.39	0.38	0.17	0.43	0.41
Sat Flow, veh/h	1781	3554	1585	1781	3554	1585	1781	3114	452	1781	3554	1585
Grp Volume(v), veh/h	327	641	303	179	537	340	289	574	578	400	1116	377
Grp Sat Flow(s),veh/h/ln	1781	1777	1585	1781	1777	1585	1781	1777	1789	1781	1777	1585
Q Serve(g_s), s	12.0	15.2	13.3	6.0	13.4	13.8	8.9	26.1	26.2	14.0	23.3	12.8
Cycle Q Clear(g_c), s	12.0	15.2	13.3	6.0	13.4	13.8	8.9	26.1	26.2	14.0	23.3	12.8
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.25	1.00		1.00
Lane Grp Cap(c), veh/h	318	821	597	222	584	525	353	695	700	415	1545	865
V/C Ratio(X)	1.03	0.78	0.51	0.81	0.92	0.65	0.82	0.83	0.83	0.96	0.72	0.44
Avail Cap(c_a), veh/h	318	821	597	222	584	525	391	695	700	415	1545	865
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.53	0.53	0.53
Uniform Delay (d), s/veh	29.4	32.5	21.6	34.3	37.0	25.6	18.7	24.6	24.8	23.0	21.0	12.2
Incr Delay (d2), s/veh	58.4	4.9	0.7	19.1	19.8	2.8	11.8	10.8	10.8	23.7	1.6	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	10.7	6.8	4.8	2.1	7.2	6.3	4.3	11.9	12.1	7.8	8.9	4.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	87.9	37.3	22.3	53.4	56.8	28.4	30.5	35.4	35.6	46.7	22.6	13.0
LnGrp LOS	F	D	C	D	E	C	C	D	D	D	C	B
Approach Vol, veh/h	1271		1056				1441		1893			
Approach Delay, s/veh	46.8		47.1				34.5		25.8			
Approach LOS	D		D				C		C			
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	14.1	42.6	9.0	24.3	18.0	38.7	15.0	18.3				
Change Period (Y+Rc), s	3.0	5.5	3.0	5.5	3.0	5.5	3.0	5.5				
Max Green Setting (Gmax), s	13.0	35.2	6.0	18.8	15.0	33.2	12.0	12.8				
Max Q Clear Time (g_c+I1), s	10.9	25.3	8.0	17.2	16.0	28.2	14.0	15.8				
Green Ext Time (p_c), s	0.2	5.1	0.0	0.8	0.0	2.3	0.0	0.0				
Intersection Summary												
HCM 6th Ctrl Delay	36.7											
HCM 6th LOS	D											

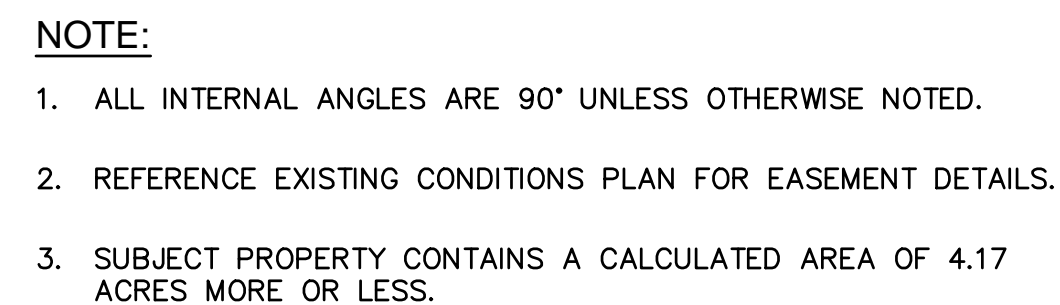
A REPLAT OF LOTS 13 AND OUTLOT A, LA VISTA CITY CENTRE, AND LOT 1, LA VISTA CITY CENTRE
REPLAT THREE, SUBDIVISIONS, SURVEYED, PLATTED AND RECORDED IN THE SOUTHWEST
QUARTER AND NORTHWEST QUARTER, TOGETHER WITH A PART OF TAX LOT 12 IN THE
NORTHWEST QUARTER, ALL IN SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH
P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA.

EXISTING ZONING		
	ZONING	DESC.
LOTS 1 THRU 3	MU-R1	MIXED USE / RESIDENTIAL

<u>DEVELOPER</u>	<u>SURVEYOR</u>	<u>ENGINEER</u>
CHRISTOPHER ERICKSON LA VISTA CITY CENTRE, LLC 222 S. 15TH SUITE 14245 OMAHA, NE 68102	TERRY ROTHANZL OLSSON 2111 S. 67TH STREET, SUITE 200 OMAHA, NE 68106	ERIC GALLEY OLSSON 2111 S. 67TH STREET, SUITE 200 OMAHA, NE 68106

TERRY ROTHANZL, L.S.

C-1 = SHOPPING CENTER DISTRICT
CC = COMMUNITY COMMERCIAL DISTRICT
MU = MIXED USED DISTRICT
R-1 = SINGLE-FAMILY RESIDENTIAL DISTRICT
R-2 = TWO-FAMILY RESIDENTIAL DISTRICT
GC = GENERAL COMMERCIAL
LI = LIGHT INDUSTRIAL DISTRICT
GWAY = GATEWAY CORRIDOR OVERLAY DISTRICT



2111 South 67th Street, Suite 200
Omaha, NE 68106
TEL 402.341.1116 www.olsson.com

REVISIONS DESCRIPTION

REV.	DATE
NO.	

PRELIMINARY PLAT

LA VISTA CITY CENTRE THEATER
LOTS 1 THRU 3

2019

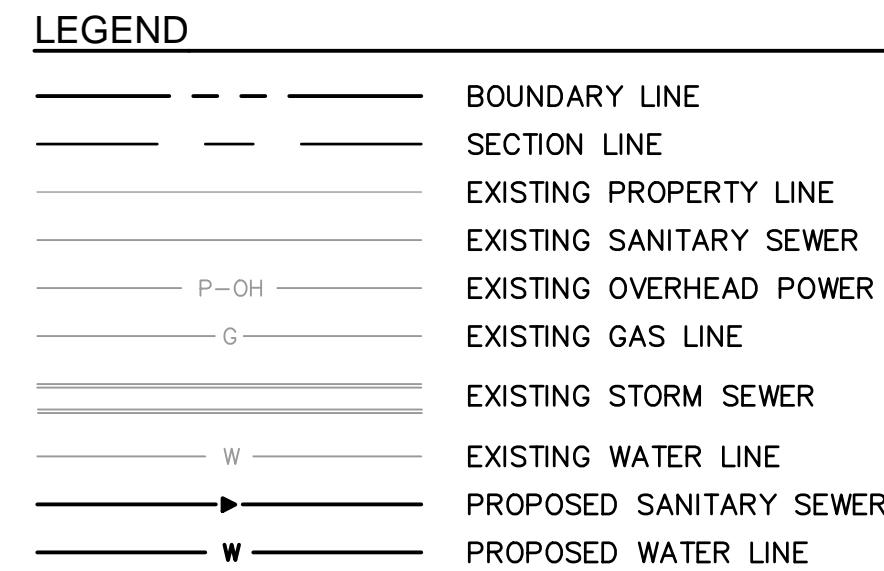
LA VISTA, NEBRASKA

drawn by: JLC
checked by: EW
approved by: ERG
QA/QC by: ERG
project no.: 016-0546
drawing no.:
date: 06.13.19

SHEET
C1.1

DWG: F:\2016\0501-1000\016-0546\40-Design\AutoCAD\Preliminary Plans\La Vista City Theater\Sheets\C_PLT_Lot 13_0160546.dwg
DATE: Jun 13, 2019 4:07pm XREFS: c:\pbody-lot13_60546 C:\BLK_L0T13_0160546
USER: jara

EXISTING EDGE OF
WATER/FLOODPLAIN
OVERLAY



-

LA VISTA CITY CENTRE THEATER
LOTS 1 THRU 3

A VISTA NERRASKA

drawn by: _____ EW
checked by: _____ EW
approved by: _____ KH
QA/QC by: _____ KH
project no.: _____ 016-0546
drawing no.: _____
date: _____ 06.13.19

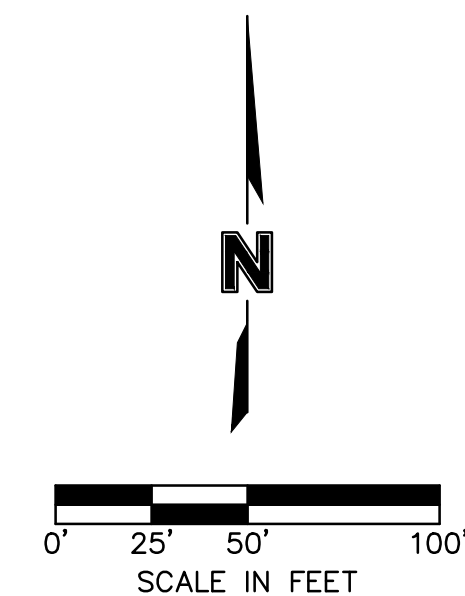
SHEET
C2.1

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		2019
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2111 South 67th Street, Suite 200
Omaha NE 68106
TEL 402 341 1116
WWW.OJSSON.COM



SHEET
C3.1

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT — SWIMMING POOL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

SYNOPSIS

A resolution has been prepared to approve an agreement with Water's Edge Aquatic Design for professional services associated with a new swimming pool in an amount not to exceed \$47,000.

FISCAL IMPACT

Funding is included in the FY20 budget.

RECOMMENDATION

Approval.

BACKGROUND

As you know, the swimming pool, which was built in the early 1960's, is nearing the end of its useful life. In its current location, the facility is also an obstacle to the timely construction of a pedestrian underpass to connect the east and west sides 84th Street, which is a core component of the Vision 84 plan.

Over the years, the City has addressed safety concerns and made functional and cosmetic repairs necessary to prolong its life. The City also brought forth two ballot initiatives to fund a new pool that were narrowly defeated in 2008 and 2012. Despite the narrow losses, there has been consistent and strong community support for a municipal swimming pool as identified in the results of multiple National Citizen Surveys and in the City's recent Community Interest & Opinion survey.

In 2014, the City was approached by the Nebraska Multisport Complex, a nonprofit 501(c)(3) corporation, regarding the potential of a new community swimming pool as a component of a state-of-the-art championship athletic complex planned to be developed northeast of Giles Road and Eastport Parkway. The City worked with the non-profit to pursue this opportunity to the extent possible, however, the project has not materialized as planned and it is now necessary to change course.

Since 2005, Waters Edge Aquatic Design has provided the City with professional services that include an aquatic study, public engagement activities, concept & site planning, and operational cost planning. Because of this prior experience, staff requested a proposal from Waters Edge for Phase I services associated with a new swimming pool to include: Public Input & Consensus Building; Site & Concept Planning; and Capital & Operational Cost Projections.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WATER'S EDGE AQUATIC DESIGN, LENEXA, KANSAS, FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE CONCEPTUAL PLANNING OF A NEW POOL IN AN AMOUNT NOT TO EXCEED \$47,000.

WHEREAS, the swimming pool, which was built in the early 1960's, is nearing the end of its useful life; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for these professional services; and

WHEREAS, Waters Edge Aquatic Design has provided the City with professional services since 2005;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Mayor is hereby authorized to execute a professional services agreement with Water's Edge Aquatic Design, Lenexa, Kansas, for professional services associated with the conceptual planning of a new pool in an amount not to exceed \$47,000.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

August 15, 2019

Ms. Brenda Gunn
City Administrator
City of La Vista
8116 Parkview Blvd
La Vista, NE 68128

Via Email: bgunn@cityoflavista.org

Re: Proposal for Planning Services (Rev. 01)
New Swimming Pool for the City of La Vista

Dear Ms. Gunn:

Thank you for reaching out to us to assist you with planning of a new swimming pool for the City of La Vista. We understand that your community is interested in replacing your existing outdoor pool with one at a new site. I have assembled a team to assist with planning the new facility, which in addition to us includes

RDG Planning & Design for landscape planning and design
Tack Architects for the bathhouse architecture
TD2 for site civil design

Scope of Services

I have prepared the following scope of services and fee proposal for planning the facility, including the following scope tasks.

Public Input and Consensus Building
Site Confirmation and Concept Plan Refinement
Capital and Operational Cost Projections

A description of each task follows.

Public Input and Consensus Building

- Conduct an initial focus group/public meeting.
- Conduct informal online public survey regarding aquatics activities and features to generate interest, provide education, and gather feedback. Or set up booth/open house at a city-wide event.
- Conduct a second public meeting to provide benchmark information and gather feedback on preferences regarding aquatics activities and features
- Create and co-manage a social media page to share information regarding the plans and process
- Conduct a third public meeting to share concept(s) and gather feedback regarding preferences

- Conduct focus group meetings with groups that might have a special interest in the facility- i.e. competitive swim teams, water lessons instructors, aqua fitness class, seniors, etc...
- Develop a perspective 3-D rendering of the facility to convey the plan in an understandable manner
- Share content with city staff for the development and maintenance of a project web page to share information regarding the plan, in effort to build consensus
- Continue to assist in informing the public through media and materials sharing information on the proposed swimming facility.

Site Confirmation and Concept Plan Refinement

- Compare and contrast potential locations
- Confirm the location for the swimming pool
- Apply concept plan to topographic survey
- Analyze impact of the swimming pool on the proposed site- including traffic flows, parking, adjacent neighbors, existing site features
- Provide analysis of topography and prepare preliminary grading plan
- Develop preliminary storm water management plan
- Develop preliminary utilities plan
- Refine the concept plan
- Develop architectural character for bathhouse, filter building, and other potential site amenities
- Create bathhouse and floor plans
- Consider refinements or alternate plans based upon general public, focus group, and city staff input

Capital Cost and Operations Projections

- Prepare Opinion of Project Cost- including construction costs, project costs, and other non-construction contract costs
- Conduct market analysis and estimate participation levels and attendance projections
- Analyze aquatic center pool configurations for lifeguard coverage
- Evaluate anticipated staffing for facility, based upon configuration and projected attendance levels
- Estimate operational expenses based upon utilities, maintenance, and staffing projections
- Project potential revenue and cost recovery level based upon anticipated attendance and revenue ratios, from comparisons of other benchmark facilities

Fee Proposal- (for Phase I Planning)

To complete the services listed above, we propose the following lump sum fees.

Public Input and Consensus Building	\$ 12,000
Site Confirmation and Concept Plan Refinement	\$ 26,250
<u>Capital Cost and Operations Projections</u>	<u>\$ 5,750</u>
Subtotal Services	\$ 44,000

Additionally, direct travel expenses (travel mileage, lodging, and meals) would be billed at their direct expense from a maximum allowance of \$3,000, for a base total maximum lump sum expense of \$47,000.

Thank you again for allowing us to offer our services to you. I look forward to continuing to serve the City of La Vista. Please let me know if you have questions or comments.

Sincerely,



Jeff Bartley
Principal Engineer
Water's Edge Aquatic Design, LLC

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE OF WIDE AREA MOWER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared authorizing the purchase of (1) one 2019 Jacobsen HR600 Wide Area Mower from Turfwerks, 13705 B St. Omaha, NE 68144 for an amount not to exceed \$61,069.00.

FISCAL IMPACT

The FY 19/20 Biennial Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The parks division is working to phase out the 72" front deck mowers and move to the use of wide area mowers in some of our larger parks. With Civic Center Park set to open this fall, this unit will likely be staged at the maintenance facility and be used to mow our larger parks between 72nd St. and 84th St.

The proposed vehicle will be purchased through Sourcewell, contract #062117-JCS. Sourcewell operates just like the state bid but on a national scale.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2019 JACOBSEN HR600 WIDE AREA MOWER FROM TURFWERKS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$61,069.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Jacobsen HR600 Wide Area Mower is necessary; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) 2019 Jacobsen HR600 Wide Area Mower from Turfwerks, Omaha, Nebraska in an amount not to exceed \$61,069.00.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 20, 2019 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZATION – PURCHASE MOTOROLA RADIOS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared authorizing the purchase of nineteen (19) APX Two-way radios from Motorola for approximately \$75,000.

FISCAL IMPACT

Funding for the radios will be purchased from savings in the current FY19 budget.

RECOMMENDATION

Approval

BACKGROUND

Approximately two-weeks ago, the Public Works Department was contacted by Sarpy County Communications regarding their plan to switch the current radio system to an upgraded P25 system sometime in September 2019. They advised that approximately 75 Public Works radios would not operate on the new system. The Department was advised in 2016 that our current XTL/XTS 1500 & 2500 radios would need to be reprogrammed and flashed in order to work on the new system, but not of the need for this type of upgrade, which was made known to Sarpy Communications approximately 6 months ago.

Public Works has since reevaluated radio needs and determined we can efficiently function with 38 two-way radios. There are currently 19 two-way radios in use that are compatible with the new P25 system. The following list is the radios that need to be purchased in each division, the total price includes accessory equipment for each radio like should mics, chargers, external speakers and programming. Delivery time is approximately 2-3 weeks.

Streets	6 radios
Sewer	7 radios
Parks	3 radios
Sports Complex	2 radios
Building Maintenance	1 radio

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF NINETEEN (19) APX TWO-WAY RADIOS FROM MOTOROLA IN AN AMOUNT NOT TO EXCEED \$75,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of nineteen (19) APX two-way radios is necessary; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of nineteen (19) APX two-way radios from Motorola in an amount not to exceed \$75,000.00.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk