

**LA VISTA CITY COUNCIL MEETING AGENDA**  
**September 17, 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 Award: Sue Tangeman – 20 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 September 6, 2019 City Council Meeting**
  3. **Monthly Financial Report – July 2019**
  4. **Request for Payment – Felsburg, Holt & Ullevig – Professional Services – Giles Signal Retiming - \$1,424.60**
  5. **Request for Payment – Hawkins Construction Company – Construction Services – Parking District No. 2, Structure No. 1 - \$466,744.50**
  6. **Request for Payment – League of Nebraska Municipalities – Membership Dues – \$46,392.00**
  7. **Request for Payment – Midwest Right of Way Services, Inc. – Professional Services – 120<sup>th</sup> & Giles Total Acquisition – \$340.00**
  8. **Request for Payment – Olsson – Professional Services – City Center Geotechnical Services – \$2,920.91**
  9. **Request for Payment – Redz, LLC – Construction Services – Brook Valley Business Park Storm Sewer Repair and Extension – \$105,000.00**
  10. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking & LA Services – \$12,439.09**
  11. **Request for Payment – Sarpy County – Professional Services – 132nd & Giles Intersection Reconstruction – \$6,864.23**
  12. **Request for Payment – Sarpy County – Construction Services – 132nd & Giles Intersection Reconstruction – \$226,193.26**
  13. **Request for Payment – Swain Construction – Construction Services – 84<sup>th</sup> Street Access Improvements - \$212,474.69**
  14. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Phase 2 Golf Course Transformation – Proposed Lake Improvements – \$4,039.75**
  15. **Request for Payment – Uretex USA, Inc. – Construction Services – 72<sup>nd</sup> Street Pavement Leveling over Thompson Creek - \$16,549.58**
  16. **Resolution – Change Order No. 1 – 72<sup>nd</sup> Street Pavement Leveling over Thompson Creek**
  17. **Approval of Claims**
- **Reports from City Administrator and Department Heads**
  - **Sarpy County Economic Development Corporation – Second Quarter Report**
  - **Presentation – 84th Street Adaptive Signal Project**
  - **Presentation – 84th Street Redevelopment Update**
- B. Comprehensive Plan Amendment – Future Land Use Map – La Vista City Centre**
1. **Public Hearing**
  2. **Ordinance – Amend Comprehensive Plan**
- C. Conditional Use Permit – West Building, Lot 15 Brook Valley II Business Park (Centennial Road & 117<sup>th</sup> Street)**
1. **Public Hearing**
  2. **Resolution – Conditional Use Permit**
- D. Resolution – Set Property Tax Levy for FY20**
- E. Restricted Funds Budget Authority**
1. **Public Hearing**
  2. **Resolution**

- F. Approval of Class I Liquor License Application – Infinite Loop VR LLC dba Infinite Loop VR**
  - 1. Public Hearing**
  - 2. Resolution**
- G. Amend Municipal Code Sections 111.18 and 111.19 - Fireworks**
  - 1. Public Hearing**
  - 2. Ordinance – Amend Municipal Code Sections 111.18 and 111.19**
- H. Resolution – Surplus Equipment**
- I. Resolution – Authorize purchase – Contour Mowing Deck**
- 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**

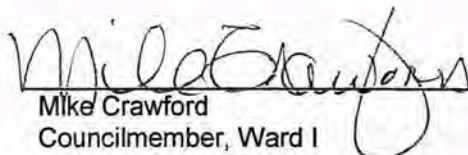
A CERTIFICATE OF APPRECIATION PRESENTED TO **SUE TANGEMAN OF THE LA VISTA RECREATION DEPARTMENT**, FOR 20 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

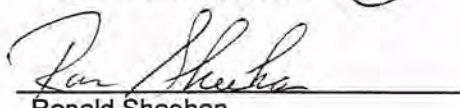
WHEREAS, **Sue Tangeman** has served the City of La Vista since September 7, 1999; and

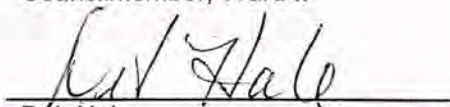
WHEREAS, **Sue Tangeman's** input and contributions to the City of La Vista have contributed to the success of the City;

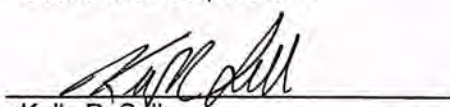
NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Sue Tangeman** on behalf of the City of La Vista for 20 years of service to the City.

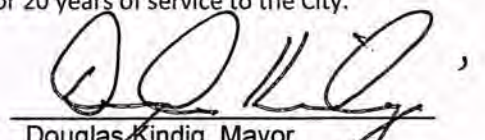
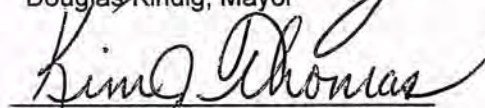
DATED THIS 17TH DAY OF SEPTEMBER 2019.

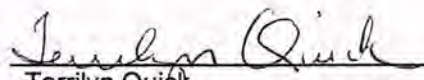
  
Mike Crawford  
Councilmember, Ward I

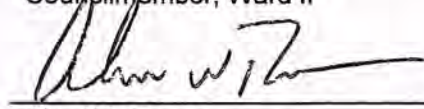
  
Ronald Sheehan  
Councilmember, Ward II

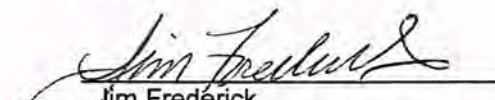
  
Deb Hale  
Councilmember, Ward III

  
Kelly R. Sell  
Councilmember, Ward IV

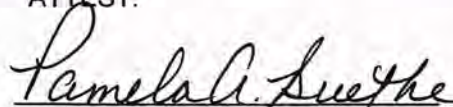
  
Douglas Kindig, Mayor  
  
Kim J. Thomas  
Councilmember, Ward I

  
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 SEPTEMBER 3, 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 September 3, 2019. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Police Chief Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, City Engineer Kottmann, Senior Planner Solberg and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on August 21, 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, and made the announcements.

### SERVICE AWARD: DANA MILLER – 5 YEARS

Mayor Kindig presented a service award to Dana Miller for 5 years of service to the City.

### CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE AUGUST 20, 2019 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – BLADE MASTERS GROUNDS MNTC., CONSTRUCTION SERVICES – \$308,883.08
4. REQUEST FOR PAYMENT – HDR ENGINEERING, INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS AND OTHER WORKS – \$10,141.80
5. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE LOT 17 PARKING GARAGE – \$3,400.25
6. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$30,362.68
7. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – \$1,074.78
8. REQUEST FOR PAYMENT – WELLINGTON – PROFESSIONAL SERVICES – 60TH ANNIVERSARY CELEBRATION – \$5,000.00
9. RESOLUTION NO. 19-116 – CHANGE ORDER NO. 14 – 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 1

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 14 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO REVISE THE SUBSTANTIAL COMPLETION DATE FOR THE PROJECT.

WHEREAS, the City has determined it is necessary to revise the substantial completion date for the project into two substantial completion dates; and

WHEREAS, the first date will be September 3, 2019 for pavement completion to the extent required to allow access to the Lot 15 lower level private parking garage; and

WHEREAS, the second date will be October 4, 2019 for the completion of the rest of Parking Structure No. 1; and

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

# MINUTE RECORD

September 3, 2019

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

WHEREAS, change order number 14 will not change the contract amount 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 14 to the contract with Hawkins Construction Co., Omaha, Nebraska, to revise the substantial completion date for the project.

## **10. RESOLUTION NO. 19-117 -- AUTHORIZE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE**

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.

## **11. RESOLUTION NO. 19-118 -- APPROVE INTERLOCAL AGREEMENT -- FORENSIC AND CRIME SCENE SERVICES**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH DOUGLAS COUNTY FOR FORENSIC AND CRIME SCENE INVESTIGATION SERVICES.

WHEREAS, pursuant to the authority granted under Neb. Rev. Statute 13-801, et. Seq. Reissue 1997, the Mayor and City Council determine that it is in the best interest of the City to renew an interlocal cooperation agreement for the purpose of providing forensic and crime scene investigation services in an efficient and effective manner; and

WHEREAS, the La Vista Police Department has a need for forensic and crime scene investigation services; and

WHEREAS, Douglas County, Nebraska is qualified to provide such services as described in the attached Interlocal Cooperation Agreement.

WHEREAS, Douglas County, Nebraska entered into an Interlocal Cooperation Agreement with the City of La Vista for forensic and crime scene investigation services in November of 2009 and the City of La Vista has been satisfied with the services provided.

## **12. APPROVAL OF CLAIMS**

A & L HYDRAULICS INC, maint.	31.98
ABRAHAMS KASLOW & CASSMAN LLP, services	1,487.50
ACCENT DRYWALL SUPPLY CO, bld&grnds	588.80
ACTION BATTERIES, maint.	73.98
ALFRED BENESCH & CO, services	8,649.26
AMAZON CAPITAL SERVICES, supplies	927.99
A-RELIEF, services	338.00
ASPHALT & CONCRETE MATERIALS, maint.	325.36
AT&T MOBILITY LLC, phones	93.80

# MINUTE RECORD

September 3, 2019

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

BAUER BUILT INC, maint.	2,363.96
BEACON ATHLETICS, services	365.40
BERRY DUNN, services	14,820.00
BISHOP BUSINESS EQUIPMENT, services	484.36
BLACK HILLS ENERGY, utilities	178.27
BOB'S RADIATOR REPAIR, maint.	750.00
BRYAN ROCK PRODUCTS, services	3,278.31
BS&A SOFTWARE, services	900.00
BUILDERS SUPPLY, services	93.08
BURNS & MCDONNELL ENGINEERING, services	575.97
CATHERINE DEMES MAYDEW, services	1,430.00
CENTURY LINK, phones	187.55
CENTURY LINK BUSN SVCS, phones	63.81
CINTAS CORP, apparel	14.73
CITY OF COUNCIL BLUFFS, services	32.10
CITY OF PAPILLION, services	208,000.51
COBLE, KEVIN, services	350.00
COMP CHOICE INC, services	802.72
CORNHUSKER INTL TRUCKS, maint.	8.48
COX COMMUNICATIONS, INC. services	147.03
D & K PRODUCTS, supplies	1,340.00
DESIGN WORKSHOP INC, services	8,067.33
DIAMOND VOGEL PAINTS, maint.	238.40
DINAN, D., travel	355.00
DLR GROUP, services	3,265.74
DOG WASTE DEPOT, supplies	314.65
DOUGLAS COUNTY SHERIFF, services	137.50
DULTMEIER SALES LLC, supplies	99.00
EDGEWEAR SCREEN PRINTING, apparel	1,269.65
EMBLEMS INC, apparel	165.00
EN POINTE TECHNOLOGIES SALES, services	177.60
EXPRESS DISTRIBUTION LLC, supplies	193.51
FILTER CARE OF NE, maint.	24.80
FIRST NATIONAL BANK FREMONT, bonds	19,522.50
FISHER, MARANDA J., services	120.00
FITZGERALD SCHORR BARMETTLER, services	23,116.82
G I CLEANERS & TAILORS, services	301.25
GENERAL FIRE & SAFETY EQUIP, bld&grnds	396.00
GENUINE PARTS CO, maint.	2,130.11
GRAHAM CONSTRUCTION, INC, services	260,668.80
GRAYBAR ELECTRIC CO, bld&grnds	825.00
HEARTLAND TIRES & TREADS, maint.	1,184.80
HERITAGE CRYSTAL CLEAN LLC, services	890.47
HGM ASSOCIATES, INC, services	78,732.12
HOIT, CHRISTINE M, services	172.00
HYDRAULIC EQUIPMENT, services	830.00
HY-VEE INC, supplies	119.00
INDUSTRIAL SALES CO, services	779.22
INFINITY SOFTWARE SOLUTIONS, INC, services	1,500.00
INLAND TRUCK PARTS, maint.	20.68
INTERNATIONAL CODE COUNCIL, services	135.00
J RETZ LANDSCAPE, INC, services	7,985.00
JACIK, T., travel	56.33
JOHNSTONE SUPPLY CO, bld&grnds	125.10
KARLSON, D., travel	355.00
KRIHA FLUID POWER, maint.	1,003.72
LARSEN SUPPLY CO, services	82.08
LAUSTEN JR ROBERT S, services	470.00
LEAGUE OF NE MUNICIPALITIES, services	472.00
LIBRA INDUSTRIES INC, services	339.00

# MINUTE RECORD

September 3, 2019

No. 729 — REFIELD & COMPANY, INC. OMAHA E131055GLD

LINCOLN CHAPTER AGA, services	130.00
MARCO INC, services	122.59
MENARDS, bld&grnds	470.51
METRO AREA TRANSIT, services	538.00
MUD, utilities	18,232.39
MSC INDUSTRIAL SUPPLY, maint.	241.93
NE-IOWA INDL FASTENERS INC, maint.	12.09
NE LAW ENFORCEMENT, services	10.00
NE STATE TREASURER, services	313.99
NE WELDING LTD, maint.	45.00
NEBRASKALAND TIRE, INC, maint.	438.08
NMC EXCHANGE LLC, maint.	2,925.38
NOLL, MARGARET M, services	210.00
ODEYS INC, services	4,587.83
OFFICE DEPOT INC, supplies	646.50
O'KEEFE ELEVATOR CO, services	101.00
OMAHA'S HENRY DOORLY ZOO, services	300.00
OMNI ENGINEERING, maint.	182.47
PAPILLION TIRE INC, maint.	169.22
PER MAR SECURITY, services	102.00
PLAINS EQUIPMENT GROUP, supplies	237.25
PROPHOENIX CORP, services	525.00
QUALITY AUTO REPAIR & TOWING, services	83.00
RAMADA CONFERENCE CENTER, travel	1,504.00
RDG PLANNING & DESIGN, services	15,431.84
READY MIXED CONCRETE CO, maint.	2,230.45
RECORDED BOOKS, INC, services	750.00
SAPP BROS INC, maint.	1,762.00
SARPY COUNTY FISCAL ADMIN, services	10,519.00
SCHEMMER ASSOCIATES INC, services	540.88
SHI INTERNATIONAL CORP, services	30.00
SIGN IT, services	140.00
SINNETT, J., travel	664.46
SOUTHEAST LIBRARY SYSTEM, services	260.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	544.63
SPIKE'S TACTICAL LLC, services	953.50
SUBURBAN NEWSPAPERS INC, services	1,046.96
SUN COUNTRY DISTRIBUTING, supplies	118.03
SWANK MOTION PICTURES INC, services	693.00
TED'S MOWER SALES, services	560.89
TIGHTON FASTENER & SUPPLY INC, maint.	279.27
TRACTOR SUPPLY, maint.	419.99
TRANE U.S. INC, supplies	6.98
UNITED PARCEL, services	15.73
VER-MAC, maint.	1,035.00
WAGNER, S., travel	310.00
WAL-MART, supplies	1,385.07
WICK'S STERLING, maint.	10.98
WILDLIFE LEARNING ENCOUNTERS, services	295.00
WOODHOUSE LINCLN-MAZDA, services	447.36
ZEE MEDICAL, services	114.15

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

# MINUTE RECORD

September 3, 2019

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

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Recreation Director Stopak reported the Punt, Pass, & Kick will be held September 7 and the Civic Center Park trail and fountain dedication will be held September 17.

Library Director Barcal reported the number of Summer Reading Program participants increased in every age category, and in honor of National Library Card Month, the library will host an Open House on September 9 to show off the new self-checkout machine. The Library also had Summer outreach partnerships with Cold Stone Creamery, La Vista West, Papillion La Vista Schools Foundation, and Mercy Housing.

Police Chief Lausten reported on SCRAM, the new voluntary security camera registration program for residents and businesses.

Director of Public Works Soucie reported the repair work has started on the northbound lanes of 84th Street; the contractor was able to improve the dip on 72nd Street; the intersection at Giles and 117th Street is open; and he introduced Jason Allen, the new La Vista Parks Superintendent.

## **B. ORDINANCE – RESTAURANTS AND DRINKING PLACES OCCUPATION TAX – SECOND READING**

City Clerk Buethe read Ordinance No. 1365 entitled: 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.

Councilmember Thomas 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, Thomas, Quick, Hale, and Sell. Nays: Sheehan and Crawford. Abstain: None. Absent: None. 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 Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1365 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: Crawford. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **C. AMEND FISCAL YEARS 18/19 AND 19/20 BIENNIAL BUDGET ADOPTED 9/4/2018 FOR CHANGES TO FISCAL YEAR 19/20**

### **1. APPROPRIATIONS ORDINANCE – FINAL READING**

City Clerk Buethe read 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 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



# MINUTE RECORD

September 3, 2019

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

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 Thomas made a motion to approve final reading and adopt Ordinance 1360. Councilmember Quick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1360 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **2. MASTER FEE ORDINANCE – FIRST READING**

Councilmember Hale introduced Ordinance No. 1366 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1324, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Thomas moved that the ordinance be amended to include the Restaurants and Drinking Places Occupation Tax. Councilmember Frederick seconded the motion to amend the ordinance and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: Crawford. Abstain: None. Absent: None. Motion carried. The motion to amend Ordinance No. 1366 to include the Restaurants and Drinking Places Occupation Tax was adopted.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Thomas seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: Crawford. Abstain: None. Absent: None. 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 Frederick. The Mayor then stated the question, "Shall Ordinance No. 1366 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: Crawford. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **3. SETTING THE PROPERTY TAX LEVY**

### **a. PUBLIC HEARING**

At 6:33 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed property tax levy.

At 6:34 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

# MINUTE RECORD

September 3, 2019

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310558LD

## **b. RESOLUTION**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-119 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR THE FISCAL YEAR 20.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Mayor and City Council of the City of La Vista passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of La Vista that the property tax request for fiscal year 20 be a different amount than the property tax request for the prior year; and

WHEREAS, the total assessed value of property differs from last year's total assessed value by 7%; and

WHEREAS, the tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.513513 per \$100 of assessed value; and

WHEREAS, The City of La Vista proposed property tax request and changes in other revenue, the total operating budget of the City of La Vista will be less than last year's by 12 percent; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, by a majority vote, hereby resolve that:  
The FY20 property tax requests be set at \$9,082,799.00 which would require a mill levy of \$0.55.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Mayor and City council of the City of La Vista Nebraska that the property tax to be distributed as follows:

**General Fund - \$8,091,948.00 (\$0.49 mill levy)**

**Bond Fund - \$990,851.00 (\$0.06 mill levy)**

A copy of this resolution be certified and forwarded to the County Clerk prior to October 12, 2019.

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

## **D. RESOLUTION – CHANGE ORDER NO. 4 – CIVIC CENTER PARK IMPROVEMENTS PHASE II**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-120 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 4 TO THE CONTRACT WITH BLADE MASTERS GROUND MAINTENANCE, INC., BENNINGTON, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK FOR THE CIVIC CENTER PARK PHASE II CONTRACT IN AN AMOUNT NOT TO EXCEED \$28,065.00.

WHEREAS, the City has determined it is necessary for additions of work to the contract; and

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

# MINUTE RECORD

September 3, 2019

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

WHEREAS, the contract amount will increase by \$28,065.00 for a contract total of \$1,869,724.13 with change order number 4;

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 4 to the contract with Blade Masters Grounds Maintenance, Inc., Bennington, Nebraska, to provide for additions of work for the Civic Center Park Phase II contract in an amount not to exceed \$28,065.00.

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

## **E. RESOLUTION – AWARD CONTRACT – SANITARY SEWER REPAIR**

Councilmember Quick introduced and moved for the adoption of Resolution No.19-121 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO BURTON PLUMBING, OMAHA NEBRASKA FOR SANITARY SEWER REPAIRS IN AN AMOUNT NOT TO EXCEED \$12,709.78.

WHEREAS, the City Council of the City of La Vista has determined that the removal and replacement of a section of public sanitary sewer at 8503 Park View Blvd. is necessary; and

WHEREAS, the FY19/FY20 Biennial Budget provides funding for the proposed maintenance; and

WHEREAS, bids were solicited, and one bid were received; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award the contract to Burton Plumbing, Omaha Nebraska for Sanitary Sewer Repairs in an amount not to exceed \$12,709.78.

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

## **F. RESOLUTION – LEASE AGREEMENT – POLICE DEPARTMENT NARCOTICS VEHICLE**

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-122 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF A 36-MONTH LEASE AGREEMENT WITH CHRYSLER CAPITAL FOR A TASK FORCE VEHICLE FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$17,500.

WHEREAS, the La Vista Police Department was awarded funding for the Safe Streets Task Force and included is funding for a leased vehicle to be used by the department's Safe Streets Task Force officer; and

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

WHEREAS, Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a lease agreement with Chrysler Capital, for a Safe Streets Task Force funded vehicle for the Police Department in an amount not to exceed \$17,500.

# MINUTE RECORD

September 3, 2019

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

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

## **G. RESOLUTION – PURCHASE OF MOTOROLA RADIOS**

Councilmember Quick introduced and moved for the adoption of Resolution No.19-123 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF FOUR (4) APX TWO-WAY RADIOS FROM MOTOROLA IN AN AMOUNT NOT TO EXCEED \$12,486.42.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of four (4) 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 four (4) APX two-way radios from Motorola in an amount not to exceed \$12,486.42.

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

## **H. RESOLUTION – PURCHASE OF COMPUTER EQUIPMENT – PARKING STRUCTURE I CAMERA SYSTEM**

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-124 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF THREE (3) SECURITY CAMERA VIEWING STATIONS WITH MONITORS FROM DELL ONLINE STORE, ONE (1) EXTREME X440-G2 48-PORT NETWORK SWITCH FROM C1 HOLDINGS CORP., ONE (1) DELL POWER EDGE SR6415 SERVER, AND PLUGGABLE TRANSCEIVERS AND FIBER CABLING FROM AMAZON.COM IN AN AMOUNT NOT TO EXCEED \$13,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of security camera and Parking Access and Revenue Control (PARCS) systems for Parking Structure I are necessary; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of three (3) security camera viewing stations with monitors from Dell Online Store, one (1) Extreme X440-G2 48-port network switch from C1 Holdings Corp., one (1) Dell Power Edge SR6415 server, and pluggable transceivers and fiber cabling from Amazon.com in an amount not to exceed \$13,000.

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

## **I. RESOLUTION – APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE SID 237 TO CONTRACT 2019 SPLASH PARK IMPROVEMENTS**

Councilmember Sell introduced and moved for the adoption of Resolution No.19-125 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS AND

# MINUTE RECORD

September 3, 2019

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

SPECIFICATIONS FOR THE CONSTRUCTION OF THE 2019 SPLASH PARK IMPROVEMENTS IN SANITARY DISTRICT NO. 237 CIMARRON WOODS AND AUTHORIZING THE EXECUTION OF CONTRACTS AND CONSTRUCTION.

WHEREAS, Sanitary Improvement District No. 237 of Sarpy County ("District"), Cimarron Woods and the City of La Vista ("City") entered into a Subdivision Agreement concerning public park improvements within the zoning jurisdiction of the City ("Subdivision Agreement"); and

WHEREAS, District has presented to City for approval plans and specifications to construct certain improvements; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group and reviewed by the City Engineer who has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose subject to the following condition:

1. Providing acceptable revisions to the plans per the City Engineer's request.

WHEREAS, The La Vista Public Works Department, has been presented the plans for review.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications for construction of the 2019 Splash Park Improvements, copies of which have been filed with the City Clerk, approved by the City Engineer.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with Dostals Construction Co. Inc. in the amount of \$380,185.50.

BE IT FURTHER RESOLVED, that the approval herein given is conditioned upon District, prior to its granting authorization of commencement of construction, shall meet the conditions stated above.

Seconded by Councilmember Thomas. John Fullenkamp, representing SID 237, was present to answer any questions. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **J. RESOLUTION – ADVERTISEMENT FOR BIDS – EROSION CONTROL MAINTENANCE – 84<sup>TH</sup> STREET REDEVELOPMENT AREA**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-126 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR EROSION CONTROL MAINTENANCE IN THE 84TH STREET REDEVELOPMENT AREA.

WHEREAS, the Mayor and Council have determined that erosion control maintenance in the 84th Street Redevelopment Area is necessary; and

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

WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors September 11 and September 18, 2019

Open Bids September 20, 2019 at 10:00 am  
at City Hall

Council Award Contract October 1, 2019



# MINUTE RECORD

September 3, 2019

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for Erosion Control Maintenance in the 84th Street Redevelopment Area.

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

## COMMENTS FROM THE FLOOR

Gary Bush expressed opposition to the Restaurants and Drinking Places Occupation Tax and commented on the property tax levy resolution.

## COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

At 7:04 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b>OPERATING REVENUES</b>					
General Fund	\$ 18,435,291	\$ 1,102,771	\$ 13,526,658	\$ (4,908,633)	73%
Sewer Fund	4,528,909	309,253	3,350,130	(1,178,779)	74%
Debt Service Fund	4,232,911	273,539	3,525,894	(707,017)	83%
Capital Improvement Program Fund	811,366	-	-	(811,366)	0%
Lottery Fund	1,206,691	92,707	975,128	(231,563)	81%
Economic Development Fund	718	3	101	(617)	14%
Off Street Parking Fund	464	1,609	12,057	11,593	
Redevelopment Fund	3,164,298	215,101	2,000,021	(1,164,277)	63%
Police Academy	80,055	18	101,048	20,993	126%
TIF 1A	-	-	9,034	9,034	0%
TIF 1B	-	-	-	-	0%
Sewer Reserve Fund	3,003	1,233	7,186	4,183	239%
Qualified Sinking Fund	250	103	598	348	239%
<b>Total Operating Revenues</b>	<b>32,463,956</b>	<b>1,996,337</b>	<b>23,507,854</b>	<b>(8,956,102)</b>	<b>72%</b>

**OPERATING EXPENDITURES**

General Fund	18,155,822	1,275,777	13,564,106	(4,591,716)	75%
Sewer Fund	3,978,263	431,231	2,205,033	(1,773,230)	55%
Debt Service Fund	4,130,462	10,328	2,379,819	(1,750,643)	58%
Capital Improvement Program Fund	-	-	-	-	0%
Lottery Fund	760,175	53,713	483,065	(277,110)	64%
Economic Development Fund	134,559	-	-	(134,559)	0%
Off Street Parking Fund	1,137,642	875	642,031	(495,611)	56%
Redevelopment Fund	2,508,057	813,809	1,250,562	(1,257,495)	50%
Police Academy	95,104	6,109	78,570	(16,534)	83%
TIF 1A	-	-	12,454	12,454	0%
TIF 1B	-	-	19,136	19,136	0%
Sewer Reserve Fund	-	-	-	-	0%
Qualified Sinking Fund	-	-	-	-	0%
<b>Total Operating Expenditures</b>	<b>30,900,084</b>	<b>2,591,842</b>	<b>20,634,777</b>	<b>(10,265,307)</b>	<b>67%</b>

**OPERATING REVENUES NET OF EXPENDITURES**

General Fund	279,469	(173,006)	(37,448)	(316,917)
Sewer Fund	550,646	(121,978)	1,145,097	594,451
Debt Service Fund	102,449	263,211	1,146,075	1,043,626
Capital Improvement Program Fund	811,366	-	-	(811,366)
Lottery Fund	446,516	38,994	492,063	45,547
Economic Development Fund	(133,841)	3	101	133,942
Off Street Parking Fund	(1,137,178)	734	(629,974)	507,204
Redevelopment Fund	656,241	(598,708)	749,459	93,218
Police Academy	(15,049)	(6,091)	22,478	37,527
TIF 1A	-	-	(3,421)	(3,421)
TIF 1B	-	-	(19,136)	(19,136)
Sewer Reserve Fund	3,003	1,233	7,186	4,183
Qualified Sinking Fund	250	103	598	348
<b>Operating Revenues Net of Expenditures</b>	<b>1,563,872</b>	<b>(595,505)</b>	<b>2,873,077</b>	<b>1,309,205</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

**Total All Funds**

	<b><u>Budget</u></b> <b><u>(12 month)</u></b>	<b><u>MTD</u></b> <b><u>Actual</u></b>	<b><u>YTD</u></b> <b><u>Actual</u></b>	<b><u>Over(under)</u></b> <b><u>Budget</u></b>	<b><u>% of Budget</u></b> <b><u>Used</u></b>
<b><u>OTHER FINANCING SOURCES &amp; USES</u></b>					
<b><u>TRANSFERS IN</u></b>					
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	-	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%
<b>Total Transfers In</b>	<b>6,054,294</b>	<b>-</b>	<b>3,885,139</b>	<b>(2,169,155)</b>	<b>64%</b>

**TRANSFERS OUT**

General Fund	(772,604)	-	(80,250)	692,354	10%
Sewer Fund	(1,201,125)	-	(1,201,125)	-	100%
Debt Service Fund	(3,179,106)	-	(1,873,698)	1,305,408	59%
Capital Improvement Program Fund	(90,000)	-	-	90,000	0%
Lottery Fund	(395,902)	-	(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	-	-	-	-	
<b>Total Transfers Out</b>	<b>(6,054,294)</b>	<b>-</b>	<b>(3,885,139)</b>	<b>2,169,155</b>	<b>64%</b>

**NET TRANSFERS**

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)	-	(1,873,698)	580,804	76%
Capital Improvement Program Fund	2,480,012	-	1,831,664	(648,348)	74%
Lottery Fund	(395,902)	-	(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%
<b>Total Net Transfers</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(0)</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b>OTHER REVENUE: BOND PROCEEDS</b>					
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%
<b>Total Bond Proceeds</b>	<b>32,903,611</b>	<b>-</b>	<b>-</b>	<b>(32,903,611)</b>	<b>0%</b>

**OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM**

Sewer Fund	125,000	-	10,668	(114,332)	9%
Capital Improvement Program Fund	8,982,012	555,799	2,129,839	(6,852,173)	24%
Off Street Parking Fund	6,852,315	376,693	2,350,019	(4,502,296)	34%
Redevelopment Fund	10,780,187	47,688	3,329,039	(7,451,148)	31%
<b>Total Capital Improvement Program</b>	<b>26,739,514</b>	<b>980,180</b>	<b>7,819,565</b>	<b>(18,919,949)</b>	<b>29%</b>

**OTHER EXPENDITURES: EDP GRANT**

Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
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**NET FUND ACTIVITY**

General Fund	(396,233)	(173,006)	4,954	401,187	
Sewer Fund	(772,479)	(121,978)	(66,696)	705,783	
Debt Service Fund	(2,352,053)	263,211	(727,623)	1,624,430	
Capital Improvement Program Fund	4,579,366	(555,799)	(298,175)	(4,877,541)	
Lottery Fund	50,614	38,994	316,540	265,926	
Economic Development Fund	66,159	3	101	(66,058)	
Off Street Parking Fund	(4,347,231)	(375,959)	(2,372,755)	1,974,477	
Redevelopment Fund	6,590,497	(646,396)	(3,131,663)	(9,722,160)	
Police Academy	4,951	(6,091)	42,478	37,527	
TIF 1A	-	-	(3,421)	(3,421)	
TIF 1B	-	-	(19,136)	(19,136)	
Sewer Reserve Fund	1,204,128	1,233	1,208,311	4,183	
Qualified Sinking Fund	100,250	103	100,598	348	
<b>Net Activity</b>	<b>\$ 4,727,969</b>	<b>(1,575,685)</b>	<b>(4,946,488)</b>	<b>(9,674,457)</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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 9/30/19</u>		<u>As of 7/31/2019</u>	<u>Variance</u>	<u>Notes</u>
General Fund	6,050,646		6,167,653	117,007	
Sewer Fund	825,173		2,090,059	1,264,886	
Debt Service Fund	2,577,299		4,875,544	2,298,245	
Capital Improvement Program Fund	4,568,738		(293,897)	(4,862,635)	Bond Proceeds
Lottery Fund	3,387,235		4,048,663	661,428	
Economic Development Fund	178,182		7,034	(171,148)	
Off Street Parking Fund	619,369		2,949,053	2,329,684	Bond Proceeds
Redevelopment Fund	16,539,092		7,281,569	(9,257,523)	Bond Proceeds
Police Academy	13,554		61,575	48,021	
TIF 1A	0		(3,421)	(3,421)	
TIF 1B	0		(19,136)	(19,136)	
Sewer Reserve Fund	1,204,128		1,208,311	4,183	
Qualified Sinking Fund	100,250		100,598	348	
<b>Net Fund Balance</b>	<b>36,063,666</b>	<b>-</b>	<b>28,473,605</b>	<b>(7,590,062)</b>	



**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

<b>General Fund</b>					
	<b><u>Budget</u></b> <b><u>(12 month)</u></b>	<b><u>MTD</u></b> <b><u>Actual</u></b>	<b><u>YTD</u></b> <b><u>Actual</u></b>	<b><u>Over(under)</u></b> <b><u>Budget</u></b>	<b><u>% of Budget</u></b> <b><u>Used</u></b>
<b><u>REVENUES</u></b>					
Property Taxes	\$ 8,102,903	\$ 171,462	\$ 5,135,351	\$ (2,967,552)	63%
Sales and use taxes	5,196,961	421,223	3,892,105	(1,304,856)	75%
Payments in Lieu of taxes	281,875	-	305,721	23,846	108%
State revenue	1,868,498	189,645	1,550,977	(317,521)	83%
Occupation and franchise taxes	882,000	104,438	851,485	(30,515)	97%
Hotel Occupation Tax	1,007,475	120,781	810,951	(196,524)	80%
Licenses and permits	460,250	44,206	350,769	(109,481)	76%
Interest income	30,992	4,190	61,406	30,414	198%
Recreation fees	170,710	29,502	146,286	(24,424)	86%
Special Services	19,500	2,809	20,954	1,454	107%
Grant Income	163,185	-	98,457	(64,728)	60%
Other	250,942	14,516	302,196	51,254	120%
<b>Total Revenues</b>	<b>18,435,291</b>	<b>1,102,771</b>	<b>13,526,658</b>	<b>(4,908,633)</b>	<b>73%</b>
<b><u>EXPENDITURES</u></b>					
Administrative Services	529,503	37,972	419,984	(109,519)	79%
Mayor and Council	242,643	7,752	155,005	(87,638)	64%
Boards & Commissions	10,338	41	2,890	(7,448)	28%
Public Buildings & Grounds	670,385	36,490	424,056	(246,329)	63%
Administration	768,999	48,913	605,331	(163,668)	79%
Police and Animal Control	5,103,734	391,679	4,090,281	(1,013,453)	80%
Fire	1,975,871	166,533	1,626,456	(349,415)	82%
Community Development	691,268	29,950	475,267	(216,001)	69%
Public Works	3,826,276	241,462	2,682,316	(1,143,960)	70%
Recreation	866,314	94,312	604,390	(261,924)	70%
Library	880,477	69,810	637,307	(243,170)	72%
Information Technology	268,300	5,415	218,708	(49,592)	82%
Human Resources	1,010,268	69,686	667,625	(342,643)	66%
Public Transportation	106,272	5,546	70,111	(36,161)	66%
Finance	463,027	26,155	347,291	(115,736)	75%
Capital outlay	742,147	44,061	537,088	(205,059)	72%
<b>Total Expenditures</b>	<b>18,155,822</b>	<b>1,275,777</b>	<b>13,564,106</b>	<b>(4,591,716)</b>	<b>75%</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b>279,469</b>	<b>(173,006)</b>	<b>(37,448)</b>	<b>(316,917)</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (Lottery)	96,902	-	122,652	25,750	127%
Operating transfers out (DSF, OSP, CIP)	(772,604)	-	(80,250)	692,354	10%
<b>Total other Financing Sources (Uses)</b>	<b>(675,702)</b>	<b>-</b>	<b>42,402</b>	<b>718,104</b>	
<b><u>NET FUND ACTIVITY</u></b>	<b>\$ (396,233)</b>	<b>\$ (173,006)</b>	<b>\$ 4,954</b>	<b>\$ 401,187</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b><u>REVENUES</u></b>					
User fees	\$ 4,352,612	\$ 298,986	3,189,343	\$ (1,163,269)	73%
Service charge and hook-up fees	170,173	8,841	148,806	(21,367)	87%
Miscellaneous	115	16	152	37	132%
<b>Total Revenues</b>	<b>4,522,900</b>	<b>307,843</b>	<b>3,338,301</b>	<b>(1,184,599)</b>	<b>74%</b>
<b><u>EXPENDITURES</u></b>					
Personnel Services	618,649	42,717	451,530	(167,119)	73%
Commodities	39,046	537	10,052	(28,994)	26%
Contract Services	2,856,232	384,645	1,679,291	(1,176,941)	59%
Maintenance	38,201	192	18,142	(20,059)	47%
Other	227	64	2,112	1,885	
Storm Water Grant	54,000	-	13,150	(40,850)	24%
Capital Outlay	371,908	3,076	30,756	(341,152)	8%
<b>Total Expenditures</b>	<b>3,978,263</b>	<b>431,231</b>	<b>2,205,033</b>	<b>(1,773,230)</b>	<b>55%</b>
<b><u>OPERATING INCOME (LOSS)</u></b>	<b>544,637</b>	<b>(123,388)</b>	<b>1,133,268</b>	<b>588,631</b>	<b>Note 1</b>
<b><u>NON-OPERATING REVENUE (EXPENSE)</u></b>					
Interest income	6,009	1,410	11,829	5,820	197%
	6,009	1,410	11,829	5,820	197%
<b><u>INCOME (LOSS) BEFORE</u></b>					
<b><u>OPERATING TRANSFERS</u></b>	<b>550,646</b>	<b>(121,978)</b>	<b>1,145,097</b>	<b>594,451</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
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)	114,332	9%
<b>Total other Financing Sources (Uses)</b>	<b>(1,323,125)</b>	<b>-</b>	<b>(1,211,793)</b>	<b>111,332</b>	<b>92%</b>
<b><u>NET INCOME (LOSS)</u></b>	<b>\$ (772,479)</b>	<b>\$ (121,978)</b>	<b>\$ (66,696)</b>	<b>\$ 705,783</b>	

**Note 1: Restatement of Operating Income Variance**

Operating Income Variance	588,631
City of Omaha billing in arrears 3 months	(600,000)
Adjusted Operating Income Variance	<u>(11,369)</u>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

	<b>Debt Service Fund</b>				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>
<b><u>REVENUES</u></b>					
Property Taxes	\$ 940,376	\$ 12,554	623,188	\$ (317,188)	66%
Sales and use taxes	2,598,480	210,611	1,946,052	(652,428)	75%
Payments in Lieu of taxes	91,225	-	37,435	(53,790)	41%
Other (Special Assessments; Fire Reimbursmt)	584,244	46,272	878,013	293,769	150%
Interest income	18,586	4,102	41,206	22,620	222%
<b>Total Revenues</b>	<u>4,232,911</u>	<u>273,539</u>	<u>3,525,894</u>	<u>(707,017)</u>	<u>83%</u>
<b><u>EXPENDITURES</u></b>					
Administration	162,869	119	19,005	(143,864)	12%
Fire Contract Bond	122,513	10,209	102,090	(20,423)	83%
Debt service					
Principal	3,180,000	-	1,900,000	(1,280,000)	60%
Interest	665,080	-	358,724	(306,356)	54%
<b>Total Expenditures</b>	<u>4,130,462</u>	<u>10,328</u>	<u>2,379,819</u>	<u>(1,750,643)</u>	<u>58%</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>102,449</u>	<u>263,211</u>	<u>1,146,075</u>	<u>1,043,626</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (GF Hwy Alloc)	724,604	-	-	(724,604)	0%
Operating transfers out (CIP, OSP)	(3,179,106)	-	(1,873,698)	1,305,408	59%
<b>Total other Financing Sources (Uses)</b>	<u>(2,454,502)</u>	<u>-</u>	<u>(1,873,698)</u>	<u>580,804</u>	
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ (2,352,053)</u>	<u>\$ 263,211</u>	<u>\$ (727,623)</u>	<u>\$ 1,624,430</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

<b>Capital Fund</b>					
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>
<b><u>REVENUES</u></b>					
Interest income	\$ 11,366	\$ -	\$ -	(11,366)	0%
Grant Income	-	-	-	-	0%
Special Assessment	800,000			(800,000)	0%
Interagency	-	-	-	-	0%
<b>Total Revenues</b>	<u>811,366</u>	<u>-</u>	<u>-</u>	<u>(811,366)</u>	<u>0%</u>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>811,366</u>	<u>-</u>	<u>-</u>	<u>(811,366)</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (GF, DSF)	2,570,012	-	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)	(555,799)	(2,129,839)	6,852,173	24%
<b>Total other Financing Sources (Uses)</b>	<u>3,768,000</u>	<u>(555,799)</u>	<u>(298,175)</u>	<u>(4,066,175)</u>	<u>-8%</u>
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ 4,579,366</u>	<u>\$ (555,799)</u>	<u>\$ (298,175)</u>	<u>\$ (4,877,541)</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

**Lottery 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>
<b><u>REVENUES</u></b>					
Lottery Rev/Community Betterment	\$ 850,000	\$ 63,263	665,798	\$ (184,202)	78%
Lottery Tax Form 51	340,000	25,305	265,841	(74,159)	78%
Event Revenue	-	-	-	-	0%
Interest income	16,691	4,139	43,489	26,798	261%
Miscellaneous / Other	-	-	-	-	0%
<b>Total Revenues</b>	<b>1,206,691</b>	<b>92,707</b>	<b>975,128</b>	<b>(231,563)</b>	<b>81%</b>
<b><u>EXPENDITURES</u></b>					
Professional Services	285,813	27,970	129,706	(156,107)	45%
Salute to Summer	32,634	352	25,582	(7,052)	78%
Community Events	11,832	145	15,225	3,393	129%
Events - Marketing	31,668	226	22,150	(9,518)	70%
Recreation Events	4,507	377	900	(3,607)	20%
Concert & Movie Nights	13,721	(664)	8,659	(5,062)	63%
City Anniversary Celebration	30,000	-	15,000	(15,000)	50%
Travel & Training	-	-	-	-	0%
State Taxes	350,000	25,307	265,843	(84,157)	76%
Other	-	-	-	-	0%
Capital outlay	-	-	-	-	0%
<b>Total Expenditures</b>	<b>760,175</b>	<b>53,713</b>	<b>483,065</b>	<b>(277,110)</b>	<b>64%</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b>446,516</b>	<b>38,994</b>	<b>492,063</b>	<b>45,547</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	-	-	2,460	2,460	
Operating transfers out (GF, SF, DSF)	(395,902)	-	(177,983)	217,919	45%
<b>Total other Financing Sources (Uses)</b>	<b>(395,902)</b>	<b>-</b>	<b>(175,523)</b>	<b>220,379</b>	<b>44%</b>
<b><u>NET FUND ACTIVITY</u></b>	<b>\$ 50,614</b>	<b>\$ 38,994</b>	<b>\$ 316,540</b>	<b>\$ 265,926</b>	



**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b><u>REVENUES</u></b>					
Other Income	\$	-	-	-	
Interest income	718	3	101	(617)	
<b>Total Revenues</b>	<u>718</u>	<u>3</u>	<u>101</u>	<u>(617)</u>	
<b><u>EXPENDITURES</u></b>					
Professional Services	75,000	-	-	(75,000)	0%
Debt service: (Warrants)					0%
Principal	-	-	-	-	0%
Interest	59,559	-	-	(59,559)	0%
<b>Total Expenditures</b>	<u>134,559</u>	<u>-</u>	<u>-</u>	<u>(134,559)</u>	<u>0%</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>(133,841)</u>	<u>3</u>	<u>101</u>	<u>133,942</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
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%
<b>Total other Financing Sources (Uses)</b>	<u>200,000</u>	<u>-</u>	<u>-</u>	<u>(200,000)</u>	<u>0%</u>
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ 66,159</u>	<u>\$ 3</u>	<u>\$ 101</u>	<u>\$ (66,058)</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b><u>REVENUES</u></b>					
Interest income	\$ 464	1,609	12,057	11,593	
<b>Total Revenues</b>	<u>464</u>	<u>1,609</u>	<u>12,057</u>	<u>11,593</u>	
<b><u>EXPENDITURES</u></b>					
General & Administrative	20,518	875	9,051	(11,467)	44%
Professional Services	163,150	-	966	(162,184)	1%
Maintenance	34,073	-	4,668	(29,405)	14%
Debt service: (Warrants)					
Principal	670,000	-	485,000	(185,000)	72%
Interest	249,901	-	142,346	(107,555)	57%
<b>Total Expenditures</b>	<u>1,137,642</u>	<u>875</u>	<u>642,031</u>	<u>(495,611)</u>	<u>56%</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>(1,137,178)</u>	<u>734</u>	<u>(629,974)</u>	<u>507,204</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
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)	(376,693)	(2,350,019)	4,502,296	34%
<b>Total other Financing Sources (Uses)</b>	<u>(3,210,053)</u>	<u>(376,693)</u>	<u>(1,742,780)</u>	<u>1,467,273</u>	<u>54%</u>
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ (4,347,231)</u>	<u>\$ (375,959)</u>	<u>\$ (2,372,755)</u>	<u>\$ 1,974,477</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

	<b>Redevelopment Fund</b>				
	<b><u>Budget</u></b> <b><u>(12 month)</u></b>	<b><u>MTD</u></b> <b><u>Actual</u></b>	<b><u>YTD</u></b> <b><u>Actual</u></b>	<b><u>Over(under)</u></b> <b><u>Budget</u></b>	<b><u>% of Budget</u></b> <b><u>Used</u></b>
<b><u>REVENUES</u></b>					
Sales and use taxes	\$ 2,598,480	210,611	1,946,052	(652,428)	75%
Franchise Fee & Occupation Tax	500,000	-	-	(500,000)	0%
Interest income	65,818	4,490	53,969	(11,849)	82%
<b>Total Revenues</b>	<b>3,164,298</b>	<b>215,101</b>	<b>2,000,021</b>	<b>(1,164,277)</b>	<b>63%</b>
<b><u>EXPENDITURES</u></b>					
Community Development	-	-	-	-	0%
Professional Services	556,639	-	3,943	(552,696)	1%
Financial / Legal Fees	175,500	-	114,001	(61,499)	65%
Debt service: (Warrants)	-	-	-	-	0%
Principal	775,000	495,000	495,000	(280,000)	64%
Interest	1,000,918	318,809	637,618	(363,300)	64%
<b>Total Expenditures</b>	<b>2,508,057</b>	<b>813,809</b>	<b>1,250,562</b>	<b>(1,257,495)</b>	<b>50%</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b>656,241</b>	<b>(598,708)</b>	<b>749,459</b>	<b>93,218</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
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)	(47,688)	(3,329,039)	7,451,148	31%
<b>Total other Financing Sources (Uses)</b>	<b>5,934,256</b>	<b>(47,688)</b>	<b>(3,881,122)</b>	<b>(9,815,378)</b>	
<b><u>NET FUND ACTIVITY</u></b>	<b>\$ 6,590,497</b>	<b>\$ (646,396)</b>	<b>\$ (3,131,663)</b>	<b>\$ (9,722,160)</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b><u>REVENUES</u></b>					
Other Income	\$ 80,000	-	100,877	20,877	126%
Interest income	55	18	171	116	311%
<b>Total Revenues</b>	<u>80,055</u>	<u>18</u>	<u>101,048</u>	<u>20,993</u>	<u>126%</u>
<b><u>EXPENDITURES</u></b>					
Personnel Services	76,404	5,760	62,012	(14,392)	81%
Commodities	3,500	-	673	(2,827)	19%
Contract Services	11,700	349	8,992	(2,708)	77%
Other Charges	3,500	-	6,893	3,393	197%
<b>Total Expenditures</b>	<u>95,104</u>	<u>6,109</u>	<u>78,570</u>	<u>(16,534)</u>	<u>83%</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>(15,049)</u>	<u>(6,091)</u>	<u>22,478</u>	<u>37,527</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (GF)	20,000	-	20,000	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<u>20,000</u>	<u>-</u>	<u>20,000</u>	<u>-</u>	
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ 4,951</u>	<u>\$ (6,091)</u>	<u>\$ 42,478</u>	<u>\$ 37,527</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

	TIF 1A				
	<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>
<b><u>REVENUES</u></b>					
Property Tax	\$	-	9,034	9,034	0%
Interest income				-	0%
<b>Total Revenues</b>	<u>-</u>	<u>-</u>	<u>9,034</u>	<u>9,034</u>	<u>0%</u>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
Contract Services	-	-	12,454	12,454	0%
<b>Total Expenditures</b>	<u>-</u>	<u>-</u>	<u>12,454</u>	<u>12,454</u>	
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>-</u>	<u>-</u>	<u>(3,421)</u>	<u>(3,421)</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in				-	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<b><u>NET FUND ACTIVITY</u></b>	<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 ten months ending July 31, 2019**  
**83% of the Fiscal Year 2019**

	<b>TIF 1B</b>				
	<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>
<b><u>REVENUES</u></b>					
Property Tax	\$			-	0%
Interest income				-	0%
<b>Total Revenues</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
Contract Services	-	-	19,136	19,136	0%
<b>Total Expenditures</b>	<u>-</u>	<u>-</u>	<u>19,136</u>	<u>19,136</u>	
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>-</u>	<u>-</u>	<u>(19,136)</u>	<u>(19,136)</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in				-	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<b><u>NET FUND ACTIVITY</u></b>	<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 ten months ending July 31, 2019**  
**83% 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>
<b><u>REVENUES</u></b>					
Interest income	\$ 3,003	1,233	7,186	4,183	239%
<b>Total Revenues</b>	<u>3,003</u>	<u>1,233</u>	<u>7,186</u>	<u>4,183</u>	<u>239%</u>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>3,003</u>	<u>1,233</u>	<u>7,186</u>	<u>4,183</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	1,201,125	-	1,201,125	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<u>1,201,125</u>	<u>-</u>	<u>1,201,125</u>	<u>-</u>	
<b><u>NET FUND ACTIVITY</u></b>	\$ <u>1,204,128</u>	\$ <u>1,233</u>	\$ <u>1,208,311</u>	\$ <u>4,183</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the ten months ending July 31, 2019**  
**83% 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>
<b><u>REVENUES</u></b>					
Interest income	\$ 250	103	598	348	239%
<b>Total Revenues</b>	<u>250</u>	<u>103</u>	<u>598</u>	<u>348</u>	<u>239%</u>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>250</u>	<u>103</u>	<u>598</u>	<u>348</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	100,000	-	100,000	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<u>100,000</u>	<u>-</u>	<u>100,000</u>	<u>-</u>	
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ 100,250</u>	<u>\$ 103</u>	<u>\$ 100,598</u>	<u>\$ 348</u>	

A-4

**Mail Payments to:**

Dept 1539, PO Box 17180  
 Denver, CO 80217  
 phone: 303.721.1440  
 email: accounting@fhueng.com

**INVOICE**

Mr. John Kottmann, PE  
 City Engineer  
 City of La Vista  
 9900 Portal Rd  
 La Vista, NE 68128

September 3, 2019

Project No: 115453-13

Invoice No: 25298-R

Project 115453-13 Giles Signal Retiming  
**Professional Services for the Period: May 1, 2019 to July 31, 2019**  
**Professional Personnel**

	Hours	Rate	Amount	
Associate				
Meisinger, Mark	1.00	190.00	190.00	
Engineer IV				
Andersen, David	8.25	145.00	1,196.25	
Intern I				
Weiss, Peyton	.50	55.00	27.50	
Labor	9.75		1,413.75	
<b>Total Labor</b>				<b>1,413.75</b>

**Reimbursable Expenses**

Mileage			9.28	
<b>Total Reimbursables</b>			<b>9.28</b>	<b>9.28</b>

**In-House Units**

B&W Printing	2.0 B&W Prints @ 0.12	.24		
Color Printing	7.0 Prints @ 0.19	1.33		
<b>Total In-House</b>		<b>1.57</b>		<b>1.57</b>

**TOTAL AMOUNT DUE \$1,424.60 ←****Billed-To-Date Summary**

	Current	Prior	Total
Labor	1,413.75	16,773.75	18,187.50
Expense	9.28	1,281.20	1,290.48
In-House	1.57	407.45	409.02
<b>Totals</b>	<b>1,424.60</b>	<b>18,462.40</b>	<b>19,887.00</b>

Project Manager David Andersen

o.k. to pay

DMK 9-5-2019

05.71.0901.002

Consent Agenda 9/17/19 @

# APPLICATION AND CERTIFICATE FOR PAYMENT

Invoice #: 14

To Owner: City of LaVista  
John Kottmann  
9900 Portal Road  
LaVista, NE 68128

Project: 3146- LaVista Garage District 2 Structure  
1

Application No.: 14

Period To: 8/31/2019

Distribution to:  
☐ Owner  
☐ Architect  
☐ Contractor

From Contractor: Hawkins Construction Company Via Architect: DLR Group Matthew Gulsvig  
P.O. Box 9008  
Omaha, NE 68109

Project Nos: DLR-10-17105-00 Hawkins  
3146

Contract For:

Contract Date: 1/2/2018

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract  
Continuation Sheet is attached.

1. Original Contract Sum .....	\$3,863,000.00
2. Net Change By Change Order .....	\$283,122.91
3. Contract Sum To Date .....	\$4,146,122.91
4. Total Completed and Stored To Date .....	\$3,586,862.40
5. Retainage:	
a. 10.00% of Completed Work	\$352,816.64
b. 10.00% of Stored Material	\$5,869.60
Total Retainage .....	\$358,686.24
6. Total Earned Less Retainage .....	\$3,228,176.16
7. Less Previous Certificates For Payments .....	\$2,761,431.66
8. Current Payment Due .....	\$466,744.50
9. Balance To Finish, Plus Retainage .....	\$917,946.75

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief, the work covered by this Application for Payment has been completed in accordance with the Contract Documents. That all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Hawkins Construction Company

By: Josh Bullys Date: 8-26-19

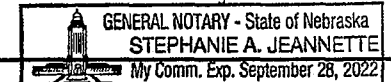
State of: Nebraska

Subscribed and sworn to before me this

Notary Public: Stephanie A. Jeannette

My Commission expires: 9-28-22

County of: Douglas  
26<sup>th</sup> day of August 2019



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information, and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$466,744.50

O.K. to pay  
\$Mk 9-5-2019  
15.71.09 H. 003

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: DLR Group Matthew Gulsvig

By: Matthew Gulsvig Date: 8/29/2019

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	Additions	Deductions
Total changes approved in previous months by Owner	\$271,451.91	\$800.00
Total Approved this Month	\$12,471.00	\$0.00
TOTALS	\$283,922.91	\$800.00
Net Changes By Change Order	\$283,122.91	

Consent Agenda 9/17/19 no

A-5

# CONTINUATION SHEET

Page 2 of 3

Application and Certification for Payment, containing Contractor's signed certification is attached.  
In tabulations below, amounts are stated to the nearest dollar.  
Use Column I on Contracts where variable retainage for line items may apply.

Application No. : 14

Application Date : 8/26/2019

To: 8/31/2019

Architect's Project No.: DLR-10-17105-00  
Hawkins 3146

Invoice #: 14 Contract : 3146- LaVista Garage District 2 Structure 1

A Item No.	B Description of Work	C Scheduled Value	D E Work Completed		F Materials Presently Stored  (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	% (G / C)	H Balance To Finish (C-G)	I Retainage
			From Previous Application (D+E)	This Period In Place					
1	Bond	26,347.00	26,347.00	0.00	0.00	26,347.00	100.00%	0.00	2,634.70
2	Allowances	60,000.00	60,000.00	0.00	0.00	60,000.00	100.00%	0.00	6,000.00
3	Concrete Paving and Sidewalks	47,100.00	0.00	35,325.00	0.00	35,325.00	75.00%	11,775.00	3,532.50
4	Concrete Formwork	797,800.00	694,086.00	100,000.00	0.00	794,086.00	99.53%	3,714.00	79,408.60
5	Concrete Reinforcing	279,500.00	261,520.00	17,000.00	0.00	278,520.00	99.65%	980.00	27,852.00
6	C.I.P. Foundations	107,900.00	107,900.00	0.00	0.00	107,900.00	100.00%	0.00	10,790.00
7	C.I.P Slab on Grade	439,900.00	439,900.00	0.00	0.00	439,900.00	100.00%	0.00	43,990.00
8	C.I.P. Walls & Columns	150,200.00	128,622.00	21,578.00	0.00	150,200.00	100.00%	0.00	15,020.00
9	C.I.P. Elevated Decks	440,453.00	440,453.00	0.00	0.00	440,453.00	100.00%	0.00	44,045.30
10	Post-tensioned Concrete	159,200.00	111,440.00	47,760.00	0.00	159,200.00	100.00%	0.00	15,920.00
11	Concrete Curing	20,900.00	20,900.00	0.00	0.00	20,900.00	100.00%	0.00	2,090.00
12	Precast Architectural Concrete	84,300.00	1,500.00	82,800.00	0.00	84,300.00	100.00%	0.00	8,430.00
13	Unit Masonry	158,500.00	28,500.00	72,450.00	10,000.00	110,950.00	70.00%	47,550.00	11,095.00
14	Metals	135,600.00	13,832.80	108,000.00	0.00	121,832.80	89.85%	13,767.20	12,183.28
15	Wood, Plastics and Composites	4,500.00	0.00	2,500.00	0.00	2,500.00	55.56%	2,000.00	250.00
16	Garage Waterproofing System	24,600.00	24,600.00	0.00	0.00	24,600.00	100.00%	0.00	2,460.00
17	Self-Adhering Sheet Waterproofing	8,400.00	8,400.00	0.00	0.00	8,400.00	100.00%	0.00	840.00
18	Water Repellents	900.00	0.00	900.00	0.00	900.00	100.00%	0.00	90.00
19	Thermal Insulation	3,200.00	0.00	3,200.00	0.00	3,200.00	100.00%	0.00	320.00
20	Metal Framing, Sheathing, DEFS	15,500.00	0.00	0.00	0.00	0.00	0.00%	15,500.00	0.00
21	Fluid-Applied Membrane Air Barriers	6,400.00	0.00	6,400.00	0.00	6,400.00	100.00%	0.00	640.00
22	TPO Roofing, Sheet Metal, Roof Expa	11,800.00	0.00	7,500.00	0.00	7,500.00	63.56%	4,300.00	750.00
23	Joint Sealants, Joint Firestopping, Pref	41,100.00	3,500.00	16,500.00	0.00	20,000.00	48.66%	21,100.00	2,000.00
24	HM Doors, Frames and Hardware	15,700.00	0.00	1,000.00	13,696.00	14,696.00	93.61%	1,004.00	1,469.60
25	Alum, Sotrefronts, Glazing, Fire-Resist	12,000.00	0.00	0.00	0.00	0.00	0.00%	12,000.00	0.00
26	High-Performance Coatings	64,900.00	6,490.00	31,510.00	0.00	38,000.00	58.55%	26,900.00	3,800.00
27	Fire Protection Cabinets & Extinguishe	2,500.00	0.00	0.00	0.00	0.00	0.00%	2,500.00	0.00
28	Signage	19,800.00	0.00	0.00	0.00	0.00	0.00%	19,800.00	0.00
29	Parking Access and Revenue Control	103,400.00	0.00	0.00	0.00	0.00	0.00%	103,400.00	0.00
30	Fire Supression Systems	16,400.00	0.00	0.00	0.00	0.00	0.00%	16,400.00	0.00
31	Plumbing & Site Utilities	170,600.00	153,540.00	17,060.00	0.00	170,600.00	100.00%	0.00	17,060.00
32	HVAC	11,800.00	0.00	0.00	0.00	0.00	0.00%	11,800.00	0.00

# CONTINUATION SHEET

Page 3 of 3

Application and Certification for Payment, containing Contractor's signed certification is attached.  
In tabulations below, amounts are stated to the nearest dollar.  
Use Column I on Contracts where variable retainage for line items may apply.

Application No. : 14  
Application Date : 8/26/2019  
To: 8/31/2019  
Architect's Project No.: DLR-10-17105-00  
Hawkins 3146

Invoice # : 14 Contract : 3146- LaVista Garage District 2 Structure 1

A Item No.	B Description of Work	C Scheduled Value	D E Work Completed		F Materials Presently Stored  (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H % (G / C)	I Balance To Finish (C-G)	J Retainage
			From Previous Application (D+E)	This Period In Place					
33	Electrical	200,800.00	108,500.00	20,000.00	35,000.00	163,500.00	81.42%	37,300.00	16,350.00
34	Ground Soil Improvement	92,400.00	92,400.00	0.00	0.00	92,400.00	100.00%	0.00	9,240.00
35	Garage Pavement Markings	5,400.00	0.00	0.00	0.00	0.00	0.00%	5,400.00	0.00
36	Chain Link Fences and Gates	13,100.00	0.00	0.00	0.00	0.00	0.00%	13,100.00	0.00
37	Excavation, Backfill, Hauling Soils	110,100.00	110,100.00	0.00	0.00	110,100.00	100.00%	0.00	11,010.00
38	Change Order 1	74,068.60	13,000.00	10,000.00	0.00	23,000.00	31.05%	51,068.60	2,300.00
39	Change Order 2	2,981.31	0.00	0.00	0.00	0.00	0.00%	2,981.31	0.00
40	Change Order 3	4,791.00	4,274.00	0.00	0.00	4,274.00	89.21%	517.00	427.40
41	Change Order 4	10,503.00	10,503.00	0.00	0.00	10,503.00	100.00%	0.00	1,050.30
42	Change Order 5	-800.00	-800.00	0.00	0.00	-800.00	100.00%	0.00	-80.00
43	Change Order 6	40,904.00	26,587.60	0.00	0.00	26,587.60	65.00%	14,316.40	2,658.76
44	Change Order 7	20,030.00	20,030.00	0.00	0.00	20,030.00	100.00%	0.00	2,003.00
45	Change Order 8	5,569.00	700.00	2,500.00	0.00	3,200.00	57.46%	2,369.00	320.00
46	Change Order 9	50,535.00	0.00	0.00	0.00	0.00	0.00%	50,535.00	0.00
47	Change Order 10	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
48	Change Order 11	59,712.00	0.00	5,000.00	0.00	5,000.00	8.37%	54,712.00	500.00
49	Change Order 12	2,358.00	0.00	2,358.00	0.00	2,358.00	100.00%	0.00	235.80
50	Change Order 13	12,471.00	0.00	0.00	0.00	0.00	0.00%	12,471.00	0.00
Grand Totals		4,146,122.91	2,916,825.40	611,341.00	58,696.00	3,586,862.40	86.51%	559,260.51	358,686.24

# A-6 Invoice



League of Nebraska Municipalities  
1335 L Street  
Lincoln, NE 68508  
402-476-2829

Date	Invoice #
8/26/2019	16746

Bill To
City of La Vista Clerk 8116 Park View Blvd. La Vista, NE 68128-2198

		P.O. No.	Terms
			Net 30
Quantity	Description	Rate	Amount
	League of Nebraska Municipalities Membership Dues September 1, 2019 through August 31, 2020	46,392.00	46,392.00
<i>Consent Agenda</i> <i>01.00.0019.000</i>		<b>Total</b>	\$46,392.00

Please send a copy of this invoice with your payment.

*OK*



A-7

# MIDWEST

Right of Way Services, Inc.

www.midwestrow.com

August 30, 2019

John Kottman, City Engineer  
City of La Vista  
8116 Park View Boulevard  
La Vista, Nebraska 68128

## Invoice No.: 5332

Midwest Right of Way Services #539  
Services in connection with the  
City of La Vista - 120th & Giles - Total Acquisition

<b>Total Contract</b>	\$	-
<b>Amount Previously Invoiced</b>	\$	1,812.50

For the period of June 30, 2018 through August 23, 2019

Project Manager	-	hours at	\$95	per hour	\$	-
Acquisition Agent	4.00	hours at	\$85	per hour	\$	340.00
Miles	-	miles	\$0.58	per mile	\$	-

Total Amount Due for this Invoice:

**\$ 340.00**

Total Remaining on Contract (after this invoice)

\$ -

Past Due Invoices:

Total Amount for Past Due Invoices:

\$ -

**TOTAL AMOUNT CURRENTLY DUE: \$ 340.00** ←

For questions regarding this invoice, please call John Borgmeyer at 402-955-2900.

O.K. to pay

QMK 9-6-2019

05.71.0899.003

Consent Agenda 9/17/19 (ed)

A-8

**Invoice**

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

# olsson

August 15, 2019  
 Invoice No: 336066

City of La Vista NE  
 8116 Park View Blvd  
 La Vista, NE 68128-2198

<b>Invoice Total</b>	<b>\$2,920.91</b>
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Olsson Project # 019-1950 City of La Vista Lots 13 and 14 City Center Geotechnical  
 Professional services rendered through August 3, 2019 for work completed in accordance with Agreement dated March 7, 2019.

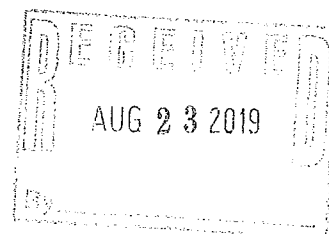
Phase 100 Geotechnical Exploration

**Fee**

Billing Phase	Fee	Percent Complete	Billed To Date	Previous Fee Billing	Current Fee Billing
Geotechnical Exploration	6,490.90	45.0001	2,920.91	0.00	2,920.91
Total Fee	6,490.90		2,920.91	0.00	2,920.91
<b>Subtotal</b>					<b>2,920.91</b>
<b>Total this Phase</b>					<b>\$2,920.91</b>
<b>AMOUNT DUE THIS INVOICE</b>					<b>\$2,920.91</b> ←

Authorized By: Timothy Jensen

a.k. to pay  
 JMK 9-6-2019  
 16,71.0939.003



Consent Agenda 9/17/19

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

July 22, 2019

City of La Vista  
c/o Mr. John Kottmann  
City Engineer  
9900 Portal Road  
La Vista, NE 68128

RE: Brook Valley Business Park Replat 5  
TD<sup>2</sup> File No. 1542-120.9

Mr. Kottmann:

Following the completion of the work for Storm Sewer Repair and Extension project in Brook Valley Business Park Replat 5, Redz, LLC hereby requests reimbursement from the City of La Vista in the amount of \$105,000 for the cost of said work, pursuant to the Storm Sewer Repair Agreement.

Submitted by,



Zach Daub  
Member of Redz, LLC.

O.K. to pay  
JMK 9-6-2019  
subject to receipt  
of \$105,000 from  
Sarpy County

Consent Agenda 9/17/19 (12)

A1h

**AGREEMENT**  
**(Brook Valley Business Park Replat Five)**

THIS AGREEMENT is made this 19th day of December, 2017, among Redz, LLC, a Nebraska limited liability company, ("Redz"), a Nebraska limited liability company, and the City of La Vista, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City").

**WITNESSETH:**

WHEREAS, Redz owns the property contained within the platting of Brook Valley Business Park Replat Five, attached hereto as Exhibit "A" (hereinafter referred to as the "final plat" or the "Final Plat"; and

WHEREAS, City owns 108<sup>th</sup> Street and adjacent right of way abutting the east boundary of the property; and

WHEREAS, Redz has agreed to enter into a subdivision agreement with the City setting forth terms and conditions to develop and construct certain public and private infrastructure improvements, including without limitation, public storm sewer improvements to repair erosion damage caused by storm water at a public storm sewer discharge from 108<sup>th</sup> Street ("Repair Work") as illustrated on Exhibit "B"; and

WHEREAS, the Repair Work will repair and prevent further erosion of the embankment and potential risks to 108<sup>th</sup> Street and the traveling public; and

WHEREAS, the City and Sarpy County, intend to enter into an interlocal agreement that will provide County funds for some of the Repair Work benefiting 108<sup>th</sup> Street. This Agreement is contingent upon City and Sarpy County entering an interlocal agreement in form and content satisfactory to each of them ("Interlocal Agreement").

NOW, THEREFORE, IT IS AGREED by Redz and City as follows:

1. Easements. Redz, at no additional cost or expense, will grant a permanent sewer and drainage easement to the City as shown on the final plat (Exhibit "A"). The instrument granting such permanent easement shall be recorded with the Sarpy County Register of Deeds prior to obtaining approval of the plans for the Repair Work.
2. Plans and Permits. Redz shall obtain environmental permits required for the proposed Repair Work and shall provide drainage calculations and construction plans for review and approval by the City Engineer prior to construction. Because of the substantial benefits of the Repair Work to the City and its property, administrative review and permit fees shall not apply with respect to the Repair Work.

Fi

3. Construction Certification. Redz shall cause the Repair Work to be observed by a professional engineer licensed in Nebraska and shall have the professional engineer issue to the City a Certificate of Compliance with the approved plans, satisfactory to the City Engineer, prior to obtaining payment or reimbursement pursuant to this Agreement.
4. Construction Bond. Redz shall obtain bids, select the lowest responsible bidder, and require the contractor engaged to perform the Repair Work to provide a performance bond including a minimum two-year warranty period which shall run in favor of Redz and the City.
5. Compensation for Repair Work. Redz has proposed to install an extension to the public storm sewer discharge from 108<sup>th</sup> Street as shown on the plan for Repair Work (Exhibit "B"). The portion of the Repair Work required to stabilize the storm sewer outlet shall be paid or reimbursed as follows:
  - (A) City, using funds provided by the County pursuant to the Interlocal Agreement, will make payment in the amount of \$105,000.00 to reimburse Redz costs of the Repair Work, subject to receipt of this amount from Sarpy County under the terms of the Interlocal Agreement.
  - (B) The sewer tract connection fees for Lot 1 and Lot 2 of Brook Valley Business Park Replat Five in the amounts of \$15,186.30 and \$14,169.42, respectively, shall be applied to pay costs of the Repair Work. If the Repair Work is completed prior to obtaining a building permit for a lot, then the fee applicable to such lot will not be payable to the City. If the Repair Work is not completed at the time of application for a building permit, then Redz will deliver to the City a certified check in the amount of the applicable fee that will be held by the City until satisfactory completion of the Repair Work, after which the certified check will be returned Redz.
6. City Engineer to be Determiner. The City Engineer shall have the right, but not any obligation, to inspect any work on, or relating to, the improvements described in this Agreement. If the City Engineer exercises such right, the work shall be completed to the City Engineer's satisfaction. All specifications and contracts relating to the Repair Work shall be subject to prior review and approval of the City Engineer.
7. Exhibit Summary. The Exhibits attached hereto and incorporated herein by this reference and made a part hereof, are as follows:


Exhibit "A":	Final Plat of Brook Valley Business Park Replat Five
Exhibit "B":	Repair Work
8. Right to Enforce. Provisions of this Agreement may be enforced at law, or in equity by the owners of land within the Final Plat and may be enforced by the City at law, in equity or such other remedy as City determines appropriate. All rights and remedies of a party, whether specified in this Agreement or otherwise provided, are cumulative.

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9. Incorporation of Recitals. Recitals at the beginning of this Agreement are incorporated into this Agreement by reference.
  10. Nondiscrimination. Notwithstanding anything in this Agreement to the contrary, (i) each party agrees that neither it nor any subcontractor of the party shall discriminate against any employee or applicant for employment to be employed in the performance of this Agreement, with respect to the employee's or applicant's hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, age, sex, disability, or national origin; and (ii) the City is a recipient of federal funds; and as a result, all required contractual provisions related to such federal funds shall be deemed incorporated into this Agreement by this reference and binding upon the parties.
  11. Assignment. This Agreement may not be assigned by any party without the express written consent of all parties.
  12. Entire Agreement. This Agreement represents the entire agreement and understanding, and supersedes all prior understandings and agreements, written or oral, of the parties with respect to the matters contained herein, except for the subdivision agreement between the parties, provided, however, that this Agreement shall control if there is any conflict between terms and conditions of this Agreement and the subdivision agreement. The Agreement only may be amended by a written amendment executed by all parties.
  13. Severability. If any part of this Agreement is held by a court of competent jurisdiction to be illegal or unenforceable, the illegality or unenforceability shall not affect the remainder of this Agreement, and this Agreement shall be construed as if such illegal or unenforceable provision had never been included herein.

AK


By: Zachary Daub, Manager

ARREST.  
 Pamela A. Suehle  
 City Clerk

CITY OF LA VISTA  
 By:   
 Mayor

**STATE OF NEBRASKA            )**  
**) ss.**  
**COUNTY OF DOUGLAS          )**

The foregoing instrument was acknowledged before me, this 9<sup>th</sup> day of January, 2017, by Zachary Daub, Manager of Redz, LLC a Nebraska limited liability company.

  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF )

GENERAL NOTARY - State of Nebraska  
DOREEN M. REHUREK  
My Comm. Exp. April 2, 2018

On this day of \_\_\_\_ day of \_\_\_\_\_, 2017, before me a Notary Public, duly commissioned and qualified in and for said County, appeared \_\_\_\_\_, personally known by me to be the Mayor of the City of La Vista and \_\_\_\_\_, to be personally known to be the City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Subdivision Agreement, and acknowledged the execution thereof to be their voluntary act and deed, and the voluntary act and deed of said City.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public

A-10



August 31, 2019

Project No: R3003.066.00

Invoice No: 46083

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 August 31, 2019

Fee

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	237,167.50	41.64	98,756.56	86,566.14	12,190.42
Schematic Design	12,482.50	0.00	0.00	0.00	0.00
Total Fee	249,650.00		98,756.56	86,566.14	12,190.42
			<b>Total Fee</b>		<b>12,190.42</b>

#### Reimbursable Expenses

Printing	35.90
Travel	203.32
Travel Food	9.45
<b>Total Reimbursables</b>	<b>248.67</b>
	<b>248.67</b>
<b>Total this Invoice</b>	<b>\$12,439.09</b>

RDG Planning & Design  
 301 Grand Avenue  
 Des Moines, Iowa 50309

Tel 515.288.3141  
 Fax 515.288.8631

www.rdgusa.com

RDG IA Inc.

Consent Agenda 9/17/19

R. Ramirez  
 9-10-19  
 16.71.0939.003





Consent Agenda 9/17/19  
(10)

A-12



08272019 - 2 PW

8/27/2019

**City of La Vista**

Public Works Dept.

9900 Portal Road

La Vista, NE 68128

**Contact Name:**

## Sarpy County

1210 Golden Gate Drive

Papillion, NE 68046

**Phone: 402-593-4133**


Fax: 402-593-4304

[www.sarpy.com](http://www.sarpy.com)

[illegible]

**Please make checks payable to Sarpy County Treasurer.**

**Please remit to: Mikala Gansemer  
Sarpy County Fiscal Administration  
1210 Golden Gate Drive  
Papillion, NE 68046**

O.K. to pay 

ofmk 9-5-2019  
05.71.0820.003

Consent Agenda 9/17/19  
(K)

## Contractor's Application for Payment No. 7

2111 S3 67th Str, Ste 200 Omaha, NE 68106		Application Period:	Application Date: 9/6/2019
To (Owner): City of LaVista	From (Contractor): Swain Construction	Via (Engineer): Olsson, Inc.	
Project: 84th Street Improvements	Contract: 84th Street Access Improvements		
Owner's Contract No.: N/A	Contractor's Project No.: C1818	Engineer's Project No.: B16-0546	

Application For Payment  
Change Order Summary

Approved Change Orders			
Number	Additions	Deductions	
1	\$10,383.00		1. ORIGINAL CONTRACT PRICE..... \$ \$529,953.11
2	\$7,502.00		2. Net change by Change Orders..... \$ \$17,885.00
			3. Current Contract Price (Line 1 + 2)..... \$ \$547,838.11
			4. TOTAL COMPLETED AND STORED TO DATE (Column M on Progress Estimate)..... \$ \$432,412.34
			5. RETAINAGE:
			a. 10% X 79% Work Completed..... \$ \$34,169.43
			b. X Stored Material..... \$ \$34,169.43
			c. Total Retainage (Line 5a + Line 5b)..... \$ \$34,169.43
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ \$398,242.91
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ \$185,768.23
			8. AMOUNT DUE THIS APPLICATION..... \$ \$212,474.69
			9. BALANCE TO FINISH, PLUS RETAINAGE..... \$ \$149,595.20
TOTALS	\$17,885.00		
NET CHANGE BY CHANGE ORDERS		\$17,885.00	

## Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: *Lu + A. Swain*

Date: 9-6-19

Payment of:

\$

\$212,474.69

(Line 8 or other - attach explanation of the other amount)

Approved by:

*Anthony Swain*  
Engineer/Authorized Field Manager

9/6/19

(Date)

Consent Agenda 9/17/19 (P2)



Project: 84th Street Access Improvements  
Contractor: SWAIN

Project #: B16-0546  
Date: 9/5/2019

PAY APP #7

ITEM NO.	DESCRIPTION OF WORK	Pay Unit	Total Est. Qty	Unit Price	SCHEDULED VALUE (D * E)	WORK COMPLETED				MATERIALS PRESENTLY STORED (NOT IN H OR J)	TOTAL QUANTITY TO DATE (G+H)	TOTAL COMPLETED AND STORED TO DATE (H+J+K)	% (M/P)	BALANCE TO FINISH (F-M)	RETAINAGE
						Qty from previous pay appl.	Total From previous pay appl.	Qty this Period	Total from this Period						
1	MOBILIZATION	LS	1.00	\$38,212.00	\$ 38,212.00	0.50	\$ 19,106.00	0.50	\$ 19,106.00		1.00	\$ 38,212.00	100%	\$ -	\$ 3,821.20
2	GENERAL CLEARING & GRUBBING	LS	1.00	\$2,994.00	\$ 2,994.00	0.50	\$ 1,497.00	0.50	\$ 1,497.00		1.00	\$ 2,994.00	100%	\$ -	\$ 299.40
3	REMOVE PAVEMENT	SY	1,268.00	\$10.20	\$ 13,033.60	87.00	\$ 886.10	825.00	\$ 8,427.50		1,012.00	\$ 10,433.00	82%	\$ 2,616.20	\$ 1,042.36
4	REMOVE SIDEWALK	SF	4,282.00	\$0.96	\$ 4,110.72	1,638.00	\$ 1,572.48	2,644.00	\$ 2,537.22		4,320.00	\$ 4,147.20	101%	\$ (36.48)	\$ 414.72
5	REMOVE MEDIAN SURFACING	SF	628.00	\$1.01	\$ 632.28	-	\$ -	628.00	\$ 632.28		628.00	\$ 632.28	100%	\$ -	\$ 63.23
6	SAW CUT - FULL DEPTH	LF	1,954.00	\$4.18	\$ 8,167.72	393.00	\$ 1,642.74	1,520.00	\$ 6,353.60		1,913.00	\$ 7,996.34	86%	\$ 171.38	\$ 796.63
7	EXCAVATION - OIL SITE	CY	924.00	\$12.45	\$ 11,503.80	211.00	\$ 2,626.95	713.00	\$ 8,876.85		924.00	\$ 11,503.80	100%	\$ -	\$ 1,150.38
8	REMOVE 15" TO 18" SEWER PIPE	LF	445.00	\$14.40	\$ 6,408.00	63.00	\$ 907.20	417.00	\$ 6,004.80		480.00	\$ 6,912.00	108%	\$ (504.00)	\$ 691.20
9	REMOVE MANHOLE	EA	4.00	\$500.00	\$ 2,000.00	1.00	\$ 500.00	3.00	\$ 1,500.00		4.00	\$ 2,000.00	100%	\$ -	\$ 200.00
10	REMOVE CURB INLET	EA	6.00	\$457.00	\$ 2,742.00	2.00	\$ 914.00	5.00	\$ 2,285.00		7.00	\$ 3,199.00	117%	\$ (457.00)	\$ 319.90
11	REMOVE SIGN	EA	2.00	\$87.15	\$ 174.30	-	\$ -	2.00	\$ 174.30		2.00	\$ 174.30	100%	\$ -	\$ 17.43
12	CONSTRUCT 3 INCH CONCRETE PAVEMENT (TYPE 47B-3500)	SY	2,225.00	\$57.00	\$ 126,825.00	840.00	\$ 36,480.00	1,585.00	\$ 90,345.00		2,225.00	\$ 126,825.00	100%	\$ -	\$ 12,682.50
13	CONSTRUCT 8 INCH PCC SIDEWALK (TYPE 47B-3500)	SF	5,240.00	\$5.10	\$ 26,724.00	1,957.00	\$ 9,980.70	2,826.00	\$ 14,412.60		4,783.00	\$ 24,393.30	91%	\$ 2,330.70	\$ 2,439.33
14	CONSTRUCT 8 INCH COLORED IMPRINTED P.C.C. SURFACING	SF	307.00	\$9.88	\$ 3,033.16	307.00	\$ 3,033.16	-	\$ -		307.00	\$ 3,033.16	100%	\$ -	\$ 303.32
15	CONSTRUCT 4 INCH CONCRETE MEDIAN SURFACING	SF	1,420.00	\$6.97	\$ 9,897.40	-	\$ -	1,420.00	\$ 9,897.40		1,420.00	\$ 9,897.40	100%	\$ -	\$ 989.74
16	ASPHALTIC CONCRETE FOR PATCHING, TYPE SFR	TON	30.00	\$310.00	\$ 9,300.00	0.50	\$ 155.00	-	\$ -		0.50	\$ 155.00	2%	\$ 9,145.00	\$ 15.50
17	CONSTRUCT COMBINATION CURB & GUTTER	LF	636.00	\$24.00	\$ 15,264.00	-	\$ -	551.00	\$ 13,224.00		551.00	\$ 13,224.00	87%	\$ 2,040.00	\$ 1,322.40
18	CONSTRUCT CURB RAMP	SF	361.00	\$14.75	\$ 5,322.75	172.00	\$ 2,537.00	140.00	\$ 2,065.00		312.00	\$ 4,602.00	86%	\$ 722.75	\$ 460.20
19	CONSTRUCT DETECTABLE WARNING PANEL	SF	86.00	\$14.85	\$ 1,277.10	40.00	\$ 594.00	26.00	\$ 415.90		66.00	\$ 989.90	79%	\$ 287.20	\$ 100.88
20	DRILL & GROUT TIE BARS	EA	480.00	\$5.00	\$ 2,400.00	141.00	\$ 705.00	528.00	\$ 2,640.00		669.00	\$ 3,345.00	138%	\$ (945.00)	\$ 334.50
21	CONSTRUCT AGGREGATE BEDDING FOR 18" STORM SEWER PIPE	LF	192.00	\$5.97	\$ 1,146.24	42.00	\$ 250.74	158.00	\$ 943.26		200.00	\$ 1,194.00	104%	\$ (47.76)	\$ 119.40
22	CONSTRUCT AGGREGATE BEDDING FOR 24" STORM SEWER PIPE	LF	11.00	\$7.58	\$ 83.38	-	\$ -	11.00	\$ 83.38		11.00	\$ 83.38	100%	\$ -	\$ 8.34
23	CONSTRUCT 18" RCP, CLASS III	LF	192.00	\$452.95	\$ 86,966.40	42.00	\$ 2,223.90	158.00	\$ 71,742.10		200.00	\$ 91,984.10	104%	\$ (423.50)	\$ 1,059.00
24	CONSTRUCT 24" RCP, CLASS III	LF	11.00	\$73.85	\$ 812.35	-	\$ -	11.00	\$ 812.35		11.00	\$ 812.35	100%	\$ -	\$ 81.24
25	CONSTRUCT 54" I.D. STORM MANHOLE	VF	23.40	\$567.00	\$ 13,267.80	10.50	\$ 5,953.50	12.90	\$ 7,314.30		23.40	\$ 13,267.80	100%	\$ -	\$ 1,326.78
26	CONSTRUCT CURB INLET, TYPE I	EA	5.00	\$3,385.00	\$ 16,925.00	2.00	\$ 6,770.00	3.00	\$ 10,155.00		5.00	\$ 16,925.00	100%	\$ -	\$ 1,694.00
27	CONSTRUCT 24" CONCRETE COLLAR	EA	1.00	\$260.00	\$ 260.00	-	\$ -	2.00	\$ 520.00		2.00	\$ 520.00	200%	\$ (260.00)	\$ 52.00
28	ADJUST MANHOLE TO GRADE	EA	4.00	\$239.00	\$ 956.00	2.00	\$ 478.00	1.00	\$ 239.00		3.00	\$ 717.00	75%	\$ 239.00	\$ 71.70
29	INSTALL EXTERNAL FRAME SEAL	EA	1.00	\$443.00	\$ 443.00	-	\$ -	1.00	\$ 443.00		1.00	\$ 443.00	100%	\$ -	\$ 44.30
30	PROVIDE TEMPORARY TRAFFIC CONTROL	LS	1.00	\$12,028.00	\$ 12,028.00	0.33	\$ 3,968.24	0.67	\$ 8,059.76		1.00	\$ 12,028.00	100%	\$ -	\$ 1,202.80
31	INSTALL SEEDING TURF (EROSION CONTROL TYPE II)	AC	0.41	\$6,729.00	\$ 2,754.89	0.17	\$ 1,143.93	0.17	\$ 1,143.93		0.17	\$ 1,143.93	41%	\$ 1,614.96	\$ 114.38
32	INSTALL INLET PROTECTION	EA	5.00	\$167.00	\$ 835.00	3.00	\$ 501.00	-	\$ -		3.00	\$ 501.00	60%	\$ 334.00	\$ 50.10
33	REMOVE EXISTING TRAFFIC SIGNAL	EA	1.00	\$3,357.00	\$ 3,357.00	-	\$ -	-	\$ -		-	\$ -	0%	\$ 3,357.00	\$ -
34	INSTALL PEDESTAL POLE, TYPE PP-10	EA	2.00	\$1,053.00	\$ 2,106.00	-	\$ -	-	\$ -		-	\$ -	45%	\$ 1,168.00	\$ -
35	INSTALL COMBINATION MAST ARM SIGNAL AND LIGHTING POLE, TYPE CMP-45-12-40	EA	1.00	\$20,905.00	\$ 20,905.00	-	\$ -	-	\$ -	\$ 938.00	-	\$ 938.00	59%	\$ 8,608.00	\$ -
36	INSTALL COMBINATION MAST ARM SIGNAL AND LIGHTING POLE, TYPE CMP-55-12-40	EA	1.00	\$21,389.00	\$ 21,389.00	-	\$ -	-	\$ -	\$ 12,297.00	-	\$ 12,297.00	59%	\$ 8,724.00	\$ -
37	INSTALL COMBINATION MAST ARM SIGNAL AND LIGHTING POLE, TYPE CMP-60-12-40	EA	1.00	\$21,675.00	\$ 21,675.00	-	\$ -	-	\$ -	\$ 12,665.00	-	\$ 12,665.00	59%	\$ 8,826.00	\$ -
38	INSTALL TRAFFIC SIGNAL, TYPE TS-1, WT31 FACE, BKPLT & MA-5 MTG	EA	5.00	\$859.00	\$ 4,295.00	-	\$ -	-	\$ -	\$ 12,848.00	-	\$ 12,848.00	78%	\$ 938.00	\$ -
39	INSTALL TRAFFIC SIGNAL, TYPE TS-1A, WT31 FACE & B-4 ALT. MTG	EA	3.00	\$800.00	\$ 2,400.00	-	\$ -	-	\$ -	\$ 3,352.00	-	\$ 3,352.00	78%	\$ 2,400.00	\$ -
40	INSTALL TRAFFIC SIGNAL, TYPE TS-1LF WT32F FACE, BKPLT & MA-5 MTG	EA	2.00	\$883.00	\$ 1,766.00	-	\$ -	-	\$ -	\$ 1,537.00	-	\$ 1,537.00	87%	\$ 229.00	\$ -
41	INSTALL TRAFFIC SIGNAL, TYPE TS-1LFF WT34F FACE, BKPLT & MA-5 MTG	EA	1.00	\$1,054.00	\$ 1,054.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 1,054.00	\$ -
42	INSTALL PEDESTRIAN SIGNAL, TYPE PS-1 WT-24 FACE & B-4 ALT. MTG	EA	2.00	\$638.00	\$ 1,276.00	-	\$ -	-	\$ -	\$ 598.00	-	\$ 598.00	47%	\$ 678.00	\$ -
43	INSTALL PEDESTRIAN PUSH BUTTON, TYPE PPB	EA	2.00	\$211.00	\$ 422.00	-	\$ -	-	\$ -	\$ 198.00	-	\$ 198.00	47%	\$ 224.00	\$ -
44	INSTALL TRAFFIC SIGNAL CONTROLLER CABINET, TYPE TC-2070	EA	1.00	\$28,214.00	\$ 28,214.00	-	\$ -	-	\$ -	\$ 18,700.00	-	\$ 18,700.00	66%	\$ 9,514.00	\$ -
45	INSTALL PULL BOX, TYPE PB-B	EA	3.00	\$792.00	\$ 2,376.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 2,376.00	\$ -
46	INSTALL PULL BOX, TYPE PB-S	EA	1.00	\$1,240.00	\$ 1,240.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 1,240.00	\$ -
47	INSTALL 2" PVC OR HDPE CONDUIT - TRENCHED	LF	84.00	\$9.33	\$ 783.72	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 783.72	\$ -
48	INSTALL 3" HDPE CONDUIT - TRENCHED	LF	262.00	\$9.79	\$ 2,564.98	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 2,564.98	\$ -
49	INSTALL 3" HDPE CONDUIT - BORED	LF	430.00	\$27.80	\$ 11,953.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 11,953.00	\$ -
50	INSTALL SERVICE CABLE (SC)	LF	300.00	\$5.32	\$ 1,596.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 1,596.00	\$ -
51	INSTALL SERVICE ENTRANCE CABLE (SEC)	LF	200.00	\$1.23	\$ 246.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 246.00	\$ -
52	INSTALL SERVICE DISCONNECT PEDESTAL	EA	1.00	\$3,876.00	\$ 3,876.00	-	\$ -	-	\$ -	\$ 2,275.00	-	\$ 2,275.00	59%	\$ 1,601.00	\$ -
53	INSTALL 16C #14 AWG TRAF. SIGNAL CABLE	LF	610.00	\$8.17	\$ 5,003.70	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 5,003.70	\$ -
54	INSTALL 5C #14 AWG TRAF. SIGNAL CABLE	LF	377.00	\$2.98	\$ 1,123.46	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 1,123.46	\$ -
55	INSTALL 3C #6 STREET LIGHTING CABLE	LF	365.00	\$4.05	\$ 1,478.25	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 1,478.25	\$ -
56	INSTALL 2C #16 AWG PEDESTRIAN PUSH BUTTON LEAD-IN CABLE	LF	377.00	\$1.19	\$ 448.63	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 448.63	\$ -
57	INSTALL 1C #6 BARE COPPER GROUNDING CONDUCTOR	LF	388.00	\$1.51	\$ 585.88	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 585.88	\$ -
58	INSTALL 200W STREET LIGHT LUMINAIRE	EA	3.00	\$572.00	\$ 1,716.00	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 1,716.00	\$ -
59	INSTALL OVERHEAD SIGN	LS	1.00	\$4,720.00	\$ 4,720.00	-	\$ -	-	\$ -	\$ 987.00	-	\$ 987.00	21%	\$ 3,733.00	\$ -
60	ASCT DETECTION SYSTEM INSTALLATION, STOP BAR - 3 APPROACH	EA	1.00	\$23,955.00	\$ 23,955.00	-	\$ -	-	\$ -	\$ 16,820.00	-	\$ 16,820.00	70%	\$ 7,135.00	\$ -
61	REMOVE MARKING LINES	LF	140.00	\$3.78	\$ 529.20	-	\$ -	-	\$ -	\$ -	-	\$ -	0%	\$ 529.20	\$ -

ITEM NO.	DESCRIPTION OF WORK	Pay Unit	Total Est Qty	Unit Price	SCHEDULED VALUE (D * E)	WORK COMPLETED				MATERIALS PRESENTLY STORED (NOT IN H OR J)	TOTAL QUANTITY TO DATE (G+I)	TOTAL COMPLETED AND STORED TO DATE (H+I+J)	% (M/P)	BALANCE TO FINISH (F-M)	RETAINAGE
						Qty from previous pay appl.	Total From previous pay appl.	Qty this Period	Total from this Period						
62	INSTALL PERMANENT PAINT MARKING - 5" WHITE	LF	740.00	\$1.00	\$ 740.00	150.00	\$ 150.00	-	\$ -	-	150.00	\$ 150.00	20%	\$ 590.00	\$ 15.00
63	INSTALL PERMANENT PREFORMED TAPE MARKING - TYPE 3, 24" WHITE, GROOVED	LF	50.00	\$28.90	\$ 1,445.00	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 1,445.00	\$ -
64	INSTALL PERMANENT PREFORMED TAPE MARKING SYMBOL - TYPE DIRECTIONAL ARROW, WHITE	EA	3.00	\$476.00	\$ 1,434.00	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 1,434.00	\$ -
65	INSTALL PERMANENT PAINTED PAVEMENT MARKING SYMBOL - TYPE DIRECTIONAL ARROW, WHITE	EA	4.00	\$103.00	\$ 412.00	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 412.00	\$ -
66	INSTALL TRAFFIC POSTS AND SIGNS	LS	1.00	\$2,313.00	\$ 2,313.00	0.44	\$ 1,017.72	-	\$ -	0.44	\$ 1,017.72	\$ 1,017.72	44%	\$ 1,295.28	\$ 101.77
67	RENTAL OF LOADER, FULLY OPERATED	HOURL	5.00	\$99.95	\$ 499.75	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 499.75	\$ -
68	RENTAL OF BACKHOE, FULLY OPERATED	HOURL	5.00	\$117.00	\$ 585.00	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 585.00	\$ -
69	RENTAL OF DUMP TRUCK, FULLY OPERATED	HOURL	5.00	\$84.15	\$ 420.75	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 420.75	\$ -
70	RENTAL OF SKID LOADER, FULLY OPERATED	HOURL	5.00	\$59.25	\$ 296.25	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 296.25	\$ -
71	RENTAL OF CRAWLER MOUNTED HYDRAULIC EXCAVATOR, FULLY OPERATED	HOURL	5.00	\$117.00	\$ 585.00	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 585.00	\$ -
72	RENTAL OF VACUUM TRUCK, FULLY OPERATED	HOURL	5.00	\$306.00	\$ 1,530.00	-	\$ -	-	\$ -	-	-	\$ -	0%	\$ 1,530.00	\$ -
CONTRACT TOTALS					\$ 529,953.11	\$ 105,611.36	\$ 228,475.98	\$ 85,216.00	\$ 417,393.34	79%	\$ 112,648.77	\$ 33,408.73			
Change Order #1															
2-A	Additional Swain related labor for concrete increases	EA	1.00	\$ 5,700.00	\$ 5,700.00	-	\$ -	1.00	\$ 5,700.00		1.00	\$ 5,700.00	100%	\$ -	\$ 570.00
2-B	Additional Commonwealth related labor increases	EA	1.00	\$ 2,141.00	\$ 2,141.00	-	\$ -	-	\$ -		-	\$ -	0%	\$ 2,141.00	\$ -
2-C	Additional Tedco related labor increases	EA	1.00	\$ 1,270.00	\$ 1,270.00	-	\$ -	0.50	\$ 635.00		0.50	\$ 635.00	50%	\$ 635.00	\$ 85.50
2-D	Additional traffic signal foundation designs	EA	1.00	\$ 1,272.00	\$ 1,272.00	-	\$ -	1.00	\$ 1,272.00		1.00	\$ 1,272.00	100%	\$ -	\$ 127.20
Change Order #2															
	Battery Back-Up	EA	1.00	\$ 7,502.00	\$ 7,502.00	-	\$ -	-	\$ -	\$ 7,502.00	-	\$ 7,502.00	100%	\$ -	\$ -
				\$ -	\$ -	-	\$ -	-	\$ -	-	\$ -	#DIV/0!	\$ -	\$ -	\$ -
CO TOTALS					\$ 17,885.00	\$ -	\$ 7,607.00	\$ 7,502.00	\$ 15,109.00	84%	\$ 2,776.00	\$ 760.70			
BID ITEMS + CO TOTALS					\$ 547,838.11	\$ 105,611.36	\$ 236,082.98	\$ 90,718.00	\$ 432,412.34	79%	\$ 115,425.77	\$ 34,169.43			

Original Contract	\$ 529,953.11
CO1	\$ 10,383.00
CO2	\$ 7,502.00
Total Contract to Date	\$ 547,838.11
Total Work Completed to Date	\$ 432,412.34
Total Materials Stored to Date	\$ 90,718.00
Total Value completed & Stored to Date	\$ 432,412.34
Retainage	\$ 34,169.43
Net Total Due Less Retainage	\$ 398,242.91
Total Previous	\$ 185,768.23
Net Amount Due This Estimate	\$ 212,474.68

Pay App No.1	\$ 92,889.74
Pay App No.2	\$ 2,080.48
Pay App No.3	\$ 45,405.00
Pay App No.4	\$ 7,502.01
Pay App No.5	\$ 4,737.00
Pay App No.6	\$ 33,074.00
Pay App No.7	

Footnotes:

\$	218,226.49
\$	212,474.68
\$	6,751.81

A-14



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

## INVOICE

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

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

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

Invoice number 132989  
Date 08/22/2019

Project 0171-417 LA VISTA PHASE <sup>2</sup> GOLF  
COURSE TRANSFORMATION -  
PROPOSED LAKE IMPROVEMENTS

Professional Services from July 15, 2019 through August 18, 2019

PO #18-0080

Description	Contract Amount	Prior Billed	Remaining	Current Billed
Interface Area Topographic Survey	6,700.00	6,700.00	0.00	0.00
Construction Staking - Sanitary Sewer Relocation Phase 2	3,000.00	3,000.00	0.00	0.00
Construction Staking - Trail Phase 2	5,000.00	4,882.55	117.45	0.00
Pre-Construction "As-Built" Survey Phase 2	7,500.00	3,602.50	3,897.50	0.00
Post Construction "As-Built Survey Phase 2	7,500.00	0.00	7,500.00	0.00
Construction Administration - Sanitary Sewer Relocation Ph 2	7,500.00	6,783.90	328.60	387.50
Meetings	8,000.00	5,549.20	1,802.00	648.80
Construction Testing - Sanitary Sewer Relocation Phase 2	25,000.00	21,382.79	1,475.31	2,141.90
Construction Testing - Trail Phase 2	15,000.00	12,193.27	2,469.23	337.50
Erosion Control Monitoring and Reporting Services	9,000.00	3,962.50	4,513.45	524.05
3D Video Update Phase 2	5,500.00	5,229.39	270.61	0.00
Total	99,700.00	73,286.10	22,374.15	4,039.75

Invoice total 4,039.75

## Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
132989	08/22/2019	4,039.75	4,039.75				
	Total	4,039.75	4,039.75	0.00	0.00	0.00	0.00

O.K. to pay  
BPK 9-6-2019  
16,71.09 42.003

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

Consent Agenda 9/17/19

A-15



**URETEK USA, Inc.**

PO Box 1929, Tomball TX 77377-1929  
13900 Humble Rd, Tomball TX 77377  
T: 888.287.3835  
T: 281.351.7800  
F: 281.351.0884  
www.uretekusa.com

**Invoice No.: 20158**

Invoice Date: 8/31/2019

Due Date: 9/30/2019

Terms: NET30

**City of La Vista**

Attn: John Kottman  
8116 Park View Blvd  
c/o Accounts Payable  
La Vista, NE 68128

Customer ID: 2019163

Customer Voice: (402) 331-8927

Customer E-Mail: jkottmann@cityoflavista.org

Customer P.O. No.:

Customer Ref. No.:

Sales Rep.: Stumpff

Project No.: 19NE48012

Project Name: 72nd and Park View Settlement

Billing Period: 08/08/19-08/29/19

County: Sarpy

Item Description	Quantity	Unit	Unit Price	Extended Price
URETEK 486 STAR (LB)	2,800.0000	LBS	5.00	\$ 14,000.00
URETEK 486 STAR (LB)	209.9155	LBS	5.00	\$ 1,049.58
URETEK 486 STAR (LB)	551.9000	LBS	0.00	\$ 0.00
MOBILIZATION (LUMP SUM)	1.0000	LS	1,500.00	\$ 1,500.00

O.K. to pay

JMK 9-9-2019

02.42.0314

**Please remit to:**

Uretek USA, Inc.  
Prosperity Bank - Tomball  
ABA Routing #113122655  
Account #216878251

Sub Total \$ 16,549.58

**Total Due \$ 16,549.58** ←

Retainage \$ 0.00

**Total Due This Billing \$ 16,549.58**

Consent Agenda 9/17/19 (2)

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CHANGE ORDER No. 1 72 <sup>ND</sup> STREET PAVEMENT LEVELING OVER THOMPSON CREEK	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to approve Change Order No. 1 with URETEK-Great Plains Region in an amount not to exceed \$1,049.58. The total amount increases from \$15,500.00 to \$16,549.58.

**FISCAL IMPACT**

The FY 19/20 Biennial Budget includes funding for the proposed maintenance.

**RECOMMENDATION**

Approval

**BACKGROUND**

The initial contract was based on performing foam jacking to level three lanes of 72<sup>nd</sup> Street over Thompson Creek. During the construction work performed in the over-night hours on August 8, it was found to be necessary to also perform foam jacking under the fourth lane of 72<sup>nd</sup> Street. This resulted in using more foam than was provided in the contract.

The leveling effort did not improve the ride on 72<sup>nd</sup> Street as much as desired from the effort on August 8. The Contractor agreed and came back on August 29 and performed additional foam jacking at no additional charges to the City.



**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH URETEK – GREAT PLAINS REGION, TOMBALL, TEXAS, TO PROVIDE FOR ADDITIONS OF WORK FOR 72ND STREET PAVEMENT LEVELING OVER THOMPSON CREEK CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,049.58.

WHEREAS, the City has determined it is necessary for additions of work to the contract; and

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

WHEREAS, the contract amount will increase by \$1,049.58 for a contract total of \$16,549.58 with change order number 1;

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 1 to the contract with URETEK – Great Plains Region, Tomball, Texas, to provide for additions of work for the 72nd Street Pavement Leveling Over Thompson Creek contract in an amount not to exceed \$1,049.58.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC

City Clerk

CHANGE ORDER NO. 1

72<sup>ND</sup> STREET PAVEMENT LEVELING

CITY OF LA VISTA, NEBRASKA

DATE OF CONTRACT: August 5, 2019

CHANGE ORDER PREPARED: September 9, 2019

OWNER: City of La Vista  
8116 Park View Blvd.  
La Vista, NE 68128  
Attn: John Kottmann

CONTRACTOR: URETEK USA, Inc.  
PO Box 1929  
Tomball, TX 77377  
Attn: Michael Vinton

DESCRIPTION OF CHANGES:

Additional Foam Jacking for 4<sup>th</sup> lane of pavement. Original agreement included only 3 lanes of pavement leveling.

Reductions:

Item	Description	Unit Price	Qty.	Amount
1.	Additional Foam Jacking	\$ 5.00/TN	209.9155 LB	\$ 1,049.58

Total Additions: \$ 1,049.58

Original Contract Price \$15,500.00

Revised Contract Price \$16,549.58

REASONS FOR CHANGES:

- A. Prior to leveling it was estimated that three lanes needed to be leveled. During the construction process it was determined that leveling of the fourth lane was required. This caused an overrun in the quantity of leveling foam used on the project.

RECOMMENDED BY: \_\_\_\_\_  
John M. Kottmann, P.E.  
City Engineer

The undersigned parties to the above-referenced contract hereby agree to the changes set forth above.

CITY OF LA VISTA

URETEK USA, Inc.

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

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

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Attest

User: KOLSON

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
130486	09/04/2019	ABM SUPPLY	5,530.00	N
130487	09/04/2019	BLADE MASTERS GROUNDS MNTNC IN	308,883.08	N
130488	09/04/2019	HDR ENGINEERING INC	10,141.80	N
130489	09/04/2019	OLSSON, INC.	33,762.93	N
130490	09/04/2019	RDG PLANNING & DESIGN	1,074.78	N
130491	09/04/2019	WELLINGTON EXPERIENC, INC.	5,000.00	N
130492	09/17/2019	AA WHEEL & TRUCK SUPPLY INC	4.09	N
130493	09/17/2019	ACCO UNLIMITED CORPORATION	279.25	N
130494	09/17/2019	ACTION BATTERIES UNLTD INC	233.50	N
130495	09/17/2019	AMAZON CAPITAL SERVICES, INC.	1,707.47	N
130496	09/17/2019	AMERICA'S FENCE STORE INC	454.35	N
130497	09/17/2019	ANGELA SEMINARA	215.00	N
130498	09/17/2019	APRIL GRAUMANN	95.00	N
130499	09/17/2019	BAUER BUILT INC	53.93	N
130500	09/17/2019	BAXTER CHRYSLER JEEP, INC.	54.78	N
130501	09/17/2019	BKD LLP	940.00	N
130502	09/17/2019	BOOKPAGE	576.00	N
130503	09/17/2019	CATHERINE DEMES MAYDEW	1,560.00	N
130504	09/17/2019	CENTER POINT, INC.	364.32	N
130505	09/17/2019	CENTURY LINK	586.07	N
130506	09/17/2019	CENTURY LINK BUSN SVCS	146.25	N
130507	09/17/2019	CERTIFIED POWER INC.	428.75	N
130508	09/17/2019	CINTAS CORPORTATION	2,194.52	N
130510	09/17/2019	CITY OF PAPILLION	27,668.68	N
130511	09/17/2019	CONTROL MASTERS INCORPORATED	507.50	N
130512	09/17/2019	COX COMMUNICATIONS, INC.	277.40	N
130513	09/17/2019	CULLIGAN OF OMAHA	16.00	N
130514	09/17/2019	D & K PRODUCTS	4,092.18	N
130515	09/17/2019	DANIELSON TECH SUPPLY INC	574.00	N
130516	09/17/2019	DULTMEIER SALES LLC	300.00	N
130517	09/17/2019	DXP ENTERPRISES INC	103.81	N
130518	09/17/2019	EDGEWEAR SCREEN PRINTING	617.45	N
130519	09/17/2019	ERNCO INC	11,925.00	N
130520	09/17/2019	EXPRESS DISTRIBUTION LLC	41.86	N
130521	09/17/2019	FASTENAL COMPANY	500.13	N
130522	09/17/2019	FIRST WIRELESS INC	1,023.15	N
130523	09/17/2019	FORCE SCIENCE INSTITUTE	1,650.00	N
130524	09/17/2019	GALE	333.61	N
130525	09/17/2019	GENERAL FIRE & SAFETY EQUIP CO	1,057.50	N
130526	09/17/2019	GENUINE PARTS COMPANY-OMAHA	677.53	N
130527	09/17/2019	GRAINGER	54.06	N
130528	09/17/2019	GRAYBAR ELECTRIC COMPANY INC	15.78	N
130529	09/17/2019	GREAT PLAINS UNIFORMS	1,450.00	N
130530	09/17/2019	GREATAMERICA FINANCIAL SERVICES	1,127.00	N
130531	09/17/2019	HANEY SHOE STORE	150.00	N
130532	09/17/2019	HARM'S CONCRETE INC	145.00	N
130533	09/17/2019	HERRICK, ANGELA DAWN	100.00	N
130534	09/17/2019	HOSE & HANDLING INCORPORATED	119.77	N
130535	09/17/2019	HY-VEE INC	47.00	N
130536	09/17/2019	INGRAM LIBRARY SERVICES	2,992.53	N
130538	09/17/2019	J & J SMALL ENGINE SERVICE	336.76	N
130539	09/17/2019	J RETZ LANDSCAPE, INC	3,300.00	N
130540	09/17/2019	JARED GEGZNA	120.00	N
130541	09/17/2019	JMAC CONSULTING GROUP LLC	1,700.00	N
130542	09/17/2019	JONES AUTOMOTIVE INC	115.93	N
130543	09/17/2019	KANOPY, INC.	69.00	N
130544	09/17/2019	KIMBALL MIDWEST	413.90	N
130545	09/17/2019	KRIHA FLUID POWER CO INC	117.00	N
130546	09/17/2019	LA VISTA COMMUNITY FOUNDATION	60.00	N
130547	09/17/2019	LIBRARY IDEAS LLC	44.50	N

User: KOLSON

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
130548	09/17/2019	LOGAN CONTRACTORS SUPPLY	2,323.68	N
130549	09/17/2019	LOVELAND GRASS PAD	113.70	N
130550	09/17/2019	LOWE'S CREDIT SERVICES	81.63	N
130551	09/17/2019	MARK A KLINKER	200.00	N
130552	09/17/2019	MEMPHIS NET & TWINE CO., INC.	1,399.26	N
130553	09/17/2019	MENARDS-RALSTON	818.95	N
130554	09/17/2019	METROPOLITAN COMMUNITY COLLEG	29,896.78	N
130555	09/17/2019	MID-WEST MILITARY REAL ESTATE, LLC	40.00	N
130556	09/17/2019	MIDLANDS LIGHTING & ELECTRIC SUP	152.35	N
130557	09/17/2019	MIDWEST OFFICE AUTOMATION	267.32	N
130558	09/17/2019	MIDWEST SERVICE AND SALES CO	515.00	N
130559	09/17/2019	MIDWEST TAPE	379.41	N
130560	09/17/2019	MOTOROLA SOLUTIONS INC	10,285.50	N
130561	09/17/2019	MSC INDUSTRIAL SUPPLY CO	18.83	N
130562	09/17/2019	NEBRASKA ENVIRONMENTAL PRODUC	103,018.81	N
130563	09/17/2019	NEBRASKA IOWA INDL FASTENERS INC	25.51	N
130564	09/17/2019	NMC EXCHANGE LLC	19.63	N
130565	09/17/2019	O'REILLY AUTO ENTERPRISES, LLC	1,449.16	N
130566	09/17/2019	OCLC INC	161.21	N
130567	09/17/2019	OFFICE DEPOT INC	252.69	N
130568	09/17/2019	OFFUTT YOUTH CENTER 55 SVS/SVYY	3,360.00	N
130569	09/17/2019	OMAHA PUBLIC POWER DISTRICT	54,323.73	N
130572	09/17/2019	OMAHA TACTICAL LLC	178.00	N
130573	09/17/2019	ONE CALL CONCEPTS INC	346.73	N
130574	09/17/2019	ORIENTAL TRADING COMPANY	358.29	N
130575	09/17/2019	PAPILLION SANITATION	1,480.68	N
130576	09/17/2019	PAPILLION TIRE INCORPORATED	25.50	N
130577	09/17/2019	PUBLIC AGENCY TRAINING COUNCIL	1,300.00	N
130578	09/17/2019	ROBERT T. HENNRICH	2,036.00	N
130579	09/17/2019	SAPP BROS INCORPORATED	251.28	N
130580	09/17/2019	SAPP BROS PETROLEUM INC	526.06	N
130581	09/17/2019	SARPY COUNTY COURTHOUSE	4,207.68	N
130582	09/17/2019	SARPY COUNTY FISCAL ADMINSTRTN	60,685.91	N
130583	09/17/2019	SCHOLASTIC LIBRARY PUBLISHING	218.40	N
130584	09/17/2019	SERVICEONE INC	274.93	N
130585	09/17/2019	SIRIUS COMPUTER SOLUTIONS INC	4,851.10	N
130586	09/17/2019	SOUTHERN UNIFORM & EQUIPMENT	341.43	N
130587	09/17/2019	SUBURBAN NEWSPAPERS INC	1,646.38	N
130588	09/17/2019	TED'S MOWER SALES & SERVICE	132.95	N
130589	09/17/2019	TERRY HUGHES TREE SERVICE	2,815.00	N
130590	09/17/2019	THEATRICAL MEDIA SERVICES INC	150.00	N
130591	09/17/2019	TOSHIBA FINANCIAL SERVICES	138.00	N
130592	09/17/2019	TRANS UNION RISK AND ALT. DATA S	50.00	N
130593	09/17/2019	TRUCK CENTER COMPANIES	384.13	N
130594	09/17/2019	TURFWERKS	61,059.10	N
130595	09/17/2019	U.S. CELLULAR	1,466.46	N
130596	09/17/2019	ULINE, INC.	166.87	N
130597	09/17/2019	UNITE PRIVATE NETWORKS LLC	3,850.00	N
130598	09/17/2019	WESTLAKE HARDWARE INC NE-022	1,415.78	N
130599	09/17/2019	WESTLAKE HARDWARE INC NE-022	38.34	N
130600	09/17/2019	WHITE CAP CONSTR SUPPLY/HDS	40.99	N
130601	09/17/2019	WICK'S STERLING TRUCKS INC	140.26	N
TOTAL:			797,809.30	

APPROVED BY COUNCIL MEMBERS ON: 09/17/2019

User: KOLSON

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
766(E)	08/06/2019	ELAN FINANCIAL SERVICES	15,421.43	N
772(E)	08/31/2019	ACCESS BANK	3,066.27	N
773(E)	08/31/2019	ALLY BANK	356.91	N
774(E)	08/31/2019	AMERICAN HERITAGE LIFE INSURANCE	1,396.84	N
775(E)	08/31/2019	BLUE CROSS BLUE SHIELD OF NEBR	108,828.64	N
776(E)	08/31/2019	CATERPILLAR FINANCIAL SVCS CORP	2,693.39	N
777(E)	08/31/2019	CATERPILLAR FINANCIAL SVCS CORP	382.23	N
778(E)	08/31/2019	CCAP AUTO LEASE LTD	449.00	N
779(E)	08/31/2019	DEARBORN NATIONAL LIFE INSURANC	1,178.00	N
780(E)	08/31/2019	DEARBORN NATIONAL LIFE INSURANC	5,273.33	N
781(E)	08/31/2019	ESSENTIAL SCREENS	218.50	N
782(E)	08/31/2019	FIRST STATE BANK	4,399.70	N
783(E)	08/31/2019	FIRST STATE BANK	5,668.85	N
784(E)	08/31/2019	FIRST STATE BANK	2,137.23	N
785(E)	08/31/2019	FIRST STATE BANK	2,137.23	N
786(E)	08/31/2019	FIRST STATE BANK	4,399.70	N
787(E)	08/31/2019	FIRST STATE BANK	5,668.85	N
788(E)	08/31/2019	LINCOLN NATIONAL LIFE INS CO	6,441.00	N
789(E)	08/31/2019	MID-AMERICAN BENEFITS INC	663.00	N
790(E)	08/31/2019	NE DEPT OF REVENUE-SALES TAX	1,114.65	N
791(E)	08/31/2019	PITNEY BOWES-EFT POSTAGE	1,368.00	N
792(E)	08/31/2019	TASC	3,037.51	N
793(E)	08/31/2019	TASC	3,037.51	N
794(E)	08/31/2019	TOSHIBA FINANCIAL SERVICES	127.40	N
795(E)	08/31/2019	UNITED HEALTHCARE INSURANCE CO	879.12	N
TOTAL:			180,344.29	

APPROVED BY COUNCIL MEMBERS ON: 09/17/2019

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
COMPREHENSIVE PLAN AMENDMENT — FUTURE LAND USE MAP PROPOSED REPLAT 4 LA VISTA CITY CENTRE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CHRIS SOLBERG SENIOR PLANNER

**SYNOPSIS**

A public hearing has been scheduled and an ordinance prepared to amend the Comprehensive Plan (Future Land Use Map) to modify the future land use of portions of proposed Lot 3 La Vista City Centre Replat 4 from Parks and Recreation to Mixed-Use for the purpose of redevelopment.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled and an ordinance prepared to amend the Comprehensive Plan (Future Land Use Map) to modify the future land use of portions of proposed Lot 3 La Vista City Centre Replat 4 from Parks and Recreation to Mixed-Use for the purpose of redevelopment. Applicant as part of the mixed use redevelopment project and plan desires to develop proposed Lot 3, La Vista City Centre Replat 4 with an Event Center. This Comprehensive Plan amendment would be necessary before any zoning related actions connected with such use. Additional requirements also would need to be satisfied. Council approval would be subject to satisfaction of all applicable requirements.

The Planning Commission held a public hearing on August 15, 2019, and unanimously recommended approval of the Comprehensive Plan Amendment to the City Council, subject to satisfaction of all applicable requirements.

A copy of the Comprehensive Plan is on file with the City Clerk.



## ORDINANCE NO.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND SECTIONS 1 AND 2 OF ORDINANCE NO. 1342 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 TO UPDATE THE COMPREHENSIVE DEVELOPMENT PLAN AND RELATED FUTURE LAND USE MAP; TO REPEAL SECTIONS 1 AND 2 OF ORDINANCE NO. 1342 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 AND ANY OTHER CONFLICTING ORDINANCES AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AS FOLLOWS:

WHEREAS, Ordinance No. 1342 dated March 19, 2019 adopted the La Vista Comprehensive Plan, Updated December 2018, as codified in Municipal Code Sections 151.01 and 151.02; and

WHEREAS, the Mayor and City Council desire to amend Ordinance No. 1342, the La Vista Comprehensive Plan ("La Vista Comprehensive Plan, Updated 2018, as amended September 17, 2019").

NOW THEREFORE, the following are approved:

SECTION 1. Amendment of Sections 1 and 2 of Ordinance No. 1342 codified in Municipal Code Sections 151.01 and 151.02. Sections 1 and 2 of Ordinance No. 1342 codified in Municipal Code Sections 151.01 and 151.02 are hereby amended, repealed and replaced in their entirety with the following:

**"§ 151.01 COMPREHENSIVE PLAN ADOPTED.** In order to accommodate anticipated long-range future growth, the City of La Vista Comprehensive Plan, Updated December 2018, as amended September 17, 2019, and including and incorporating therein, without limitation, the Redevelopment Plan for the 84th Street Redevelopment Area and Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area as Appendices D and E, respectively, and further including and incorporating therein, without limitation, all other Appendices A, B, C, F, and G, as presented and on file with the City Clerk and as may from time to time be amended, is adopted as and shall constitute the comprehensive development plan of the City of La Vista. Three copies of the adopted plan and any amendments thereto shall be kept with enacting or amending ordinances on file with the City Clerk and available for inspection by any member of the public during office hours.

**§ 151.02 ADOPTION OF OFFICIAL LA VISTA COMPREHENSIVE PLAN UPDATE.** The City of La Vista Comprehensive Plan, Updated December 2018, as amended September 17, 2019, received and recommended by the La Vista Planning Commission, and including and incorporating therein, without limitation, the Redevelopment Plan for the 84th Street Redevelopment Area and Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area as Appendices D and E, respectively, and further including and incorporating therein, without limitation, all other Appendices, A, B, C, F, and G, as presented and on file with the City Clerk and as may from time to time be amended, is hereby adopted, and shall constitute the official governing comprehensive development plan of the City and the successor and replacement of the Comprehensive Plan 2007 or any other previously adopted comprehensive development plan."

Any redevelopment or other actions with respect to proposed Lot 3, La Vista City Centre Replat 4, in accordance with revisions to the City of La Vista Comprehensive Plan, Updated December 2018, as amended September 17, 2019, shall be 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.

SECTION 2. Recitals. Recitals at the beginning of this Ordinance and all documents, exhibits and appendices referenced in this Ordinance are incorporated into this Ordinance by such reference as if fully set forth herein.

SECTION 3. Repeal. Sections 1 and 2 of Ordinance No. 1342 codified in Municipal Code Sections 151.01 and 151.02, and all other ordinances and any parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof are hereby repealed.

SECTION 4. Severability Clause. 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 thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in book or pamphlet form or otherwise in accordance with applicable law.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA,

\_\_\_\_\_  
Douglas Kindig, Mayor

Attest:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: CPA 19-0001

FOR HEARING OF: September 17, 2019  
Report Prepared on: August 29, 2019

I. **GENERAL INFORMATION**

A. **APPLICANT:**

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

B. **PROPERTY OWNERS:**

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:** Portion of Tax Lot 12 14-14-12 (Proposed to be platted as portion of Lot 3 of La Vista City Centre Replat 4).

E. **REQUESTED ACTION(S):** Comprehensive Plan Amendment (Future Land Use Map) for portions of proposed Lot 3 La Vista City Centre Replat 4 from Parks and Recreation to Mixed-Use.

F. **EXISTING ZONING AND LAND USE:**  
R-1, Single-Family Residential; open recreation space. (proposed to be rezoned to entirely MU-CC, Mixed Use City Centre District).

G. **PURPOSE OF REQUEST:**  
1. Comprehensive Plan Amendment (Future Land Use Map) to modify the future land use of the area depicted in the request from Parks and Recreation to Mixed-Use for the purpose of redevelopment.

H. **SIZE OF SITE:** 3.22 Acres

## II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** The land has a significantly increasing downward slope to the north.
- B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:**
1. **North:** La Vista Civic Center 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 Civic Center 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.
  3. **South:** La Vista City Centre; MU-CC, Mixed Use City Centre District; Mixed Use development.
  4. **West:** La Vista Civic Center 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.
- C. RELEVANT CASE HISTORY:**
1. The final plat for La Vista City Centre was originally approved by City Council on July 19, 2016.
  2. On March 19, 2019 City Council adopted a full update to the La Vista Comprehensive Plan. This update designated the La Vista City Centre development as "Mixed-Use" and the area north of it as "Parks and Recreation" within the Future Land Use Map.
  3. On August 20, 2019 City Council approved of the Preliminary Plat for La Vista City Centre Replat 4.
- D. APPLICABLE REGULATIONS:**
1. Chapter 3 of the La Vista Comprehensive Plan – Future Land Use Map
  2. Section 5.06 of the Zoning Regulations – R-1 Single-Family Residential
  3. Section 5.19 of the Zoning Regulations – MU-CC Mixed Use City Centre District

## III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates areas north of the existing La Vista City Centre plat area 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 84<sup>th</sup> Street* as a possible locatin 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 *84<sup>th</sup> Street Redevelopment Plan* to add the northern portion of the La Vista City Centre Replat 4 plat to the specific redevelopment area is anticipated.

**C. TRAFFIC AND ACCESS:**

1. The approved La Vista City Center Replat 4 Preliminary Plat includes the dedication of additional right-of-way along City Centre Drive. This allows for right-of-way access to the two lots included in this request.
2. The access point at 84<sup>th</sup> 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 84<sup>th</sup> Street and Giles Road through the internal road system. The development plan also proposes the connection of City Center Drive to 84<sup>th</sup> 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 15 per year) and the larger indoor events (estimated at 130 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 84<sup>th</sup> 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 3, La Vista City Centre Replat 4 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 to the MU-CC, Mixed Use-City Centre zoning district. A conditional use permit will then need to be approved by City Council to allow for the use.

To complete the rezoning, this Comprehensive Plan amendment will be necessary to re-designate the areas that are north of the original La Vista City Centre plat area, specifically portions of Lot 3, La Vista City Centre Replat 4, from Parks and Recreation to Mixed Use prior to City Council review of the rezoning request.

**V. STAFF RECOMMENDATION – Comprehensive Plan Amendment:**

Staff recommends approval of Comprehensive Plan Amendment, 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.

**VI. PLANNING COMMISSION RECOMMENDATION:**

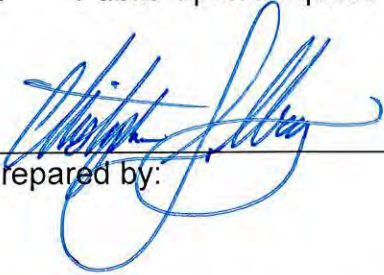
The Planning Commission held a public hearing on August 15, 2019 and unanimously voted to recommend approval of the proposed Comprehensive Plan Amendment, subject to satisfaction of all applicable requirements, including, without limitation, notice, hearing, and approval of an amendment to the Redevelopment 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. Revised Future Land Use Map

**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: \_\_\_\_\_

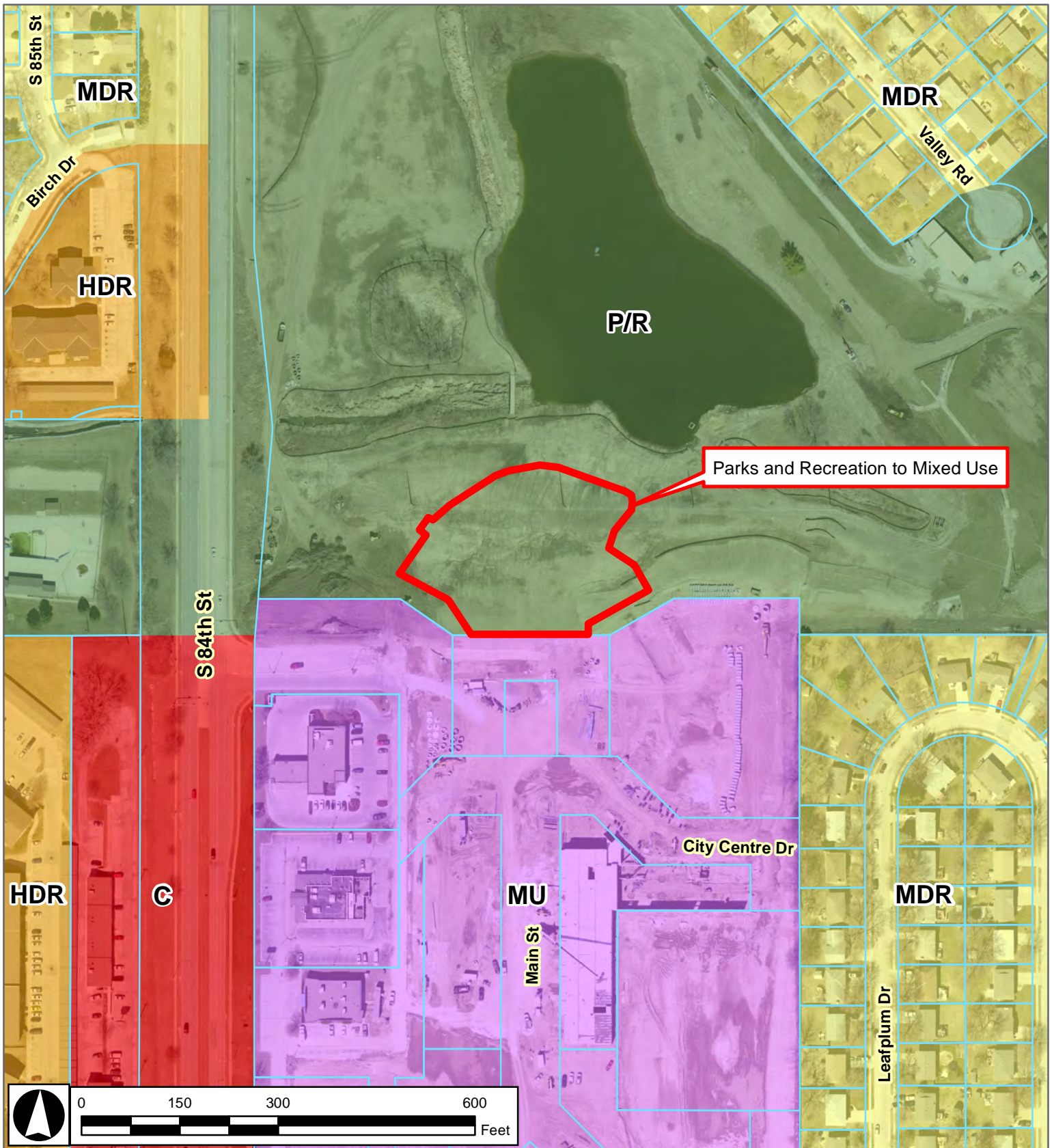
  
\_\_\_\_\_

\_\_\_\_\_  
Community Development Director

\_\_\_\_\_  
Date

I:\Community Development\Planning Department\City Council\Staff Reports\2019\CPA 19-0001 - La Vista City Centre Theater.docx





**Project Vicinity Map**



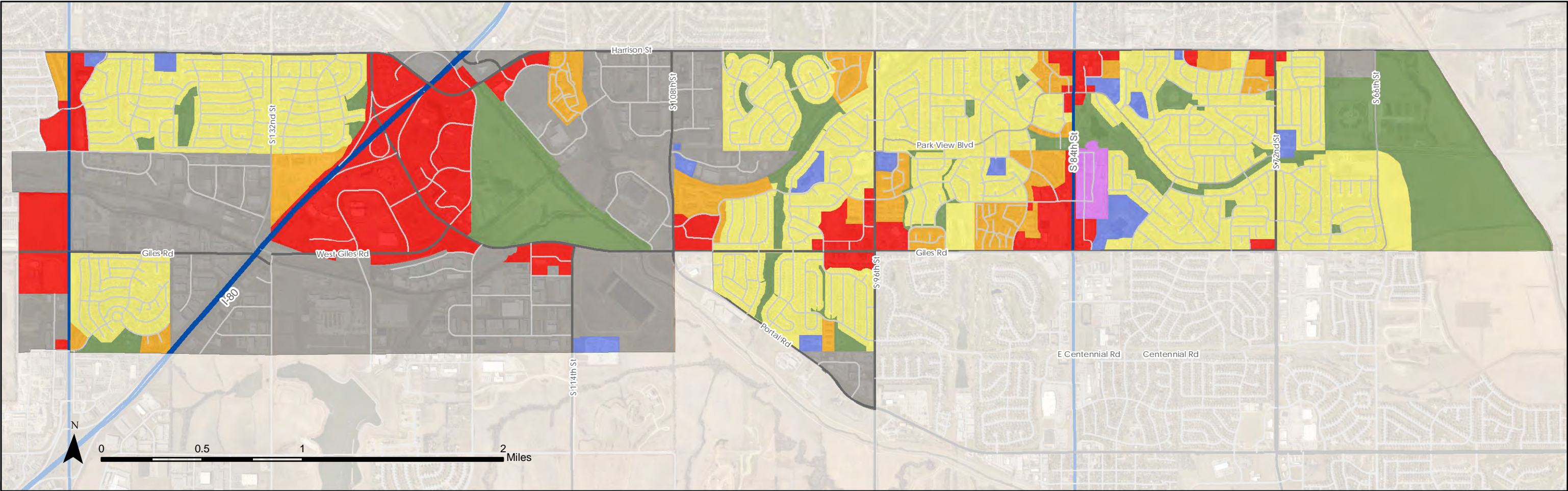
## La Vista City Centre Replat 4 FLU Map Amendment

7/9/2019  
CAS





# Future Land Use Map



## LEGEND

- |                            |                      |
|----------------------------|----------------------|
| Medium Density Residential | Industrial           |
| High Density Residential   | Public               |
| Mixed-Use                  | Parks and Recreation |
| Commercial                 |                      |

Amended: 9/17/2019

THIS MAP WAS PREPARED USING INFORMATION FROM RECORD DRAWINGS SUPPLIED BY APPLICABLE CITY, COUNTY, STATE, FEDERAL, OR PUBLIC OR PRIVATE ENDITIES. THE ACCURACY OF THIS MAP CAN NOT BE GUARANTEED. THIS IS NOT A SCALED PLAT.

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
QUAKES SOFTBALL – CUP WEST BUILDING, LOT 15 BROOK VALLEY II BUSINESS PARK (CENTENNIAL RD & S 117 <sup>TH</sup> ST)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSISTANT PLANNER

**SYNOPSIS**

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit to allow for an Indoor Recreational Facility on Lot 15, Brook Valley II Business Park, generally located northwest of the intersection of Centennial Road and S 117<sup>th</sup> Street.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider an application for a Conditional Use Permit submitted by Quakes Softball, Inc. to allow for an Indoor Recreational Facility/practice space for their softball teams in the west building on Lot 15, Brook Valley II Business Park. The property is zoned I-2 Heavy Industrial; an Indoor Recreational Facility is listed in the I-2 District as a conditional use. The building for the proposed use is currently vacant.

A detailed staff report is attached.

The Planning Commission held a public hearing on August 15, 2019 and voted unanimously to recommend approval of the Conditional Use Permit, as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR QUAKE'S SOFTBALL, INC., TO OPERATE AN INDOOR RECREATIONAL FACILITY ON LOT 15, BROOK VALLEY II BUSINESS PARK.

WHEREAS, Quakes Softball, Inc. has applied for approval of a Conditional Use Permit for an Indoor Recreational Facility on Lot 15, Brook Valley II Business Park, located northwest of Centennial Road and South 117<sup>th</sup> Street; and

WHEREAS, the Planning Commission held a public hearing on August 15, 2019, and has recommended approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the Conditional Use Permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Quakes Softball, Inc., to allow for an Indoor Recreational Facility on Lot 15, Brook Valley II Business Park.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Bueth, CMC  
City Clerk





CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PCUP 19-0002

FOR HEARING OF: September 17, 2019  
Report Prepared on: August 16, 2019

I. **GENERAL INFORMATION**

A. **APPLICANT:**

Quakes Softball, Inc.  
911 South 20<sup>th</sup> Street  
Omaha, NE 69108

B. **PROPERTY OWNERS:**

LAF, L.P.  
1117 NW 50<sup>th</sup> Street  
Oklahoma City, OK 73118

C. **LOCATION:** Northwest corner of the intersection of Centennial Road & S 117<sup>th</sup> Street. The building address is: 8820 S 117<sup>th</sup> Street.

D. **LEGAL DESCRIPTION:** Lot 15 Brook Valley II Business Park.

E. **REQUESTED ACTION(S):** Conditional Use Permit to allow for an indoor recreational facility in the West building on Lot 15 Brook Valley II Business Park.

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

I-2 Heavy Industrial; The building is currently vacant.

G. **PURPOSE OF REQUEST:**

1. To allow for an indoor softball practice facility (indoor recreation facility) for the Quakes Softball Team.

H. **SIZE OF SITE:** 2.67 Acres

II. **BACKGROUND INFORMATION**

A. **EXISTING CONDITION OF SITE:** The lot has a gradual downward slope to the south. The 21,000 square foot building in question that would be occupied by Quakes Softball, Inc., is currently vacant. However, it sits directly west of a 27,600 square foot building on the same lot that is occupied by Goodin Company, a plumbing and HVAC supplier.

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

1. **North:** Brook Valley II Business Park Lot 14B, Republic National Distributing Company; I-2 Heavy Industrial.

2. **East:** Brook Valley II Business Park Lot 16A, multi-tenant industrial building; I-2 Heavy Industrial.
3. **South:** Brook Valley II Business Park Lot 20, vacant lot, and Lot 19, multi-tenant industrial building; I-2 Heavy Industrial.
4. **West:** Brook Valley II Business Park Lot 22, Ford Storage Warehouse; I-2 Heavy Industrial.

**C. RELEVANT CASE HISTORY:**  
N/A.

**D. APPLICABLE REGULATIONS:**  
1. Zoning Ordinance Section 5.14 – I-2 Heavy Industrial.  
2. Zoning Ordinance Article 6 – Conditional Use Permits.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan currently designates this property for industrial uses.

**B. OTHER PLANS:** N/A.

**C. TRAFFIC AND ACCESS:**  
1. Access will be from egress/ingress points along S 117<sup>th</sup> Street and Centennial Road. There are two access points to the lot from each street.  
2. Based on the traffic-impacting details provided in the Operating Statement, the City Engineer finds that a traffic impact study will not be required.

**D. UTILITIES:**  
1. All utilities are available to the site.

**E. PARKING REQUIREMENTS:**  
1. The applicant has indicated that the maximum number of building occupants during peak time shall be between 85-95 persons. Quakes will have 24 dedicated parking stalls with the ability to use additional stalls currently dedicated to Goodin Company, the neighboring tenant. Written permission has been obtained from Goodin for Quakes to use some of their parking stalls, as Quakes will generally be utilizing the facility outside of Goodin's regular operating hours, which are between 6:30am and 5:00pm on weekdays. As proposed in the site plan, the lot will have a total of 53 striped stalls with an additional area for overflow parking that is not striped. As proposed, there is enough parking to accommodate the users as outlined in the Operating Statement. However, if or when it occurs, if the provided off-street parking is no longer sufficient, Quakes will be required to provide additional parking spaces.

2. No on-street parking will be allowed on S 117<sup>th</sup> Street or Centennial Road.

**IV. REVIEW COMMENTS:**

1. Approval must be obtained from the Papillion Fire Marshal and Chief Building Official prior to building occupation.
2. Routine CUP inspections will occur to verify that the provided amount of off-street parking is sufficient and to ensure there is no on-street parking in relation to this use.
3. Since Quakes will be primarily using this facility during typical non-work hours (evenings and weekends), the impact of this use on surrounding businesses is expected to be minimal.

**V. STAFF RECOMMENDATION – Conditional Use Permit**

Staff recommends approval of the Conditional Use Permit as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

**VI. PLANNING COMMISSION RECOMMENDATION – CUP**

The Planning Commission held a public hearing on August 15, 2019 and voted unanimously to recommend approval of the Conditional Use Permit as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

**VII. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Draft CUP
3. Statement of Operation
4. Site Plan

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

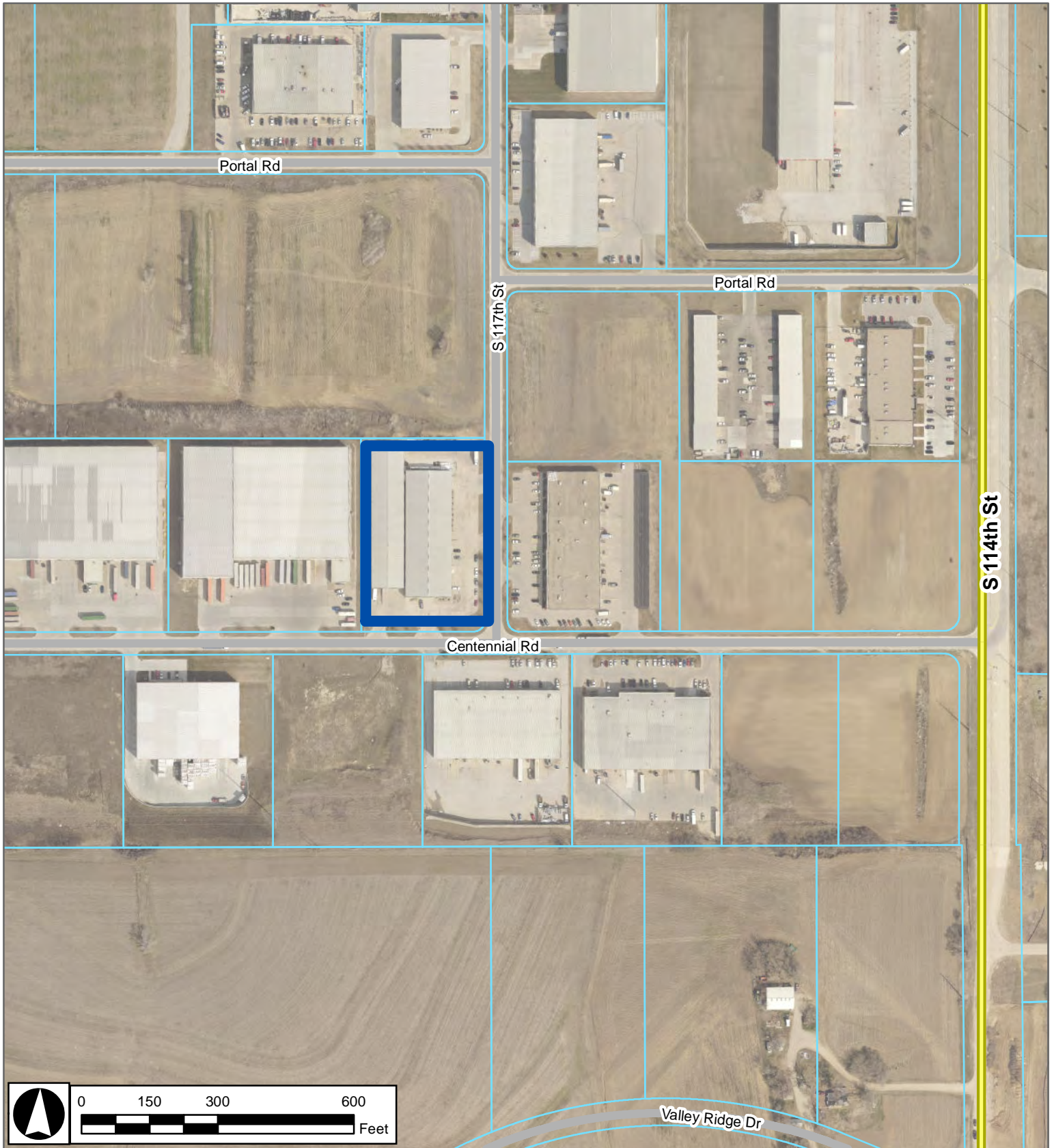
1. Ruby Khaleel, Hennessy & Roach P.C., on behalf of Quakes Softball, Inc.
2. Public Upon Request.

 9/6/19

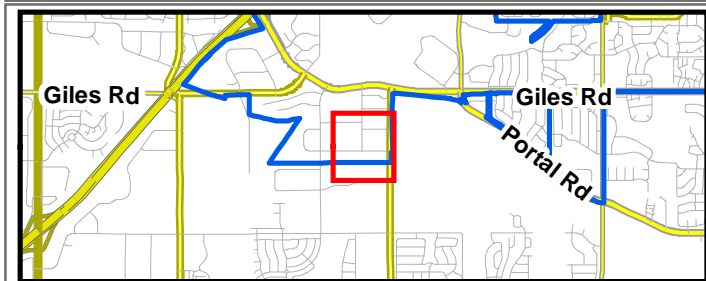
Prepared by: Assistant Planner

 9/6/19  
Senior Planner Date





**Project Vicinity Map**



**Quakes Softball, Inc. CUP**  
**Lot 15 Brook Valley II Business Park**

08/01/2019  
 CB



# **City of La Vista Conditional Use Permit**

## **Conditional Use Permit for Indoor Recreational Facility**

This Conditional Use Permit issued this \_\_\_\_ day of \_\_\_\_\_, 2019, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to Quakes Softball, Inc., (“Owner”), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate an indoor recreational facility upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lot 15, Brook Valley Business Park II, located in the NW ¼ Section 20, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska, located at 8820 S. 117<sup>th</sup> Street (West building).

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a indoor recreational facility; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the Owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the Owner to use the area designated on Exhibit “B” hereto for an indoor recreational facility, said use hereinafter being referred to as “Permitted Use” or “Use”.

### **Conditions of Permit**

The conditions to which the granting of this permit is subject are:

1. Breach of any terms hereof shall cause permit to automatically expire and terminate without any further action required of the City.
2. In respect to the Permitted Use:
  - a. The use shall be limited to the type of operation as described in the Owner’s Operational Statement (Exhibit “A”) and in the City staff report presented with the Council agenda item to consider this permit. Any proposed change in the Permitted Use or operational characteristics including, but not limited to, the hours of operation or additional or different activities or intensity of activities on the property, shall require such reviews, amendments to the Conditional Use Permit, and approvals as the Planning Department in its sole discretion determines necessary or appropriate.
  - b. A site plan showing the property boundaries of the tract of land and easements, proposed structures, parking, access points, and drives shall be provided to the City, subject to approval of the Planning Department or City Engineer, and attached to the permit as “Exhibit B”.
  - c. Hours of operation for said indoor recreational facility will be Monday through Friday from 5:00 p.m. – 10:00 p.m.; Saturday from 8:00 a.m. to 1:00 p.m., and Sunday from 8:00 a.m. – 10:00 p.m.
  - d. The organization has no employees, but there may be approximately 8-10 coaches on site for the Permitted Use at peak time supervising. The maximum number of occupants allowed in the space will be 100.
  - e. Off-street parking shall be provided for the Permitted Use and the number of parking spaces shall be



- adequate to accommodate the patrons and guests of the Permitted Use without negatively impacting or limiting the number of parking spaces for other existing or future tenants or surrounding businesses, or negatively impacting traffic or traffic flows on, in or around the Property or streets. The provided off-street parking shall be consistent with the site plan attached as "Exhibit B," which parking Owner has represented to City is in accordance with City requirements and sufficient for the Permitted Use. Additional off-street parking on the property will be required if deemed necessary by the Planning Department, and the Owner at its cost shall be solely responsible for obtaining use of or constructing any such additional off-street parking. The requirements, location and other specifications of any additional off-street parking shall be subject to Planning Department or City Engineer approval. On street parking on South 117<sup>th</sup> Street, Centennial Road, or otherwise in connection with the Permitted Use shall be prohibited.
- f. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the indoor recreational facility, except appropriately screened trash receptacles and those approved in writing by the City.
  - g. There shall not be any games, tournaments, or other events that draw a larger spectator crowd than typical training or camp activities or that would result in the maximum number of occupants in subsection 2d above being exceeded.
  - h. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA.
  - i. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local laws, rules, or regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
  - j. Owner hereby indemnifies the City and all officials, officers, employees, and agents of the City ("Indemnified Parties") against, and holds the Indemnified Parties harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the Owner, or Owner's agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.
3. The Owner's right to maintain the use as approved pursuant to these provisions shall be based on the following:
    - a. An annual inspection to determine compliance with the conditions of approval; or more frequent inspection upon any complaint to the City. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval or this permit.
    - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the Owner has fully complied with the terms of approval.
    - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at Owner's expense within twelve (12) months of cessation of the conditional use.
  4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
    - a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
    - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
    - c. Owner's breach of any other terms hereof.
  5. In the event of the Owner's failure to promptly remove any safety or environmental hazard from the

premises, or the expiration or termination of this permit and the Owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the Owner or any third party to exercise said option) cause the same to be removed at Owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the Owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.

6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

### **Miscellaneous**

The conditions and terms of this permit shall be binding upon Owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of Owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the Owner as follows:

**Contact Name and Address:** Quakes Softball, Inc  
c/o Ruby Khaleel  
Hennessy & Roach P.C.  
14301 FNB Parkway, STE 313  
Omaha, NE 68154  
(402) 933-8851

4. The City staff report presented with the Council agenda item to consider this permit, and all recitals and Exhibits of this permit, shall be incorporated into this permit by reference.

**Effective Date:**

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By \_\_\_\_\_  
Douglas Kindig, Mayor

Attest:

\_\_\_\_\_  
Pamela A. Buethe  
City Clerk

**CONSENT AND AGREEMENT**

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: \_\_\_\_\_

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

Date: \_\_\_\_\_

## ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Bueth, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

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Notary Public

## ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared [\_\_\_\_], personally known by me to be the Manager of Quakes Softball, Inc., and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

Notary Public

## Nebraska Quakes Softball Operating Statement

The Nebraska Quakes is a non-profit organization dedicated to developing highly competitive girls fastpitch teams. As players grow to become excellent athletes, the teams also strive to teach important life lessons through softball that will help them become solid citizens and future leaders.

The Quakes will be successful in fulfilling its mission by:

- Recognizing that this experience for our 300+ girls women's softball players assists in offering the tools of the sport and the competitive opportunities to nurture and create a greater sense of confidence in themselves and a pathway for success in their lives.
- Providing players with a well-rounded experience where they can develop their athletic skills but also learn real-life skills of discipline, dedication, sportsmanship, leadership, confidence and teamwork while also having fun and making lifelong friendships
- Emphasizing the importance of respect for teammates, opponents, coaches and officials and appreciation for parents and supporters as well as being great role models for younger players
- Teaching the fundamentals of fastpitch softball and developing outstanding softball skills in a positive, safe and rewarding environment
- Being a financially sound organization and providing quality practice facilities that demonstrate our pride and commitment to players
- Preparing our players to excel at the high school level and assisting players and families in the collegiate recruitment process
- Supporting our Prime teams that represent the Nebraska Quakes throughout the Midwest and at a national level
- Off the field, we strive to be outstanding community citizens as we represent the Nebraska Quakes organization

### The Quakes Organization

Nebraska Quakes Softball organization now in its 25<sup>th</sup> year is planning to construct an indoor recreational facility consisting of approximately 21,000 square feet. Various softball related activities for youth will be conducted at the new facility, including the following: individual lessons, individual tunnel reservation and team practices. The Nebraska Quakes currently are housed at 9816 F Street in Omaha and operate in 11,000 square feet. The expansion is to accommodate more individual training via instructor lead lessons or organizational members walk-ins who voluntary train in the 15 tunnels available to them.

The facility's main hours of operation will be from 5:00pm to 10:00pm Monday through Friday and 8:00am to 1:00pm on Saturday and 8:00 a.m. to 10:00 p.m. on Sunday.

### Activities

The maximum number of organization players and coaches in the facility at any one period of time as follows:

- **Private Lessons:** 1-2 students per coach (approx. 2 or 3 instructors at one specific time); occurring throughout the year.
- **Individual Walk-in Use:** 5 players are able to schedule usage of the available tunnels for individual use during the months of January-March. Beginning in April after the team practices move outdoors to Quakes' other facility, up to 15 players are able to utilize the tunnels available at any one time period via our online scheduling program.
- **Club Team Practices:** 3 teams of 11-12 players will practice in the evenings, generally between January and March (cold weather months) and then the teams move outdoors to various fields across the city. Team practices officially begin on January 1 of each year. The season ends in mid-July. From Mid-July to December the facility is low volume other than lessons and walk-in tunnel usage.

### **Age Groups**

7 through 10 years old – 6 teams  
11 through 12 years old – 6 teams  
13 through 14 years old – 5 teams  
15 through 16 years old – 6 teams  
17 through 18 years old – 6 teams

Please note that each team has a roster of 12 individuals plus up to 3 coaches.

### **Maximum occupancy of 95 is calculated as follows:**

- Waiting area = 30 players
- 3 teams practicing – 15 per team = 45
- Walk-in and private instruction = 5
- Parent drop-off and temporary wait = 10-15

PRELIMINARY - NOT FOR CONSTRUCTION

**RDg...**  
PLANNING • DESIGN

**MECH/ ELEC/ PLUMB**  
RDG Planning & Design  
301 Grand Avenue  
Des Moines, Iowa 50309  
515-288-3141  
515-288-8631

00.007



SCALE: 1" = 30'

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SETTING THE PROPERTY TAX LEVY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CINDY MISEREZ FINANCE DIRECTOR

**SYNOPSIS**

A resolution has been prepared to establish the property tax request for FY20 in accordance with the forms provided by the State Auditor.

**FISCAL IMPACT**

The proposed tax levy would be \$0.55 cents per \$100 of valuation. Specifically:

General Fund — \$0.49  
Bond Fund — \$0.06

**RECOMMENDATION**

Approval.

**BACKGROUND**

At the City Council meeting on September 3, 2019 the required public hearing was held regarding the property tax request, and Resolution No. 19-119 was approved.

During the recent 2019 legislative session, the Legislature amended statutes related to setting property tax requests. To provide guidance, the State Auditor has made available a form of resolution that jurisdictions may utilize in preparing their documents. As such, the City Attorney has recommended that in the interest of best practices, the State Auditor's form of resolution, as presented with this agenda item, be utilized in lieu of the City's initial format. *(There are no changes in the numbers that were approved).*



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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA  
ESTABLISHING THE PROPERTY TAX REQUEST FOR THE FISCAL YEAR 2019-2020.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the City of La Vista passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW THEREFORE, the Governing Body of the City of La Vista, resolves that:

1. The 2019 – 2020 property tax request be set at \$9,082,799.00.
2. The total assessed value of property differs from last year's total assessed value by 7%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.513513 per \$100 of assessed value.
4. The City of La Vista proposes to adopt a property tax request that will cause its tax rate to be \$.55 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of La Vista will be less than last year's by 12%.
6. A copy of this resolution be certified and forwarded to the Sarpy County Clerk on or before October 13, 2019.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Mayor and City council of the City of La Vista Nebraska that the property tax to be distributed as follows:

**General Fund - \$8,091,948.00 (\$0.49 mill levy)**

**Bond Fund - \$990,851.00 (\$0.06 mill levy); and**

A copy of this resolution and other required documents be certified and forwarded to the County Clerk and filed with the Auditor of Public Accounts in accordance with applicable law.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record below the record vote of the Governing Body in passing this Resolution, which record vote shall be incorporated into this Resolution by reference.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

K:\APPS\City Hall\19 FINAL RESOLUTIONS\19.  
FY20 Tax Levy 09.17.19.doc

19-	Motion	Second	Aye	Nay	Abstain	Absent
Kindig						
Frederick						
Hale						
Quick						
Crawford						
Thomas						
Sheehan						
Ronan						
Sell						

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
FISCAL YEAR 20 RESTRICTED FUNDS BASE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CINDY MISEREZ FINANCE DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled to consider a resolution to increase the FY20 budget restricted funds base by an additional one percent as allowed by the provisions of State Statute Section 13-519(2) upon the affirmative vote of at least seventy-five percent of the governing body.

**FISCAL IMPACT**

Approval of the additional one (1.0%) percent increase in the restricted funds base equates to \$122,390. Although it may never be utilized or needed, the annual increase of the one percent builds the authority for unforeseen events in the future.

**RECOMMENDATION**

Approval.

**BACKGROUND**

In 1998, in accordance with State Statute Section 13-519, a restricted funds base was established for the City of La Vista acting as a limit to taxing authority. A 2.5% growth factor is added to the base each year and allowable growth per the assessor exceeding 2.5% annually is added to the base in the first year of each biennial budget for the current and prior budget years.

For municipalities, restricted funds in the budget include property tax, sales tax, payments in lieu of property tax, motor vehicle tax, and all types of state aid including highway allocations, motor vehicle fees and municipal equalization aid. The budgeted restricted funds less lid exceptions for interlocal agreements, debt service payments and capital construction must be less than the restricted funds base for that budget year. Budgeted restricted funds must be reduced if the restricted funds base is exceeded.

For the City of La Vista, with the 2.5% growth and the additional one percent, the restricted fund base would be \$13,148,758. The FY20 budgeted restricted funds is \$21,342,027. After lid exceptions of \$11,219,525 for capital improvements, debt service and interlocal agreements, the total budgeted restricted funds for lid computation is \$10,122,502. Comparing this amount to the restricted funds base, the unused restricted funds for the FY20 budget are \$3,026,256. The base balance carries over to the subsequent fiscal year and growth factors are applied.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE 2019-20 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the 2019-20 municipal budget on September 3, 2019; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the 2019-20 municipal budget is allowed following the approval of at least 75% of the governing body.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the 2019-20 municipal budget by an additional one percent.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**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 A CLASS I LIQUOR LICENSE FOR INFINITE LOOP VR LLC DBA INFINITE LOOP VR IN LA VISTA, NEBRASKA.

WHEREAS, Infinite Loop VR LLC dba Infinite Loop VR, 9825 Giles Road, Suite C, D, E and F, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I 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 a Class I Liquor License submitted by Infinite Loop VR LLC dba Infinite Loop VR, 9825 Giles Road, Suite C, D, E and F, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



<b>LA VISTA POLICE DEPARTMENT INTER-DEPARTMENT MEMO</b>
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**TO:** Pam Buethe, City Clerk

**FROM:** Chief Robert S. Lausten

**DATE:** August 28, 2019

**RE:** LOCAL BACKGROUND- LIQUOR LICENSE- MANAGER  
INFINITE LOOP VR

**CC:**

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The police department conducted a check of computerized records for criminal conduct regarding the applicants for the Liquor License and Manager application. Co-applicant, Jeremiah Maddock, has a traffic record in Sarpy County. He also lists traffic and a DUI from 1999-2003 in the Liquor License application. Co-applicant Denise Maddock has no record in Sarpy County nor listed in the application.

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

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

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

**RECEIVED**

AUG 14 2019

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK DESIRED CLASS**

**RETAIL LICENSE(S)**

Application Fee \$400 (nonrefundable)

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

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

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

Class C license term runs from November 1 - October 31  
All other licenses run from May 1 - April 30  
Catering license (K) expires same as underlying retail license

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

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

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)**  
Commission will call this person with any questions we may have on this application

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

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

FORM 100  
2011 1000 0010



Trade Name (doing business as) Infinite Loop VR, LLC

Street Address #1 9825 Giles Rd

Street Address #2 Suite C

City La Vista County Nebraska Zip Code 68128

Premises Telephone number 531-365-2287

Business e-mail address info @ infinite loop vr. com

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

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

Name Infinite Loop VR

Street Address #1 10079 Shannon Rd

Street Address #2     

City La Vista State NE Zip Code 68128

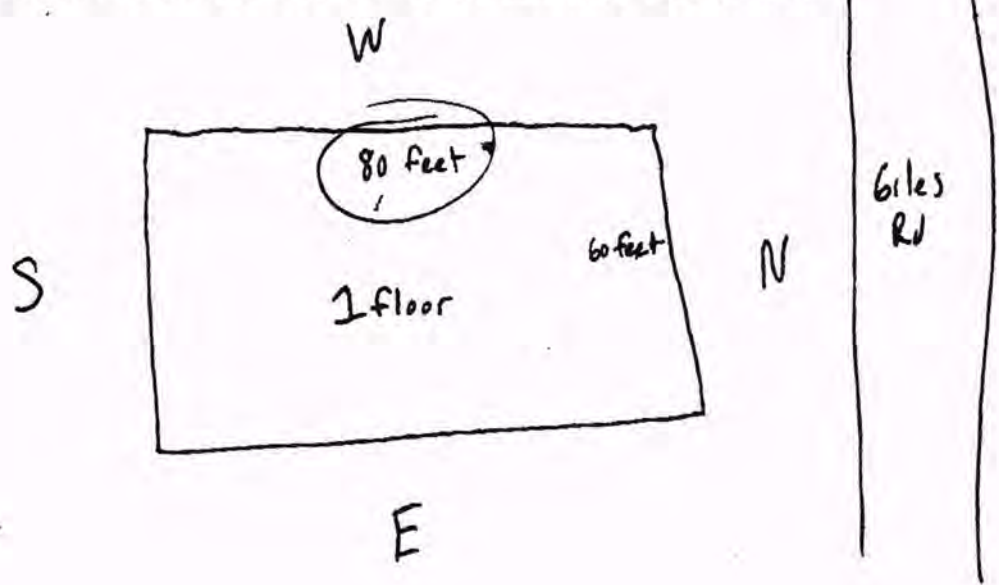
**STRUCTURE TO BE LICENSED**

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

Building: length 120 x width 60 in feet  
Is there a basement? Yes      No X If yes, length      x width      in feet  
Is there an outdoor area? Yes      No X If yes, length      x width      in feet

1 story

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





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

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

☒ YES ☐ NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Jeremiah Madlock	03/1999	Omaha NE	DUI - 1st offense	Convicted/guilty
Jeremiah Madlock	02/2000	Omaha, NE	No Valid Registration	guilty
Jeremiah Madlock	05/2000	Omaha, NE	City Reg. of Vehicle	guilty
Jeremiah Madlock	08/2000	Omaha NE	MIP	guilty
Jeremiah Madlock	03/2003	Omaha NE	No Valid Registration	guilty
Jeremiah Madlock	03/2003	Omaha NE	Speeding	guilty
Jeremiah Madlock	02/2015	La Vista NE	speeding	guilty

2. Are you buying the business of a current retail liquor license?

☐ YES ☒ NO

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

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

3. Was this premise licensed as liquor licensed business within the last two (2) years?

☐ YES ☒ NO

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

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

☐ YES ☒ NO

If yes:

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



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

☒ YES ☐ NO

If yes, list the lender(s) Duane Stoeklin

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

☐ YES ☒ NO

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

No silent partners

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

☐ YES ☒ NO

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

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

☐ YES ☒ NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177K1)

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

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

☐ YES ☒ NO

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

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

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

Wells Fargo a. Jeremiah Mallock

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



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

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

NLCC certified training program completed:

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

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business

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

☒ Lease: expiration date Sept 2024  
☐ Deed  
☐ Purchase Agreement

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

15. What will be the main nature of business? Virtual Reality Arcade

16. What are the anticipated hours of operation? Weekdays 2:00 - 10:00 pm Weekends 10:00 am - 11 pm

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

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLY					
APPLICANT: CITY & STATE	YEAR FROM	YEAR TO	SPOUSE: CITY & STATE	YEAR FROM	YEAR TO
La Vista NE	2008	2019	La Vista NE	2008	2019

If necessary attach a separate sheet.



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

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

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

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

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

Jeremiah Maddock  
\_\_\_\_\_  
Print Name

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

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

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

Denise C. Maddock  
\_\_\_\_\_  
Print Name

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

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

#### ACKNOWLEDGEMENT

State of Nebraska

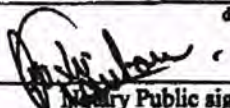
County of Saspy

08-23-2019

date

The foregoing instrument was acknowledged before me this

by Denise C. Maddock and Jeremiah Maddock  
name of person(s) acknowledged (individual(s) signing)

  
\_\_\_\_\_  
Notary Public signature



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

FORM 100  
REV FEB 2017  
PAGE 8



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

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 99046  
LINCOLN, NE 68509-9046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

OTHER USE

RECEIVED

AUG 14 2019

NEBRASKA LIQUOR  
CONTROL COMMISSION

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

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

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

Name of Registered Agent: Jeremiah Mallock

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

Infinite Loop VR LLC

LLC Address: 10079 Shannon Rd

City: La Vista State: NE Zip Code: 68128

LLC Phone Number: 402-669-6384 LLC Fax Number: \_\_\_\_\_

Name of Managing/Contact Member

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

Last Name: Mallock First Name: Jeremiah MI: S

Home Address: 10079 Shannon Rd City: La Vista

State: NE Zip Code: 68128 Home Phone Number: \_\_\_\_\_

[Signature]  
Signature of Managing/Contact Member

ACKNOWLEDGEMENT

State of Nebraska

County of Sarpy

08/26/2019

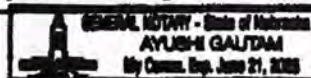
Date

The foregoing instrument was acknowledged before me this

by Jeremiah Mallock

name of person acknowledge

Affix Seal



LIST NAMES OF ALL MEMBERS AND THEIR SPOUSES (even if a spouse's address has been submitted)

Last Name: Maddock First Name: Jeremiah MI: J  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): Denise C Maddock  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership ~~100%~~ 50%

---

Last Name: Maddock First Name: Denise MI: C  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): Jeremiah Maddock  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership 50%

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_



LIST MEMBERS OF THE FUNDATION AND THEIR SPOUSES (IF THE IS A SPOUSE, INDICATE THE DATE OF MARRIAGE)

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

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

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

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

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

---

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

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

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

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

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

---

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

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

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

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

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

---

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

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

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

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

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

---

is the applying Limited Liability Company controlled by another corporation/company:

☐ YES

☒ NO

If yes, provide the following:

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

---

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

Starting Date: January Ending Date: December

---

Is this a Non Profit Corporation?

☐ YES

☒ NO

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

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



**MANAGER APPLICATION  
INSERT - FORM 3c**

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

Office Use

**RECEIVED**

AUG 14 2019

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**MUST BE:**

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

**Corporation/LLC information**

Name of Corporation/LLC: Infinite Loop VR, LLC

**Premise information**

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

Premise Trade Name/DBA: Infinite Loop VR, LLC

Premise Street Address: 9825 61st Rd

City: La Vista County: Sarpy Zip Code: 68128

Premise Phone Number: 402-669-6384

Premise Email address: info@infiniteloopvr.com

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

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

(Faxed signatures are acceptable)



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

Last Name: Madlock First Name: Jeremiah MI: \_\_\_\_\_

Home Address: 10079 Shannon Rd

City: La Vista County: Surry Zip Code: 68128

Home Phone Number: \_\_\_\_\_

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

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

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

Email address: info@infiniteleepvc.com

**Are you currently employed by any other business? (Even if a spouse or partner has been employed)**

☒ YES

☐ NO

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

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

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

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

**RECENT EMPLOYMENT HISTORY (FOR THE PAST FIVE YEARS)**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
La Vista NE	2009	current			

# MANAGEMENT TWO EMPLOYED

YEAR FROM TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2002 2017	First Data	Dana K. Hinger	402-681-3776
2000 2001	Chili's	Tim	402-333-6363

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

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

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

☒ YES ☐ NO

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

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

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

☐ YES ☒ NO

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

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

☒ YES ☐ NO



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

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

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

\*For list of NLCC Certified Training Programs see training

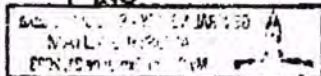
Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed form 147 regarding fingerprints?

☒ YES

☐ NO

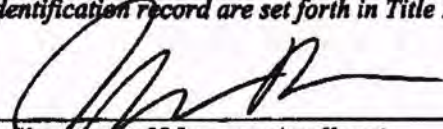


The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true.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

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

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

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

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

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

#### ACKNOWLEDGEMENT

State of Nebraska

County of Box Butte

The foregoing instrument was acknowledged before me this

08-23-2019

date

by Denise C Maddock and Jeremiah J Maddock

NAME OF PERSON BEING ACKNOWLEDGED



Notary Public signature

Affix Seal



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

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND MUNICIPAL CODE SECTIONS 111.18 AND 111.19 - FIREWORKS	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A public hearing has been scheduled and an ordinance prepared to Amend Municipal Code Sections 111.18 and 111.19 regarding rules for hours of selling and discharging fireworks in La Vista.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

N/A

**BACKGROUND**

During the June 18, 2019 City Council meeting, a discussion was held regarding the sale and discharge of fireworks and staff was subsequently directed to prepare an ordinance reducing the sale of fireworks from ten to seven days, the discharge from ten to three days and changing the hours of discharge from 7:00 a.m. – 10:00 p.m. to 12:00 p.m. (noon) – 11:00 p.m.

The Council also requested that feedback from residents regarding the proposed changes be solicited through the newsletter, social media and a public hearing when the ordinance is presented to the City Council for consideration.

To obtain public feedback, an informal online poll was conducted. One hundred seventy-two (172) responses were received. Of the respondents, approximately 63% support the proposed changes or some type of change, approximately 33% oppose the proposed changes and 5% responded in a neutral capacity. *(Comments received from the poll are available upon request in the City Clerk's office).*



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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 111.18 AND 111.19; 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 111.18 of the La Vista Municipal Code is amended to read as follows:

**§ 111.18 SALE OF PERMISSIBLE FIREWORKS REGULATED.**

Persons holding a permit to sell permissible fireworks:

(A) May only sell the same beginning 12:01 a.m. June ~~25-28~~ and ending ~~midnight~~ at 11:00 p.m. on July 4 of the year for which the permit is issued. Within this period, permissible fireworks may be sold only between the hours of 8:00 a.m. and 11:00 p.m.

(B) Shall at no time sell within the city limits any fireworks or other pyrotechnics other than permissible fireworks.

(C) Shall during such times as fireworks are being sold have an adult in charge of his or her stand or retail outlet and shall display therein the required permit in a conspicuous manner and place.

(D) Shall at all times comply with all regulations passed by the City Council pertaining to the permissible size, location, equipping and operation of fireworks stands and retail outlets.

(E) Shall at no time sell any fireworks or other pyrotechnics to any person under 12 years of age.  
(‘79 Code, § 10-314) (Am. Ord. 792, passed 10-19-99) Penalty, see § 10.99

SECTION 2. Section 111.19 of the La Vista Municipal Code is amended to read as follows:

**§ 111.19 DISCHARGE OF PERMISSIBLE FIREWORKS REGULATED.**

(A) *Prohibition as to time of discharge.* Except as may be otherwise provided herein or authorized by special permit approved by the City Council, no person shall ignite or discharge any permissible fireworks except between the hours of ~~7:00 a.m. and 11:00 p.m.~~ 7:12:00 a.m. (noon) to 10:11:00 p.m. from ~~June 25~~ July 2 through ~~July 2-4~~ July 2-4 inclusive, ~~and between the hours of 7:00 a.m. and 11:00 p.m. from July 3 through July 4 inclusive of each year.~~

(B) *Dangerous environmental conditions.* In the event that in the determination of the Fire Chief, general weather or ground cover conditions are such as create an unacceptable risk of fire should there be discharge of fireworks, including permissible fireworks, within the city limits, then in such event the Fire Chief shall advise the City Administrator and Mayor of such determination and shall communicate a recommendation to them for any preventative action or measures the Fire Chief deems necessary, including what limitations should be placed upon the time period for discharge of fireworks or the extent to which the discharge of fireworks should be prohibited. The Mayor, with the advice of the Council President, the City Administrator, the Fire Chief, and the Chief of Police, or such of them as may be readily available, shall order such action, if any, the Mayor shall deem necessary or appropriate in the situation, including partial or total bans on discharge of fireworks on such dates and during such times as the Mayor may determine necessary or appropriate. Should the Mayor determine that prohibitive or preventative action is required, the Mayor shall issue a proclamation to that effect and shall advise the City Administrator, who shall advise the members of the City Council, the Fire Chief, the Chief of Police, and the media of the Mayor's proclamation and shall cause same to be conspicuously posted throughout the city. Discharge of fireworks in violation of such proclamation shall constitute a violation of this section and shall be punishable as such. As used herein, references to the Mayor and other officials shall, in the case of their absence or inability to act, include persons empowered to act in their stead.

(C) *Prohibition as to manner and place of discharge.* In no event shall any person ignite or discharge any fireworks, even though same be permissible fireworks:

- (1) In or from any motor vehicle;
- (2) On any street, highway, or sidewalk;
- (3) Near any person or group of persons;
- (4) In any building;
- (5) In any public park, except as may be authorized by special permit;
- (6) In any public building;
- (7) In any school or on any school grounds; and

(8) In any other manner or place that is likely to inflict or increase the risk of property damage or bodily harm to any person or persons or place any of them in danger of bodily harm.

(D) *Special permit for community fireworks show.*

(1) The City Clerk may authorize the issuance of special permits for fireworks displays to be conducted by or under the auspices of the city or by or under the auspices of a nonprofit organization, organized for purposes of service to or betterment of the city, its businesses, or residents, for the purpose of putting on an admission-free public fireworks display for the benefit of the residents of the city at such place, during such times and under such terms, conditions, and security measures as the City Clerk may prescribe for such display.

(2) The permit holder shall obtain the required approval of the State Fire Marshal. By way of specification and not of limitation, as a condition of any permit hereunder, the permit holder shall obtain and maintain in effect, for the maximum limitations and repose periods under any and all products liability or tort laws in the State of Nebraska, insurance for any and all liabilities arising out of or resulting from any permitted fireworks or fireworks display, written by an insurer authorized to do business in the state, in such amount and upon such other terms as satisfactory to the city in its sole discretion. The city shall be an additional named insured on each such policy provided.

('79 Code, § 10-315) (Ord. 75, passed - -; Am. Ord. 340, passed 6-21-83; Am. Ord. 571, passed 8-17-93 Am. Ord. 792, passed 10-19-99; Am. Ord. 813, passed 7-18-00; Am. Ord. 1062, passed 6-17-08) Penalty, see § 10.99

SECTION 3. 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 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 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 5. 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 17TH DAY OF SEPTEMBER 2019

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Bueth, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SURPLUS EQUIPMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

### SYNOPSIS

A resolution has been prepared to declare the listed equipment as surplus and authorizes the sale of said items:

<b>YEAR</b>	<b>MAKE</b>	<b>MODEL</b>	<b>SERIAL #</b>
1983	FORD	E350	IFDKE30L1EHA83738
1980	CHEVROLET	SCOTTSDALE 30	CKM34AJ123768
1997	DODGE	RAM VAN	2B7KB31ZXK532024
2009	ALLIANZ	MX450	1J9VM3H649C172195
1995	TARGETPRO	3511M26	218656
1993	FORD	L7000	1FDYR72C4RUA17503
1998	CHEVROLET	3500	1GCHK34R8WZ253014
1995	ENCO	36K-230	13630
2001	DODGE RAM	250	1B7KF23W51J591411
1993	JOHN DEERE	GATOR	W0006X4X003436
1996	FORD	CROWN VIC	2FALP71W3TX146439
1993	FORD	RANGER	1FTCR10U7PUD25646
2000	SPEED TRL	SCAT 1-D	129VC0516XD035588
2006	DODGE	CHARGER	2B3KA43H26H504196
2008	DODGE	CHARGER	2B3KA43H68H200047
2008	DODGE	MAGNUM	2D4GV47218H226329
2009	DODGE	CHARGER	2B3KA43T09H590200
2009	DODGE	CHARGER	2B3KA43T09H590201
1992	CUSHMAN	630	1CUNH3272NL000601
1998	TORO	3100	97110511

### FISCAL IMPACT

The revenue from the sale of said surplus equipment will be receipted into the General Fund. The FY 19/20 biennial budget did not anticipate this revenue.

### RECOMMENDATION

Approval

### BACKGROUND

All of the above mentioned equipment has been replaced with new equipment or is no longer utilized in daily operations. The surplus equipment will be sold via sealed bid process.



**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 20 pieces of equipment located at the Public Works Facility to be surplus; and

WHEREAS, the City Administrator and Director of Public Works recommend that the above-mentioned items be declared surplus and sold;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 20 pieces of equipment located at the Public Works Facility be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the General fund will receive the revenue from the sale.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 17, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE VENTRAC CONTOUR MOWING DECK	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of (1) one 2019 Ventrac contour mowing deck from Turfwerks, 13705 B St. Omaha, NE 68144, in an amount not to exceed \$6,761.75

**FISCAL IMPACT**

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

**RECOMMENDATION**

Approval

**BACKGROUND**

In the spring of 2018, the City purchased a Ventrac utility tractor that has the capability of utilizing multiple attachments. When we purchased that unit, it came with a 72" straight cut deck. With the opening of Civic Center Park this fall, there will be a need to dress up the park by striping the turf areas with a finish cut type of deck. This mower deck will fulfill that need.

The proposed vehicle will be purchased through Sourcewell formerly known as the National Joint Powers Alliance (NJPA), contract #062117 - VPI 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 VENTRAC CONTOUR MOWING DECK FROM TURFWERKS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$6,761.75.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Ventrac contour mowing deck 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 Ventrac contour mowing deck from Turfwerks, Omaha, Nebraska in an amount not to exceed \$6,761.75.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER, 2019.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk