

## LA VISTA CITY COUNCIL MEETING AGENDA

November 19, 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: Colin "Lucky" Ruppert – 10 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 November 5, 2019 City Council Meeting**
3. **Monthly Financial Report – September 2019**
4. **Request for Payment – Blade Masters Grounds Maint., Inc. – Construction Services – Civic Center Park Phase 2 – \$189,534.09**
5. **Request for Payment – City of Omaha – Sewer Connection Fees – \$66,712.80**
6. **Request for Payment – Hawkins Construction Company – Construction Services – Off-Street Parking District No. 2, Structure No. 1 – \$453,438.29**
7. **Request for Payment – HDR Engineering Inc. – Professional Services – Project Management for Public Improvements and Other Works – \$6,072.45**
8. **Request for Payment – Midwest Right of Way Services, Inc. – Professional Services – 120<sup>th</sup> & Giles Total Acquisition – \$196.96**
9. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking & LA Services – \$16,689.59**
10. **Resolution – Change Order No. 3 (Final) – 84<sup>th</sup> Street Pavement Rehabilitation**
11. **Request for Payment – Swain Construction – Construction Services – 84<sup>th</sup> Street Pavement Rehabilitation – \$108,800.35**
12. **Resolution – Election of Directors to the La Vista Metropolitan Community College Board of Directors**
13. **Resolution – Authorize – Year-End Certification – City Street Superintendent**
14. **Approval of Claims**

- **Reports from City Administrator and Department Heads**

**B. Amend Municipal Code Sections 111.18 and 111.19 - Fireworks**

1. **Ordinance – Amend Municipal Code Sections 111.18 and 111.19**
2. **Ordinance – Amend Master Fee Ordinance**

**C. Ordinance – Amending the Compensation Ordinance**

**D. Ordinance – Authorization of General Obligation Refunding Bonds to Refund Outstanding General Obligation Bonds**

**E. Resolution – Purchase of Un-Marked Police Vehicle**

**F. Resolution – Purchase of Marked Police Vehicles**

- **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 three minutes. We ask for your cooperation in order to provide for an organized meeting.



**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

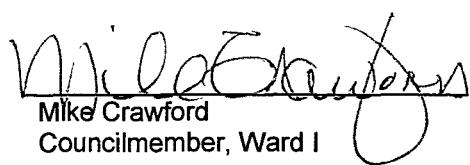
A CERTIFICATE OF APPRECIATION PRESENTED TO **COLIN "LUCKY" RUPPERT** OF THE LA VISTA POLICE DEPARTMENT, FOR 10 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Colin Ruppert** has served the City of La Vista since October 28, 2009; and

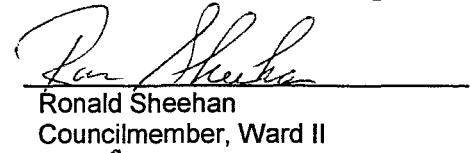
WHEREAS, **Colin Ruppert's** input and contributions to the City of La Vista have contributed to the success of the City;

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Colin Ruppert** on behalf of the City of La Vista for 10 years of service to the City.

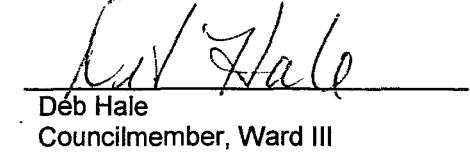
DATED THIS 19TH DAY OF NOVEMBER 2019.



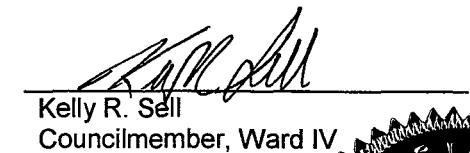
Mike Crawford  
Councilmember, Ward I



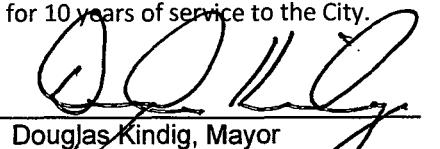
Ronald Sheehan  
Councilmember, Ward II



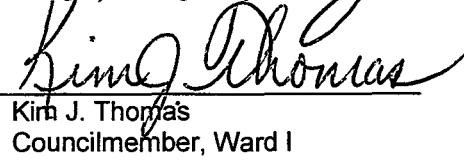
Deb Hale  
Councilmember, Ward III



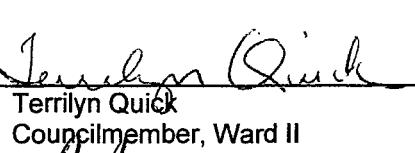
Kelly R. Sell  
Councilmember, Ward IV



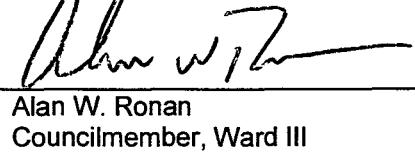
Douglas Kindig, Mayor



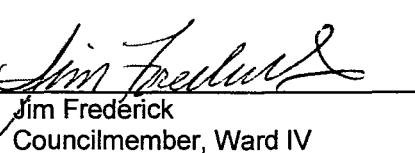
Kim J. Thomas  
Councilmember, Ward I



Terrilyn Quick  
Councilmember, Ward II

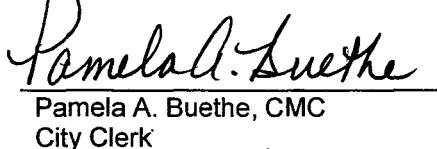


Alan W. Ronan  
Councilmember, Ward III



Jim Frederick  
Councilmember, Ward IV

ATTEST:



Pamela A. Buethe, CMC  
City Clerk



# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING NOVEMBER 5, 2019

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on November 5, 2019. Present were Councilmembers: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, Parks Superintendent Allen, Community Development Director Fountain, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on October 23, 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.

### POLICE DEPARTMENT LIFE SAVING AWARD PRESENTATION

Mayor Kindig and Chief Lausten presented Police Department Life Saving Awards to Officer Brad Wood, Officer Lucas Tiberi, Officer Bryan Straw, Officer Karl Meister, and Officer Mike Jarvis.

### APPOINTMENTS: TRISH DONOGHUE – BOARD OF ADJUSTMENT – FILL VACANCY; JOSH FREY – PLANNING COMMISSION – FILL VACANCY; PATRICK COGHLAN – PLANNING COMMISSION ALTERNATE – FILL VACANCY

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Trish Donoghue to the Board of Adjustment, Josh Frey to the Planning Commission, and Patrick Coghlan as the Planning Commission Alternate. Councilmember Quick motioned the approval, seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE OCTOBER 15, 2019 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE OCTOBER 17, 2019 PLANNING COMMISSION MEETING
4. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 2019 PARK VIEW BLVD. RESURFACING – \$4,016.78
5. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 2019 PARK VIEW BLVD. RESURFACING – \$1,029.44
6. REQUEST FOR PAYMENT – CHARLESWORTH CONSULTING, LLC – PROFESSIONAL SERVICES – INSURANCE BROKER RFP – \$7,500.00
7. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS AND OTHER WORKS – \$6,501.57
8. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE I – \$27,668.00
9. REQUEST FOR PAYMENT – LEO A DAILY – PROFESSIONAL SERVICES – CITY HALL SPACE NEEDS PROGRAM STUDY – \$6,240.00
10. REQUEST FOR PAYMENT – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES – 120TH & GILES TOTAL ACQUISITION – \$916.96

# MINUTE RECORD

November 5, 2019

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

11. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PARKING GARAGE NO. 2 – \$4,470.00
12. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$7,968.87
13. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – CIVIC CENTER PARK PHASE 2 – \$487.92
14. REQUEST FOR PAYMENT – WELLINGTON – PROFESSIONAL SERVICES – 60<sup>TH</sup> ANNIVERSARY CELEBRATION – \$5,000.00
15. RESOLUTION NO. 19-144 – NEBRASKA DEPARTMENT OF TRANSPORTATION – MAINTENANCE AGREEMENT – 84<sup>TH</sup> STREET

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE RENEWAL OF MAINTENANCE AGREEMENT #121 WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION FOR THE SURFACE MAINTENANCE OF HIGHWAY N-85 (84<sup>TH</sup> STREET).

WHEREAS, the Nebraska Department of Transportation is proposing to renew an agreement whereby the City of La Vista would assume maintenance responsibilities for that portion of Highway N-85 (84<sup>th</sup> Street) which lies within the City of La Vista's corporate boundaries; and

WHEREAS, it is the determination of the City Council of the City of La Vista that it is in the best interest of our citizenry and the traveling public to assume official maintenance responsibilities.

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of La Vista be, and hereby is, authorized to renew an agreement with the Nebraska Department of Transportation for maintenance of that portion of Highway N-85 (84<sup>th</sup> Street) which lies within the corporate limits of the City of La Vista for the period of January 1, 2020 to December 31, 2020.

## 16. APPROVAL OF CLAIMS

3CMA MEMBERSHIP, services	400.00
3E-ELECTRICAL ENGINEERING, services	6.54
4 SEASONS AWARDS, services	22.50
ACCURATE TESTING INC,bld&grnds	291.95
ACTION BATTERIES UNLTD IN, bld&grnds	360.88
AMAZON, services	588.60
A-RELIEF, services	86.00
ASPHALT & CONCRETE MATERIALS, maint.	158.51
AT&T MOBILITY LLC, sevices	93.82
AWARDS & MORE CO, services	67.83
AWAREITY INC, serv	132.00
AYALA, B, travel	43.86
BADGER BODY & TRUCK, services	2,329.00
BARCAL, R., travel	550.39
BIG RIG TRUCK ACCESSORIES	1,851.76
BISHOP BUSINESS EQUIPMENT, services	1,416.61
BLACK HILLS ENERGY, utilites	1,825.05
BLAND, T., travel	120.39
BOARD OF EXAMINERS, services	50.00
BOB'S RADIATOR REPAIR, maint.	220.00
BRITE IDEAS DECORATING, services	1,164.00
BURTON A/C, HEATING & PLUMBING, services	12,709.78
CALENTINE, J., travel	41.00
CATHERINE DEMES MAYDEW, services	2,567.50
CELLEBRITE INC, services	3,850.00
CENTER POINT, INC, books	44.34
CENTURY LINK, phones	444.37
CENTURY LINK BUSN SVCS, phones	303.71
CINTAS CORPORTATION, services	493.15
CITY OF PAPILLION, services	188,687.00
CIVICPLUS, services	15,805.17
COMP CHOICE INC, services	302.50

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

CONSOLIDATED MANAGEMENT CO, services	242.36
CORE PRODUCTS LLC, services	564.07
CORNHUSKER INTL TRUCKS, maint.	2,024.77
COX COMMUNICATIONS, services	147.03
CULLIGAN OF OMAHA, services	26.00
D & K PRODUCTS, supplies	779.20
HALE,D., travel	335.50
DELL MARKETING, services	869.96
DEMCO INC, supplies	139.95
DESIGN WORKSHOP INC, services	3,768.52
DIAMOND BLADE DISTRIBUTORS, services	957.00
DOWSE, P., travel	41.00
DXP ENTERPRISES INC, maint.	515.36
FEDEX, services	27.14
FILTER CARE OF NE, bld&grnds	92.65
FIRST NAT'L BANK FREMONT, bonds	172,317.50
FITZGERALD SCHORR BARMETTLER, services	25,212.40
FLAGSHOOTER INC, services	200.98
FLEETPRIDE, maint.	14.98
FOCUS PRINTING, services	3,388.10
G I CLEANERS & TAILORS, services	64.00
GENERAL FIRE & SAFETY EQUIP, bld&grnds	1,209.00
GENUINE PARTS CO, maint.	876.13
GUSTAFSON, M., travel	203.00
HANEY SHOE STORE, apparel	150.00
HAWKINS CONSTRUCTION CO, services	464,508.46
HEIMES CORP, services	97.24
HERRICK, ANGELA DAWN, services	40.00
HOME DEPOT, bld&grnds	39.97
HUNTEL COMMUNICATIONS, phones	1,484.25
HY-VEE INC, supplies	457.03
IIMC, services	110.00
INDUSTRIAL SALES CO INC, bld&grnds	115.59
INGRAM LIBRARY SERVICES, books	1,357.02
INLAND TRUCK PARTS, maint.	36.46
INTERSTATE POWER SYSTEMS, maint	172.17
J & J SMALL ENGINE, services	459.48
JOHNSON CONTROLS LP, services	267.06
JOHNSON, ALLEN L., services	611.00
JOHNSTONE SUPPLY CO, bld&grnds	15.56
K & K MASONRY INC, bld&grnds	4,500.00
KANOPIY, INC, services	59.00
KISSEL KOHOUT ES ASSOCIATES LLC, services	9,305.21
KRIHA FLUID POWER CO INC, maint.	803.01
LARSEN SUPPLY CO, supplies	661.80
LAUSTEN, ROBERT S, travel	879.84
LIONHEART ENTERPRISES LLC, services	441.22
LOGAN CONTRACTORS, supplies	100.56
LOVELAND GRASS PAD, services	34.11
MARTIN ASPHALT - MONARCH OIL, supplies	407.00
MENARDS-RALSTON, supplies	287.29
METRO AREA TRANSIT, services	535.00
METRO COMM COLLEGE, services	13,394.09
MUD, utilities	7,515.60
MIDLANDS BUSINESS JOURNAL, services	75.00
MIDWEST TAPE, media	25.18
MIDWEST TURF & IRRIGATION, supplies	38.36
MNJ TECHNOLOGIES DIRECT INC, services	780.00
MOBOTREX, INC, services	304.00
MONTANEZ, F., travel	431.36

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MOTOROLA SOLUTIONS INC, services	1,577.01
MSC INDUSTRIAL, supplies	757.37
NE DEPT OF REVENUE-lottery taxes	76,663.00
NE ENVIRONMENTAL PRODUCTS, services	4,650.00
NE IOWA INDL FASTENERS INC, maint.	106.02
NOBBIES INC, supplies	28.81
NORTON, J., travel	335.50
ODEYS INC, supplies	264.30
OFFICE DEPOT INC, supplies	501.11
OLSSON, INC, services	45,657.49
OPPD, utilities	3,954.23
OMAHA TACTICAL LLC, services	600.00
OVERHEAD DOOR CO, maint.	37 00
ROBEY, P., travel	203.00
PER MAR SECURITY, services	111.00
PLAINS EQUIPMENT, supplies	1,138.55
PROJECT LIFESAVER, supplies	41.18
QUALITY AUTO REPAIR, services	109.00
QUICK, T., travel	335.50
RAY ALLEN MANUFACTURING, supplies	33.98
READY MIXED CONCRETE, maint.	2,765.29
RED WING BUSINESS, apparel	150.00
REGAL AWARDS INC, services	151.00
ROBERT T. HENNICH, services	1,600.00
SAPP BROS PETROLEUM INC, maint.	508.75
SARPY COUNTY CHAMBER, services	75.00
SCHEMMER ASSOCIATES INC, services	1,582.50
SEFFRON, R., travel	64.00
SIEREX DESIGNS, INC, services	27,011.20
SIGN IT, services	30.00
SMALL, B., travel	64.00
SOUCIE, J., travel	28.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	50.00
STOLTENBERG NURSERIES, services	264.00
STREAMLIGHT INC, services	282.40
SUSPENSION SHOP INC, maint.	1,699.28
SWAIN CONSTRUCTION INC, services	691,237.68
THE FILTER SHOP, INC.bld&grnds	206.88
THE HARRY A KOCH CO, services	10,197.00
THOMPSON DREESSEN & DORNER, services	19,302.20
TORNADO WASH LLC, services	200.00
TRUCK CENTER COMPANIES, maint.	735.80
TY'S OUTDOOR POWER, maint.	520.00
U.S. CELLULAR, phones	1,439.33
UNITED DISTRIBUTORS INC, supplies	78.48
UNITED PARCEL, services	96.98
VAL VERDE ANIMAL HOSPITAL INC, services	101.92
VERIZON CONNECT NWF, phones	566.72
VERIZON WIRELESS, phones	210.91
WAL-MART, supplies	735.97
WATER'S EDGE AQUATIC DESIGN, services	2,677.50
WICK'S STERLING TRUCKS, maint.	10.69

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

# MINUTE RECORD

November 5, 2019

No. 728 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez introduced Bruce Fountain, the new Community Development Director.

Recreation Director Stopak announced new programming opportunities and that the City is working with Metropolitan Community College to provide some of these new opportunities.

Police Chief Lausten reported that the Sarpy County SWAT team now has an agreement in place with the Omaha SWAT team for backup assistance.

## B. APPLICATION FOR PUD SITE PLAN – STRECK, INC. – LOTS 1 & 16 HARRISON HILLS (S118TH ST. & EMILINE ST.)

### 1. PUBLIC HEARING

At 6:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed planned unit development site plan. Randy Kuszak from Lamp Rynearson presented the plan to Council.

At 6:21 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### 2. RESOLUTION – APPROVE PUD SITE PLAN

Councilmember Sell introduced and moved for the adoption of Resolution No 19-145 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN FOR LOTS 1 & 16 HARRISON HILLS, LOCATED IN THE NW 1/4 OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, Streck, Inc., has made an application for approval of a PUD site plan for Lots 1 & 16 Harrison Hills; and

WHEREAS, the Senior Planner and the City Engineer have reviewed the PUD site plan; and

WHEREAS, the La Vista Planning Commission reviewed the application on October 17, 2019 and recommends approval;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the PUD site plan for Lots 1 & 16, Harrison Hills, located in the Northwest 1/4 of Section 17, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, generally located south of the intersection of S 117th Street and Emiline Street be, and hereby is, approved

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

### 3. ORDINANCE – APPROVE PUD DESIGN PLAN

Councilmember Frederick introduced Ordinance No. 1373 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMMENDING THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; ESTABLISHING STANDARDS AND CONDITIONS FOR DEVELOPMENT UNDER THE FINAL PLANNED UNIT DEVELOPMENT PLAN; TO PROVIDE FOR SEVERABILITY; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan.

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Motion carried. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question, "Shall Ordinance No. 1373 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale and Sell Nays: None. Abstain: None. Absent: Ronan. 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 MUNICIPAL CODE SECTIONS 111.18 AND 111.19 - FIREWORKS**

### **1. ORDINANCE – AMEND MUNICIPAL CODE SECTIONS 111.18 AND 111.19**

Councilmember Frederick introduced Ordinance No. 1374 entitled: 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.

Councilmember Crawford moved to amend the hours of sales in the ordinance to 8:00 a.m. to 11 p.m. Councilmember Thomas seconded the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, and Sell Nays: Quick and Hale. Abstain: None. Absent: Ronan. Motion carried.

### **2. PUBLIC HEARING**

At 6:27 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed ordinance as amended. There was public comment in favor of and opposed to the proposed ordinance.

At 6:37 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### **1. ORDINANCE – AMEND MUNICIPAL CODE SECTIONS 111.18 AND 111.19 (CONTINUED)**

Councilmember Sheehan made a motion to approve Ordinance No. 1374 on its first reading and pass it on to a second reading. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, and Sell. Nays: Quick and Hale. Abstain: None. Absent: Ronan. Motion carried.

### **3. ORDINANCE – AMEND MASTER FEE ORDINANCE**

Councilmember Sheehan introduced Ordinance No. 1375 entitled. AN ORDINANCE TO AMEND ORDINANCE NO. 1372, 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 Sheehan made a motion to approve Ordinance No. 1375 on its first reading and pass it on to a second reading. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

# MINUTE RECORD

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

## **D. RESOLUTION – AMEND MAXIMUM COSTS FOR RECOGNITION DINNERS AND SERVICE AWARDS**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-146 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

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

WHEREAS, a Council Policy Statement entitled "Recognition Dinner and Award Maximums" has been established;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement entitled "Recognition Dinner and Award Maximums" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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

## **E. RESOLUTION – AMENDMENT NO. 7 – 84<sup>TH</sup> STREET PAVEMENT REHABILITATION – PROFESSIONAL SERVICES – ADDITIONAL SERVICES**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 19-147 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA APPROVING AMENDMENT NUMBER SEVEN TO THE PROFESSIONAL SERVICES AGREEMENT WITH OLSSON, INC. TO PROVIDE ADDITIONAL PROJECT MANAGEMENT, STORMWATER POLLUTION PREVENTION PLAN (SWPPP) INSPECTIONS, AND CONSTRUCTION PHASE ENGINEERING SERVICES FOR 84TH STREET AND CITY CENTRE INFRASTRUCTURE IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$52,000.00.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined additional project management, SWPPP inspections, and construction engineering services are necessary, and

WHEREAS, The FY19/20 Biennial Budget includes funding for this project; and

WHEREAS, The total contract amount will be \$1,168,326.50; 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 expenditure over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment number seven to the professional services agreement with Olsson, Inc. to provide additional project management, SWPPP inspections, and construction phase engineering services for 84th Street and City Centre Infrastructure in an additional amount not to exceed \$52,000.00.

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

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## F. RESOLUTION – AMEND AGREEMENT – DESIGN WORKSHOP – SUPPLEMENTAL SURVEY FOR MISCELLANEOUS AREAS ALONG 84<sup>TH</sup> STREET

Councilmember Frederick introduced and moved for the adoption of Resolution No 19-148 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AGREEMENT WITH DESIGN WORKSHOP, INC. OF DENVER, COLORADO, TO PROVIDE SURVEY SERVICES RELATING TO THE STREETSCAPE PLAN FOR 84TH STREET.

WHEREAS, the Mayor and City Council of the City of La Vista have determined that professional survey services are necessary in preparation for related design work for the 84<sup>th</sup> Street corridor; and

WHEREAS, on July 5, 2017 the City Council of the City of La Vista approved the selection of Design Workshop to provide schematic design services for the Streetscape Plan for 84<sup>th</sup> Street; and

WHEREAS, on November 6, 2018 the City Council of the City of La Vista approved an agreement with Design Workshop for final design services related to the Streetscape Plan for 84<sup>th</sup> Street; and

WHEREAS, in preparation for related design work along 84<sup>th</sup> Street it was concluded that additional survey services were necessary to gather detailed information regarding topography, pipeline locations, and the extent of easements in relation to those projects; and

WHEREAS, in conjunction with Design Workshop, staff determined a detailed scope of work and terms of an agreement for the survey services; and

WHEREAS, the FY19/20 Biennial Budget contains funding for multiple potential public infrastructure improvements and associated services; 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 do hereby approve an agreement with Design Workshop, Inc. of Denver, Colorado, to provide supplemental survey services for the 84th Street Corridor at a cost of \$22,700.00.

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

## G. RESOLUTION – PROFESSIONAL SERVICES – SALUTE TO SUMMER FESTIVAL

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-149 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WELLINGTON, OVERLAND PARK, KANSAS, FOR PROFESSIONAL EVENT MANAGEMENT SERVICES FOR THE SALUTE TO SUMMER FESTIVAL IN THE AMOUNT OF \$19,375.00.

WHEREAS, the City desires to enter into a professional services agreement with Wellington for professional event management services for the Salute to Summer Festival; and

WHEREAS, the FY19/20 Biennial Budget includes funding for the proposed professional services; 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, hereby authorize the Mayor to execute a

# MINUTE RECORD

November 5, 2019

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

professional services agreement with Wellington, Overland Park, Kansas, for professional event management services for the Salute to Summer Festival in the amount of \$19,375.00.

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

## **H. RESOLUTION – AUTHORIZE PURCHASE – UTILITY CARTS**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-150 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TWO (2) TORO WORKMAN MDX UTILITY CARTS FROM MIDWEST TURF AND IRRIGATION, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$11,400.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) Toro Workman MDX utility carts 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 two (2) Toro Workman MDX utility carts from Midwest Turf and Irrigation, Omaha, Nebraska in an amount not to exceed \$11,400.00.

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

## **I. RESOLUTION – REVISED INTERLOCAL AGREEMENT – OPPD PAYMENTS IN LIEU OF TAXES**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 19-151 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AND AUTHORIZING THE EXECUTION OF THE REVISED INTERLOCAL AGREEMENT FOR THE CONTRIBUTION AND ALLOCATION OF OMAHA PUBLIC POWER DISTRICT PAYMENTS IN LIEU OF TAXES

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. (the “Act”), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency dated September 19, 2017 (as amended, the “Formation Interlocal”) and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the “Agency”) (all capitalized terms not otherwise expressly defined herein shall have the same meanings as provided in the Formation Interlocal). The Formation Interlocal is incorporated herein by this reference; and

WHEREAS, pursuant to the Formation Interlocal, the powers of the Agency as a body are exercised by the Agency Board, and

WHEREAS, the City of La Vista is a Member of the Agency; and

WHEREAS, pursuant to Neb. Rev. Stat. 70-651.03, on or before April 1 of each year, the Omaha Public Power District (“OPPD”) is required to pay to the County treasurer a sum equal to five percent (5%) of the gross revenues derived by OPPD during the preceding calendar year from retail sales of electricity within the incorporated cities and villages located within the County (the “Annual OPPD Payment”); and

# MINUTE RECORD

November 5, 2019

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

WHEREAS, pursuant to Neb. Rev. Stat. 70-651.04, each Annual OPPD Payment is subsequently divided and distributed by the County treasurer to the Cities, the County, school districts, and any learning community located in the Cities in the proportion that their respective property tax levies in the preceding year bore to the total of such levies ("Annual OPPD Distribution"); and

WHEREAS, the Agency's operating budget can, in part, be funded by the agreement of each Member having jurisdiction over certain areas in Sarpy County to pledge and contribute to the Agency a portion of the Annual OPPD Distribution otherwise paid and made available to them pursuant to Neb. Rev. Stat. 70-651.04; and

WHEREAS, pursuant to Agency Resolution 2019-014, the Agency approved and authorized the Agency Board Chair to execute the Interlocal Agreement for the Contribution and Allocation of Omaha Public Power District Payments in Lieu of Taxes ("OPPD Interlocal"), which was not adopted by the Members' individual governing bodies and was not put into effect; and

WHEREAS, it was found to be beneficial to the Agency and Members to revise the OPPD Interlocal, ("Revised OPPD Interlocal"); and

WHEREAS, the Governing Body of the City of La Vista discussed the proposed Revised OPPD Interlocal for the City of La Vista's payment to the Agency of a portion of the its Annual OPPD Distributions for retail electricity services attributable to customers located within the PILOT Allocation Area (as defined in the Revised OPPD Interlocal) that is in the City of La Vista's jurisdiction for the 2019 calendar year and for years thereafter; and

WHEREAS, after discussion the Governing Body of the City of La Vista has deemed it appropriate, necessary, convenient and advisable to approve the Revised OPPD Interlocal and to authorize its execution by the City Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska that, pending approval of Sarpy County and the Cities of Bellevue, Springfield, Papillion, and Gretna, the Revised OPPD Interlocal, a copy of which is attached hereto as Exhibit A, is hereby approved; and

BE IT ALERNATELY RESOLVED that, should any of the above listed County or Cities not approve the Revised OPPD Interlocal, the Mayor and City Council of the City of La Vista instead approves the Alternate Revised OPPD Interlocal, a copy of which is attached hereto as Exhibit B; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is hereby authorized to execute on behalf of the City of La Vista the Revised OPPD Interlocal or the Alternate Revised OPPD Interlocal, as approved by the Sarpy County and Cities Wastewater Agency at its November 6, 2019, Agency Board Meeting; and further that the Recitals above are incorporated into the Resolutions by reference

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

## J. DISCUSSION – TOBACCO FREE AREA DESIGNATION – LA VISTA PARKS, SPORTS COMPLEX AND SWIMMING POOL

Council discussed designating all parks as Tobacco Free Areas. There was Council consensus not to move forward with the designation at this time.

# MINUTE RECORD

November 5, 2019

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

## COMMENTS FROM THE FLOOR

Skye Burns commented in favor of making all park areas tobacco free.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on representing the Mayor and City Council at the baseball championship award banquet.

Mayor Kindig commented on the Veterans Dinner, and he reflected on all of the changes in La Vista throughout the past 15 years.

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

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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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 eleven months ending September 30, 2019

100% of the Fiscal Year 2019

Preliminary

**Total All Funds**

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b>OPERATING REVENUES</b>					
General Fund	\$ 18,435,291	\$ 1,031,356	\$ 18,064,224	\$ (371,067)	98%
Sewer Fund	4,528,909	409,001	4,150,046	(378,863)	92%
Debt Service Fund	4,232,911	292,933	4,401,619	168,708	104%
Capital Improvement Program Fund	811,366	105,000	105,000	(706,366)	13%
Lottery Fund	1,206,691	102,138	1,170,137	(36,554)	97%
Economic Development Fund	718	-	107	(611)	15%
Off Street Parking Fund	464	121	13,040	12,576	
Redevelopment Fund	3,164,298	213,014	2,437,662	(726,636)	77%
Police Academy	80,055	885	101,966	21,911	127%
TIF 1A	-	-	18,067	18,067	0%
TIF 1B	-	-	-	-	0%
Sewer Reserve Fund	3,003	1,112	8,609	5,606	287%
Qualified Sinking Fund	250	93	716	466	287%
<b>Total Operating Revenues</b>	<b>32,463,956</b>	<b>2,155,652</b>	<b>30,471,193</b>	<b>(1,992,763)</b>	<b>94%</b>

**OPERATING EXPENDITURES**

General Fund	18,155,822	1,519,026	16,525,585	(1,630,237)	91%
Sewer Fund	3,978,263	135,206	3,008,037	(970,226)	76%
Debt Service Fund	4,130,462	30,093	3,452,857	(677,605)	84%
Capital Improvement Program Fund	-	-	-	-	0%
Lottery Fund	760,175	51,509	590,989	(169,186)	78%
Economic Development Fund	134,559	-	-	(134,559)	0%
Off Street Parking Fund	1,137,642	11,349	923,723	(213,920)	81%
Redevelopment Fund	2,508,057	15	1,284,015	(1,224,042)	51%
Police Academy	95,104	8,527	94,632	(472)	100%
TIF 1A	-	-	12,544	12,544	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>1,755,724</b>	<b>25,911,518</b>	<b>(4,988,566)</b>	<b>84%</b>

**OPERATING REVENUES NET OF EXPENDITURES**

General Fund	279,469	(487,670)	1,538,639	1,259,170
Sewer Fund	550,646	273,795	1,142,010	591,364
Debt Service Fund	102,449	262,841	948,762	846,313
Capital Improvement Program Fund	811,366	105,000	105,000	(706,366)
Lottery Fund	446,516	50,629	579,148	132,632
Economic Development Fund	(133,841)	-	107	133,948
Off Street Parking Fund	(1,137,178)	(11,228)	(910,683)	226,495
Redevelopment Fund	656,241	212,999	1,153,647	497,406
Police Academy	(15,049)	(7,642)	7,334	22,383
TIF 1A	-	-	5,523	5,523
TIF 1B	-	-	(19,136)	(19,136)
Sewer Reserve Fund	3,003	1,112	8,609	5,606
Qualified Sinking Fund	250	93	716	466
<b>Operating Revenues Net of Expenditures</b>	<b>1,563,872</b>	<b>399,928</b>	<b>4,559,676</b>	<b>2,995,804</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

For the eleven months ending September 30, 2019

100% of the Fiscal Year 2019

**Preliminary**

**Total All Funds**

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b>OTHER FINANCING SOURCES &amp; USES</b>					
<b>TRANSFERS IN</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	1,128,844	2,960,508	390,496	115%
Lottery Fund	-	-	-	-	-
Economic Development Fund	200,000	-	-	(200,000)	0%
Off Street Parking Fund	1,138,651	310,000	917,239	(221,412)	81%
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>1,438,844</b>	<b>5,321,523</b>	<b>(732,771)</b>	<b>88%</b>
<b>TRANSFERS OUT</b>					
General Fund	(772,604)	(310,000)	(390,250)	382,354	51%
Sewer Fund	(1,201,125)	-	(1,201,125)	-	100%
Debt Service Fund	(3,179,106)	(1,068,477)	(2,942,175)	236,931	93%
Capital Improvement Program Fund	(90,000)	-	-	90,000	0%
Lottery Fund	(395,902)	(60,368)	(235,891)	160,011	60%
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>(1,438,844)</b>	<b>(5,321,523)</b>	<b>732,771</b>	<b>88%</b>
<b>NET TRANSFERS</b>					
General Fund	(675,702)	(310,000)	(267,598)	408,104	40%
Sewer Fund	(1,198,125)	-	(1,201,125)	(3,000)	100%
Debt Service Fund	(2,454,502)	(1,068,477)	(2,942,175)	(487,673)	120%
Capital Improvement Program Fund	2,480,012	1,128,844	2,960,508	480,496	119%
Lottery Fund	(395,902)	(60,368)	(235,891)	160,011	60%
Economic Development Fund	200,000	-	-	(200,000)	0%
Off Street Parking Fund	1,138,651	310,000	917,239	(221,412)	81%
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>(0)</b>	<b>0</b>	<b>0</b>	<b>88%</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending September 30, 2019  
100% of the Fiscal Year 2019

**Preliminary**

	<b>Total All Funds</b>				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
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 REVENUE: BOND PROCEEDS**

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	27,668	127,882	2,882	102%
Capital Improvement Program Fund	8,982,012	770,949	3,339,700	(5,642,312)	37%
Off Street Parking Fund	6,852,315	472,881	3,298,381	(3,553,935)	48%
Redevelopment Fund	10,780,187	792,598	4,842,295	(5,937,892)	45%
<b>Total Capital Improvement Program</b>	<b>26,739,514</b>	<b>2,064,096</b>	<b>11,608,257</b>	<b>(15,131,257)</b>	<b>43%</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)	(797,670)	1,271,041	1,667,274
Sewer Fund	(772,479)	-	246,127	(186,998)
Debt Service Fund	(2,352,053)	(805,636)	(1,993,413)	358,640
Capital Improvement Program Fund	4,579,366	462,895	(274,192)	(4,853,558)
Lottery Fund	50,614	(9,739)	343,258	292,644
Economic Development Fund	66,159	-	107	(66,052)
Off Street Parking Fund	(4,347,231)	(174,109)	(3,291,824)	1,055,407
Redevelopment Fund	6,590,497	(579,599)	(4,240,731)	(10,831,228)
Police Academy	4,951	(7,642)	27,334	22,383
TIF 1A	-	-	5,523	5,523
TIF 1B	-	-	(19,136)	(19,136)
Sewer Reserve Fund	1,204,128	1,112	1,209,734	5,606
Qualified Sinking Fund	100,250	93	100,716	466
<b>Net Activity</b>	<b>\$ 4,727,969</b>	<b>(1,664,168)</b>	<b>(7,048,582)</b>	<b>(11,776,551)</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Total All Funds**

<b>FUND BALANCE</b>	<u>As of FYE 9/30/19</u>	<u>As of 9/30/19</u>	<u>Variance</u>	<u>Notes</u>
	<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>
General Fund	6,050,646		7,108,235	1,057,589
Sewer Fund	825,173		1,577,803	752,630
Debt Service Fund	2,577,299		3,609,754	1,032,455
Capital Improvement Program Fund	4,568,738		(828,146)	(5,396,884) Bond Proceeds
Lottery Fund	3,387,235		3,525,864	138,629
Economic Development Fund	178,182		7,041	(171,141)
Off Street Parking Fund	619,369		1,652,415	1,033,046 Bond Proceeds
Redevelopment Fund	16,539,092		6,096,396	(10,442,696) Bond Proceeds
Police Academy	13,554		46,377	32,823
TIF 1A	0		5,523	5,523
TIF 1B	0		(19,136)	(19,136)
Sewer Reserve Fund	1,204,128		1,209,734	5,606
Qualified Sinking Fund	100,250		100,716	466
<b>Net Fund Balance</b>	<b>36,063,666</b>	<b>-</b>	<b>24,092,576</b>	<b>(11,971,091)</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**General Fund**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> Budget	<u>% of Budget</u> Used
<b>REVENUES</b>					
Property Taxes	\$ 8,102,903	\$ 340,615	\$ 8,105,382	\$ 2,479	100%
Sales and use taxes	5,196,961	420,811	4,754,968	(441,993)	91%
Payments in Lieu of taxes	281,875	-	305,721	23,846	108%
State revenue	1,868,498	153,815	1,861,074	(7,424)	100%
Occupation and franchise taxes	882,000	18,781	930,228	48,228	105%
Hotel Occupation Tax	1,007,475	45,477	947,011	(60,464)	94%
Licenses and permits	460,250	26,134	432,668	(27,582)	94%
Interest income	30,992	4,006	73,420	42,428	237%
Recreation fees	170,710	7,530	177,742	7,032	104%
Special Services	19,500	1,799	23,731	4,231	122%
Grant Income	163,185	3,827	129,563	(33,622)	79%
Other	250,942	8,562	322,715	71,773	129%
<b>Total Revenues</b>	<b>18,435,291</b>	<b>1,031,356</b>	<b>18,064,224</b>	<b>(371,067)</b>	<b>98%</b>

**EXPENDITURES**

Administrative Services	529,503	38,209	497,491	(32,012)	94%
Mayor and Council	242,643	13,643	185,321	(57,322)	76%
Boards & Commissions	10,338	63	8,410	(1,928)	81%
Public Buildings & Grounds	670,385	58,819	515,738	(154,647)	77%
Administration	768,999	47,078	712,521	(56,478)	93%
Police and Animal Control	5,103,734	490,395	4,957,427	(146,307)	97%
Fire	1,975,871	165,584	1,953,955	(21,916)	99%
Community Development	691,268	33,632	543,657	(147,611)	79%
Public Works	3,826,276	295,416	3,287,351	(538,925)	86%
Recreation	866,314	62,788	739,589	(126,725)	85%
Library	880,477	70,892	773,125	(107,352)	88%
Information Technology	268,300	26,330	260,469	(7,831)	97%
Human Resources	1,010,268	72,886	820,806	(189,462)	81%
Public Transportation	106,272	8,131	86,837	(19,435)	82%
Finance	463,027	30,574	427,206	(35,821)	92%
Capital outlay	742,147	104,586	755,683	13,536	102%
<b>Total Expenditures</b>	<b>18,155,822</b>	<b>1,519,026</b>	<b>16,525,585</b>	<b>(1,630,237)</b>	<b>91%</b>

**REVENUES NET OF EXPENDITURES**

	279,469	(487,670)	1,538,639	1,259,170
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**OTHER FINANCING SOURCES (USES)**

Operating transfers in (Lottery)	96,902	-	122,652	25,750	127%
Operating transfers out (DSF, OSP, CIP)	(772,604)	(310,000)	(390,250)	382,354	51%
<b>Total other Financing Sources (Uses)</b>	<b>(675,702)</b>	<b>(310,000)</b>	<b>(267,598)</b>	<b>408,104</b>	
<b>NET FUND ACTIVITY</b>					
	\$ (396,233)	\$ (797,670)	\$ 1,271,041	\$ 1,667,274	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

	<b>Sewer Fund</b>					
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>(Under) Budget</u>	<u>% of Budget Used</u>	
<b>REVENUES</b>						
User fees	\$ 4,352,612	\$ 356,155	\$ 3,933,317	\$ (419,295)	90%	
Service charge and hook-up fees	170,173	6,529	156,290	(13,883)	92%	
Miscellaneous	115	44,874	* 45,970	45,855		
<b>Total Revenues</b>	<b>4,522,900</b>	<b>407,558</b>	<b>4,135,577</b>	<b>(387,323)</b>	<b>91%</b>	
<b>EXPENDITURES</b>						
			* MUD refund of water main connection charges			
Personnel Services	618,649	44,148	537,558	(81,091)	87%	
Commodities	39,046	3,451	18,288	(20,758)	47%	
Contract Services	2,856,232	23,770	2,176,711	(679,521)	76%	
Maintenance	38,201	4,042	25,627	(12,574)	67%	
Other	227	-	2,112	1,885		
Storm Water Grant	54,000	-	13,126	(40,874)	24%	
Capital Outlay	371,908	59,795	234,616	(137,292)	63%	
<b>Total Expenditures</b>	<b>3,978,263</b>	<b>135,206</b>	<b>3,008,037</b>	<b>(970,226)</b>	<b>76%</b>	
<b>OPERATING INCOME (LOSS)</b>	<b>544,637</b>	<b>272,352</b>	<b>1,127,540</b>	<b>582,903</b>		Note 1
<b>NON-OPERATING REVENUE (EXPENSE)</b>						
Interest income	6,009	1,443	14,469	8,460	241%	
	<b>6,009</b>	<b>1,443</b>	<b>14,469</b>	<b>8,460</b>	<b>241%</b>	
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>550,646</b>	<b>273,795</b>	<b>1,142,010</b>	<b>591,364</b>		
<b>OTHER FINANCING SOURCES (USES)</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)	(27,668)	(127,882)	(2,882)	102%	
<b>Total other Financing Sources (Uses)</b>	<b>(1,323,125)</b>	<b>(27,668)</b>	<b>(1,329,007)</b>	<b>(5,882)</b>	<b>100%</b>	
<b>NET INCOME (LOSS)</b>	<b>\$ (772,479)</b>	<b>\$ 246,127</b>	<b>\$ (186,998)</b>	<b>\$ 585,482</b>		

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

Operating Income Variance	582,903
City of Omaha billing in arrears -2 months	(400,000)
MUD Connection Fee Refunds	(44,874)
Adjusted Operating Income Variance	<b>138,029</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

	<b>Debt Service Fund</b>					
	<b>Budget</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>	

**REVENUES**

Property Taxes	\$ 940,376	\$ 36,143	\$ 974,550	\$ 34,174	104%
Sales and use taxes	2,598,480	210,405	2,377,484	(220,996)	91%
Payments in Lieu of taxes	91,225	-	37,435	(53,790)	41%
Other (Special Assessments; Fire Reimbursmt)	584,244	42,437	962,887	378,643	165%
Interest income	18,586	3,948	49,263	30,677	265%
<b>Total Revenues</b>	<b>4,232,911</b>	<b>292,933</b>	<b>4,401,619</b>	<b>168,708</b>	<b>104%</b>

**EXPENDITURES**

Administration	162,869	361	22,471	(140,398)	14%
Fire Contract Bond	122,513	10,209	122,508	(5)	100%
Debt service					
Principal	3,180,000		2,895,000	(285,000)	91%
Interest	665,080	19,523	412,878	(252,202)	62%
<b>Total Expenditures</b>	<b>4,130,462</b>	<b>30,093</b>	<b>3,452,857</b>	<b>(677,605)</b>	<b>84%</b>

**REVENUES NET OF EXPENDITURES**

<b>REVENUES NET OF EXPENDITURES</b>	<b>102,449</b>	<b>262,841</b>	<b>948,762</b>	<b>846,313</b>
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**OTHER FINANCING SOURCES (USES)**

Operating transfers in (GF Hwy Alloc)	724,604	-	-	(724,604)	0%
Operating transfers out (CIP, OSP)	(3,179,106)	(1,068,477)	(2,942,175)	236,931	93%
<b>Total other Financing Sources (Uses)</b>	<b>(2,454,502)</b>	<b>(1,068,477)</b>	<b>(2,942,175)</b>	<b>(487,673)</b>	

**NET FUND ACTIVITY**

<b>NET FUND ACTIVITY</b>	<b>\$ (2,352,053)</b>	<b>\$ (805,636)</b>	<b>\$ (1,993,413)</b>	<b>\$ 358,640</b>
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CITY OF LAVISTA, NEBRASKA  
COMBINED STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the eleven months ending September 30, 2019

100% of the Fiscal Year 2019

Preliminary

	<u>Capital Fund</u>				% of Budget Used
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	

**REVENUES**

Interest income	\$ 11,366	\$ -	\$ -	\$ (11,366)	0%
Grant Income	-	-	-	-	0%
Special Assessment	800,000	105,000	105,000	(695,000)	13%
Interagency	-	-	-	-	0%
<b>Total Revenues</b>	<b>811,366</b>	<b>105,000</b>	<b>105,000</b>	<b>(706,366)</b>	<b>13%</b>

**EXPENDITURES**

Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>

<b>REVENUES NET OF EXPENDITURES</b>	<b>811,366</b>	<b>105,000</b>	<b>105,000</b>	<b>(706,366)</b>	
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**OTHER FINANCING SOURCES (USES)**

Operating transfers in (GF, DSF)	2,570,012	1,128,844	2,960,508	390,496	115%
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)	(770,949)	(3,339,700)	5,642,312	37%
<b>Total other Financing Sources (Uses)</b>	<b>3,768,000</b>	<b>357,895</b>	<b>(379,192)</b>	<b>(4,147,192)</b>	<b>-10%</b>

<b>NET FUND ACTIVITY</b>	<b>\$ 4,579,366</b>	<b>\$ 462,895</b>	<b>\$ (274,192)</b>	<b>\$ (4,853,558)</b>	
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**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Lottery Fund**

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b>REVENUES</b>					
Lottery Rev/Community Betterment	\$ 850,000	\$ 69,015	\$ 798,388	\$ (51,612)	94%
Lottery Tax Form 51	340,000	27,549	318,819	(21,181)	94%
Event Revenue	-	-	-	-	0%
Interest income	16,691	5,574	52,930	36,239	317%
Miscellaneous / Other	-	-	-	-	0%
<b>Total Revenues</b>	<b>1,206,691</b>	<b>102,138</b>	<b>1,170,137</b>	<b>(36,554)</b>	<b>97%</b>
<b>EXPENDITURES</b>					
Professional Services	285,813	16,359	173,391	(112,422)	61%
Salute to Summer	32,634	55	25,837	(6,797)	79%
Community Events	11,832	239	15,584	3,752	132%
Events - Marketing	31,668	300	23,268	(8,400)	73%
Recreation Events	4,507	(495)	927	(3,580)	21%
Concert & Movie Nights	13,721	2,502	13,161	(560)	96%
City Anniversary Celebration	30,000	5,000	20,000	(10,000)	67%
Travel & Training	-	-	-	-	0%
State Taxes	350,000	27,549	318,821	(31,179)	91%
Other	-	-	-	-	0%
Capital outlay	-	-	-	-	0%
<b>Total Expenditures</b>	<b>760,175</b>	<b>51,509</b>	<b>590,989</b>	<b>(169,186)</b>	<b>78%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>446,516</b>	<b>50,629</b>	<b>579,148</b>	<b>132,632</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	-	-	-	-	-
Operating transfers out (GF, SF, DSF)	(395,902)	(60,368)	(235,891)	160,011	60%
<b>Total other Financing Sources (Uses)</b>	<b>(395,902)</b>	<b>(60,368)</b>	<b>(235,891)</b>	<b>160,011</b>	<b>60%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ 50,614</b>	<b>\$ (9,739)</b>	<b>\$ 343,258</b>	<b>\$ 292,644</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Economic Development**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
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**REVENUES**

Other Income	\$	-	-	-	-
Interest income		-	-	107	(611)
<b>Total Revenues</b>	<b>718</b>	<b>-</b>	<b>107</b>	<b>(611)</b>	<b>—</b>

**EXPENDITURES**

Professional Services	75,000	-	-	(75,000)	0%
Debt service: (Warrants)				-	0%
Principal		-	-	-	0%
Interest	59,559	-	-	(59,559)	0%
<b>Total Expenditures</b>	<b>134,559</b>	<b>-</b>	<b>-</b>	<b>(134,559)</b>	<b>0%</b>

<b>REVENUES NET OF EXPENDITURES</b>	<b>(133,841)</b>	<b>-</b>	<b>107</b>	<b>133,948</b>	
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**OTHER FINANCING SOURCES (USES)**

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>	<b>200,000</b>	<b>-</b>	<b>-</b>	<b>(200,000)</b>	<b>0%</b>

<b>NET FUND ACTIVITY</b>	<b>\$ 66,159</b>	<b>\$ -</b>	<b>\$ 107</b>	<b>\$ (66,052)</b>	
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**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Off Street Parking**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) Budget	% of Budget Used
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**REVENUES**

Interest income	\$ 464	121	13,040	12,576	
<b>Total Revenues</b>	<b>464</b>	<b>121</b>	<b>13,040</b>	<b>12,576</b>	

**EXPENDITURES**

General & Administrative	20,518	3,867	16,354	(4,164)	80%
Professional Services	163,150	15	981	(162,169)	1%
Maintenance	34,073	7,467	15,515	(18,558)	46%
Debt service: (Warrants)					
Principal	670,000		670,000	-	100%
Interest	249,901		220,872	(29,029)	88%
<b>Total Expenditures</b>	<b>1,137,642</b>	<b>11,349</b>	<b>923,723</b>	<b>(213,920)</b>	<b>81%</b>

<b>REVENUES NET OF EXPENDITURES</b>	<b>(1,137,178)</b>	<b>(11,228)</b>	<b>(910,683)</b>	<b>226,495</b>	
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**OTHER FINANCING SOURCES (USES)**

Operating transfers in (GF, DSF, RDF)	1,138,651	310,000	917,239	(221,412)	81%
Operating transfers out		-	-	-	0%
Bond/registered warrant proceeds	2,503,611	-	-	(2,503,611)	0%
Capital Improvement	(6,852,315)	(472,881)	(3,298,381)	3,553,935	48%
<b>Total other Financing Sources (Uses)</b>	<b>(3,210,053)</b>	<b>(162,881)</b>	<b>(2,381,142)</b>	<b>828,911</b>	<b>74%</b>

<b>NET FUND ACTIVITY</b>	<b>\$ (4,347,231)</b>	<b>\$ (174,109)</b>	<b>\$ (3,291,824)</b>	<b>\$ 1,055,407</b>	
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**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending September 30, 2019

100% of the Fiscal Year 2019

**Preliminary**

**Redevelopment Fund**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) <u>Budget</u>	% of Budget Used
<b>REVENUES</b>					
Sales and use taxes	\$ 2,598,480	210,405	2,377,484	(220,996)	91%
Franchise Fee & Occupation Tax	500,000	-	-	(500,000)	0%
Interest income	65,818	2,608	60,178	(5,640)	91%
<b>Total Revenues</b>	<b>3,164,298</b>	<b>213,014</b>	<b>2,437,662</b>	<b>(726,636)</b>	<b>77%</b>

**EXPENDITURES**

Community Development	-	-	-	-	0%
Professional Services	556,639	-	3,943	(552,696)	1%
Financial / Legal Fees	175,500	15	147,454	(28,046)	84%
Debt service: (Warrants)					
Principal	775,000		495,000	(280,000)	64%
Interest	1,000,918		637,618	(363,301)	64%
<b>Total Expenditures</b>	<b>2,508,057</b>	<b>15</b>	<b>1,284,015</b>	<b>(1,224,042)</b>	<b>51%</b>

<b>REVENUES NET OF EXPENDITURES</b>	<b>656,241</b>	<b>212,999</b>	<b>1,153,647</b>	<b>497,406</b>
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**OTHER FINANCING SOURCES (USES)**

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)	(792,598)	(4,842,295)	5,937,892	45%
<b>Total other Financing Sources (Uses)</b>	<b>5,934,256</b>	<b>(792,598)</b>	<b>(5,394,378)</b>	<b>(11,328,634)</b>	

<b>NET FUND ACTIVITY</b>	<b>\$ 6,590,497</b>	<b>\$ (579,599)</b>	<b>\$ (4,240,731)</b>	<b>\$ (10,831,228)</b>
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**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Police Academy Fund**

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>
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**REVENUES**

Other Income	\$ 80,000	885	101,762	21,762	127%
Interest income	55		204	149	372%
<b>Total Revenues</b>	<b>80,055</b>	<b>885</b>	<b>101,966</b>	<b>21,911</b>	<b>127%</b>

**EXPENDITURES**

Personnel Services	76,404	7,265	75,037	(1,367)	98%
Commodities	3,500	639	2,288	(1,212)	65%
Contract Services	11,700	514	9,906	(1,794)	85%
Other Charges	3,500	108	7,401	3,901	211%
<b>Total Expenditures</b>	<b>95,104</b>	<b>8,527</b>	<b>94,632</b>	<b>(472)</b>	<b>100%</b>

<b>REVENUES NET OF EXPENDITURES</b>	<b>(15,049)</b>	<b>(7,642)</b>	<b>7,334</b>	<b>22,383</b>	
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**OTHER FINANCING SOURCES (USES)**

Operating transfers in (GF)	20,000	-	20,000	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>20,000</b>	<b>-</b>	<b>20,000</b>	<b>-</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ 4,951</b>	<b>\$ (7,642)</b>	<b>\$ 27,334</b>	<b>\$ 22,383</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**TIF 1A**

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b>REVENUES</b>					
Property Tax	\$ -	-	18,067	18,067	0%
Interest income				-	0%
<b>Total Revenues</b>	<b>-</b>	<b>-</b>	<b>18,067</b>	<b>18,067</b>	<b>0%</b>
<b>EXPENDITURES</b>					
Other	-	-	-	-	0%
Contract Services	-	-	12,544	12,544	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>12,544</b>	<b>12,544</b>	<b>0%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>-</b>	<b>-</b>	<b>5,523</b>	<b>5,523</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in				-	0%
Operating transfers out				-	0%
<b>Total other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>NET FUND ACTIVITY</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,523</b>	<b>\$ 5,523</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**

**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**TIF 1B**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) Budget	% of Budget Used
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**REVENUES**

Property Tax	\$				0%
Interest income					0%
<b>Total Revenues</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>

**EXPENDITURES**

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>	<u>19,136</u>

<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>-</u>	<u>-</u>	<u>(19,136)</u>	<u>(19,136)</u>
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**OTHER FINANCING SOURCES (USES)**

Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<u>-</u>	<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 eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Sewer Reserve Fund**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) Budget	% of Budget Used
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**REVENUES**

Interest income	\$ 3,003	1,112	8,609	5,606	287%
<b>Total Revenues</b>	<b>3,003</b>	<b>1,112</b>	<b>8,609</b>	<b>5,606</b>	<b>287%</b>

**EXPENDITURES**

Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b>3,003</b>	<b>1,112</b>	<b>8,609</b>	<b>5,606</b>	
--	--------------	--------------	--------------	--------------	--

**OTHER FINANCING SOURCES (USES)**

Operating transfers in	1,201,125	-	1,201,125	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>1,201,125</b>	<b>-</b>	<b>1,201,125</b>	<b>-</b>	

<b><u>NET FUND ACTIVITY</u></b>	<b>\$ 1,204,128</b>	<b>\$ 1,112</b>	<b>\$ 1,209,734</b>	<b>\$ 5,606</b>	
---------------------------------	---------------------	-----------------	---------------------	-----------------	--

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the eleven months ending September 30, 2019**

**100% of the Fiscal Year 2019**

**Preliminary**

**Qualified Sinking Fund**

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> Budget	<u>% of Budget</u> Used
<b>REVENUES</b>					
Interest income	\$ 250	93	716	466	287%
<b>Total Revenues</b>	<b>250</b>	<b>93</b>	<b>716</b>	<b>466</b>	<b>287%</b>
<b>EXPENDITURES</b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>250</b>	<b>93</b>	<b>716</b>	<b>466</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	100,000	-	100,000	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>100,000</b>	<b>-</b>	<b>100,000</b>	<b>-</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ 100,250</b>	<b>\$ 93</b>	<b>\$ 100,716</b>	<b>\$ 466</b>	

## APPLICATION AND CERTIFICATION FOR PAYMENT

TO OWNER: City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128

PROJECT: LaVista Civic Center Phase 2 APPLICATION NO

PAGE ONE OF

PAGES

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM Blade Masters Grounds Maint, Inc. VIA ARCHITECT: RDG Planning & Design  
CONTRACTOR: P.O. Box 167  
Bennington, NE 68007

900 Farnam on the Mall  
Omaha, NE 68102

PERIOD TO: 8/22/2019  
PROJECT NOS: 3001477.01

CONTRACT FOR:

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.  
Continuation Sheet, AIA Document G703, is attached.

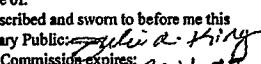
1. ORIGINAL CONTRACT SUM	\$ 1,744,777.34
2. Net change by Change Orders	\$ 124,946.79
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$ 1,869,724.13
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 1,861,424.13
5. RETAINAGE:	
a. -10 % of Completed Work (Column D + E on G703)	\$ 188,667.47
b. % of Stored Material (Column F on G703)	\$ _____
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$ 188,667.47
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$ 1,675,281.72
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 0
8. CURRENT PAYMENT DUE	\$ 189,534.09
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 0.00

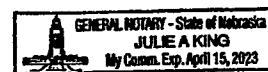
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates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

CONTRACTOR: Blade Masters Grounds Maintenance, Inc.

By: 

Date: 10/24/19

State of: \_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ County of: \_\_\_\_\_  
Notary Public:   
My Commission expires: April 25, 2023

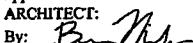


## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the 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 ..... \$ 189,534.09

(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: 

Date: 10/28/2019

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	\$15,000.00	(\$1,700.00)
Total approved this Month	\$31,881.79	(\$3,208.32)
TOTALS	\$96,881.79	(\$4,908.32)
NET CHANGES by Change Order		\$91,973.47

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - ©1992  
Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292

Total Contract with BMGM: \$1,869,724.13
Deductions: -\$4,908.32 <-----
Total Contract Amount: \$1,864,815.81
Total Earned Already [-]: \$1,675,281.72
To be Approved on Pay App: \$189,534.09

Deductions are for the costs associated with fire lane concrete work not needed from Change Order 01 (see next sheet)

Consent Agenda 11/19/19 (R)

## CONTINUATION SHEET

### AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, 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: 8  
APPLICATION DATE: 9/30/2019  
PERIOD TO:  
ARCHITECT'S PROJECT NO: 3001.477.01

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G+C)	BALANCE TO FINISH (C-G)	RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
1	Mobilization, Bonding, Insurance	\$174,000.00	\$174,000.00	\$0.00	\$0.00	\$174,000.00	100%	\$0.00	(\$17,400.00)
2	Demolition and Removals	\$26,860.00	\$26,860.00	\$0.00	\$0.00	\$26,860.00	100%	\$0.00	(\$2,686.00)
3	Concrete Trail (10' x 6" thick) 23,770 sf @ 4.62 =	\$109,817.40	\$109,817.40	\$0.00	\$0.00	\$109,817.40	100%	\$0.00	(\$10,981.74)
4	Fire Lane	\$157,140.58	\$157,140.58	\$0.08	\$0.00	\$157,140.58	100%	\$0.00	(\$15,714.06)
5	sidewalk Tie Ins	\$5,208.00	\$5,208.00	\$0.00	\$0.00	\$5,208.00	100%	\$0.00	(\$520.80)
6	Bollards	\$6,600.00	\$0.00	\$6,600.00	\$0.00	\$6,600.00	100%	-\$6,600.00	(\$660.00)
7	Detectable Warming Panels 95 sf @ 53.00 =	\$5,035.00	\$5,035.00	\$0.00	\$0.00	\$5,035.00	100%	\$0.00	(\$503.50)
8	Air Compressor Pad	\$500.00	\$500.00	\$0.00	\$0.00	\$500.00	100%	\$0.00	(\$50.00)
9	Electrical (separate breakdown to follow)	\$291,372.00	\$291,372.00	\$0.00	\$0.00	\$291,372.00	100%	\$0.00	(\$29,137.20)
10	Irrigation, + design change (breakdown to follow)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$0.00	
10a	Irrigation: lawn sprinkler system installation	\$159,240.00	\$159,240.00	\$0.00	\$0.00	\$159,240.00	100%	\$0.00	(\$15,924.00)
10b	Irrigation: sprinkler material	\$130,186.00	\$130,186.00	\$0.00	\$0.00	\$130,186.00	100%	\$0.00	(\$13,018.60)
10c	Irrigation: pump station installation	\$75,789.62	\$75,789.62	\$0.00	\$0.00	\$75,789.62	100%	\$0.00	(\$7,578.96)
10d	Irrigation: watertronics pump station material	\$97,673.38	\$97,673.38	\$0.00	\$0.00	\$97,673.38	100%	\$0.00	(\$9,767.39)
11	Otterbine Package	\$60,000.00	\$60,000.00	\$0.00	\$0.00	\$60,000.00	100%	\$0.00	(\$6,000.00)
12	Seeding (Lawn) 14 acres @ 3600 =	\$5,400.00	\$5,400.00	\$0.00	\$0.00	\$5,400.00	100%	\$0.00	(\$540.00)
13	Seeding (Native Grass) 1.5 acres @ 3800 =	\$5,700.00	\$5,700.00	\$0.00	\$0.00	\$5,700.00	100%	\$0.00	(\$570.00)
14	Shoreline Protection	\$16,000.00	\$16,000.00	\$0.00	\$0.00	\$16,000.00	100%	\$0.00	(\$1,600.00)
15	Watertronics station install by Uleman Irrigation	(\$16,650.00)	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$0.00	
16	SWPP Plans	\$68,080.00	\$68,080.00	\$0.00	\$0.00	\$68,080.00	100%	\$0.00	(\$6,808.00)
17	Bioswale Basin (all-inclusive)	\$112,340.00	\$112,340.00	\$0.00	\$0.00	\$112,340.00	100%	\$0.00	(\$11,234.00)
18	Earthwork (placement, agg, base for paving, backfilling paving)	\$211,485.36	\$211,485.36	\$0.00	\$0.00	\$211,485.36	100%	\$1,700.00	(\$1,330.00)
19	Change order #1 including all 4 items as referenced in CO#01	\$15,000.00	\$13,300.00	\$0.00	\$0.00	\$13,300.00	88.67%	\$0.00	(\$8,181.79)
20	Change order #3	\$81,881.79	\$81,881.79	\$0.00	\$0.00	\$81,881.79	100.00%	\$0.00	(\$8,181.79)
21	Change order #4 pending (for seeding and erosion matting)	\$28,065.00	\$28,065.00	\$0.00	\$0.00	\$28,065.00	100.00%	\$0.00	(\$2,806.50)
	GRAND TOTALS	\$0.00	\$1,869,724.13	\$1,860,074.05	\$6,600.08	\$1,866,674.63	101%	\$8,300.00	\$0.00

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

Work not needed. Calculated as savings for City.

ok to pay  
11/8/19  
16.72.0942.003  
J.C.

November 19, 2019

## City of La Vista City Council Consent Agenda

## Omaha Sewer Tract Connection Fees

Address	Company	Amount Due		Amount in	
		to Omaha	GL Date	Liability Account	Difference
7719-7729 S 131st Plaza	Bldng #13 36 Units Andover Pointe Lot 1	36,388.80	8/27/2019	\$ 36,388.80	\$ -
7720 S - 7728 130th Plaza	Building #12 30 Units Andover Pointe Lot 1	30,324.00	4/16/2019	\$ 30,324.00	\$ -
		<u>\$ 66,712.80</u>		<u>\$ 66,712.80</u>	<u>\$ -</u>

Payment Requested by: John Kottman

Approved by: Cindy Miserez  
Date: November 19, 2019

All funds have been received from the Companies

for remittance to Omaha

Accounts Payable Note: Please enter a separate invoice for each company for each vendor.

Vendor: City of Omaha

Vendor Number: 00152

Attention: Ronald L. Bartlett (PWks)

GL Number: 02.00.0052.001

Please Note Accounts Payable Instructions:

Please include a copy of this worksheet and the Pat Dowse letter with the check.

Please enter a separate invoice for each amount listed with the address in the description field.

Consent Agenda 11/19/19 @

**City Of La Vista  
Remittance Calculation to Omaha  
Quarterly Report to City of Omaha**

<b>Date</b>	<b>Third Qtr of 2019</b>	<b>2-Oct-19</b>	<b>La Vista Tract Fee Rate</b>	<b>La Vista Tract Conn Fee Collected</b>	<b>La Vista Sr. Conn. Fee Remitted, 95%</b>
<b>Project Multi-Family</b>	<b>Legal</b>	<b>Address</b>	<b>Acres Units</b>		
Andover Pt Apts	Andover Pointe, Pt. of Lot 1	7719 South 131st Plaza-Bldg #13	36 Units	\$1,064.00 per Unit	\$ 38,304.00
Andover Pt Apts	Andover Pointe, Pt. of Lot 1	7720 South 130th Plaza-Bldg #12	30 Units	\$1,064.00 per Unit	\$ 31,920.00
Comm/Ind None			0 Acres	\$7,407.00 per Acre	\$ -
					<b>\$ 66,712.80</b>



October 7, 2019

Mr. Ron Bartlett  
City of Omaha-EQCD  
5600 South 10<sup>th</sup> Street  
Omaha, NE 68107-3501

RE: Omaha-La Vista WSA  
Sanitary Sewer Connection Fee Reporting  
Quarter 3 of 2019

Ron:

In accordance with Amendment No. 3 to the wastewater service agreement between the City of Omaha and the City of La Vista, we are submitting this report for the first quarter of 2019. There were two apartment buildings with sewer connections in the service area for which fees are due to Omaha in the third quarter. I have enclosed a report form identifying the buildings and connection fees in the amount of \$66,712.80. If you have questions about this report, please contact me.

This submittal makes us current in the remittance of sewer connection fees to the best of my knowledge.

Submitted by:

Patrick Dowse, P.E.  
City Engineer

Enclosure

Cc Ms. Cindy Miserez, La Vista Finance Director w/encl

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

Community Development  
8116 Park View Blvd.  
p:402-593-6400  
f:402-331-4375

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

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

Police  
7701 South 96<sup>th</sup> St  
p:402-331-1582  
f:402-331-7210

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

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

## APPLICATION AND CERTIFICATE FOR PAYMENT

To Owner:	City of LaVista John Kottmann 9900 Portal Road LaVista, NE 68128	Project:	3146- LaVista Garage District 2 Structure 1	Application No.:	16	Distribution to:
From Contractor:	Hawkins Construction Company P.O. Box 9008 Omaha, NE 68109	Via Architect:	DLR Group Matthew Gulsvig	Period To:	10/31/2019	<input type="checkbox"/> Owner <input type="checkbox"/> Architect <input type="checkbox"/> Contractor
			Project Nos:	DLR-10-17105-00 Hawkins 3146		

## 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 .....	\$4,146,122.91
5. Retainage: a. 0.0% of Completed Work	\$0.00
b. 0.0% of Stored Material	\$0.00
Total Retainage .....	\$0.00
6. Total Earned Less Retainage .....	\$4,146,122.91
7. Less Previous Certificates For Payments .....	\$3,692,684.62
8. Current Payment Due .....	\$453,438.29
9. Balance To Finish, Plus Retainage	\$0.00

CHANGE ORDER SUMMARY			
	Additions	Deductions	
Total changes approved in previous months by Owner	\$283,922.91	\$800.00	
Total Approved this Month	\$0.00	\$0.00	
<b>TOTALS</b>	<b>\$283,922.91</b>	<b>\$800.00</b>	
Net Changes By Change Order	\$283,122.91		

*(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 Date: 11/13/2019  
By: Matthew Gulsvig

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.

Consent Agenda 11/19/19

## CONTINUATION SHEET

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 fine items may apply.

Invoice #: 16 Contract: 3146-La Vista Garage District 2 Structure 1

Page 2 of 3

Application No.: 16  
Application Date: 10/30/2019

To: 10/31/2019  
Architect's Project No.: DLR-10-17105-0

Hawkins 3146

Item No.	Description of Work	Scheduled Value	Work Completed		Materials Presently Stored	Total Completed and Stored To Date	% (G / C)	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	0.00
2 Allowances		60,000.00	60,000.00	0.00	0.00	60,000.00	100.00%	0.00	0.00
3 Concrete Paving and Sidewalks		47,100.00	47,100.00	0.00	0.00	47,100.00	100.00%	0.00	0.00
4 Concrete Formwork		797,800.00	797,800.00	0.00	0.00	797,800.00	100.00%	0.00	0.00
5 Concrete Reinforcing		279,500.00	279,500.00	0.00	0.00	279,500.00	100.00%	0.00	0.00
6 C.I.P. Foundations		107,900.00	107,900.00	0.00	0.00	107,900.00	100.00%	0.00	0.00
7 C.I.P. Slab on Grade		439,900.00	439,900.00	0.00	0.00	439,900.00	100.00%	0.00	0.00
8 C.I.P. Walls & Columns		150,200.00	150,200.00	0.00	0.00	150,200.00	100.00%	0.00	0.00
9 C.I.P. Elevated Decks		440,453.00	440,453.00	0.00	0.00	440,453.00	100.00%	0.00	0.00
10 Post-tensioned Concrete		159,200.00	159,200.00	0.00	0.00	159,200.00	100.00%	0.00	0.00
11 Concrete Curing		20,900.00	20,900.00	0.00	0.00	20,900.00	100.00%	0.00	0.00
12 Precast Architectural Concrete		84,300.00	84,300.00	0.00	0.00	84,300.00	100.00%	0.00	0.00
13 Unit Masonry		158,500.00	142,650.00	15,850.00	0.00	158,500.00	100.00%	0.00	0.00
14 Metals		135,600.00	128,820.00	6,780.00	0.00	135,600.00	100.00%	0.00	0.00
15 Wood, Plastics and Composites		4,500.00	4,500.00	0.00	0.00	4,500.00	100.00%	0.00	0.00
16 Garage Waterproofing System		24,600.00	24,600.00	0.00	0.00	24,600.00	100.00%	0.00	0.00
17 Self-Adhering Sheet Waterproofering		8,400.00	8,400.00	0.00	0.00	8,400.00	100.00%	0.00	0.00
18 Water Repellents		900.00	900.00	0.00	0.00	900.00	100.00%	0.00	0.00
19 Thermal Insulation		3,200.00	3,200.00	0.00	0.00	3,200.00	100.00%	0.00	0.00
20 Metal Framing, Sheathing, DEFS		15,500.00	15,500.00	0.00	0.00	15,500.00	100.00%	0.00	0.00
21 Fluid-Applied Membrane Air Barriers		6,400.00	6,400.00	0.00	0.00	6,400.00	100.00%	0.00	0.00
22 TPO Roofing, Sheet Metal, Roof Expansion Joints, Sealants, Joint Firestopping, Pre-Assembled Metal Frame and Hardware		11,800.00	11,800.00	0.00	0.00	11,800.00	100.00%	0.00	0.00
23 Joint Sealants, Joint Firestopping, Pre-Assembled Metal Frame and Hardware		41,100.00	39,045.00	2,055.00	0.00	41,100.00	100.00%	0.00	0.00
24 H.M. Doors, Frames and Hardware		15,700.00	15,700.00	0.00	0.00	15,700.00	100.00%	0.00	0.00
25 Alum, Sotrefronts, Glazing, Fire-Resistant		12,000.00	12,000.00	0.00	0.00	12,000.00	100.00%	0.00	0.00
26 High-Performance Coatings		64,900.00	61,655.00	3,245.00	0.00	64,900.00	100.00%	0.00	0.00
27 Fire Protection Cabinets & Extinguishers		2,500.00	2,500.00	0.00	0.00	2,500.00	100.00%	0.00	0.00
28 Signage		19,800.00	19,800.00	0.00	0.00	19,800.00	100.00%	0.00	0.00
29 Parking Access and Revenue Control		103,400.00	98,230.00	5,170.00	0.00	103,400.00	100.00%	0.00	0.00
30 Fire Suppression Systems		16,400.00	16,400.00	0.00	0.00	16,400.00	100.00%	0.00	0.00
31 Plumbing & Site Utilities		170,600.00	170,600.00	0.00	0.00	170,600.00	100.00%	0.00	0.00
32 HVAC		11,800.00	11,800.00	0.00	0.00	11,800.00	100.00%	0.00	0.00

## CONTINUATION SHEET

Application and Certification for Payment, containing  
Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column 1 on Contracts where variable retainage for line items may apply.

Contract : 3146- LaVista Garage District 2 Structure 1

Invoice #:

16

Page 3 of 3

16

Application No. : 10/30/2019  
Application Date :

10/31/2019

To:

Architect's Project No. : DLR-10-17105-0  
Hawkins 3146

Item No.	Description of Work	Scheduled Value	Work Completed		Materials Presently Stored	Total Completed and Stored To Date	% (G / C)	Balance To Finish (C-G)	Retainage
			From Previous Application (D+E)	This Period In Place					
33	Electrical	200,800.00	190,760.00	10,040.00	0.00	200,800.00	100.00%	0.00	0.00
34	Ground Soil Improvement	92,400.00	92,400.00	0.00	0.00	92,400.00	100.00%	0.00	0.00
35	Garage Pavement Markings	5,400.00	5,400.00	0.00	0.00	5,400.00	100.00%	0.00	0.00
36	Chain Link Fences and Gates	13,100.00	13,100.00	0.00	0.00	13,100.00	100.00%	0.00	0.00
37	Excavation, Backfill, Hauling Soils	110,100.00	110,100.00	0.00	0.00	110,100.00	100.00%	0.00	0.00
38	Change Order 1	74,068.60	74,068.60	0.00	0.00	74,068.60	100.00%	0.00	0.00
39	Change Order 2	2,981.31	2,981.31	0.00	0.00	2,981.31	100.00%	0.00	0.00
40	Change Order 3	4,791.00	4,791.00	0.00	0.00	4,791.00	100.00%	0.00	0.00
41	Change Order 4	10,503.00	10,503.00	0.00	0.00	10,503.00	100.00%	0.00	0.00
42	Change Order 5	-800.00	-800.00	0.00	0.00	-800.00	100.00%	0.00	0.00
43	Change Order 6	40,904.00	40,904.00	0.00	0.00	40,904.00	100.00%	0.00	0.00
44	Change Order 7	20,030.00	20,030.00	0.00	0.00	20,030.00	100.00%	0.00	0.00
45	Change Order 8	5,569.00	5,569.00	0.00	0.00	5,569.00	100.00%	0.00	0.00
46	Change Order 9	50,535.00	50,535.00	0.00	0.00	50,535.00	100.00%	0.00	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	59,712.00	0.00	0.00	59,712.00	100.00%	0.00	0.00
49	Change Order 12	2,358.00	2,358.00	0.00	0.00	2,358.00	100.00%	0.00	0.00
50	Change Order 13	12,471.00	12,471.00	0.00	0.00	12,471.00	100.00%	0.00	0.00
51	Change Order 14	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
Grand Totals		4,146,122.91	4,102,932.91	43,140.00	0.00	4,146,122.91	100.00%	0.00	0.00



# Invoice

Reference Invoice Number with Payment

**HDR Engineering Inc.**  
Omaha, NE 68106-2973  
Phone: (402) 399-1000

HDR Invoice No. 1200226297  
Invoice Date 04-NOV-2019  
Invoice Amount Due \$6,072.45  
Payment Terms 30 NET

**City of La Vista**  
Rita Ramirez  
8116 Park View Blvd  
La Vista, NE 68128

Remit To PO Box 74008202  
ACH/EFT Payments Chicago, IL 60674-8202  
Bank of America ML US  
ABA# 081000032  
Account# 355004076604

Project Management for Services for Public Improvements and Other Works.

Professional Services  
From: 01-OCT-2019 To: 26-OCT-2019

Professional Services Summarization	Hours	Billing Rate	Amount
Administrative	1.50		90.14
Civil Engineer	7.50		901.46
Communications Coordinator	5.50		478.50
Graphic Designer	4.50		357.45
Project Controller	0.50		52.47
Project Manager	16.00		3,747.36
Sr. Civil Engineer	2.50		417.53
	<b>38.00</b>		<b>\$6,044.91</b>
		<b>Total Professional Services</b>	<b>\$6,044.91</b>

Expense Summarization	Quantity	Billing Rate	Amount
Mileage Personal	24.00		13.92
Printing/Reprographics			13.62
<b>Total Expenses</b>			<b>\$27.54</b>

<b>Amount Due This Invoice (USD)</b>	<b>\$6,072.45</b>
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Fee Amount	\$670,695.00
Fee Invoiced to Date	\$494,056.61
Fee Remaining	\$176,638.39

HDR Internal Reference Only	
Client Number	41331
Cost Center	10134
Project Number	10053040

Consent Agenda

11/19/19 (R)

R. Ramirez  
11-14-19

# Invoice

HDR Invoice No. 1200226297  
 Invoice Date 04-NOV-2019

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs		
Task Number:	1.0	Task Description:	Project Management		
<b>Professional Services</b>					
			Hours	Billing Rate	Amount
Civil Engineer	Christiansen, Adam P.		7.00	116.85	817.95
Project Controller	Clifton, Rachel M		0.50	104.94	52.47
Project Manager	Koenig, Christopher J		16.00	234.21	3,747.36
Sr. Civil Engineer	Cain, Christopher A		2.50	167.01	417.53
			<b>26.00</b>		<b>\$5,035.31</b>
			<b>Total Professional Services</b>		<b>\$5,035.31</b>
<b>Expense</b>					
			Qty	Billing Rate	Amount
Mileage Personal	Koenig, Christopher J		24.00	0.58	13.92
Printing/Reprographics	ARC Document Solutions LLC				11.13
			<b>Total Expense</b>		<b>\$25.05</b>
			<b>Total Task</b>		<b>\$5,060.36</b>

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs		
Task Number:	2.0	Task Description:	Construction Team Coordination		
<b>Professional Services</b>					
			Hours	Billing Rate	Amount
Administrative	Anderson, Scott D		1.50	60.09	90.14
Civil Engineer	Cain, Christopher A		0.50	167.01	83.51
			<b>2.00</b>		<b>\$173.65</b>
			<b>Total Professional Services</b>		<b>\$173.65</b>
<b>Expense</b>					
			Qty	Billing Rate	Amount
Printing/Reprographics	ARC Document Solutions LLC				2.19
			<b>Total Expense</b>		<b>\$2.19</b>
			<b>Total Task</b>		<b>\$175.84</b>

# Invoice

HDR Invoice No. 1200226297  
Invoice Date 04-NOV-2019

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs
Task Number:	3.0	Task Description:	Public Outreach
<b>Professional Services</b>			
		Hours	Billing Rate
Communications Coordinator	Veldhouse, Kristen Lynn	5.50	87.00
Graphic Designer	George, Elizabeth L	3.50	74.70
Graphic Designer	Rodriguez, Christina Anne Rolfes	1.00	96.00
		10.00	\$835.95
			<b>Total Professional Services</b>
			<b>\$835.95</b>
<b>Expense</b>			
		Qty	Billing Rate
Printing/Regraphics	ARC Document Solutions LLC		0.30
			<b>Total Expense</b>
			<b>\$0.30</b>
			<b>Total Task</b>
			<b>\$836.25</b>

# MIDWEST

Right of Way Services, Inc.

A-8

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

October 25, 2019

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

**Invoice No.: 5377**  
Midwest Right of Way Services #539  
Services in connection with the  
City of LaVista - 120th & Giles - Total Acquisition

<i>Total Contract</i>	\$	-
<i>Amount Previously Invoiced</i>	\$	3,069.46

For the period of      September 21, 2019   through   October 18, 2019

Project Manager	2.00	hours at	\$95	per hour	\$	190.00
Acquisition Agent	-	hours at	\$85	per hour	\$	-
Miles	12.00	miles	\$0.58	per mile	\$	6.96

**Total Amount Due for this Invoice:**

\$ 196.96

*Total Remaining on Contract (after this invoice)*

\$ -

**Past Due Invoices:**

5355-9/30/19

\$ 916.96

**Total Amount for Past Due Invoices:**

\$ 916.96

**TOTAL AMOUNT CURRENTLY DUE:** \$ 1,113.92

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

Consent Agenda 11/19/19  
*(initials)*

O.K. To Pay  
PMD 11/11/19  
05.71.0899.003



PLANNING • DESIGN

October 31, 2019  
 Project No: R3003.066.00  
 Invoice No: 46388

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 October 31, 2019  
 Fee

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	237,167.50	52.00	123,327.10	106,725.43	16,601.67
Schematic Design	12,482.50	0.00	0.00	0.00	0.00
Total Fee	249,650.00		123,327.10	106,725.43	16,601.67
			<b>Total Fee</b>		<b>16,601.67</b>

#### Reimbursable Expenses

Printing	2.80
Travel	13.20
Mileage In Town	71.92
<b>Total Reimbursables</b>	<b>87.92</b>
<b>Total this Invoice</b>	<b>\$16,689.59</b>

#### Outstanding Invoices

Number	Date	Balance
46272	9/30/2019	7,968.87
<b>Total</b>		<b>7,968.87</b>

R. Ramirez  
 11-13-19

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
FINAL CHANGE ORDER 84 <sup>TH</sup> STREET PAVEMENT REHABILITATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to execute the Final Change Order with Swain Construction for a deduct amount of \$188,435.69, resulting in a final contract price not to exceed \$1,632,139.04 for the 84<sup>th</sup> Street Rehabilitation project.

**FISCAL IMPACT**

The FY19/20 Biennial Budget includes funding for this project.

**RECOMMENDATION**

Approval

**BACKGROUND**

The Final Change Order is to capture the remaining line item of work quantity overruns and underruns for the project. Generally, the reductions are largely due to line item of work quantities that were conservatively estimated at the time of design as to best ensure repair item quantities were sufficient in the event more extensive repair work would have been needed within the 84<sup>th</sup> Street mainline. Also, as the 84<sup>th</sup> Street Access Improvements project ran concurrently with this project, some of the overlay quantities were able to be deleted as adjustments were made to account for the brand-new concrete paving. The southbound right-hand turn lane at 84<sup>th</sup> Street and Giles Road overlay quantity was also deleted.

As the Final Pay Application is contingent upon the approval of the Final Change Order, the Final Change Order needs to be approved prior the Final Pay Application being processed.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 3 TO THE 84TH STREET PAVEMENT REHABILITATION CONTRACT WITH SWAIN CONSTRUCTION, INC., OMAHA, NEBRASKA, TO PROVIDE FOR A REDUCTION IN THE FINAL PROJECT AMOUNT OF \$188,435.69 DUE TO THE FINAL PROJECT QUANTITY CALCULATIONS.

WHEREAS, the City has determined it is necessary to reduce the final project contract amount due to final project quantity calculations; and

WHEREAS, the FY19/20 biennial budget provides funding for this project; and

WHEREAS, the change order will decrease the contract price by \$188,435.69 to a total of \$1,632,139.04; and

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 No. 3 to the 84th Street Pavement Rehabilitation contract with Swain Construction, Inc., Omaha Nebraska, to provide for a reduction in the final project amount of \$188,435.69 due to the final project quantity calculations.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

CHSCH



## FINAL CHANGE ORDER

Date of Issuance: November 1, 2019

Effective Date: November 1, 2019

Project La Vista City Centre 84 <sup>th</sup> Street Rehabilitation	Owner City of La Vista	Owner's Contract No : PWST-19-004
Contract: 84 <sup>th</sup> Street Rehabilitation		Date of Contract: March 20 <sup>th</sup> , 2019
Contractor Swain Construction		Engineer's Project No B16-0546

The Contract Documents are modified as follows upon execution of this Change Order:

DESCRIPTION: Reduce the final project contract amount due to final project quantity calculations

Attachments: (List documents supporting change)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: <u>\$ 1,875,046.23</u>	Original Contract Times: Final Completion: <u>October 11, 2019</u> Ready for Final Payment: <u>October 26, 2019</u>
Change from previously approved Change Orders No. <u>1</u> to No. <u>2</u> :  <u>\$ (54,471.50)</u>	No Change from previously approved Change Orders No.  Final Completion: <u>October 11, 2019</u> Ready for Final Payment: <u>October 26, 2019</u>
Contract Price prior to this Change Order:  <u>\$1,820,574.73</u>	Contract Times prior to this Change Order: Final Completion: <u>October 11, 2019</u> Ready for Final Payment: <u>October 26, 2019</u>
Decrease Change of this Change Order:  <u>(\$188,435.69)</u>	Changes of this Change Order:
Contract Price incorporating this Change Order:  <u>\$ 1,632,139.04</u>	Contract Times with all approved Change Orders: Final Completion: <u>October 11, 2019</u> Ready for Final Payment: <u>October 26, 2019</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>John S. Swain</u> Engineer (Authorized Signature)	By: <u>Art M.</u> Contractor (Authorized Signature)	By: _____ Owner (Authorized Signature)
Title: <u>P.E.</u>	Title: <u>ENGINEER</u>	Title: _____
Date: <u>11/01/19</u>	Date: <u>11/11/19</u>	Date: _____

Owner: City of LaVista		84th Street Rehabilitation Final Change Order Attachment #1						
		Project # B16-0546			Prepared By: Stacy Zablocki			
B	C	D	E	G	H	I		
Item No.	Description	Pay Unit	Contract Qty(S) Prior to this Change Order	Qty(s) Adjustment Per This Change Order	Contract Qty(S) Per this Change Order	CONSTR Unit Price	Final Change Order Costs (G*H)	
<b>BID SECTION:</b>								
1	MOBILIZATION	LS	0.98	-	0.98	\$ 120,381.00	\$ -	
2	PROVIDE TEMPORARY TRAFFIC CONTROL - 84TH STREET	LS	1.00	-	1.00	\$ 29,116.00	\$ -	
3	GRANVILLE	LS	0.61	-	0.61	\$ 7,768.00	\$ -	
4	FURNISH FLASHING ARROW PANEL	DAY	66.00	(13.00)	53.00	\$ 98.60	\$ (1,281.80)	
5	REMOVE CURB	LF	252.00	165.00	417.00	\$ 8.84	\$ 1,458.60	
6	CONCRETE CURB & GUTTER (2' WIDE)	LF	-	-	-	\$ 27.30	\$ -	
6A	CONCRETE CURB & GUTTER (2' WIDE) (PRICE REDUCTION)	LF	252.00	165.00	417.00	\$ 25.32	\$ 4,177.80	
7	CONCRETE CURB REPAIR	LF	-	-	-	\$ 37.70	\$ -	
7A	CONCRETE CURB REPAIR (PRICE REDUCTION)	LF	402.00	(350.00)	52.00	\$ 35.72	\$ (12,502.00)	
8	REMOVE SIGN	EA	1.00	1.00	2.00	\$ 87.00	\$ 87.00	
9	REMOVE SIDEWALK	SF	1,901.00	1,644.00	3,545.00	\$ 1.24	\$ 2,038.56	
10	CONSTRUCT 4" PCC SIDEWALK	SF	-	32.00	32.00	\$ 6.19	\$ 198.08	
10A	CONSTRUCT 4" PCC SIDEWALK (PRICE REDUCTION)	SF	992.00	1,843.50	2,835.50	\$ 5.90	\$ 10,876.65	
11	CONSTRUCT CONCRETE CURB RAMP	SF	-	-	-	\$ 12.40	\$ -	
11A	CONSTRUCT CONCRETE CURB RAMP (PRICE REDUCTION)	SF	909.00	(423.00)	486.00	\$ 11.74	\$ (4,966.02)	
12	CONSTRUCT DETECTABLE WARNING PANEL	SF	104.00	(8.00)	96.00	\$ 17.55	\$ (140.40)	
13	RECONSTRUCT MEDIAN CROSSING	SF	-	-	-	\$ 10.35	\$ -	
13A	RECONSTRUCT MEDIAN CROSSING (PRICE REDUCTION)	SF	116.00	(10.00)	106.00	\$ 9.91	\$ (99.10)	
14	REPAIR MEDIAN SURFACING	SF	-	-	-	\$ 8.71	\$ -	
14A	REPAIR MEDIAN SURFACING (PRICE REDUCTION)	SF	797.00	(295.20)	501.80	\$ 8.27	\$ (2,441.30)	
15	CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH	CY	-	-	-	\$ 650.00	\$ -	
	CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH (PRICE REDUCTION)	CY	84.00	(73.45)	10.55	\$ 621.88	\$ (45,677.09)	
16	CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH	CY	-	-	-	\$ 503.00	\$ -	
	CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH (PRICE REDUCTION)	CY	140.00	(52.05)	87.95	\$ 474.63	\$ (22,682.67)	
17	CONCRETE PAVEMENT REPAIR, TYPE C, FULL DEPTH	CY	38.58	-	38.58	\$ 424.00	\$ -	
	CONCRETE PAVEMENT REPAIR, TYPE C, FULL DEPTH (PRICE REDUCTION)	CY	300.00	23.87	323.87	\$ 385.42	\$ 9,199.98	
18	FOUNDATION COURSE REPLACEMENT	CY	-	-	-	\$ 182.00	\$ -	
18A	FOUNDATION COURSE REPLACEMENT (PRICE REDUCTION)	CY	59.00	(43.30)	15.70	\$ 158.35	\$ (6,856.58)	
19	PREFORMED EXPANSION JOINT, TYPE A	LF	-	-	-	\$ -	\$ -	
20	REPLACE INLET TOP	EA	-	-	-	\$ 2,866.00	\$ -	
20A	REPLACE INLET TOP (PRICE REDUCTION)	EA	61.00	-	61.00	\$ 2,854.17	\$ -	
21	*RECONSTRUCT CURB INLET	EA	-	-	-	\$ 3,742.00	\$ -	
21A	*RECONSTRUCT CURB INLET (PRICE REDUCTION)	EA	2.00	(2.00)	-	\$ 3,534.20	\$ (7,068.40)	
22	*RECONSTRUCT 15" RCP, CLASS III	LF	25.00	(25.00)	-	\$ 78.15	\$ (1,953.75)	
23	*RECONSTRUCT 18" RCP, CLASS III	LF	25.00	(25.00)	-	\$ 81.20	\$ (2,030.00)	
24	ADJUST MANHOLE TO GRADE	EA	-	-	-	\$ 741.00	\$ -	
24A	ADJUST MANHOLE TO GRADE (PRICE REDUCTION)	EA	4.00	(2.00)	2.00	\$ 729.17	\$ (1,458.34)	
25	*ADJUST VALVE BOX TO GRADE	EA	-	-	-	\$ 663.00	\$ -	
25A	*ADJUST VALVE BOX TO GRADE (PRICE REDUCTION)	EA	5.00	(5.00)	-	\$ 651.17	\$ (3,255.85)	
26	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 4, 5" WHITE	LF	6,793.00	-	6,793.00	\$ 3.89	\$ -	
27	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 4, 5" YELLOW	LF	1,628.00	181.00	1,809.00	\$ 4.58	\$ 828.98	
28	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 3, 12" WHITE	LF	387.00	-	387.00	\$ 10.75	\$ -	
29	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 3, 24" WHITE	LF	1,239.00	-	1,239.00	\$ 22.90	\$ -	
30	INSTALL PERMANENT PERFORMED TAPE MARKING SYMBOL - TYPE DIRECTIONAL ARROW RIGHT, WHITE	EA	19.00	(2.00)	17.00	\$ 273.00	\$ (546.00)	
31	INSTALL PERMANENT PERFORMED TAPE MARKING SYMBOL - TYPE DIRECTIONAL ARROW LEFT, WHITE	EA	26.00	(6.00)	20.00	\$ 273.00	\$ (1,638.00)	
32	INSTALL TEMPORARY PAINT MARKING - WHITE	LF	5,000.00	(5,000.00)	-	\$ 0.35	\$ (1,750.00)	
33	HYDRATED LIME/WARM MIX ASPHALT	EA	6,880.00	(901.55)	5,978.45	\$ 2.91	\$ (2,623.51)	
34	ASPHALTIC CONCRETE, TYPE SLX	TON	6,880.00	(903.55)	5,976.45	\$ 69.55	\$ (82,841.90)	
35	*ASPHALTIC CONCRETE FOR PATCHING, TYPE SLX	TON	10.00	(8.00)	2.00	\$ 159.00	\$ (1,272.00)	
36	PERFORMANCE GRADED BINDER (58V-34)	TON	289.00	6.72	295.72	\$ 767.00	\$ 5,154.24	
37	TACK COAT	GAL	8,485.00	(1,810.00)	6,875.00	\$ 3.46	\$ (6,262.80)	
38	*REMOVE ASPHALT SURFACING FROM PAVEMENT	SY	100.00	(100.00)	-	\$ 6.67	\$ (667.00)	
38A	COLD MILLING, CLASS 4 - 2" DEPTH	SY	36,864.00	-	38,884.00	\$ 5.78	\$ -	
39	CONCRETE SURFACE MILLING - 2" DEPTH	SY	7,437.00	(1,100.00)	6,337.00	\$ 7.81	\$ (8,591.00)	
40	RAP INCENTIVE	EA	11,696.00	(3,796.97)	7,899.03	\$ 1.22	\$ (4,632.30)	
41	*SEEDING TYPE TURF (EROSION CONTROL TYPE II)	AC	0.50	(0.34)	0.16	\$ 8,422.00	\$ (2,863.48)	
42	INSTALL CURB INLET PROTECTION	EA	68.00	(68.00)	-	\$ 181.00	\$ (12,988.00)	
43	RENTAL OF DUMP TRUCK, FULLY OPERATED	R	10.00	(10.00)	-	\$ 84.35	\$ (843.50)	
44	RENTAL OF SKID LOADER, FULLY OPERATED	R	10.00	(10.00)	-	\$ 61.60	\$ (616.00)	
45	RENTAL OF LOADER, FULLY OPERATED	R	10.00	(10.00)	-	\$ 102.00	\$ (1,020.00)	
46	RENTAL OF MOTOR GRADER, FULLY OPERATED	HOU	R	10.00	(10.00)	-	\$ 114.00	\$ (1,140.00)
<b>CHANGE ORDER NO.1</b>								
A1	Milling to City	SY	44,301.00	(1,100.00)	43,201.00	\$ (0.23)	\$ 253.00	
<b>CHANGE ORDER NO.2</b>								
X2-1	Temporary Traffic Control	LS	1.00	-	1.00	\$ 500.00	\$ -	
X2-2	Sawcut Full Depth	LF	150.00	-	150.00	\$ 7.00	\$ -	
X2-3	Remove Sidewalk	SF	270.00	-	270.00	\$ 2.00	\$ -	
X2-4	Remove Pavement	SY	235.00	-	235.00	\$ 14.00	\$ -	
X2-5	Construct 8-inch concrete pavement	SY	235.00	-	235.00	\$ 75.00	\$ -	
X2-6	Construct Concrete Curb Ramp	SF	270.00	-	270.00	\$ 20.00	\$ -	
X2-7	Construct Detectable Warning Panel	SF	16.00	-	16.00	\$ 16.00	\$ -	
X2-8	Brentwood and Granville Inlet Repair	LS	1.00	-	1.00	\$ 2,000.00	\$ -	
						\$ (188,435.69)		
						Original Contract Cost	\$ 1,875,046.23	
						Change Order No. 1	\$ (85,132.50)	
						Change Order No. 2	\$ 30,661.00	
						Final Quantity Change Order	\$ (188,435.69)	
						Total Contract Costs	\$ 1,632,139.04	

A-11

olsson

2111 S3 67th St, Ste 200  
Omaha, NE 68106

**Contractor's Application for Payment No.**

**FINAL**

To (Owner)	City of LaVista	From (Contractor)	Application Period	Application Date	11/1/2019
Project	84th Street REHAB	Contract	Swain Construction	Via (Engineer)	Olsson, Inc
Owner's Contract No	N/A	Contractor's Project No		Engineer's Project No	B16-0546

**Application For Payment**

**Change Order Summary**

Approved Change Orders			1. ORIGINAL CONTRACT PRICE.....	\$ 1,875,046.23
Number	Additions	Deductions	2. Net change by Change Orders.....	\$ -\$242,907.19
1		\$85,132.50	3. Current Contract Price (Line 1 ± 2).....	\$ 1,632,139.04
2	\$30,661.00		4. TOTAL COMPLETED AND STORED TO DATE (Column N on Progress Estimate).....	\$ 1,632,139.04
3 - Final		\$188,435.69	5. RETAINAGE:	
			a. X 100% Work Completed. .... S	
			b. X Stored Material.... S	
			c. Total Retainage (Line 5a + Line 5b)..... S	
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... S	\$ 1,632,139.04
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... S	\$ 1,523,338.69
			8. AMOUNT DUE THIS APPLICATION..... S	\$ 108,800.35
			9. BALANCE TO FINISH, PLUS RETAINAGE S	
TOTALS	\$30,661.00	\$273,568.19		
NET CHANGE BY CHANGE ORDERS		-\$242,907.19		

**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 *Scott Olson*

Date 11/11/19

Payment of

\$ 108,800.35

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

*Anthony E. Ebel*  
Engineer/Authorized Field Manager

11/11/19

(Date)

O.K. TO PAY - CONTINGENT  
UPON FINAL CHANGE  
CRAF2 APPRAISAL -  
PMD 11/11/19  
05.71.0948.003

Consent Agenda 11/19/19.

*TCO*



Project: 84th Street REHAB  
Contractor: SWAIN

Project #: B16-0546  
Date: 11/1/2019

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+I)	TOTAL COMPLETED AND STORED TO DATE (H+J+K)	% (M/F)	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	0.98	\$ 120,381.00	\$ 118,378.58	1.00	\$ 120,381.00	-	\$ -		1.00	\$ 120,381.00	102%	\$ -	\$ -
2	PROVIDE TEMPORARY TRAFFIC CONTROL - 84TH STREET	LS	1.00	\$ 29,116.00	\$ 29,116.00	1.00	\$ 29,116.00	-	\$ -		1.00	\$ 29,116.00	100%	\$ -	\$ -
3	PROVIDE TEMPORARY TRAFFIC CONTROL - BRENTWOOD & GRANVILLE	LS	0.61	\$ 7,768.00	\$ 4,761.78	0.61	\$ 4,761.78	-	\$ -		0.61	\$ 4,761.78	100%	\$ -	\$ -
4	FURNISH FLASHING ARROW PANEL	DAY	88.00	\$ 88.60	\$ 8,507.60	59.00	\$ 5,225.60	-	\$ -		53.00	\$ 5,225.60	60%	\$ -	\$ -
5	REMOVE CURB	LF	252.00	\$ 6.64	\$ 2,227.68	417.00	\$ 3,686.28	-	\$ -		417.00	\$ 3,686.28	165%	\$ -	\$ -
6	CONCRETE CURB & GUTTER (2' WIDE)	LF	-	\$ 1.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
7	CONCRETE CURB REPAIR	LF	-	\$ 0.70	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
8	REMOVE SIGN	EA	1.00	\$ 87.00	\$ 87.00	1.00	\$ 87.00	1.00	\$ 87.00		2.00	\$ 174.00	200%	\$ -	\$ -
9	REMOVE SIDEWALK	SF	1,801.00	\$ 1.24	\$ 2,357.24	3,513.50	\$ 4,356.74	31.50	\$ 39.06		3,545.00	\$ 4,396.42	187%	\$ -	\$ -
10	CONSTRUCT PCC SIDEWALK	SF	-	\$ 6.19	\$ -	-	\$ -	32.00	\$ 198.08		32.00	\$ 198.08	-	\$ -	\$ -
11	CONSTRUCT CONCRETE CURB RAMP	SF	-	\$ 12.40	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
12	CONSTRUCT DETECTABLE WARNING PANEL	SF	104.00	\$ 17.55	\$ 1,823.20	88.00	\$ 1,544.40	\$ 80.00	\$ 140.40		96.00	\$ 1,684.80	92%	\$ -	\$ -
13	RECONSTRUCT MEDIAN CROSSING	SF	-	\$ 10.35	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
14	REPAIR MEDIAN SURFACING	SF	-	\$ 8.71	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
15	CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH	CY	-	\$ 650.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
16	CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH	CY	-	\$ 503.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
17	CONCRETE PAVEMENT REPAIR, TYPE C, FULL DEPTH	CY	36.58	\$ 424.00	\$ 16,357.92	38.58	\$ 16,357.92	-	\$ -		38.58	\$ 16,357.92	100%	\$ -	\$ -
18	FOUNDATION COURSE REPLACEMENT	CY	-	\$ 182.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
19	PREFORMED EXPANSION JOINT, TYPE A	LF	-	\$ -	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
20	REPLACE INLET TOP	EA	-	\$ 2,666.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
21	RECONSTRUCT CURB INLET	EA	-	\$ 3,742.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
22	RECONSTRUCT 15' RCP, CLASS III	LF	25.00	\$ 78.15	\$ 1,953.75	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
23	RECONSTRUCT 18' RCP, CLASS III	LF	25.00	\$ 81.20	\$ 2,030.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
24	ADJUST MANHOLE TO GRADE	EA	-	\$ 741.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
25	ADJUST VALVE BOX TO GRADE	EA	-	\$ 663.00	\$ -	-	\$ -	-	\$ -		-	\$ -	-	\$ -	\$ -
26	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 4, 5"	LF	6,793.00	\$ 3.89	\$ 26,424.77	5,849.00	\$ 22,752.61	944.00	\$ 3,672.16		6,793.00	\$ 26,424.77	100%	\$ -	\$ -
27	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 4, 5"	LF	1,628.00	\$ 4.58	\$ 7,456.24	1,809.00	\$ 8,285.22	-	\$ -		1,809.00	\$ 8,285.22	111%	\$ -	\$ -
28	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 3, 12"	LF	387.00	\$ 10.75	\$ 4,160.25	352.00	\$ 3,784.00	35.00	\$ 376.25		387.00	\$ 4,160.25	100%	\$ -	\$ -
29	INSTALL PERMANENT PERFORMED TAPE MARKING - TYPE 3, 24"	LF	1,239.00	\$ 22.90	\$ 28,373.10	928.00	\$ 21,251.20	311.00	\$ 7,121.90		1,239.00	\$ 28,373.10	100%	\$ -	\$ -
30	INSTALL PERMANENT PERFORMED TAPE MARKING SYMBOL - TYPE DIRECTIONAL ARROW, NIGHT, WHITE	EA	19.00	\$ 273.00	\$ 5,187.00	10.00	\$ 2,730.00	7.00	\$ 1,911.00		17.00	\$ 4,641.00	89%	\$ -	\$ -
31	INSTALL PERMANENT PERFORMED TAPE MARKING SYMBOL - TYPE DIRECTIONAL ARROW, LEFT, WHITE	EA	26.00	\$ 273.00	\$ 7,098.00	17.00	\$ 4,641.00	3.00	\$ 819.00		20.00	\$ 5,460.00	77%	\$ -	\$ -
32	INSTALL TEMPORARY PAINT MARKING - WHITE	LF	5,000.00	\$ 0.35	\$ 1,750.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
33	HYDRATED LIME/WARM MMX ASPHALT	EA	8,880.00	\$ 2.91	\$ 20,200.80	5,861.45	\$ 17,056.82	117.00	\$ 340.47		5,978.45	\$ 17,397.29	87%	\$ -	\$ -
34	ASPHALTIC CONCRETE, TYPE SLX	TON	6,880.00	\$ 89.55	\$ 478,504.00	5,859.45	\$ 407,524.75	117.00	\$ 8,137.35		5,976.45	\$ 415,662.10	87%	\$ -	\$ -
35	ASPHALTIC CONCRETE, TYPE SLX	TON	10.00	\$ 159.00	\$ 1,590.00	2.00	\$ 318.00	-	\$ -		2.00	\$ 318.00	20%	\$ -	\$ -
36	PERFORMANCE GRADED BINDER (55V-34)	TON	289.00	\$ 767.00	\$ 221,683.00	289.93	\$ 222,376.31	5.79	\$ 4,440.93		295.72	\$ 226,817.24	102%	\$ -	\$ -
37	TACK COAT	GAL	8,485.00	\$ 3.45	\$ 29,358.10	6,675.00	\$ 23,095.50	-	\$ -		6,675.00	\$ 23,095.50	79%	\$ -	\$ -
38	REMOVE ASPHALT SURFACING FROM PAVEMENT	SY	100.00	\$ 6.67	\$ 667.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
38A	COLD MILLING, CLASS 4, 2' DEPTH	SY	36,964.00	\$ 5.78	\$ 213,073.92	36,864.00	\$ 213,073.92	-	\$ -		36,864.00	\$ 213,073.92	100%	\$ -	\$ -
39	CONCRETE SURFACE MILLING - 2' DEPTH	SY	7,437.00	\$ 7.81	\$ 58,082.97	6,337.00	\$ 49,491.97	-	\$ -		6,337.00	\$ 49,491.97	85%	\$ -	\$ -
40	RAP INCENTIVE	EA	11,698.00	\$ 1.22	\$ 14,268.12	7,744.44	\$ 9,446.22	154.59	\$ 185.60		7,698.03	\$ 9,838.82	66%	\$ -	\$ -
41	SEEDING TYPE TURF (EROSION CONTROL TYPE II)	AC	0.50	\$ 8,422.00	\$ 4,211.00	0.16	\$ 1,384.35	-	\$ -		0.16	\$ 1,384.35	32%	\$ -	\$ -
42	INSTALL CURB INLET PROTECTION	EA	68.00	\$ 191.00	\$ 12,988.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
43	RENTAL OF DUMP TRUCK, FULLY OPERATED	HOUR	10.00	\$ 84.35	\$ 843.50	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
44	RENTAL OF SKID LOADER, FULLY OPERATED	HOUR	10.00	\$ 61.60	\$ 616.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
45	RENTAL OF LOADER, FULLY OPERATED	HOUR	10.00	\$ 102.00	\$ 1,020.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
46	RENTAL OF MOTOR GRADER, FULLY OPERATED	HOUR	10.00	\$ 114.00	\$ 1,140.00	-	\$ -	-	\$ -		-	\$ -	-	0%	\$ -
Updated Total						\$ 1,324,097.60	\$ 1,192,710.80	\$ 27,472.20	\$ -		\$ 1,220,183.62	\$ 92%	\$ -	-	\$ -

ITEM NO.	DESCRIPTION OF WORK	Pay Unit	Total Ext. 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)	% (H/I)	BALANCE TO FINISH (E-M)	RETAINAGE
						Qty from previous pay appl.	Total from previous pay appl.	Qty this Period						
<b>Change Order</b>														
1 Main to City	SY 44 301.00	\$ (0.23)	\$ (10,189.23)	43,201.00	\$ (8,936.23)	-	\$ -	-	43,201.00	\$ (9,936.23)	98%	\$ -	\$ -	\$ -
6A CONCRETE CURB & GUTTER (2' WIDE) CO#1 Price Reduction	LF 252.00	\$ 25.32	\$ 6,300.64	417.00	\$ 10,558.44	-	\$ -	-	417.00	\$ 10,558.44	165%	\$ -	\$ -	\$ -
7A CONCRETE CURB REPAIR CO#1 Price Reduction	LF 402.00	\$ 35.72	\$ 14,359.44	52.00	\$ 1,857.44	-	\$ -	-	52.00	\$ 1,857.44	13%	\$ -	\$ -	\$ -
10A CONSTRUCT 4" PCC SIDEWALK CO#1 Price Reduction	SF 992.00	\$ 5.80	\$ 5,652.80	2,635.50	\$ 16,728.45	-	\$ -	-	2,835.50	\$ 16,728.45	26%	\$ -	\$ -	\$ -
11A RECONSTRUCT CONCRETE CURB RAMP CO#1 Price Reduction	SF 909.00	\$ 11.74	\$ 10,671.66	450.00	\$ 5,285.00	36.00	\$ 422.84	-	486.00	\$ 5,705.64	53%	\$ -	\$ -	\$ -
13A RECONSTRUCT MEDIAN CROSSING CO#1 Price Reduction	SF 116.00	\$ 9.91	\$ 1,149.56	106.00	\$ 1,050.46	-	\$ -	-	106.00	\$ 1,050.46	91%	\$ -	\$ -	\$ -
14A REPAIR MEDIAN SURFACING CO#1 Price Reduction	SF 797.00	\$ 8.27	\$ 6,591.19	501.80	\$ 4,149.89	-	\$ -	-	501.80	\$ 4,149.89	63%	\$ -	\$ -	\$ -
CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH														
15A CO#1 Price Reduction	CY 84.00	\$ 621.88	\$ 52,237.92	10.55	\$ 6,560.83	-	\$ -	-	10.55	\$ 6,560.83	13%	\$ -	\$ -	\$ -
CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH														
16A CO#1 Price Reduction	CY 140.00	\$ 474.63	\$ 66,448.20	87.95	\$ 41,743.71	-	\$ -	-	87.95	\$ 41,743.71	63%	\$ -	\$ -	\$ -
CONCRETE PAVEMENT REPAIR TYPE C, FULL DEPTH														
17A CO#1 Price Reduction	CY 300.00	\$ 385.42	\$ 115,626.00	323.87	\$ 124,825.26	-	\$ -	-	323.87	\$ 124,825.26	98%	\$ -	\$ -	\$ -
FOUNDATION COURSE REPLACEMENT CO#1 Price Reduction														
20A REPLACE INLET TOP CO#1 Price Reduction	EA 61.00	\$ 2,854.17	\$ 174,104.37	61.00	\$ 174,104.37	-	\$ -	-	61.00	\$ 174,104.37	100%	\$ -	\$ -	\$ -
21A RECONSTRUCT CURB INLET CO#1 Price Reduction	EA 2.00	\$ 3,534.20	\$ 7,068.40	-	\$ -	-	\$ -	-	-	-	0%	\$ -	\$ -	\$ -
24A ADJUST MANHOLE TO GRADE CO#1 Price Reduction	EA 4.00	\$ 729.17	\$ 2,916.68	1.00	\$ 729.17	1.00	\$ 729.17	-	2.00	\$ 1,458.34	50%	\$ -	\$ -	\$ -
25A ADJUST VALVE BOX TO GRADE CO#1 Price Reduction	EA 5.00	\$ 651.17	\$ 3,255.85	-	\$ -	-	\$ -	-	-	-	0%	\$ -	\$ -	\$ -
<b>Change Order #2</b>														
X2-1 Temporary Traffic Control	LS 1.00	\$ 500.00	\$ 500.00	1.00	\$ 500.00	-	\$ -	-	1.00	\$ 500.00	100%	\$ -	\$ -	\$ -
X2-2 Sawcut Full Depth	LF 150.00	\$ 7.00	\$ 1,050.00	150.00	\$ 1,050.00	-	\$ -	-	150.00	\$ 1,050.00	100%	\$ -	\$ -	\$ -
X2-3 Remove Asphalt	SF 270.00	\$ 2.00	\$ 540.00	270.00	\$ 540.00	-	\$ -	-	270.00	\$ 540.00	100%	\$ -	\$ -	\$ -
X2-4 Repair Pavement	SY 235.00	\$ 14.00	\$ 3,290.00	235.00	\$ 3,290.00	-	\$ -	-	235.00	\$ 3,290.00	100%	\$ -	\$ -	\$ -
X2-5 Construct 8"inch concrete pavement	SY 235.00	\$ 75.00	\$ 17,625.00	235.00	\$ 17,625.00	-	\$ -	-	235.00	\$ 17,625.00	100%	\$ -	\$ -	\$ -
X2-6 Construct Concrete Curb Ramp	SF 270.00	\$ 20.00	\$ 5,400.00	270.00	\$ 5,400.00	-	\$ -	-	270.00	\$ 5,400.00	100%	\$ -	\$ -	\$ -
X2-7 Construct Detectable Warning Panel	SF 16.00	\$ 16.00	\$ 256.00	16.00	\$ 256.00	-	\$ -	-	16.00	\$ 256.00	100%	\$ -	\$ -	\$ -
X2-8 Branwood and Granville Inlet Repair	LS 1.00	\$ 2,000.00	\$ 2,000.00	1.00	\$ 2,000.00	-	\$ -	-	1.00	\$ 2,000.00	100%	\$ -	\$ -	\$ -
<b>CO TOTALS</b>		\$ 496,477.13	\$ 36,253.24		\$ 1,151.81		\$ -			\$ 411,155.42	83%	\$ -	\$ -	\$ -
<b>BID ITEMS + CO TOTALS</b>		\$ 1,220,574.73	\$ 1,228,864.04		\$ 28,824.01	\$ -				\$ 1,632,139.04	90%	\$ -	\$ -	\$ -

Original Contract

CO1

CO2

Final Projct Quantity Change Order

Total Contract to Date

Total Materials Stored to Date

Total Value completed & Stored to Date

Retainage

0%

Net Total Due Less Retainage

Total Previous

Net Amount Due This Estimate

Pay App No 1 \$ 832,101.01

Pay App No 2 \$ 691,237.68

Pay App No 3

Pay App No 4

Pay App No 5

Pay App No 6

Pay App No 7

Estimates

SWAIN CONSTRUCTION, INC.						DATE: 10/31/19
6002 NORTH 89TH CIRCLE						ESTIMATE #: 3-FINAL
OMAHA, NE 68134						JOB #: C-1908
OWNER/ENGINEER						PROJECT DESCRIPTION
City of La Vista, Nebraska 8116 Park View Boulevard La Vista, Nebraska 68128						Paving Rehabilitation 84th Street Giles Road to Harrison Street.
ITEM #	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	QUANTITY TO DATE	TOTAL PRICE
1	MOBILIZATION	1.00	LS	120,391.00	1.00	120,391.00
2	TEMPORARY TRAFFIC CONTROL- 84TH STREET	1.00	LS	29,116.00	1.00	29,116.00
3	TEMPORARY TRAFFIC CONTROL- BRENTWOOD & GRANVILLE	1.00	LS	7,768.00	0.613	4,761.78
4	FURNISH FLASHING ARROW PANEL	86.00	DY	98.60	53.00	5,225.80
5	REMOVE CURB	252.00	LF	8.84	417.00	3,688.28
6	CONCRETE CURB & GUTTER (2 WIDE)	252.00	LF	27.30		0.00
7	CONCRETE CURB REPAIR	402.00	LF	37.70		0.00
8	REMOVE SIGN	1.00	EA	87.00	2.00	174.00
9	REMOVE SIDEWALK	1,901.00	SF	1.24	3,565.50	4,398.42
10	CONSTRUCT 4" PCC SIDEWALK	982.00	SF	6.19	32.00	198.08
11	CONSTRUCT CONCRETE CURB RAMP	909.00	SF	12.40		0.00
12	CONSTRUCT DETECTABLE WARNING PANEL	104.00	SF	17.55	96.00	1,684.80
13	RECONSTRUCT MEDIAN CROSSING	116.00	SF	10.35		0.00
14	REPAIR MEDIAN SURFACING	797.00	SF	8.71		0.00
15	CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH **	84.00	CY	680.00		0.00
16	CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH **	140.00	CY	503.00		0.00
17	CONCRETE PAVEMENT REPAIR, TYPE C, FULL DEPTH **	209.00	CY	424.00	38.58	16,357.92
18	FOUNDATION COURSE REPLACEMENT**	189.00	CY	182.00		0.00
19	PREFORMED EXPANSION JOINT, TYPE A (OMITTED)	0.00	LF	0.00		0.00
20	REPLACE INLET TOP	61.00	EA	2,866.00		0.00
21	RECONSTRUCT CURB INLET **	5.00	EA	3,742.00		0.00
22	RECONSTRUCT 15" RCP, CLASS III **	100.00	LF	78.15		0.00
23	RECONSTRUCT 18" RCP, CLASS III **	500.00	LF	81.20		0.00
24	ADJUST MANHOLE TO GRADE **	8.00	EA	741.00		0.00
25	ADJUST VALVE BOX TO GRADE **	5.00	EA	663.00		0.00
26	PERFORMED TAPE MARKING - TYPE 4, 5" WHITE	6,793.00	LF	3,89	6,793.00	26,424.77
27	PERFORMED TAPE MARKING - TYPE 4, 5" YELLOW	1,628.00	LF	4.58	1,809.00	8,285.22
28	PERFORMED TAPE MARKING - TYPE 3, 12" WHITE	387.00	LF	10.75	387.00	4,160.25
29	PERFORMED TAPE MARKING - TYPE 3, 24" WHITE	1,239.00	LF	22.90	1,239.00	28,373.10
30	PERFORMED TAPE MARKING SYMBOL- ARROW RIGHT, WHITE	19.00	EA	273.00	17.00	4,641.00
31	PERFORMED TAPE MARKING SYMBOL- ARROW LEFT, WHITE	26.00	EA	273.00	20.00	5,460.00
32	INSTALL TEMPORARY PAINT MARKING - WHITE	5,000.00	LF	0.35		0.00
33	HYDRATED LIME/WARM MIX ASPHALT	6,880.00	EA	2.91	5,978.45	17,397.29
34	ASPHALTIC CONCRETE, TYPE SLX	6,880.00	TS	69.55	5,976.45	41,568.210
35	ASPHALTIC CONCRETE, TYPE SLX	125.00	TS	159.00	2.00	318.00
36	PERFORMANCE GRADED BINDER (68V-34)	289.00	TS	767.00	285.72	226,817.24
37	TACK COAT	8,485.00	GAL	3.46	6,675.00	23,095.50
38	REMOVE ASPHALT SURFACING FROM PAVEMENT	500.00	SY	6.67		0.00
39	COLD MILLING, CLASS 4, 2" DEPTH	36,864.00	SY	5.78	36,864.00	213,073.92
40	CONCRETE SURFACE MILLING - 2" DEPTH	7,461.00	SY	7.81	6,337.00	49,481.97
41	RAP INCENTIVE	11,696.00	EA	1.22	7,890.03	9,636.32
42	SEEDING TYPE TURF (EROSION CONTROL TYPE II) **	0.50	AC	8,422.00	0.162	1,364.36
43	INSTALL CURB INLET PROTECTION	68.00	EA	19.00		0.00
44	RENTAL OF DUMP TRUCK, FULLY OPERATED	15.00	HR	84.35		0.00

CHANGE ORDER - PRICE REDUCTIONS					
6 CONCRETE CURB & GUTTER (2' WIDE)	252.00	LF	25.32	417.00	10,558.44
7 CONCRETE CURB REPAIR	402.00	LF	35.72	52.00	1,857.44
10 CONSTRUCT 4' PCC SIDEWALK	982.00	SF	5.90	2,835.50	16,728.45
11 CONSTRUCT CONCRETE CURB RAMP	909.00	SF	11.74	486.00	5,705.64
13 RECONSTRUCT MEDIAN CROSSING	116.00	SF	9.91	106.00	1,050.46
14 REPAIR MEDIAN SURFACING	797.00	SF	8.27	501.80	4,493.99
15 CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH **	84.00	CY	62.88	10.55	6,560.33
16 CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH **	140.00	CY	474.63	87.95	41,743.71
17 CONCRETE PAVEMENT REPAIR, TYPE C, FULL DEPTH **	208.00	CY	385.42	323.87	124,825.98
18 FOUNDATION COURSE REPLACEMENT **	159.00	CY	158.35	15.70	2,486.10
20 REPLACE INLET TOP	61.00	EA	2,854.17	61.00	174,104.37
21 RECONSTRUCT CURB INLET **	5.00	EA	3,534.20	0.00	0.00
24 ADJUST MANHOLE TO GRADE **	8.00	EA	729.17	2.00	1,458.34
25 ADJUST VALVE BOX TO GRADE **	5.00	EA	651.17	0.00	0.00
CHANGE ORDER #2					
A TEMPORARY TRAFFIC CONTROL	1.00	LS	500.00	1.00	500.00
B SAW CUT - FULL DEPTH	150.00	LF	7.00	150.00	1,050.00
C REMOVE SIDEWALK	270.00	SF	2.00	270.00	540.00
D REMOVE PAVEMENT	235.00	SY	14.00	235.00	3,290.00
E CONSTRUCT 8" NCH CONCRETE PAVEMENT	235.00	SY	75.00	235.00	17,825.00
F CONSTRUCT CONCRETE CURB RAMP	270.00	SF	20.00	270.00	5,400.00
G CONSTRUCT DETECTABLE WARNING PANEL	16.00	SF	16.00	16.00	256.00
H BRENTWOOD & GRANVILLE INLET REPAIR	1.00	LS	2,000.00	1.00	2,000.00
<b>TOTAL WORK COMPLETED TO DATE</b>				<b>1,632,139.04</b>	
LESS RETAINAGE				0.00%	0.00
WORK COMPLETED LESS RETAINAGE					1,632,139.04
<b>TOTAL PAID PREVIOUS ESTIMATES</b>				<b>1,523,338.69</b>	
<b>AMOUNT OWED THIS PAY ESTIMATE</b>				<b>108,800.35</b>	

ITEM A-12

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ELECTION OF DIRECTORS TO THE LA VISTA METROPOLITAN COMMUNITY COLLEGE BOARD OF DIRECTORS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared to designate and ratify, as well as affirm and approve the re-election of, the City's three directors of the La Vista Metropolitan Community College Board of Directors for the purposes of the Condominium Board for the public library and MCC Sarpy Center and approving actions of the directors at the 2019 Annual Meeting.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval.

**BACKGROUND**

Currently, the City Council has elected the following persons to the Condominium Board:

- City Administrator
- Library Director
- Director of Public Works

It is proposed that Council designate these positions to hold a seat on the Board on behalf of the City. Additionally, the Condominium Board of Directors held its annual meeting on November 11, 2019, at which time the above directors took action on behalf of the City and the resolution will ratify their actions.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ELECT DIRECTORS OF THE LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC.

WHEREAS, the City of La Vista Facilities Corporation ("City Facility Corporation") and the Metropolitan Community College Facilities Corporation made and entered a Declaration and Master Deed of La Vista Metropolitan Community College Condominium Property Regime dated December 29, 1997 ("Declaration") for the purposes of administering the condominium property regime and maintaining common areas of the Library/Sarpy Center; and

WHEREAS, the La Vista/Metropolitan Community College Condominium Owners Association, Inc., ("Association") was incorporated for purposes of administering the condominium property regime and maintaining the common areas under the Declaration, and the Association is governed by a Board of Directors; and

WHEREAS, pursuant to Article 1.24 of the Declaration, as amended, the City Facilities Corporation delegated to and authorized the City of La Vista ("City") to exercise voting rights with respect to the Association and its Board of Directors, and the City desires to exercise said voting rights to elect Directors of the Association; and

WHEREAS, the following positions (and the individuals holding the titles) have been designated by the Mayor and City Council to be the City's three directors on the Association's Board of Director's ("City's Director's"):

City Administrator  
Library Director  
Director of Public Works

WHEREAS, the Association will held its 2019 Annual Meeting on November 11, 2019, at which time and at such meeting the City's Directors voted on behalf of the City and in accordance with the desire of the City Council and the Mayor to nominate and re-elect the City's Director's to the Association's Board of Directors; and

WHEREAS, the Mayor and City Council desire to designate, and ratify, affirm and approve the election of the City's Directors;

NOW, THEREFORE, BE IT RESOLVED, that the following are hereby designated and elected to serve as the City's appointees to the Board of Director's of the Association:

City Administrator  
Library Director  
Director of Public Works

and further that their attendance, participation, voting and exercise of other rights on behalf of the City (in exercise of the delegated rights of the City Facilities Corporation) to nominate and elect said individuals as directors at the annual meeting of the Association held November 11, 2019 (and all other related actions) are hereby ratified, affirmed and approved.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2019.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

K:\APPS\City Hall\19 FINAL RESOLUTIONS\19 MCC Condo  
Board Directors 11 19 2019 doc

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE – YEAR-END CERTIFICATION – CITY STREET SUPERINTENDENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared authorizing the Mayor to sign the Year-End Certification of the City Street Superintendent form.

**FISCAL IMPACT**

Certification is required to receive an incentive payment for Calendar Year 2019.

**RECOMMENDATION**

Approval.

**BACKGROUND**

State Statute requires cities to certify they have an appointed Street Superintendent in order to receive annual incentive payments. The City of La Vista appoints the Director of Public Works who is also the Street Superintendent.

This year the Nebraska Department of Transportation is requiring that the City Council passes a resolution authorizing the Mayor to sign the Year-End Certification of City Street Superintendent form.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM 2019.

WHEREAS, State of Nebraska Statutes, Sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

WHEREAS, The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form; and

WHEREAS, The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License, their License Number and Class of License (if applicable) and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

WHEREAS, The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of La Vista, Nebraska is hereby authorized to sign the Year-End Certification of City Street Superintendent form.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2019.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

# Year-End Certification of City Street Superintendent

For Determining Incentive Payment

January 1, 2019 to December 31, 2019

\*This certifies that Joseph Soucie Jr., License Number S- 1046 Class A,  
(Print name of Superintendent as appears on license card) (A or B)

was the appointed City Street Superintendent of La Vista NE  
(Print name of City or Village)

from January 1, 2019 to December 31, 2019  
Month Month Date Date

and actually performed all of the following duties:

1. Developing and annually updating a long-range plan based on needs and coordinated with adjacent local governmental units;
2. Developing an annual program for design, construction, and maintenance;
3. Developing an annual budget based on programmed projects and activities;
4. Submitting such plans, programs, and budgets to the local governing body for approval; and
5. Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets.

And further certifies that the superintending services of the above listed individual were provided by: (Check one)

Employment with this Municipality  Contract (consultant) with this Municipality  Contract (interlocal agreement) between this Municipality and the following listed Municipality(ies) and/or County(ies)

Signature of Mayor  Village Board Chairperson

\* If more than one individual or the City Council or Village Board provided superintending services during the calendar year, list each successive superintendent on a separate form. The amount will be computed based on (a) your most recent Federal Census as certified by the Tax Commissioner; (b) whether or not your municipality appointed a licensed City Street Superintendent for all 12 months; (c) class of license, A or B; and (d) whether or not the Superintendent performed all of the duties listed. Reference Neb. Rev. Stat. §§39-2511 through 39-2515. If your city or village did not have an appointed City Street Superintendent, write "City Council" or "Village Board" as the name of "Superintendent." Failure to return the certification, meeting minutes and resolution may result in your municipality not receiving an Incentive Payment for Calendar Year 2019.

\*\*\*\*\*

**Note:** In addition to this annual, Year-End certification of superintendent to the Nebraska Department of Transportation, (due December 31<sup>st</sup>), the municipality is also responsible for filing the "Municipal Annual Certification of Program Compliance" form with the Board of Public Roads Classifications and Standards (due October 31<sup>st</sup>). Reference Neb. Rev. Stat. §§39-2115, 39-2119, 39-2120, 39-2121 and 39-2520(2).

Return the completed original certification, meeting minutes and resolution by December 31, 2019 to:



Highway Local Liaison Coordinator  
Boards-Liaison Services Section  
Local Assistance Division  
Nebraska Department of Transportation  
PO Box 94759  
Lincoln NE 68509-4759

Check #	Check Date	Vendor Name	Amount	Voided
131010	11/06/2019	ALFRED BENESCH & COMPANY	5,046.22	N
131011	11/06/2019	BAXTER CHRYSLER JEEP, INC.	391.12	N
131012	11/06/2019	CHARLESWORTH CONSULTING, LLC	7,500.00	N
131013	11/06/2019	HDR ENGINEERING INC	6,501.57	N
131014	11/06/2019	HGM ASSOCIATES, INC.	27,668.00	N
131015	11/06/2019	KRIHA FLUID POWER CO INC	51.94	N
131016	11/06/2019	LEO A DALY COMPANY	6,240.00	N
131017	11/06/2019	MATHESON TRI-GAS INC	70.00	N
131018	11/06/2019	MIDWEST RIGHT OF WAY SVCS INC	916.96	N
131019	11/06/2019	OLSSON, INC.	4,470.00	N
131020	11/06/2019	OMAHA PUBLIC POWER DISTRICT	2,992.28	N
131022	11/06/2019	RDG PLANNING & DESIGN	8,456.79	N
131023	11/06/2019	WELLINGTON EXPERIENCE, INC.	5,000.00	N
131024	11/19/2019	A & D TECHNICAL SUPPLY CO	138.00	N
131025	11/19/2019	A-RELIEF SERVICES INC	736.00	N
131026	11/19/2019	ACCENT DRYWALL SUPPLY COMPANY	648.96	N
131027	11/19/2019	ACTION BATTERIES UNLTD INC	8.85	N
131028	11/19/2019	AMERICAN LEGAL PUBLISHING CO	399.00	N
131029	11/19/2019	AMERICAN LUNG ASSOCIATION	580.00	N
131030	11/19/2019	ASPHALT & CONCRETE MATERIALS	750.16	N
131031	11/19/2019	BAUER BUILT INC	382.80	N
131032	11/19/2019	BIBLIOTHECA LLC	4,872.25	N
131033	11/19/2019	BJSA-BELLEVUE JR SPORTS ASSN	800.00	N
131034	11/19/2019	BKD LLP	6,000.00	N
131035	11/19/2019	BS&A SOFTWARE	21,789.00	N
131036	11/19/2019	BUETHE, PAM	58.58	N
131037	11/19/2019	CAPSTONE	931.96	N
131038	11/19/2019	CAVENDISH SQUARE PUBLISHING	236.90	N
131039	11/19/2019	CENTURY LINK	598.20	N
131040	11/19/2019	CINTAS CORPORATION	417.78	N
131041	11/19/2019	CNA SURETY	100.00	N
131042	11/19/2019	COMP CHOICE INC	25.00	N
131043	11/19/2019	CONSOLIDATED MANAGEMENT CO	58.71	N
131044	11/19/2019	CORNHUSKER INTL TRUCKS INC	231.04	N
131045	11/19/2019	COX COMMUNICATIONS, INC.	277.40	N
131046	11/19/2019	CULLIGAN OF OMAHA	8.00	N
131047	11/19/2019	CUMMINS CENTRAL POWER LLC	660.41	N
131048	11/19/2019	DATASHIELD CORPORATION	60.00	N
131049	11/19/2019	DULTMEIER SALES LLC	12.00	N
131050	11/19/2019	EDGEWEAR SCREEN PRINTING	397.25	N
131051	11/19/2019	FAC PRINT & PROMO COMPANY	695.81	N
131052	11/19/2019	FASTENAL COMPANY	20.10	N
131053	11/19/2019	FBG SERVICE CORPORATION	5,965.00	N
131054	11/19/2019	FIRST WIRELESS INC	120.80	N
131055	11/19/2019	FLEETPRIDE	56.58	N
131056	11/19/2019	GALE	266.14	N
131057	11/19/2019	GILMORE & BELL PC	2,500.00	N
131058	11/19/2019	GRAINGER	38.60	N
131059	11/19/2019	HOBBY LOBBY STORES INC	56.98	N
131060	11/19/2019	HONEYMAN RENT-ALL #1	585.33	N
131061	11/19/2019	HY-VEE INC	82.00	N
131062	11/19/2019	INGRAM LIBRARY SERVICES	81.61	N
131063	11/19/2019	ISLAND SPRINKLER SUPPLY COMPANY	218.41	N
131064	11/19/2019	KRIHA FLUID POWER CO INC	97.99	N
131065	11/19/2019	LABRIE, DONALD P	225.00	N
131066	11/19/2019	MALLOY ELECTRIC	524.45	N
131067	11/19/2019	MARTIN MARIETTA AGGREGATES	134.20	N
131068	11/19/2019	MENARDS-RALSTON	490.75	N
131069	11/19/2019	METRO AREA TRANSIT	615.00	N
131070	11/19/2019	METRO LANDSCAPE MATERIALS &	84.00	N

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
131071	11/19/2019	MIDLANDS BUSINESS JOURNAL	75.00	N
131072	11/19/2019	MIDWEST OFFICE AUTOMATION	150.25	N
131073	11/19/2019	MIDWEST TAPE	250.29	N
131074	11/19/2019	NEBRASKA ARBORISTS ASSOCIATION	145.00	N
131075	11/19/2019	NEBRASKA CITY MANAGERS ASSOCIAT	731.99	N
131076	11/19/2019	NEBRASKA LAW ENFORCEMENT	380.00	N
131077	11/19/2019	NMC EXCHANGE LLC	695.19	N
131078	11/19/2019	O'REILLY AUTO ENTERPRISES, LLC	705.04	N
131079	11/19/2019	OFFICE DEPOT INC	504.61	N
131080	11/19/2019	OMAHA PUBLIC POWER DISTRICT	43,053.50	N
131081	11/19/2019	OMNI ENGINEERING	93.72	N
131082	11/19/2019	ONE CALL CONCEPTS INC	357.86	N
131083	11/19/2019	PAPILLION SANITATION	252.03	N
131084	11/19/2019	PAPILLION TIRE INCORPORATED	25.50	N
131085	11/19/2019	PRIMA DISTRIBUTION, INC.	57.12	N
131086	11/19/2019	RAINBOW GLASS & SUPPLY INC	69.00	N
131087	11/19/2019	READY MIXED CONCRETE COMPANY	595.92	N
131088	11/19/2019	RED WING BUSINESS ADVANTAGE ACC	150.00	N
131089	11/19/2019	REGAL AWARDS INC.	269.00	N
131090	11/19/2019	ROBERTA STEVENS	42.00	N
131091	11/19/2019	RR DONNELLEY & SONS CO	62.33	N
131092	11/19/2019	SECURITY EQUIPMENT INC.	1,344.00	N
131093	11/19/2019	SOUTHERN UNIFORM & EQUIPMENT	46.99	N
131094	11/19/2019	STRATEGIC INSIGHTS INC	725.00	N
131095	11/19/2019	SUN COUNTRY DISTRIBUTING LTD	17.75	N
131096	11/19/2019	THE HARRY A KOCH COMPANY	213,562.75	N
131097	11/19/2019	TRANS UNION RISK AND ALT. DATA S	50.00	N
131098	11/19/2019	TRUCK CENTER COMPANIES	586.49	N
131099	11/19/2019	U.S. CELLULAR	1,439.96	N
131100	11/19/2019	UNITED PARCEL SERVICE	13.23	N
131101	11/19/2019	UNITED RENT-ALL	270.62	N
131102	11/19/2019	USBORNE BOOKS & MORE ED. SVCS.	1,004.37	N
131103	11/19/2019	WESTLAKE HARDWARE INC NE-022	458.63	N
131104	11/19/2019	WESTLAKE HARDWARE INC NE-022	49.47	N
131105	11/19/2019	WHITE CAP CONSTR SUPPLY/HDS	56.07	N
131106	11/19/2019	WICK'S STERLING TRUCKS INC	389.94	N
131107	11/19/2019	WOODHOUSE LINCLN-MAZDA-PORSC	172.88	N

TOTAL: 398,195.38

APPROVED BY COUNCIL MEMBERS ON: 11/19/2019

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
822(E)	10/07/2019	ELAN FINANCIAL SERVICES	18,649.89	N
829(E)	10/07/2019	ELAN FINANCIAL SERVICES	52.83	N
830(E)	10/07/2019	ELAN FINANCIAL SERVICES	59.13	N
831(E)	10/31/2019	ACCESS BANK	3,066.27	N
832(E)	10/31/2019	AMERICAN HERITAGE LIFE INSURANCE	1,396.84	N
833(E)	10/31/2019	BLUE CROSS BLUE SHIELD OF NEBR	106,994.04	N
834(E)	10/31/2019	CATERPILLAR FINANCIAL SVCS CORP	2,693.39	N
835(E)	10/31/2019	CATERPILLAR FINANCIAL SVCS CORP	382.23	N
836(E)	10/31/2019	CCAP AUTO LEASE LTD	449.00	N
837(E)	10/31/2019	DEARBORN NATIONAL LIFE INSURANC	1,147.00	N
838(E)	10/31/2019	DEARBORN NATIONAL LIFE INSURANC	5,278.86	N
839(E)	10/31/2019	ESSENTIAL SCREENS	124.50	N
840(E)	10/31/2019	FIRST STATE BANK	4,399.70	N
841(E)	10/31/2019	FIRST STATE BANK	2,137.23	N
842(E)	10/31/2019	FIRST STATE BANK	5,668.85	N
843(E)	10/31/2019	LINCOLN NATIONAL LIFE INS CO	6,314.44	N
844(E)	10/31/2019	MID-AMERICAN BENEFITS INC	656.50	N
845(E)	10/31/2019	NE DEPT OF REVENUE-SALES TAX	916.49	N
846(E)	10/31/2019	PITNEY BOWES-EFT POSTAGE	1,487.00	N
847(E)	10/31/2019	TASC	3,037.50	N
848(E)	10/31/2019	TASC	3,037.50	N
849(E)	10/31/2019	TOSHIBA FINANCIAL SERVICES	127.40	N
850(E)	10/31/2019	UNITED HEALTHCARE INSURANCE CO	872.59	N
			TOTAL:	168,949.18

APPROVED BY COUNCIL MEMBERS ON: 11/19/2019

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COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND MUNICIPAL CODE SECTIONS 111.18 AND 111.19 – FIREWORKS AMEND MASTER FEE ORDINANCE	◆ RESOLUTION ◆ ORDINANCE (2) RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

Ordinances have been prepared to Amend Municipal Code Sections 111.18 and 111.19 regarding rules for hours of selling and discharging fireworks in La Vista and to amend the Master Fee Ordinance regarding the fireworks fee.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

N/A

**BACKGROUND**

During the October 15, 2019 City Council meeting, a discussion was held regarding the sale and discharge of fireworks and staff was subsequently directed to prepare ordinances reducing the days and hours of sale and discharge of fireworks along with reducing the fee for fireworks permits from \$2,500 to \$2,000 per year.

The proposed days and hours of sale have been updated in the ordinance as amended by Council at the November 5, 2019 City Council meeting.

**Current days and hours of sale:**

June 25 through July 4 inclusive      8:00 a.m. – 11:00 p.m.

**Proposed days and hours of sale:**

June 28 through July 4 inclusive      8:00 a.m. – 11:00 p.m.

**Current days and hours of discharge:**

June 25 through July 2 inclusive      7:00 a.m. – 10:00 p.m.

July 3 through July 4 inclusive      7:00 a.m. – 11:00 p.m.

**Proposed days and hours of discharge:**

June 28 through July 2 inclusive	11:00 a.m. – 10:00 p.m.
July 3 through July 4 inclusive	11:00 a.m. – 11:00 p.m.

Council also requested signage be placed at fireworks stands informing the public of the changes. The City will provide said signage to permit holders at the time of the annual mandatory meeting with staff each June.

## ORDINANCE NO. 1374

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 88:00 a.m. and 1411:00 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 711:00 a.m. to 4010:00 p.m. from June 25-28 through July 2 inclusive and between the hours of 711:00 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 17TH19TH DAY OF SEPTEMBERNOVEMBER 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

## ORDINANCE NO. 1375

AN ORDINANCE TO AMEND ORDINANCE NO.1372, 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.

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

**Section 1. General Fee Schedule.** The fees and taxes charged by the City of La Vista for various services, facilities, and occupations shall be, and the same hereby are, fixed in accordance with the following schedule, no modifier shall be used, and such fees and taxes charged shall be in accordance with such rules as the City Council may establish:

### **BUILDING & USE FEES**

#### **(Apply inside City limits and within the Extra-territorial zoning jurisdiction)**

##### **Building Permit**

(Building valuation is determined by the most current issue of the ICC Building Valuation Data)

General	\$30 Base fee + see building fee schedule
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Commercial/Industrial	\$30 Base fee + see building fee schedule
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##### **Plan Review Fee**

Commercial (non-refundable)	\$100 or 10% of building permit fee (whichever is greater)
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##### **Design Review (non-refundable)**

Tenant Bay Façade Renovation	\$500 (min. fee or actual fee incurred)
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Bldgs. 24,999 sq. ft. or less	\$1,500 (min. fee) (or actual fee Incurred)
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Bldgs. 25,000 – 49,999 sq. ft.	\$2,000 (min. fee) (or actual fee Incurred)
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Bldgs. 50,000 -99,999 sq. ft.	\$3,000 (min. fee) (or actual fee Incurred)
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Bldgs. 100,000 + sq. ft.	\$4,000 (min. fee) (or actual fee Incurred)
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##### **Replacement Plan Review Fee**

	\$100 + Request for records fees
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##### **Engineer's Review**

	\$500
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##### **Rental Inspection Program**

##### **License Fees:**

Multi-family Dwellings	\$6.00 per unit
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Single-family Dwellings	\$50.00 per property
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Duplex Dwellings	\$50.00 per unit
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Additional Administrative Processing Fee (late fee)	\$100.00
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##### **Inspection Fees:**

Primary Inspection	No charge
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Class B Property Inspection (after primary inspection):	
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Violation corrected	No charge
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Violation not corrected	See Re-inspection Fee below
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Re-inspection Fee (no show or follow up inspection)	See Re-inspection Fee below
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Re-inspection Fee	\$100.00
Vacant Building Registration Fee	\$500
Penalty Fee	3x Regular permit fee
Refund Policy	75% will be refunded when the project is cancelled or not complete within one year. No refund will be given after one year. (Sewer Hook-up Fee is 100% refunded)
Certificate of Occupancy	\$ 50
Temporary Certificate of Occupancy	\$750
Pre-occupancy fee (Occupancy without C.O.)	\$750
Temporary Use Permit (includes tents, greenhouses, event structures)	\$ 50 plus \$10/day
Sign Permit	\$150/sign
Identification Sign, Incidental Sign	\$75/sign
Master Sign Plan (more than 1 sign)	\$150
Common Sign Plan	\$150
Temporary Sign Permit: Non-profit or tax exempt organization	\$0
All other temporary signs	\$ 30/year
Tower Development Permit	\$8,500(min fee) (or actual fee incurred)
Co-locates – Towers	\$5,000(min fee) (or actual fee incurred)
Tarp Permit (valid for 6 months)	\$ 30
Solar Panel Permit	\$ 30
Satellite Dish Permit	\$ 30
Wading/Swimming Pools at residence	\$ 30
Dedicated Electrical circuit for pumps	\$ 30
Mechanical Permits	\$30 Base fee + See mechanical fee schedule
Plumbing Permits	\$30 Base fee + See plumbing fee schedule
Sewer Repair Permit	\$30
Backflow protector permit	\$ 30 (\$22 permit & \$8 backflow)
Underground Sprinklers	\$ 30 (\$22 issue fee & \$8 fixture)
Electrical Permits	\$30 Base Fee + See electrical fee
City Professional License (Plumbers; Mech. Contractors)	\$ 15 and a \$1,000,000
Liability, and a \$500,000 bodily injury insurance Certificate per each occurrence	
Also a \$5,000 Bond is required, naming the City as the recipient.	
Demolition of building	\$250 plus Insurance Certificate
Moving Permit (buildings 120 square feet or greater)	\$250 plus Insurance Certificate
Sheds and Fences	\$ 30.00
Sidewalks	\$ 30.00
Driveway Replacement	\$ 30.00
Driveway Approach w/o curb cut or grinding	\$ 30.00
With curb requiring cut plus the 4' apron on each side)	
Contractor (Contractor performs curb cut or grind)	\$ 30.00 plus \$1.00/ft.
City Charge (if City performs curb cuts)	\$50 + \$5/ft. (\$40 set up fee; \$10 permit fee)
City charge (if City performs curb grinds)	\$50 + \$6/ft. (\$40 set up fee; \$10 permit fee)
Utility Cut Permit	\$30.00

Appeal Fee Regarding Issuance or Denial of Curb Cut/Driveway Approach Construction Permit	\$250
Street Paving, Surfacing, Resurfacing, Repairing, Sealing or Resealing Permit	\$ 30.00/Yearly
Appeal Fee Regarding Issuance or Denial of Street Paving, Resurfacing, etc. Permit	\$250

#### **RIGHT-OF-WAY PERMIT FEES**

The following are one-time permit fees for structures occupying the public right-of-way:

Canopy or Awning	\$50 for the first 25 ft. + \$10 each additional foot
Balcony	\$75 each
Bicycle Rack	\$50
Light Fixture	\$75 for the first + \$10 each additional light fixture
Marquee	\$50 for the first 25 ft. + \$10 each additional ft.
Sidewalk Café	\$100
Sign	\$100 each (if less than 25 sq. ft.) \$300 each (if 25 sq. ft. or larger)
Windscreen	\$400 each
Planter	\$50
Combination of Awning/Canopy/Sign /Light	\$500
Skywalk	\$500
String Lights	\$150
Other structures as approved by the City Administrator	\$300

Provided, however, notwithstanding anything in this Ordinance to the contrary, all property, or parts thereof or improvements thereon, with respect to which legal title is or will be held by or for the benefit of the City of La Vista, La Vista Community Development Agency, City of La Vista Facilities Corporation, La Vista/Metropolitan Community College Condominium Owners Association, Inc., or any other entity directly or indirectly controlled by the City of La Vista as determined by the City Administrator, for a public purpose, and all owners of such property, parts, or improvements, shall be exempt from the Building and Use Fees and/or any other fees in this ordinance. The City of La Vista pursuant to a policy of the City Council also may provide for waiver of any or all such Building and Use Fees, or any other fees under this Ordinance that are payable to the City, with respect any political subdivisions that levy property taxes within the corporate limits of the City, or any entity controlled by any such political subdivision.

#### **FIRE INSPECTION FEES**

##### Plan Review Fees

Commercial Building	10% of building permit fee with a maximum of \$1,000
Fire Sprinkler Plan Review	
1-20 devices	\$100
21-50 devices	\$200
51-100 devices	\$300
101-200 devices	\$400
201-500 devices	\$500
Over 500 devices	\$500 plus \$1.00 per device over 500
Fire Alarm Plan Review	\$50.00

##### Child Care Facilities:

0 – 8 Children	\$50.00
9 – 12 Children	\$55.00
13 or more children	\$60.00

Foster Care Homes:

Inspection	\$25.00
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Liquor Establishments:

Non-consumption establishments	\$60.00
Consumption establishments	\$85.00

Nursing Homes:

50 beds or less	\$55.00
51 to 100 beds	\$110.00
101 or more beds	\$160.00

Fire Alarm Inspection:

Four year license (Test)	\$100.00
NICET	\$25.00 per year NICET certification last
Annual test (witnessed)	\$30.00

Sprinkler Contractor Certificate:

Annual	\$100.00
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Fuels Division:

Above ground Hazardous Substance Storage Tanks (Title 158)	
Registration	\$25.00 per tank
Re-registration	\$25.00 per tank (Required whenever change is made to tank or contents)
Above ground Petroleum Storage Tanks (Title 153, Chapter 17)	
Inspection Fee	\$50.00 (Per installation regardless of the number of tanks)
Underground Storage Tanks (Title 159, Chapter 2)	
Farm, residential and heating oil tanks	
(tanks with a capacity of 1100 gallons or less)	\$10.00 one-time registration fee
All other tanks	\$30.00 per tank, annually
Petroleum Release Remedial Action Fund	\$90.00 per tank, annually
Tank installation	\$60.00 per tank
Piping only installation	\$60.00

**GRADING PERMIT FEES**

5 acres or less	\$ 500
More than 5 acres	\$1,000

**TAX INCREMENT FINANCING (TIF) APPLICATION FEES**

Application Fee	\$3,000
Administrative Fee	1.5% on TIF Principal up to \$2,000,000 1% on TIF Principal amount above \$2,000,000 thru \$4,000,000 No additional administrative fee for TIF Principal above \$4,000,000
Bond Related Fee	Actual Fees, Costs & Expenses Incurred by the City

**ZONING FEES**

Comprehensive Plan Amendment	\$500
Zoning Map Amendment (rezoning)	\$500

Zoning Text Amendment	\$500
Zoning Verification Letter	\$50
Subdivision Text Amendment	\$500
Conditional Use Permit (1 acre or less)	\$300
Conditional Use Permit (more than 1 acre)	\$500
Conditional Use Permit Amendment	\$200
Flood Plain Development Permit	\$500
Administrative Plat – Lot Split, Lot Consolidation or Boundary Adjustment	\$750+ additional fee of \$250 for review of revised drawings
Preliminary Platting	\$1,000 +additional fee of \$250 for review of revised drawings
Final Platting	\$1000+additional fee of \$250 for review of revised drawings
Subdivision Agreement	\$500 (min. fee) or actual fee incurred
Revised Preliminary Plat	\$500+additional fee of \$250 for review of revised drawings
Replat	\$1500 +additional fee of \$250 for review of revised drawings
P.U.D.	\$1,000+additional fee of \$250 for review of revised drawings
P.U.D. Amendment	\$500 (min. fee) or actual fee incurred
Vacation of Plat and Right of Way Vacation	\$150
Variance, Appeals, Map Interpretation (B.O.A.)	\$250

Watershed Fees –apply to all new development or significant redevelopment as specified in Exhibit “G” to the interlocal agreement for the Papillion Creek Watershed Partnership: (fees are remitted to Papillion Creek Watershed Partnership)

#### **OCCUPATION TAXES**

Publication fees	\$Actual cost
Class A Liquor License Holder	\$200
Class B Liquor License Holder	\$200
Class C Liquor License Holder	\$600
Class D Liquor License Holder	\$400
Class I Liquor License Holder	\$500
Class L Liquor License Holder	\$500
Class Z Liquor License Holder	\$500
Class AB Liquor License Holder	\$400
Class AD Liquor License Holder	\$600
Class ADK Liquor License Holder	\$800
Class AK Liquor License Holder	\$400
Class ABK Liquor License Holder	\$600
Class BK Liquor License Holder	\$400
Class CK Liquor License Holder	\$800
Class DK Liquor License Holder	\$600
Class IB Liquor License Holder	\$700

Class IBK Liquor License Holder	\$900
Class ID Liquor License Holder	\$900
Class IDK Liquor License Holder	\$1100
Class IK Liquor License Holder	\$700
Special Designated Permit – Liquor Control	\$ 50/day except non-profits
Transfer of Liquor License from One Location to Another (These fees are in addition to the State Fee Requirement)	\$ 25
Amusement Concessions (i.e. Carnivals) (This would include any vendors set up for special functions at the La Vista Sports Complex)	\$ 10/concession/day
Auto dealers - new and used - \$250 plus \$.01 per sq. ft. of inside area, and \$.005 per sq. ft. of outside area used for display, sales or storage.	
Auto repair	\$100
Banks, small loan and finance companies	\$250 plus \$75/each detached facility.
Barber shops, beauty salons, tanning & nail salons	\$ 75 plus \$10 per operator over one.
Bowling Alleys or Billiard/Pool Halls	\$ 50/year + \$10/table or alley (Additional fees for Restaurants or Drinking Places if applicable)
Car washes	\$100 (includes all vacuum & supply vending machines)
Circus, Menagerie or Stage Show	\$ 50/day
Collecting agents, detective agents or agencies and bail bondsmen	\$ 75
Construction/Tradesmen	\$ 75 and a \$1,000,000
Liability, \$500,000 bodily injury insurance certificate	
Convenience stores	\$ 75 (Additional fees for Restaurants or Drinking Places if applicable)
Convenience store with car wash	\$120 (Includes all vacuum & supply vending machines)
Dry cleaning or laundry and tailoring	\$ 50
Funeral homes	\$150
Gaming Device Distributors	5% of gross receipts (non- profits exempt)
Games of Chance/Lotteries	5% of gross receipts (non- profits exempt)
Games of Chance/Lottery License Fee	\$ 50/1st location - \$10/ea additional
Gas Companies	5% of gross receipts
Hawkers/Peddlers	\$ 75/day or \$500/year
Home Occupations (not specified elsewhere)	
Home Occupation Permit Application Fee	\$30
Home Occupation 1 and Child Care Home	\$50
Home Occupation Conditional Use Permit – see Zoning Fees	

Hotels/motels – Any hotel or motel in the City shall pay to the City monthly an Occupation Tax equal to 5% of gross receipts from room rentals. Any shops restaurants, and/or drinking places which are part of, associated with, or located in or with a hotel or motel facility will be considered a separate classification of business and taxed in accordance with the provisions of this Ordinance and the applicable classifications(s) of the shops, restaurants, and/or drinking places hereunder. The Occupation Taxes with Respect to any banquet and/or ballroom facilities of, or associated with, or located in or with, any such hotel or motel shall be determined in accordance with the square footage schedule above, based on the actual square

footage of said facilities, which occupation taxes shall be additional to any other applicable occupation taxes such as restaurants or drinking places occupation taxes.

Movie theatres	\$150/complex and \$75/viewing room (Additional fees for Restaurants or Drinking Places if applicable)
Music, Vending, & Pinball Machines Provider Fee of \$75.00 for business outside the City that provides machines for local businesses	\$ 20/year/machine +Service
Nurseries, greenhouses, landscaping businesses, and tree trimmers	\$ 75
Nursing homes, assisted living, hospitals and retirement homes	\$ 5 per bed
Pawnbrokers transaction evidenced by a pawnbroker card or ledger entry per Neb. Rev. Stat. Section 69-204. Minimum of \$30/year	\$ 1.00/pawnbroker
Professional services - engineers, architects, physicians, dentists, chiropractors, osteopaths, accountants, photographers, auctioneers, veterinarians, attorneys, real estate offices and insurance agents or brokers - \$75 plus \$10 per agent or professional over one (1)	
Recreation businesses - indoor and outdoor	\$100
Restaurants, Drinking Places, and drive-in eating establishments	\$ 50 (5 employees or less) \$100 (more than 5 employees) Effective 10/1/19 – Fee of 1.5% of gross receipts pursuant to Municipal Code Section 113.10

Retail, Manufacturing, Wholesale, Warehousing and Other - Any person or entity engaged primarily in a manufacturing, wholesale, and/or warehousing business shall pay an Occupation Tax based on the schedule below and the actual interior or enclosed square footage of facilities in the City used by said person or entity in the conduct of such business; and any person or entity engaged in a business of making retail sales of groceries, clothing, hardware, notions, furniture, home furnishings, services, paint, drugs, or recreational equipment, and any other person or entity engaged in a business for which an Occupation Tax is not specifically provided elsewhere in this Ordinance, shall pay an Occupation Tax based on the schedule below and actual interior or enclosed square footage of facilities in the City used by said person or entity in the conduct of such business; provided, however, that persons or entities that use a basement or one or more additional floors in addition to the main floor (the main floor being the floor with the greatest total square footage) in the conduct of one or more specified businesses of sales at retail shall determine square footage for purposes of the Occupation Tax imposed hereunder based on the square footage of the entire main floor plus one-half (1/2) of the square footage of all such basement and additional floors.

0	999 sq. ft.	\$ 50
1,000	2,999 sq. ft.	\$ 65
3,000	4,999 sq. ft.	\$ 80
5,000	7,999 sq. ft.	\$ 120
8,000	9,999 sq. ft.	\$ 150
10,000	14,999 sq. ft.	\$ 200
15,000	24,999 sq. ft.	\$ 225
25,000	39,999 sq. ft.	\$ 300
40,000	59,999 sq. ft.	\$ 400
60,000	99,999 sq. ft.	\$ 500
100,000	and greater	\$ 750

Schools - trade schools, dance schools, music schools, nursery school or any type of school operated for profit	\$ 50
Service providers, such as persons, firms partnerships or corporations delivering any product, good or service whatsoever in nature within the City	\$ 75
Service stations selling oils, supplies, accessories for service at retail	\$ 75 + \$25.00 for attached car wash
Telephone Companies (includes land lines, wireless, cellular, and mobile)	5% of gross receipts
Telephone Surcharge - 911	\$1.00 per line per month
Tobacco License	\$ 15 (based on State Statute)
Tow Truck Companies	\$ 75
Late Fee (Up to 60 days)	\$ 35
Late Fee (60-90 days)	\$ 75
Late Fee (over 90 days)	Double Occupation tax or \$100, whichever is greater
<b><u>COVENIENCE FEES</u></b>	
Credit Cards	3% of transaction with \$2 minimum transaction
E-Checks	\$3 for transactions $\leq$ \$10,000 \$10 for transactions $>$ \$10,000
<b><u>OTHER FEES</u></b>	
Barricades	
Deposit Fee (returnable)	\$ 60/barricade
Block Parties/Special Event	\$ 5/barricade per day
Construction Use	\$30 ea. (7 days maximum)
Blasting Permit	\$1,000
Bucket Truck Rental w/operator	\$150 per hour
Community Garden Plot Rental	\$20 annually
Conflict Monitor Testing	\$200
Cat License Fee (per cat – limit 3)	\$ 5 each if spayed/neutered \$ 15 each if not spayed/neutered \$ 10 each (delinquent) if spayed/neutered \$ 30 each (delinquent) if not spayed/neutered
Senior Citizen Discount (Age 65+)	Free if spayed/neutered
Dog License Fee (per dog – limit 3)	\$ 5 each if spayed/neutered \$ 15 each if not spayed/neutered \$ 10 each (delinquent) if spayed/neutered \$ 30 each (delinquent) if not spayed/neutered
Senior Citizen Discount (Age 65+)	Free if spayed/neutered
Dog/Cat License Handling Fee (in addition to above fees)	\$5

Dog or Cat License Replacement if Lost	\$1
Dog or Cat Capture and Confinement Fee	\$10 + Boarding Costs
MAXIMUM OF 4 DOGS AND/OR CATS WITH NO MORE THAN 3 OF EITHER SPECIES	
Election Filing Fee	1% of Annual Position Salary
Fireworks Sales Permit (Non-Profits)	<del>\$2,500</del> 2,000
Handicap Parking Permit Application Fee State	\$ Currently Not Charging Per
Natural Gas Franchisee Rate Filing Fee (For rate changes not associated w/the cost of purchased gas.)	Per Agreement
Open Burning Permit	\$ 10
Parking Permit Fees:	
Monthly Parking – Covered Stall	\$50/Month per permit
Monthly Parking – Uncovered Stall	\$25/Month per permit
Off-Street Parking – 3 hours free (\$0), after which (Parking Day runs 6a.m. – 6a.m.)	\$1.00/hr. up to \$10/day
On-Street Parking – free (\$0) with three (3) hour limit	
Parking Ticket Fees	
If paid within 7 days of violation date	\$ 20 (\$5 + \$15 admin fee)
If paid after 7 days of violation date but within 30 days	\$ 25 (\$10 + \$15 admin fee)
If paid after 30 days of violation date	\$ 35 (\$20 + \$15 admin fee)
Pawnbroker Permit Fees:	
Initial	\$ 150
Annual Renewal	\$ 100
Pet Store License	\$ 50 (In addition to Occ. License)
Police Officer Application Fee	\$ 20
Public Assembly Permit (requires application and approval)	\$ 00
Returned Check Fee (NSF)	\$ 35
Storage of Explosive Materials Permit	\$ 100
Towing/Impound Fee	\$ 30
Trash Hauling Permit Performance Bond	\$ 25/yr./truck + \$25,000
<b><u>PUBLIC RECORDS</u></b>	
Request for Records	\$15.00/Half Hour + Copy Costs* (May be subject to deposit)
Audio Tapes	\$5.00 per tape
Video Tapes or CD/DVD	\$10.00 per tape/CD
*Copy costs shall be established by the Finance Director	
Unified Development Ordinance	\$100
Comprehensive Plan	\$ 50

Zoning Map	\$5 11"x17" \$10 12"x36" \$30 36"x120"
Zoning Ordinance w/Map Subdivision Regulations	\$ 30 \$ 30
Future Land Use Map	\$5 11"x17" \$10 12"x36" \$30 36"x120"
Ward Map	\$ 2
Fire Report	\$ 5
Police Report	\$ 5
Police Photos (5x7)	\$ 5/ea. for 1-15 \$ 3/ea. for additional
Police Photos (8x10)	\$ 10/ea. for 1-15 \$ 5/ea. for additional
Police Photos (Digital)	\$ 10/ea. CD
Criminal history	\$ 10

#### **FALSE AND NUISANCE ALARMS**

Registration Fee for Alarm System (not to include single family or duplexes)	\$25
Renewal Fee for Alarm System (not to include single family or duplexes)	\$25
Late Registration Charge	\$35

False Alarm Fee for any false alarm generated by the registrant's alarm system, a fee in accordance with the following schedule (from 1 January through 31 December of each year) shall be charged:

Number of False/Nuisance Alarms	False/Nuisance Alarm Charge
1	No Charge
2	No Charge
3	\$100.00
4 or more	\$250.00

False Alarm Fee for Alarm Systems without Registration - \$250 per alarm after 1<sup>st</sup> alarm  
(not to include single family or duplexes)

#### **RESPONSE TO LARGE HAZARDOUS MATERIALS INCIDENTS**

A Dispatch and mobilization charge of \$300 + mileage shall be charged for response to any incident where no action is taken. If services are provided, the following rates shall apply:

Response Vehicles: One-hour minimum charge. All charges will be made to the closest 1/4 hour. Mileage will be charged at \$8.00 per mile per vehicle.

Pumper/Tanker Truck	\$500/hour
Weed Truck	\$150/hour
Aerial Ladder Truck	\$750/hour
Utility Vehicle	\$200
Command Vehicle	\$100

Equipment Charges:	
Jaws of Life	\$250
Power Saw	\$75
Hydraulic jack/chisels	\$75

Cribbing Blocks	\$10
Winches	\$10

Air Bags	\$50
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High Lift Jack	\$20
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Supplies: The actual City cost of the supplies plus 25% shall be charged for all supplies including but not limited to safety flares, Class A foam, Class B foam, absorbent pads, absorbent material, salvage covers, and floor dry.

#### **RESCUE SQUAD FEES**

Basic Life Support Emergency	\$650
Basic Life Support Non-Emergency	\$450
Advanced Life Support Emergency I	\$750
Advanced Life Support Emergency 2	\$950
Advanced Life Support Non-Emergency	\$550
Mileage - per loaded mile	\$ 15

#### **LIBRARY FEES**

Membership (Non-Resident Family)	6 month	\$ 35.00
	1 year	\$ 60.00
	1 month	\$ 7.00
Fax		\$2.00 up to 5 pages
Fines		
Books		\$ .05/day
Audio Books/Board Games		\$ .10/day
DVDs/CDs		\$ 1.00/day
Videos		\$ .10/day
Playaway device		\$ 1.00/day
Board Game not returned to Circulation Desk		\$5.00
Damaged & Lost Books		\$5.00 processing fee + actual cost
Videos /DVDs/CDs		\$5.00 processing fee + actual cost
Color Copies		\$ .50
Copies		\$ .10
Inter-Library Loan		\$3.00/transaction
Lamination – 18" Machine		\$2.00 per foot
Lamination – 40" Machine		\$6.00 per foot
Children's Mini-Camp		\$10.00

#### **RECREATION FEES**

Refund Policy (posted at the Community Center)	\$10.00 administrative fee on all approved refunds
Late Registration Fee	\$10.00

	Resident	Non-Resident	Business Groups
Facility Rental			
Gym (1/2 Gym)	\$ 38/Hour	\$ 75/Hour	\$ 75/Hour
Gym (Full)	\$ 75/Hour	\$150/Hour	\$150/Hour
Gym/Stage (Rental)	\$400/Day	\$500/Day	\$500/Day
Whole Community Center	\$600/Day	\$800/Day	\$800/Day
Game Room	\$ 22/Hour	\$ 44/Hour	\$ 44/Hour
Meeting Rooms (Rental)	\$ 12/Hour/Room	\$ 22/Hour/Room	\$ 27/Hour

Kitchen (Rental)	\$ 19/Hour	\$ 27/Hour	\$ 33/Hour
Racquetball Court Stage (Rental)	\$ 7/Hour \$ 12/Hour	\$ 14/Hour \$ 22/Hour	\$ 14/Hour \$ 27/Hour
Facility Usage	<u>Resident</u>	<u>Non-Resident</u>	
Daily Visit (19 and up)	\$ 3.00	\$ 4.00	
Daily Visit (Seniors 55+)	\$ -0-	\$ 2.00	
Fitness Room (19 and up)			
Membership Card	\$27.00/month		
(Exercise Room, Gym, Racquetball/Wallyball Courts)			
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit	
Gym (19 and up)			
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit	
Resident Punch Card	\$50.00		
(20 punches)			
Non-resident Punch Card		\$35.00	
(10 punches)			
Senior (Resident)	\$-0-		
Non-resident Sr. Punch Card		\$20.00	
(10 punches)			

Variety of programs as determined by the Recreation Director  
Fees determined by cost of program  
Classes

<u>Contractor</u>	<u>City</u>
75%	25%

Contract Instructor Does Registration and Collects Fees

Fields:

Tournament Fees	\$ 30/Team/Tournament
Tournament Field Fees	\$ 40/Field/Day
Field Rentals (Resident and Non Resident)	\$ 40 / 2 Hours
Gate/Admission Fee	10% of Gross

Resident Non Resident

Model Airplane Flying

Field Pass \$30\* \$40\*

\* includes \$10 club membership 1 – year license

Park Shelters \$15/3 hours \$25/3 hours

Swimming Pool	<u>Resident</u>	<u>Non-Resident</u>
Youth Daily	\$ 2	\$ 4
Adult Daily	\$ 3	\$ 4
Resident Tag	\$ 2	
Family Season Pass	\$105	\$165
Youth Season Pass	\$ 65	\$ 95
Adult Season Pass	\$ 75	\$105

30-Day Pass \$ 55 \$ 85

Season Pass (Day Care) \$275 \$275

Swim Lessons \$ 30 \$ 55

\*Swimming Pool memberships and specials prices shall be established by the Finance Director

Youth Recreation Programs	<u>Resident</u>	<u>Non-Resident</u>
Coed T-Ball Ages 5-6	\$ 45/55	\$60/70
Softball/Baseball Ages 7-8	\$ 50/60	\$65/75
Softball/Baseball Ages 9-10	\$ 65/75	\$85/95
Softball/Baseball Ages 11-12	\$ 75/85	\$105/115

Softball/Baseball Ages 13-14	\$ 85/95	\$105/115
Softball/Baseball Age 15-18	\$110/120	\$140/150
Basketball Clinic	\$ 17/27	\$22/32
Basketball Grades 3-8	\$ 55/65	\$65/75
Soccer Academy	\$ 33/43	\$53/63
Flag Football	\$ 33/43	\$53/63
Volleyball	\$ 55/65	\$65/75
3 yr. old Soccer Clinic	\$17/27	\$22/33
Programs		
Adult Volleyball– Spring	\$ 55	\$ 55
Adult Spring Softball – Single	\$215	\$215
Adult Spring Softball – Double	\$420	\$420
Adult Volleyball – Fall/Winter	\$110	\$110
Adult Fall Softball – Single	\$120	\$120
Adult Fall Softball – Double	\$235	\$235
Senior Spring Softball		\$15 per game per team
Senior Fall Softball		\$17 per game per team

#### Special Services Van Fees

Zone 1 Trip within city limits (La Vista & Ralston)	\$1.00 one way
Includes trips to grocery stores and senior center	
Zone 2 Trip outside city limits	\$3.00 one way
Zone 3 Trip outside city limits	\$10.00 one way
Bus pass (each punch is worth \$1.00)	\$30.00

#### Section 2. Sewer Fee Schedule.

##### §3-103 Municipal Sewer Department; Rates.

- A. Levy of Sewer Service Charges. The following sewer service charges shall be levied against the user of premises, property or structures of every kind, nature and description, which has water service from any supply source and are located within the wastewater service area of the City of La Vista.
- B. Computation of Sewer Service Charges. For the months of December, January, February and March, the monthly charge for residential sewer services will be computed on the actual water used for these months. The monthly charge for residential sewer service in the months of April, May, June, July, August, September, October and November will be computed on the average water usage of the four (4) preceding winter months of December, January, February and March or for such portion of said consumption, whichever is the lesser. At the option of the City of La Vista, water used from private wells shall be either metered or estimated for billing purposes.
- C. Amount of Sewer Service Charges. The total sewer service charge for each sewer service user will be the sum of three (3) charges: (1) customer charge, (2) flow charge, and (3) abnormal charge.
  1. The customer charge is as follows
    - a. For sewer service users classified as Residential, the same being sewer service to a single family dwelling, or a duplex, apartment, or other multi-family dwelling (e.g. apartments) wherein each dwelling unit has a separate water meter that is read and charged for water and sewer use by the Metropolitan Utilities District - \$12.23 per month.
    - b. For sewer service users classified as Residential-Multi-Family, the same being sewer service to Multi-Family dwellings (e.g. apartments)

wherein there is only a separate water meter to each building or complex that is read and charged for water and sewer use by the Metropolitan Utilities District - \$13.11 per month.

- c. For sewer service users classified as General Commercial: Customers who normally use less than 100,000 cubic feet of water per month and who are not Residential users or Residential-Multi-Family users - \$13.11 per month. For sewer service users in this category that require manual billing, add \$10.00 for a total of \$23.11. The manual billing of the customer charge will come from the City of La Vista instead of the Metropolitan Utilities District.
- 2. The flow charge for all sewer service users shall be \$3.71 per hundred cubic feet (ccf).
- 3. If users have abnormal strength sewage as determined by the terms of the Wastewater Service Agreement between the City of La Vista and the City of Omaha, then additional charges will be billed to the user at the applicable rates as determined by said Agreement.
- 4. If users other than those classified herein are connected to the wastewater collection system, the Customer Charges, the Flow Charges and Other Charges will be determined by the City Council in accordance with rules and regulations of the EPA and the Agreement between the City of La Vista and the City of Omaha.

**Section 3. Sewer/Drainage Connection Fee Schedule.** A fee shall be paid to the City Treasurer as set forth in this section for each structure or tract to be connected to the sewer system of the City. No connection permit or building permit shall be issued until the following connection fees have been paid.

	Effective 1/1/2019		Effective 1/1/2020	
Residential				
Single Family Dwelling	\$1,364		\$1,364	
Duplex	\$1,364/unit		\$1,364/unit	
Multiple Family		\$1,064/unit		\$1,064/unit
Commercial/Industrial		\$7,407/acre of land as platted		\$7,407/acre of land as platted

The fee for commercial (including industrial) shall be computed on the number of acres within each platted lot or tract, irrespective of the number of structures to be constructed thereon.

The applicable fee shall be paid in respect to each lot or building site as a condition of City's issuance of any building or sewer connection permit.

- A. **Changes in Use.** If the use of a lot changes subsequent to payment of the fee, which different use would require payment of a fee greater than that payable in respect to the use for which the fee was originally paid, the difference in fee shall be paid to the City at time of such change in use.
- B. **Existing Structures.** Structures for which sewer connection and building permits have been issued, and all permit fees in respect thereto paid, prior to the effective date hereof shall be exempt from the fees herein imposed.
- C. **Preconnection Payments.** Where preconnection payment charges for a subdivision or portion thereof have been paid to City at time of subdivision of a tract pursuant to agreement between the City and the developer and the sanitary and improvement district, if any, financing improvements of the subdivision, the preconnection payment so made shall be credited by City to the sewer/drainage fees payable at time of connection of the individual properties to the sewer/drainage systems of the City.

D. Sewer Tap and Inspection and Sewer Service Fees. The fees imposed by Section 3 hereof are in addition to and not in lieu of (1) sewer tap and inspection fees payable pursuant to Section 3-122 of the La Vista Municipal Code and listed herein and (2) sewer service charges imposed by Section 2 hereof.

Section 4. Sewer Inspection Charges Established for Installation. Inspection charges for nonresidential property sewer installation shall be:

Sewer Tap Fee (Inspection Fee)	
Service Line w/inside diameter of 4"	\$400
Service Line w/inside diameter of 6"	\$600
Service Line w/inside diameter of 8"	\$700
Service Line w/inside diameter over 8"	Special permission/set by Council

Section 5. Miscellaneous Sewer Related Fees: Miscellaneous sewer related fees shall be:

Private Sewage Disposal System Const. Permit	\$	1,500
Appeal Fee Re: Issuance or Denial of Sewer Permits	\$	1,500

Section 6. Repeal of Ordinance No.1372. Ordinance No. 1372 as originally approved on October 15, 2019 and all ordinances in conflict herewith are hereby repealed.

Section 7. 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, 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 8. Effective Date. This Ordinance shall take effect from and after its passage, approval and publication in pamphlet form as provided by law; provided, however, that:

(1) Pawnbroker occupation taxes of Section 1 shall be effective April 1, 2003. Pawnbroker occupations taxes shall be payable on a monthly basis no later than the last day of the calendar month immediately following the month in which the subject pawnbroker transactions occur. For example, the occupation tax on pawnbroker transactions for the month of April 2003 shall be due and payable on or before May 31, 2003.

(2) Pawnbroker permit fees shall be effective January 1, 2004. Annual pawnbroker permit fees shall be due and payable annually on or before January 1. Initial pawnbroker permit fees shall be due and payable on or before the date that the pawnbroker license is issued. Issuance of renewal of pawnbroker permits shall be subject to payment of applicable permit fees.

(3) Rental Inspection Program License fees shall be effective January 1, 2011

(4) The remaining provisions of this Ordinance other than those specified in Sections 8(1), 8(2) and 8(3) shall take effect upon publication, unless a different effective date is otherwise expressly provided in this Ordinance.

PASSED AND APPROVED THIS 5TH DAY OF NOVEMBER 2019.

CITY OF LA VISTA

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

ATTEST:

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

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND THE COMPENSATION ORDINANCE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

An ordinance has been prepared to amend the compensation ordinance to reflect changes in Police Officer and Police Sergeant pay and to change the pay grade for the Accountant position.

**FISCAL IMPACT**

The FY20 budget provides funding.

**RECOMMENDATION**

Approval

**BACKGROUND**

On August 21, 2018 the City Council approved an Amended Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista for fiscal years 2019 through 2023. This agreement included increases to the pay steps in each year. This ordinance reflects the rates to be paid during the period October 1, 2019 through September 30, 2020. The increase is 3.25% for both officers and sergeants.

On October 1, 2019 the City Council approved a change in grade for the Accountant position from 165 to 175. This ordinance reflects that change.

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

AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

Section 1. City Council. The compensation of members of the City Council shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be, and the same hereby is, fixed at the sum of \$8,000 per year for each of the members of the City Council.

Section 2. Mayor. The compensation of the Mayor shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be, and the same hereby is, fixed at the sum of \$16,000 per year.

Section 3. City Administrator. The compensation of the City Administrator shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be established by contractual agreement.

Section 4. Management Exempt Employees. The management exempt employees hereafter named shall, in addition to such vehicle and other allowances as may from time to time be fixed by Resolution of the City Council, receive annualized salaries fixed in accordance with the schedules of Table 200, set forth in Section 21 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by resolution establish:

Position	Pay Grade
Asst. City Administrator/Dir. Community Services	215
City Clerk	205
City Engineer	210
Deputy City Engineer	205
Community Development Director	210
Director of Administrative Services	215
Director of Public Works	215
Finance Director	210
Human Resources Director	210
Library Director	205
Police Chief/Director of Public Safety	215
Recreation Director	205

Section 5. Salaried Exempt Employees. The monthly salary compensation rates of the salaried exempt employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules of Table 100, set forth in Section 21 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by resolution establish:

Position	Pay Grade
Asst. to City Administrator	175
Asst. Planner	160
Asst. Recreation Director	180
Building Superintendent	180
Chief Building Official	180
Community Relations Coordinator	175
Deputy City Clerk	165
Deputy Director Public Works	205
Financial Analyst	175
Human Resources Generalist	165
Human Resources Manager	180
Librarian II – Inter-Library Loan/Public Services	160
Librarian III	175
Park Superintendent	180
Planner	175
Police Captain	205
Police Records Manager/Office Manager	165
Police Training Coordinator	165
Program Coordinator	160

Street Superintendent	180
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**Section 6. Hourly Non-Exempt Employees.** The hourly compensation rates of the hourly (non-exempt) employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules of Table 100 and Table 400, set forth in Section 21 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by Resolution establish:

Position	Pay Grade
Accountant	<b>165175</b>
Accounting Clerk	130
Administrative Assistant I	120
Administrative Assistant II	130
Administrative Assistant III	140
Building Inspector I	140
Building Inspector II	160
Building Maintenance Worker I	130
Building Maintenance Worker II	140
Building Technician	165
Code Enforcement Officer	160
Executive Assistant	165
Librarian I	140
Librarian II – Computer/Reference Services	160
Maintenance Worker I	130
Maintenance Worker II	140
Mechanic	140
Park Foreman	165
Permit Technician	120
Police Sergeant	426
Police Officer	423
Police Data Entry Clerk	120
Sewer Foreman	165
Shop Foreman	165
Street Foreman	165

**Section 7. Part-Time and Temporary Employees.** The hourly compensation rates of part-time, seasonal and temporary employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules of Table 100, set forth in Section 21 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by Resolution establish:

Position	Pay Grade
Assistant Pool Manager	100
Circulation Clerk I	100
Circulation Clerk II	115
Clerical Assistant/Receptionist	115
Custodian	105
Evidence Technician	130
Intern/Special Projects	115
Lifeguard	100
Pool Manager	110
Recreation Supervisor	100
Seasonal PW All Divisions 1-5 Years	100
Seasonal PW All Divisions 5+ Years	110
Shop Assistant	100
Special Services Bus Driver	110
Temporary/PT Professional (PW)	160

Part-time employees shall receive no benefits other than salary or such benefits as established in accordance with such rules as have been or may be established by Resolution of the City Council:

**Section 8. Pay for Performance.** Employees not covered by a collective bargaining agreement or express employment contract shall be subject to the City's Pay for Performance (PFP) compensation system as outlined in Council Policy Statement. PFP salary ranges are set forth in Table 100 and 200 of Section 21 of this Ordinance. For Fiscal year 2019 the range for salary increases will be 0-7% in accordance with the adopted pay matrix.

Section 9. Legal Counsel. Compensation of the legal counsel other than special City Prosecutor for the City shall be, and the per diem rates respecting same shall be, at 90% of the standard hourly rate the firm may from time to time charge. Compensation for Special City prosecution shall be as agreed upon at the time of specific employment.

Section 10. Engineers. Compensation of Engineers for the City shall be, and the same hereby is, fixed in accordance with such schedules of hourly and per diem or percentage rates as shall from time to time be approved by Resolution of the City Council. Travel allowances respecting same shall be as may from time to time be fixed by Resolution of such City Council.

Section 11. Health, Dental Life and Long Term Disability Insurance. Subject to the terms, conditions and eligibility requirements of the applicable insurance plan documents and policies, regular full-time employees of the City of La Vista and their families shall be entitled to be enrolled in the group life, health, and dental insurance program maintained by the City. Regular full-time employees shall also be entitled to be enrolled in the long term disability insurance program maintained by the City.

Unless otherwise provided by collective bargaining agreement, or other applicable agreement, the City's employer share shall be ninety (90) percent of the amount of the actual premium and the employee shall pay the ten percent (10%) balance of the actual premium via payroll deduction for employees enrolled in single coverage. The City's employer share shall be eighty percent (80%) of the amount of the actual premium and the employee shall pay the twenty percent (20%) balance of the actual premium via payroll deduction for any employee enrolled in a level of coverage other than single. Those employees electing not to participate in these programs will receive no other form of compensation in lieu of this benefit.

Section 12. Establishment of Shifts. The City may establish duty shifts of such length, and to have such beginning and ending times, and to have such meal and break times, as it may deem appropriate or necessary, respecting employees of the City.

Section 13. Special Provisions.

- A. Employees covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, Nebraska, covering the period from October 1, 2018 through September 30, 2023," shall receive compensation and benefits and enjoy working conditions, as described, provided and limited by such Agreement. The terms of such Agreement shall supersede any provisions of this Ordinance inconsistent therewith, and be deemed incorporated herein by this reference.
- B. Holiday Pay shall be compensated as set forth in the Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista for police officers and as set forth in the Personnel Manual for all other full time employees.
- C. Subject to subsection 14.D. hereof, each full time hourly non-exempt employee of the City shall be entitled to receive overtime pay at the rate of one and one half times the employee's regular rate for each hour worked in excess of forty hours during a work week. If called out at any time other than during regular assigned work hours during the pay period, such employee shall be entitled to compensation at the rate of one and one half times the regular rate for each hour so worked, provided that in no case shall an employee receive less than two hours over time pay for such call out work, and further provided there shall be no pyramiding of hours for purposes of computing overtime. For purposes of this subsection an employee's "regular rate" shall be the sum of his or her hourly rate specified in Section 6 of this Ordinance and any longevity pay due under this Ordinance.
- D. Police Department employees covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, Nebraska," described in subsection 14.A hereof shall, as provided in such Agreement, be paid overtime at one and one half times the employee's hourly rate (including any longevity allowance) for each hour worked in excess of 80 hours during any 14 day work period coinciding with the pay period established by Section 16 of this Ordinance.

- E. All Management Exempt Employees and all Salaried Exempt Employees are considered to be salaried employees and shall not be eligible for overtime pay, holiday pay, or other special pay as provided by this section.
- F. Public Works Employees who are required to wear protective footwear may submit to the City for reimbursement for the cost of work boots in an amount not to exceed \$150.
- G. Public Works Employees may submit to the City for reimbursement for the difference in cost between a Nebraska Driver's License and a "CDL" driver's license within 30 days of obtaining a CDL license when a CDL license is required as a part of the covered employee's job description.
- H. Public Works Employees shall be provided by the City five safety work shirts in each fiscal year at no cost to the employee.
- I. Employees not covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista" and who are otherwise eligible, shall be paid overtime at the rate of one and one-half times the employee's hourly rate for all hours worked over forty in the pay periods that encompass the annual La Vista Days celebration, except, that if an employee uses any sick leave, vacation leave, personal leave, or comp time during the corresponding pay periods, such leave time shall offset any overtime earned. Overtime earned will not be offset by any holiday that falls during the above referenced pay periods.
- J. An increase of the fixed dollar amount specified in Section 1 above shall take effect with respect to all members of the City Council on and after the first day of the first full term of office of any member of the City Council that begins after the Ordinance making the increase is effective. An increase of the fixed dollar amount specified in Section 2 above shall take effect on and after the first day of the first full term of office of Mayor that begins after the Ordinance making the increase is effective

Section 14. Pay for Unused Sick Leave Upon Retirement or Death. Employees who voluntarily retire after twenty or more years of service with the City and have no pending disciplinary action at the time of their retirement, shall be paid for any unused sick leave. Employees who began their employment with the City after January 1, 2005, or who began their employment prior to this date but elected to waive their eligibility for emergency sick leave, shall be paid for any unused sick leave, if they voluntarily leave City employment and have no pending disciplinary action, according to the following sliding schedule: After 10 years of employment – 100% of sick leave hours accrued over 660 and up to 880; after 15 years of employment – 100% of sick leave hours accrued over 440 hours and up to 880; after 20 years of employment – 100% of sick leave hours accrued up to 880. No other employee shall be paid for any unused sick leave upon termination of employment.

A regular full-time employee's unused sick leave shall also be paid if, after October 1, 1999, the employee sustains an injury which is compensable by the City or the City's insurer under the Nebraska Workers' Compensation Act and such injury causes the death of the employee within two years after the date of injury. Any payment made pursuant to the preceding sentence shall be made to the surviving spouse of the employee; provided, such payment shall be made to the employee's estate if the employee leaves no surviving spouse or if, prior to his or her death, the employee filed with the City Clerk a written designation of his or her estate as beneficiary of such payment.

Section 15. Pay Periods. All employees of the City of La Vista shall be paid on a bi-weekly basis. The pay period will commence at 12:01 a.m. Sunday and will conclude at 11:59 p.m. on the second succeeding Saturday. On the Friday following the conclusion of the pay period, all employees shall be paid for all compensated time that they have been accredited with during the pay period just concluded.

Section 16. Public Works Lunch and Clean-up Times. Lunch period for employees of the Public Works Department shall be one half hour (30 minutes) in duration. Public Works employees shall be granted a 5 minute clean-up period prior to start of lunch period, and shall be granted an additional 5 minutes clean-up period prior to the end of the work day.

Section 17. Sick Leave and Personal Leave. Sick leave and personal leave will be awarded and administered in conjunction with the provisions set forth in the personnel manual and the Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, as applicable to the employee in question.

Section 18. Vacation Leave. Upon satisfactory completion of six months continuous service, regular full-time employees and permanent part-time employees shall be entitled to vacation leave. Such vacation shall not be used in installments of less than one hour. Increments of vacation leave of less than four hours must have 48 hours prior approval and can be taken only at the beginning or at the end of the work day.

Section 19. Vacation Entitlement.

- A. All full-time employees whose employment is governed by the Agreement described in Section 14, Paragraph A. of this Ordinance shall earn, accrue and be eligible for vacation as provided in such Agreement.
- B. All other full-time Hourly Non-Exempt Employees shall earn: six (6) days of paid vacation during the first year of continuous full-time employment; eleven (11) days of paid vacation during the second year of continuous full-time employment; and thereafter, eleven (11) days of paid vacation during each subsequent year of continuous full-time employment, plus one (1) additional day of paid vacation for each year of continuous full-time employment in excess of two years. Notwithstanding the foregoing, no employee shall earn more than twenty-three (23) days of paid vacation per employment year.
- C. All Management Exempt Employees, and Salaried Exempt Employees, shall earn ten (10) days paid vacation during the first year of continuous employment, and one (1) additional vacation day for each additional year of continuous employment not to exceed twenty-six (26) days.
- D. All Permanent Part Time Employees working a minimum of twenty (20) hours per week shall earn forty (40) hours of paid vacation time per year after six (6) months of employment. Total paid vacation time earned per year shall not exceed forty (40) hours.
- E. Full Time Exempt and Non-Exempt Employees shall be allowed to accrue unused vacation leave from previous years to a maximum of 220 hours.
- F. Permanent Part Time Employees shall be allowed to accrue unused vacation leave from previous years to a maximum of 110 hours.

Section 20. Wage Tables.

**Table 100**  
**Salaried Exempt Employees**  
**Hourly Non-Exempt Employees**

Rate	Minimum	Maximum	Rate	Minimum	Maximum
<b>100 Pay Grade</b>					
Hourly	\$ 10.50	\$ 13.65	Hourly	\$ 17.20	\$ 24.25
Monthly	\$ 1,820	\$ 2,366	Monthly	\$ 2,981	\$ 4,203
Annually	\$ 21,840	\$ 28,392	Annually	\$ 35,776	\$ 50,440
<b>105 Pay Grade</b>					
Hourly	\$ 12.05	\$ 15.67	Hourly	\$ 22.21	\$ 28.60
Monthly	\$ 2,088.67	\$ 2,716.13	Monthly	\$ 3,850	\$ 4,957
Annually	\$25,064.00	\$ 32,593.60	Annually	\$ 46,197	\$ 59,488
<b>110 Pay Grade</b>					
Hourly	\$ 12.47	\$ 16.23	Hourly	\$ 23.16	\$ 29.37
Monthly	\$ 2,161.47	\$ 2,813.20	Monthly	\$ 4,014	\$ 5,091
Annually	\$25,937.60	\$ 33,758.40	Annually	\$ 48,173	\$ 61,090
<b>160 Pay Grade</b>					
<b>165 Pay Grade</b>					

<b>115 Pay Grade</b>			<b>175 Pay Grade</b>		
Hourly	\$ 13.10	\$ 17.03	Hourly	\$ 26.54	\$ 34.02
Monthly	\$ 2,270.67	\$ 2,951.87	Monthly	\$ 4,600	\$ 5,897
Annually	\$27,248.00	\$ 35,422.40	Annually	\$ 55,203	\$ 70,762
<b>120 Pay Grade</b>			<b>180 Pay Grade</b>		
Hourly	\$ 14.95	\$ 20.18	Hourly	\$ 29.11	\$ 37.92
Monthly	\$ 2,591.33	\$ 3,497.87	Monthly	\$ 5,046	\$ 6,573
Annually	\$31,096.00	\$ 41,974.40	Annually	\$ 60,549	\$ 78,874
<b>130 Pay Grade</b>					
Hourly	\$ 15.64	\$ 22.05			
Monthly	\$ 2,710.93	\$ 3,822.00			
Annually	\$32,531.20	\$ 45,864.00			

<b>Table 200</b>			
<b>Management Exempt Employees</b>			
<b>Rate</b>	<b>Minimum</b>	<b>Maximum</b>	
<b>205 Pay Grade</b>			
Hourly	\$ 36.34	\$ 50.59	
Monthly	\$ 6,299	\$ 8,769	
Annually	\$ 75,587	\$ 105,227	
<b>210 Pay Grade</b>			
Hourly	\$ 38.62	\$ 54.92	
Monthly	\$ 6,694	\$ 9,519	
Annually	\$ 80,330	\$ 114,234	
<b>215 Pay Grade</b>			
Hourly	\$ 42.66	\$ 64.00	
Monthly	\$ 7,394	\$ 11,093	
Annually	\$ 88,733	\$ 133,120	

<b>Table 400</b>						
<b>FOP Collective Bargaining</b>						
<b>Hourly Non-Exempt</b>						
<b>Rate</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>426 Pay Grade</b>						
Hourly				\$ 39.97	\$ 41.63	\$ 44.27
Monthly				\$ 6,928	\$ 7,216	\$ 7,673
Annually				\$83,138	\$86,590	\$92,082
<b>423 Pay Grade</b>						
Hourly	\$ 26.20	\$ 27.97	\$ 30.75	\$ 32.54	\$ 35.52	\$ 37.37
Monthly	\$ 4,541	\$ 4,848	\$ 5,330	\$ 5,640	\$ 6,157	\$ 6,477
Annually	\$ 54,496	\$ 58,178	\$ 63,960	\$ 67,683	\$ 73,882	\$ 77,730

Section 21. Repeal of Ordinance No. 13151327. Ordinance No. 1315-1327 originally passed and approved on the 5th 4th day of September 2017 2018 is hereby repealed.

Ordinance No.

Section 22. Effective Date. This Ordinance shall take effect after its passage, approval and publication as provided by law.

Section 23. This Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER, 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION OF GENERAL OBLIGATION REFUNDING BONDS TO REFUND OUTSTANDING GENERAL OBLIGATION BONDS	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	KEVIN POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

**SYNOPSIS**

A bond ordinance has been prepared authorizing the issuance of general obligation bonds of the City to refund the City's outstanding General Obligation Refunding Bonds, Series 2012, and General Obligation Refunding Bonds, Series 2014.

**FISCAL IMPACT**

The refunding bonds will only be issued if the City will realize net present value savings that is redeemable at a redemption price equal to the principal amount thereof plus accrued interest to the date fixed for redemption.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The ordinance authorizes the refunding transaction but requires there be a minimum level of savings before the transaction can proceed. Authorizing the refunding now will allow the City to more quickly react to favorable market conditions as the interest rate environment continues to be volatile.

Since the 2012 Bonds and the 2014 Bonds were issued, the rates of interest available in the market have so declined that by issuing its refunding bonds to provide funds for the payment and redemption of a portion of the 2012 Bonds and the 2014 Bonds, a substantial savings in the amount of yearly running interest will be made to the City.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN ONE OR MORE SERIES, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; AND AUTHORIZING THE REDEMPTION OF SUCH OUTSTANDING BONDS TO BE REFUNDED; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME, IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

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

Section 1. (a) The Mayor and Council of the City of La Vista, Nebraska (the "City") hereby find and determine that: There have been heretofore issued and are now outstanding and unpaid valid interest-bearing bonds of the City as follows:

(i) General Obligation Refunding Bonds, Series 2012, in the outstanding principal amount of \$2,520,000, dated June 28, 2012 (the "2012 Bonds"), which mature and bear interest as follows:

Principal <u>Amount</u>	Maturing December 15 <u>Of Year</u>	Interest <u>Rate</u>	<u>CUSIP No.</u>
280,000	2022	2.250	505318 QE8
285,000	2023	2.400	505318 QF5
290,000	2024	2.550	505318 QG3
305,000	2025	2.700	505318 QH1
310,000	2026	2.800	505318 QJ7
320,000	2027	2.900	505318 QK4
330,000	2028	3.000	505318 QL2
400,000	2032*	3.250	505318 QM0

such 2012 Bonds being part of an issue of \$8,915,000 principal amount of General Obligation Refunding Bonds, Series 2012 issued pursuant to an ordinance duly passed by the Council and approved by the Mayor on May 15, 2012 (the "2012 Ordinance"), and such 2012 Bonds maturing on December 15, 2022 through and including December 15, 2028 and in the year 2032 (the "Refunded 2012 Bonds") are redeemable at the option of the City at any time on or after December 1, 2019 (the "2012 Bonds Redemption Date"), at a redemption price equal to the principal amount thereof plus accrued interest to the date fixed for redemption.

(ii) General Obligation Refunding Bonds, Series 2014, in the outstanding principal amount of \$1,115,000, dated December 31, 2014 (the "2014 Bonds"), which mature and bear interest as follows:

Principal <u>Amount</u>	Maturing August 15 <u>Of Year</u>	Interest <u>Rate</u>	<u>CUSIP No.</u>
550,000	2022	2.250%	505318 RL1
565,000	2023	2.450	505318 RM9

such 2014 Bonds being part of an issue of \$6,475,000 principal amount of General Obligation Refunding Bonds, Series 2014 issued pursuant to an ordinance duly passed by the Council and approved by the Mayor on November 25, 2014 (the "2014 Ordinance"), and such 2014 Bonds maturing on August 15, 2022 through and including August 15, 2023, (the "Refunded 2014 Bonds") are redeemable at the option of the City at any time on or after December 31, 2019 (the "2014 Bonds Redemption Date"; and together with the 2012 Bonds Redemption Date, the "Redemption Dates"), at a redemption price equal to the principal amount thereof plus accrued interest to the date fixed for redemption.

(b) (i) All of the 2012 Bonds and the 2014 Bonds are valid, interest bearing obligations of the City; (ii) since the 2012 Bonds and the 2014 Bonds were issued, the rates of interest available

in the market have so declined that by issuing its refunding bonds to provide funds for the payment and redemption of a portion of the 2012 Bonds and the 2014 Bonds, all as set out above, a substantial savings in the amount of yearly running interest will be made to the City; (iii) all or a portion of the Refunded 2012 Bonds and the Refunded 2014 Bonds (as called for redemption, collectively, the "Refunded Bonds") are herein authorized to be called for redemption; (iv) for the purpose of providing for the payment and redemption of the Refunded Bonds as above set out and to pay costs of issuance thereof, it is in the best interest of the City to issue general obligation refunding bonds of the City, in one or more series, in the aggregate stated principal amount of not to exceed \$6,500,000 (the "Bonds"); and (v) except as set forth herein, the City has no bond sinking funds on hand for the retirement of the Refunded Bonds not required for the timely payment of principal and interest due on the Redemption Dates.

Section 2. (a) The Mayor and Council further find and determine that (a) it is necessary, desirable, advisable and in the best interest of the City to provide for the payment and redemption of the Refunded Bonds; and, (b) all conditions, acts and things required by law to exist or to be done precedent to the issuance of the Bonds, in one or more series, in the aggregate stated principal amount of not to exceed \$6,500,000 pursuant to Section 10-142, Reissue Revised Statutes of Nebraska, as amended, and other applicable statutes, do exist and have been done as required by law. To provide funds for the purpose of refunding the Refunded Bonds as set out in Section 1 hereof, there shall be and there are hereby ordered issued the General Obligation Refunding Bonds of the City, in one or more series, in the aggregate stated principal amount of not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000).

(b) The Bonds or any portion thereof are hereby authorized to be sold pursuant to a negotiated sale with such bank or underwriting firm determined in the Designation, as initial purchaser or placement agent, as applicable (the "Underwriter"). In connection with such sale, the Mayor, City Clerk or Director of Administrative Services (each, an "Authorized Officer") are hereby authorized to specify, determine, designate, establish and appoint, as the case may be, in one or more written designations which may be included in a bond purchase agreement (each, a "Designation"), (i) the aggregate purchase price of the Bonds and the underwriting discount which shall not exceed 0.70% of the aggregate stated principal amount thereof, (ii) the form and contents of any bond purchase agreement in connection with such sale, (iii) the title (including series designation), dated date, aggregate principal amount (including the aggregate principal amounts of serial Bonds and term Bonds, if any), which aggregate stated principal amount shall not exceed \$6,500,000, and the final maturity date, which shall not be later than December 15, 2032, (iv) the principal amounts maturing in each year, (v) the rate or rates of interest to be borne by each principal maturity, with present value savings in an amount approved by an Authorized Officer in a Designation, (vi) the principal payment dates and interest payment dates, (vii) whether the Bonds will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, including a redemption price not to exceed 104% of the principal amount then being redeemed plus accrued interest to the date of redemption, (viii) the amount and due date of each sinking fund installment for any of the Bonds issued as term Bonds, (ix) the designation of the Paying Agent and Registrar and the form and content of any agreement between the City and such entity and (x) all other terms and provisions of the Bonds not otherwise specified or fixed by this Ordinance.

(c) The Authorized Officers, or each individually, are hereby authorized to irrevocably call any or all of the Refunded Bonds for redemption on such date or dates he or she determines appropriate, which date or dates shall be the Redemption Dates hereunder. The Authorized Officers, or each individually, are hereby authorized to designate, approve, execute and deliver, as the case may be (i) the form, content, terms and provisions of any published and/or mailed notice of redemption with respect to the payment and redemption of the Refunded Bonds, (ii) an Escrow Agent, (iii) the form, content, terms and provisions of an Escrow Agreement with the Escrow Agent for the purpose of providing for the deposit in trust with the Escrow Agent a portion of the net proceeds of the Bonds, the investment of such net proceeds pending their application, the application of such proceeds and any investment income to the payment of all of the principal of and interest on the Refunded Bonds maturing on or before the Redemption Date and the application of the balance of such proceeds and any investment income thereof to the redemption and retirement of the Refunded Bonds on the Redemption Date.

Section 3. The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be date of original delivery. Interest on the Bonds, at the respective rates for each maturity, shall be payable semi-annually on June 15 and December 15 of each year beginning June 15, 2020 (or such other date or dates as may be determined in a Designation, each an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date

(the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, designated in Section 4 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 4 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with unpaid accrued interest thereon, shall be made by the Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to the Paying Agent and Registrar. The City and the Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this Ordinance shall be valid and effectual and shall be a discharge of the City and the Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 4. The Authorized Officers are hereby authorized to designate the Paying Agent and Registrar for the Bonds in a Designation, which Paying Agent and Registrar shall be a bank or trust company. Said Paying Agent and Registrar shall serve in such capacities under the terms of an agreement entitled "Paying Agent and Registrar's Agreement" between the City and said Paying Agent and Registrar and the Mayor and City Clerk are hereby authorized to execute said agreement. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at its office. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to the Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the City, will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Bond or Bonds of the same series, interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Ordinance, one Bond may be transferred for several such Bonds of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligation as the Bonds surrendered and shall be entitled to all the benefits and protection of this Ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and the Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 5. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 6. In addition to any mandatory sinking fund redemptions, the Bonds shall be subject to redemption at the option of the City, in whole or in part, prior to maturity at any time on or after five years after the date of original issue, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption (or such other date or dates as may be determined in a Designation). The City may select the Bonds to be redeemed for optional redemption in its sole discretion. Bonds for mandatory redemption shall be selected by the Paying Agent and Registrar using any random method of selection determined appropriate by the Paying Agent and Registrar. Bonds redeemed pursuant to the requirements for mandatory redemption shall be redeemed at par plus accrued interest on the principal amount redeemed. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of

the City in the case of optional redemption and without further direction in the case of mandatory redemption, by the Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue, series and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of the Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the City shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given.

Section 7. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the municipality where the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 8. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
COUNTY OF SARPY

CITY OF LA VISTA, NEBRASKA  
GENERAL OBLIGATION REFUNDING BOND  
SERIES 20\_\_\_\_\_

No. \_\_\_\_\_ \$

<u>Interest Rate</u> %	<u>Maturity Date</u> December 15, 20_____	<u>Date of Original Issue</u> _____, 20_____	<u>CUSIP</u>
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Registered Owner: Cede & Co.

Principal Amount:

The CITY OF LA VISTA, NEBRASKA (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above in lawful money of the United States of America on the Maturity Date specified above with interest thereon to maturity (or earlier redemption) computed on the basis of a 360-day year consisting of twelve 30-day months from the Date of Original Issue or most recent Interest Payment Date, whichever is later, at the Interest Rate per annum specified above, payable semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, beginning \_\_\_\_\_, 20\_\_\_\_ (each of such dates an "Interest Payment Date"). The Principal Amount hereof, together with unpaid accrued interest due at maturity or upon earlier redemption, is payable upon presentation and surrender of this bond at the office of \_\_\_\_\_, as the Paying Agent and Registrar, in \_\_\_\_\_, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding such Interest Payment Date, to such owner's registered address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purposes become available.

This bond is one of an issue of fully registered bonds (the "Bonds") of the total principal amount of \_\_\_\_\_ (\$\_\_\_\_\_), of even date and like tenor except as to date of maturity, rate of interest and denomination which were issued by the City in strict compliance with Section 10-142, Reissue Revised Statutes of Nebraska, as amended, and other applicable statutes for the purpose of refunding (a) \$2,520,000 outstanding principal amount of General Obligation Refunding Bonds, Series 2012, dated June 28, 2012; and (b) \$1,115,000 outstanding principal amount of General Obligation Refunding Bonds, Series 2014, dated December 31, 2014. The issuance of such bonds has been authorized by proceedings duly had and an ordinance legally passed and approved by the Mayor and Council of the City (the "Ordinance").

The Bonds are subject to redemption at the option of the City, in whole or in part, at any time on or after five years after the date of delivery, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption.

[In addition, the Bonds shall be subject to mandatory sinking fund redemption payments (with bonds being redeemed at par plus accrued interest) as follows:

\$ Principal Maturing December 15, 20\_\_\_\_\_  
\$\_\_\_\_\_ to be called December 15, 20\_\_\_\_\_  
\$\_\_\_\_\_ to be called December 15, 20\_\_\_\_\_  
\$\_\_\_\_\_ Payable December 15, 20\_\_\_\_\_  
]

Notice of redemption shall be given by mail to the registered owner of any Bond to be redeemed at such registered owner's address in the manner specified in the Ordinance authorizing the Bonds. Individual Bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof.

This Bond is transferable by the Registered Owner or such owner's attorney duly authorizing in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this Bond, and thereupon a new Bond or Bonds of the same aggregate principal amount, interest rate

and maturity will be issued to the transferee as provided in the Ordinance, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this Bond be overdue or not.

If the date for payment of the principal of or interest on this Bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this Bond and in the issuance of the Bonds refunded hereby did exist, did happen and were done and performed in regular and due form and time as required by law and that the indebtedness of said City, including this Bond and the Bonds refunded hereby, does not exceed any limitation imposed by law. The City agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount to fully pay the principal and interest of this Bond and the other Bonds of this issue as the same become due.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE REGISTRAR. DTC OR A NOMINEE, TRANSFEE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This Bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Mayor and Council of the City have caused this Bond to be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the Clerk and by causing the official seal of the City to be impressed or imprinted hereon, all as of the date of original issue specified above.

CITY OF LA VISTA, NEBRASKA  
(facsimile signature)

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
(facsimile signature)  
Clerk  
(SEAL)

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds authorized by Ordinance of the Mayor and Council of the City of La Vista, Nebraska, described in the foregoing Bond.

\_\_\_\_\_, Nebraska, Paying Agent and Registrar

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## **ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

---

\_\_\_\_\_  
Print or Type Name, Address and Social Security Number  
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ agent to transfer the within Bond on the Bond Register kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Medallion Signature Guarantee:

Section 9. Each of the Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and Clerk of the City. The Bonds shall be issued initially as "book-entry-only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a letter of representations (the "Letter of Representations") in the form required by the Depository, for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the Bond Participants and/or Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the City of book-entry-only form, the City shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the City agrees to order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the City Treasurer, who is authorized to deliver them to the Underwriter, as initial purchaser thereof, upon receipt of the principal amount of the Bonds plus accrued interest thereon, to date of payment for the Bonds and less the Underwriter's discount, in accordance with Section 3 hereof. Such initial purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. The Underwriter and its agents, representatives and counsel and the City's bond counsel are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing. The Authorized Officers of the City (or any one of them) are hereby authorized to execute a bond purchase agreement for the sale of the Bonds to the Underwriter. The officers of the City, or any one or more of them are hereby further authorized to take any and all actions and enter into any and all agreements deemed necessary or appropriate in connection with the issuance and sale of the Bonds and the redemption and payment of the Refunded Bonds, and any such actions previously taken are hereby ratified and confirmed.

**Section 10.** The Clerk is directed to make and certify a transcript or transcripts of the proceedings of the Mayor and Council precedent to the issuance of the Bonds, a copy of which shall be delivered to the initial purchaser of the Bonds.

**Section 11.** The net sale proceeds of the Bonds, along with any necessary funds of the City on hand, shall be applied to the payment and satisfaction of all of the principal of and the interest on the Refunded Bonds falling due prior to, and as called for redemption on, the Redemption Dates. Accrued interest received from the sale of the Bonds, if any, shall be applied to pay interest first falling due on the Bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds. In order to satisfy the City's obligations on the Refunded Bonds, if determined necessary and appropriate by an Authorized Officer, such proceeds of the Bonds along with funds of the City on hand shall be set aside and held and invested in a special trust account which is hereby ordered established with such bank or trust company as determined by an Authorized Officer to act as escrow agent (the "Escrow Agent"). The Escrow Agent shall have custody and safekeeping of the funds and investments which are to be set aside for the payment of the Refunded Bonds. For purposes of governing such escrow account and the holding and application of such funds and investments, the City shall enter into a contract entitled "Escrow Agreement" with the Escrow Agent. The Authorized Officers, or each individually, are hereby authorized and directed to execute and deliver on behalf of the City said Escrow Agreement, including necessary counterparts, in substantially the form and content as presented to the meeting at which this ordinance is adopted, but with such changes and modifications therein as to them seem necessary, desirable, or appropriate

for and on behalf of the City. The Authorized Officers, or each individually, are further authorized to approve the investments provided for in said Escrow Agreement, and to make any necessary subscriptions for United States Treasury Securities, State and Local Government Series, or to contract for the purchase of securities in the open market. Said proceeds shall be invested in obligations of the United States Government, direct or guaranteed, including United States Treasury Securities, State and Local Government Series. To the extent that such proceeds are held in a bank depository account, such deposits shall be insured by insurance of the Federal Deposit Insurance Corporation or, to the extent not fully insured, fully collateralized in the same manner as is required for deposit of public funds. Any investment from the proceeds of the Bonds herein authorized shall mature not later than the Redemption Dates. As provided in said Escrow Agreement, the proceeds of the Bonds herein authorized and investment earnings thereon shall be applied to the payment of the principal of and interest on the Refunded Bonds as the same become due on and prior to the Redemption Dates, and as called for redemption on the Redemption Dates. The City agrees that on the date of original issue of the Bonds, or as soon thereafter as practicable, it shall deposit or otherwise have on hand with the Escrow Agent, from tax levy or other available sources, funds sufficient after taking into consideration available proceeds of the Bonds and investment earnings to provide funds for all payments due on the Refunded Bonds on or before the Redemption Dates, and as called for redemption on the Redemption Dates.

Section 12. The City agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in the City, except intangible property, in addition to all other taxes, which with other funds of the City available therefor, shall be sufficient in rate and amount to fully pay the principal of and interest on the Bonds as the same become due.

Section 13. The Authorized Officers or any one or more of them is authorized to approve, deem final and deliver a Preliminary Official Statement and a final Official Statement for and on behalf of the City, all in accordance with the requirements of Reg. Sec. 240.15c2-12 of the Securities and Exchange Commission.

Section 14. The City hereby covenants and agrees that it will make no use of the proceeds of the Bonds which would cause the Bonds to be arbitrage bonds within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and further covenants to comply with said Sections 103(b)(2) and 148 and all applicable regulations thereunder throughout the term of said issue, including all requirements with respect to payment and reporting of rebates, if applicable. The City hereby covenants to take all action necessary to preserve the tax-exempt status of the interest on the Bonds for federal income tax purposes under the Code with respect to taxpayers generally. The City further agrees that it will not take any actions which would cause the Bonds to constitute "private activity bonds" within the meaning of Section 141 of the Code. The City hereby authorizes the Bonds to be designated as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code, if so designated, an Authorized Officer shall, on behalf of the City, covenant and warrant that the City does not reasonably expect to issue bonds or other obligations aggregating in principal amount more than \$10,000,000 during the calendar year or years in which the Bonds are issued (taking into consideration the exception for current refunding issues). The Mayor is hereby authorized to make, or cause to be made, any and all certifications deemed necessary in connection with the designation of the Bonds as "qualified tax-exempt obligations", including "deemed designating" the Bonds.

Section 15. The City's obligations under this Ordinance with respect to any or all of the Bonds herein authorized shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been purchased by the City and canceled or when the payment of principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made or caused to be made in accordance with the terms thereof, (b) shall have been provided for by depositing with a national or state bank having trust powers, or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations (including obligations issued or held in book entry form on the books of the Department of Treasury of the United States of America) of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as "U.S. Government Obligations") in such amount and bearing interest payable and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will ensure the availability of sufficient money to make such

payments; provided, however, that with respect to any Bond to be paid prior to maturity, the City shall have duly called such Bond for redemption and given notice of such redemption as provided by law or made irrevocable provision for the giving of such notice. Any money so deposited with such bank or trust company in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited shall be paid over to the City as and when collected.

Section 16. In order to promote compliance with certain federal tax and securities laws relating to the Bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 17. The City hereby (a) authorizes and directs that an Authorized Officer execute and deliver, on the date of issue of the Bonds, a continuing disclosure undertaking (the "Continuing Disclosure Undertaking") in such form as shall be satisfactory to the City and in compliance with Rule 15c2-12 of the Securities and Exchange Commission, and (b) covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Undertaking. Notwithstanding any other provision of this ordinance, failure of the City to comply with the Continuing Disclosure Undertaking shall not be considered an event of default hereunder; however, any Participating Underwriter (as such term is defined in the Continuing Disclosure Undertaking) or any Beneficial Owner or any Registered Owner of a Bond (as such terms are defined in the Continuing Disclosure Undertaking) may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 18. This Ordinance shall be in force and take effect from and after its passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2019.

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

[SEAL]

Motion for adjournment was duly made, seconded and on roll call vote was declared adopted by the Mayor.

I, Pamela Buethe, the undersigned City Clerk for the City of La Vista, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on November \_\_\_\_, 2019; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Pamela Buethe  
City Clerk

[SEAL]

## **EXHIBIT A**

### **Policy and Procedures Federal Tax Law and Disclosure Requirements for Tax-exempt Bonds and/or Build America Bonds**

**ISSUER NAME:** City of La Vista, in the State of Nebraska

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**COMPLIANCE OFFICER (BY TITLE):** City Clerk

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#### **POLICY**

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds or as direct pay build America bonds to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with its bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

#### **PROCEDURES**

**Compliance Officer.** Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

**Training.** The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

**Compliance Review.** A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

#### **Scope of Review.**

**Document Review.** At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the "Authorizing Proceedings"),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the "Tax Documents"):
  - i. covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - ii. Form 8038 series filed with the Internal Revenue Service;
  - iii. tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - iv. covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - v. any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
  - vi. any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.

- (c) the Issuer's continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the "Continuing Disclosure Obligations"), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer's bonds or relating to the Issuer's Continuing Disclosure Obligations.

*Use and Timely Expenditure of Bond Proceeds.* Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

*Arbitrage Yield Restrictions and Rebate Matters.* The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the "Code") and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

*Use of Bond Financed Property.* Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

*Continuing Disclosure.* Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

**NOTICE OF PUBLICATION**

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

**IN PAMPHLET FORM**

Public Notice is hereby given that at a meeting of the Mayor and Council of the City of La Vista, Nebraska, held at :\_\_\_.m. on \_\_\_\_\_, November \_\_\_\_, 2019, there was passed and adopted Ordinance No. \_\_\_\_ (the "Ordinance") entitled:

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

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN ONE OR MORE SERIES, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; AND AUTHORIZING THE REDEMPTION OF SUCH OUTSTANDING BONDS TO BE REFUNDED; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME, IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.**

The Ordinance was published in pamphlet form on \_\_\_\_\_, 2019. Copies of the Ordinance as published in pamphlet form are available for inspection and distribution at the Office of the Clerk, in the City of La Vista, Nebraska.

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Pamela Buethe  
City Clerk

[SEAL]

Publish: \_\_\_\_\_, 2019.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF UN-MARKED POLICE VEHICLE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

**SYNOPSIS**

A resolution has been prepared to approve the purchase of one (1) 2020 Ford Police Interceptor sedan from Anderson Ford, Lincoln, Nebraska in an amount not to exceed \$25,000.

**FISCAL IMPACT**

The FY19-20 Biennial budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

This purchase was budgeted as part of the FY20 budget. The purchase is being made off of the Nebraska State Contract. Expected delivery and payment for the vehicles will be in approximately March 2020.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO ANDERSON FORD, LINCOLN, NEBRASKA FOR THE PURCHASE OF ONE (1) 2020 FORD POLICE INTERCEPTOR SEDAN IN AMOUNT NOT TO EXCEED \$25,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase a new unmarked vehicle is necessary; and

WHEREAS, the FY20 General Fund budget does include funds for the purchase of one (1) said vehicle; and

WHEREAS, the State of Nebraska did receive bids for 2020 police vehicles; and

WHEREAS, Anderson Ford, Lincoln, Nebraska, was awarded the state bid for Nebraska for the 2020 Ford Police Interceptor sedan and will extend that price to the City of La Vista; 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 accept the Nebraska state bid of Anderson Ford, Lincoln, Nebraska and authorize the purchase of one (1) 2020 Ford Police Interceptor sedan in an amount not to exceed \$25,000.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER, 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 19, 2019 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF MARKED POLICE VEHICLES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

**SYNOPSIS**

A resolution has been prepared to approve the purchase two (2) 2020 Chevrolet Tahoe Police Utility vehicles from Sid Dillon Chevrolet, Wahoo, Nebraska and up-fitting from 911 Custom, Overland Park, KS, in an amount not to exceed \$98,000.

**FISCAL IMPACT**

The FY19-20 Biennial budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

This purchase was budgeted as part of the FY20 budget. The purchase is being made off of the Nebraska State Contract. Expected delivery and payment for the vehicles will be in approximately April 2020.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO SID DILLON CHEVROLET, WAHOO, NEBRASKA FOR THE PURCHASE OF TWO (2) 2020 CHEVROLET TAHOE POLICE UTILITY VEHICLE ALONG WITH UP-FITTING FROM 911 CUSTOM, OVERLAND PARK, KANSAS, IN AN AMOUNT NOT TO EXCEED \$98,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new marked police vehicles is necessary, and

WHEREAS, the FY 2020 General Fund budget does include funds for the purchase of two (2) said vehicle, and

WHEREAS, the State of Nebraska did receive bids for 2020 police vehicles, and

WHEREAS, Sid Dillon Chevrolet, Wahoo, Nebraska, was awarded the state bid for Nebraska for the 2020 Chevrolet Tahoe Police Utility Vehicle and will extend that price to the City of La Vista, and

WHEREAS, 911 Custom is a highly qualified and specialty emergency vehicle up-fitter, 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 accept the Nebraska state bid of Sid Dillon Chevrolet, Wahoo, Nebraska and authorize the purchase of two (2) 2020 Chevrolet Tahoe Police Utility vehicle and up-fitting from 911 Customs, Overland Park, Kansas, in an amount not to exceed \$98,000.

PASSED AND APPROVED THIS 19TH DAY OF NOVEMBER 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk