

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**SEPTEMBER 3, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZING MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the Mayor to sign a Municipal Annual Certification of Program Compliance Form.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

The Municipal Annual Certification of Program Compliance form and Resolution authorizing the signing of the certification by the Mayor, replaces the annual filing of the One- and Six-Year Plan or Program and the former Standardized System of Annual Reporting (SSAR) with the Nebraska Board of Public Roads Classification and Standards (NBCS).

Public Works will continue prepare and present a One- and Six-Year Road Plan to Council for approval annually. The Plan is no longer required to be submitted to NBCS, but must be available if the city is audited. The same is true for Standardized System of Annual Reporting, the report will be completed and kept on file for auditing purposes. The SSAR is no longer required to be submitted to the NBCS.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM FOR 2019.

WHEREAS, State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS, State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista that the Mayor of La Vista is hereby authorized to sign the Municipal Annual Certification of Program Compliance form for 2019.

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

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

# NEBRASKA

Good Life. Great Journey.

## DEPARTMENT OF TRANSPORTATION

July 31, 2019

Pamela A. Buethe, LaVista City Clerk  
8116 Park View Blvd  
LaVista NE 68128-2198

The enclosed **MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE** form and **RESOLUTION** authorizing the signing of the certification by the Mayor or Village Board Chairperson, replaces the annual filing of the One- and Six-Year Plan or Program and the former Standardized System of Annual Reporting (SSAR) with the **Nebraska Board of Public Roads Classifications and Standards (NBCS)**. Reference LB82, 2019.

To avoid the suspension of Highway-user Revenue to your municipality, following adoption of the One- and Six-Year Plan or Program and Annual Budget, please complete the enclosed **MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE** form and **RESOLUTION** and return them to the NBCS by October 31, 2019. Reference Neb. Rev. Stat. §§39-2120 and 39-2121(1).

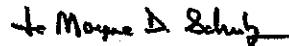
Penalties for failure to comply can be found in the following State Statutes:

- Failure to comply with the provisions of Neb. Rev. Stat. §39-2115.
- Failure to comply with the provisions of Neb. Rev. Stat. §39-2119.
- Failure to file the Municipal Annual Certification of Program Compliance form with the NBCS, Neb. Rev. Stat. §39-2121(2).
- Filing of a materially false Municipal Annual Certification of Program Compliance form, Neb. Rev. Stat. §39-2121(3).
- Construction below minimum standards without the prior approval of the NBCS, Neb. Rev. Stat. §39-2121(3).

Note: While the signature of the City Street Superintendent is optional on the certification, the NBCS strongly recommends that the superintendent sign this certification if said municipality has a superintendent.

Please let me know if you have any questions. Email: [lemoyneschulz@nebraska.gov](mailto:lemoyneschulz@nebraska.gov),  
Phone: (402) 479-4436, Fax: (402) 479-3525.

Sincerely,



LeMoyn D. Schulz  
Secretary for the Board

LDS/bpr11zf

xc: File

Enclosures

Kyle Schneweis, P.E., Director

Department of Transportation

Board of Public Roads Classifications and Standards

1500 Highway 2  
PO Box 94759  
Lincoln, NE 68509-4759

OFFICE 402-479-4436  
[ndot.blshelp@nebraska.gov](mailto:ndot.blshelp@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

Roger A. Figard  
Lincoln

LeRoy G. Gerrard  
Stromsburg

Barbara J. Keegan  
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John F. Krager, III  
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Lisa Kramer  
Kennard

James A. Litchfield  
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Holdrege

David L. Wacker  
Hastings

Timothy W. Weander  
Omaha

Edward R. Wootton, Sr.  
Bellevue

LeMoyn D. Schulz  
Secretary – ex officio

**MUNICIPAL  
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
TO  
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS  
AND STANDARDS  
2019**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads Classifications and Standards, the City  Village  of \_\_\_\_\_  
(Check one box) (Print name of jurisdiction)  
hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2520; and
- ✓ **has attached to this certification, a copy of the resolution of the governing body authorizing the signing of this certification by the Mayor or Village Board Chairperson.**

\_\_\_\_\_  
Signature of Mayor  Village Board Chairperson  (Required)

(Date) \_\_\_\_\_

\_\_\_\_\_  
Signature of City Street Superintendent (Optional)

(Date) \_\_\_\_\_

Return the completed original certification and resolution by  
October 31, 2019 to:

Nebraska Board of Public Roads Classifications and Standards  
PO Box 94759  
Lincoln NE 68509



## RESOLUTION

### SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2019

Resolution No. \_\_\_\_\_

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**Be it resolved** that the Mayor  Village Board Chairperson  of \_\_\_\_\_  
(Check one box) \_\_\_\_\_ (Print name of jurisdiction)  
is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ Nebraska.  
(Month)

City Council/Village Board Members

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City Council/Village Board Member \_\_\_\_\_  
Moved the adoption of said resolution

Member \_\_\_\_\_ Seconded the Motion

Roll Call: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_ Absent

Resolution adopted, signed and filed as adopted.

Attest:

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(Signature of Clerk)