

## LA VISTA CITY COUNCIL MEETING AGENDA

February 4, 2025

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**

*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 January 21, 2025 City Council Meeting**
3. **Approval of the Minutes of the November 11, 2024 Condo Board Meeting**
4. **Request for Payment – RDG Planning & Design – Professional Services – Municipal Campus Plan & Design – \$14,975.00**
5. **Request for Payment – HGM Associates Inc. – Professional Services – East La Vista Sewer and Pavement Rehabilitation – \$54,835.14**
6. **Request for Payment – Thompson Dreessen & Dorner, Inc. – Professional Services – Street Resurfacing – \$1,487.50**
7. **Request for Payment – Thompson Dreessen & Dorner, Inc. – Professional Services – Pool Demolition – \$950.00**
8. **Resolution – Authorize Payment – Transmission Replacement**
9. **Approval of Claims**

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

**B. Approval of Class C Liquor License Application – Alamo Omaha, LLC. dba Alamo Drafthouse Cinemas**

1. **Public Hearing**
2. **Resolution**

**C. Approval of Class C Liquor License Application – Top Shelf Mobile Bartending, LLC. dba Top Shelf Bar on the Fly**

1. **Public Hearing**
2. **Resolution**

**D. Conditional Use Permit – Trahera Property Group, LLC. – Assisted Living Facility**

1. **Public Hearing**
2. **Resolution**

**E. Resolution – Approve Amendment No. 5 – Professional Services Agreement – East La Vista Sewer and Pavement Rehabilitation Project**

**F. Resolution – Approve Executive Search & Recruitment Firm – City Administrator**

**G. Resolution – Authorize Payment – Sarpy County – Snowplow Tracking Software Program**

**H. Resolution – Authorize Purchase – Training Simulator**

**I. 84<sup>th</sup> Street Redevelopment Area – Entertainment District**

1. **Ordinance – Adding Municipal Code §§114.32-114.38 Authorizing Entertainment Districts; Commons Area; Licenses; and Specifying Related Provisions**
2. **Resolution – Designating La Vista City Centre Entertainment District 1**

- **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.

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# MINUTE RECORD

A-2

No. 729 - REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING January 21, 2025

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 January 21, 2025. Present were Councilmembers: Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Also in attendance were City Attorney McKeon, City Administrator Ramirez, City Clerk Carl, Director of Administrative Services Pokorny, Chief of Police Schofield, Director of Public Works Soucie, Community Development Director Fountain, Library Director Barcal, Finance Director Harris, Human Resources Director Lowery, Recreation Director Boller and City Engineer Dowse.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on January 8, 2024. Notice was simultaneously given to 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.

Acting Mayor Thomas called the meeting to order and made the announcements.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JANUARY 7, 2025 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JANUARY 9, 2025 LIBRARY ADVISORY BOARD MEETING
4. APPROVAL OF THE MINUTES OF THE NOVEMBER 11, 2024 ANNUAL CONDO BOARD MEETING
5. MONTHLY FINANCIAL REPORTS - DECEMBER 2024
6. REQUEST FOR PAYMENT - ALVINE AND ASSOCIATES, INC. - PROFESSIONAL SERVICES - CENTRAL PARK LIGHTING - \$1,500.00
7. REQUEST FOR PAYMENT - RDG - PROFESSIONAL SERVICES - WAYFINDING SIGNS - \$4,950.00
8. REQUEST FOR PAYMENT - WESTERN ENGINEERING CO. - PROFESSIONAL SERVICES - 2024 OVERLAY PROJECT - GRANVILLE EAST - \$39,236.68
9. REQUEST FOR PAYMENT - TITLECORE NATIONAL - PROFESSIONAL SERVICES - 84<sup>TH</sup> STREET TRAIL - \$2,200.00
10. REQUEST FOR PAYMENT - HGM ASSOCIATES INC. - PROFESSIONAL SERVICES - EAST LA VISTA SEWER AND PAVEMENT REHABILITATION - \$48,506.68

### 11. APPROVAL OF CLAIMS

A & L HYDRAULICS, maint	71.28
ABM, services	14,855.61
ACTIVE NETWORK, services	227.65
ADP, payroll & taxes	1,116,593.14
ALFRED BENESCH, services	1,044.00
AMAZON, supplies	1,460.21
AMERICAN LEGAL PUB, supplies	399.00
AMERICA'S FENCE, bldg & grnds	24.44
ANNE BREMER, services	100.00
ARNOLD MOTOR, maint	1,985.49
BAKER & TAYLOR, books	44.40
BARCO, bldg & grnds	315.39
BGNE, maint	1,853.79
BISHOP BUS EQUIP, services	227.04
BIZCO, supplies	107.41
BLACK HILLS ENERGY, utilities	8,005.99
BOK FINANCIAL, services	188,480.83
BSN SPORTS, supplies	699.00
CANOYER GARDEN CTR, supplies	271.67
CENTER MASS, services	1,019.00
CENTER POINT, books	290.04

# MINUTE RECORD

CENTURY LINK/LUMEN, phones	698.74
CINTAS, apparel	1,527.11
CITY OF OMAHA, services	89.24
CITY OF PAPILLION, services	32,336.42
CLEARVIEW PET CARE, services	251.80
CNA SURETY, services	82.16
CORNHUSKER SIGN, services	2,523.14
COX, phones	467.15
CULLIGAN, services	28.25
DEMCO, supplies	249.60
DULTMEIER, maint	35.20
EDGEWEAR SCREEN PRINT, services	1,963.00
EMBLEM, supplies	1,052.91
ESSENTIAL SCREENS, services	89.20
FACTORY MOTOR PARTS, maint	1,603.44
FEDEX, services	71.12
FIRST RESP OUTFITTERS, apparel	132.20
FOSTER, T, training	109.00
FOP, dues	4,430.00
FUN EXPRESS, supplies	100.37
G I CLEANERS, services	312.40
GALE, books	214.42
GARY BOSANEK, events	1,975.00
GENUINE PARTS/NAPA, supplies	210.19
GRAINGER, bldg & grnds	94.07
GRAYBAR ELECTRIC, bldg & grnds	248.81
GREATAMERICA FIN, services	2,156.73
GREGG YOUNG CHEVY, maint	166.07
HOME DEPOT, supplies	1,698.91
HONEYMAN RENT-ALL, services	272.50
INGRAM LIBRARY SRVS, books	2,057.16
J RETZ LANDSCAPE, services	4,754.00
KANOPI, media	172.90
KEYMASTERS, services	27.50
KRIHA FLUID POWER, maint	10.26
LV MONORAIL, services	23.75
LEXIS NEXIS, books	479.61
LOGAN CONTRACT SPLY, maint	4.31
LORI WILLENBORG, refund	50.00
LOVELAND GRASS PAD, supplies	68.95
MACKIE CONSTRUCTION, services	160,832.51
MARCO, services	153.87
MENARDS, supplies	1,442.94
METRO CHIEFS ASSOC, dues	85.00
METRO COMM COLLEGE, services	18,395.61
MUD, utilities	2,786.64
MICHAEL TODD, maint	3,335.31
MID-AMERICAN BENEFITS, services	5,662.90
MIDWEST PETRO EQUIP, services	200.00
MIDWEST TAPE, media	26.24
MIDWEST TURF, bldg & grnds	2,248.06
MISSIONSQUARE RETIRE, services	206,761.22
MUSCO SPORTS, lighting	130,567.20
MYSTAFF, services	950.40
NE DEPT OF REV, sales tax	56.74

# MINUTE RECORD

NE DEPT OF REV, motor fuel tax	708.00
NE LIBRARY COMMISSION, media	394.06
NEWSBANK, media	4,129.00
NL & L CONCRETE, services	132,789.00
NMC, maint	3,831.56
N AM RESCUE, maint	1,026.20
OCLC, media	75.42
OFFICE DEPOT, supplies	401.53
OPPD, utilities	48,354.98
OMAHA WINNELSON, bldg & grnds	1,230.32
OMAHA WORLD-HERALD, services	3,922.19
ON THE SPOT PROD, services	2,500.00
ONE CALL CONCEPTS, services	255.14
O'REILLY AUTO, supplies	1,688.15
PAPILLION SANITATION, services	2749.32
PAPIO-MISS RIVER NRD, fees	20,706.84
PERU STATE COLLEGE, services	50.00
PLUTA, D, training	109.00
POLICE & FIREMEN'S INS, services	632.58
POLICE CHIEFS ASSN NE, dues	200.00
RAINBOW GLASS, maint	403.00
REGAL AWARDS, supplies	20.00
RICHARD RULE, fees	12.00
ROB MCCLARY, services	16,000.00
ROOTED TREE SPEC, services	1,495.00
RTG BLDG SRVS, services	6,765.00
SADLER ELECTRIC, services	7,893.53
SARPY CO FISCAL ADMIN, services	10,868.70
SCHLEGEL, J, training	109.00
SCHMIDT, C, training	109.00
SECURITY EQUIP, bldg & gmnds	225.00
SEWING CONCEPTS, bldg & grnds	775.00
SIGN IT, services	1,350.50
SPRINGSHARE, supplies	509.00
STRADA OCC HEALTH, services	1,140.00
SUBURBAN NEWSPAPERS, services	315.79
THE CHILD'S WORLD, books	1,675.55
THE FILTER SHOP, maint	86.20
THE SCHEMMER ASSOC, services	825.00
THE STEPPE CENTER, services	1,769.00
TITLECORE NATIONAL, services	825.00
TORNADO WASH, services	217.00
TRANS UNION RISK, services	75.00
TURFWERKS, equip	64,415.00
ULEMAN ENT, bldg & gmnds	1,662.30
UBT, services	50.00
UNITE PRIVATE NETWORKS, services	4,950.00
UNMC, services	977.00
US BANK NAT'L ASSOC, supplies	30,784.16
VALLEY CORP, services	117,570.54
VERIZON, phones	18.02
VIXEN CONSTRUCTION, maint	13,305.50
VOIANCE LANGUAGE, services	25.00
WALMART, supplies	1,212.14
WELDON PARTS, maint	15.72

# MINUTE RECORD

WESTLAKE HARDWARE, supplies	1,173.26
WHITE CAP, maint	51.00
WOODHOUSE CHEVY, maint	1,106.36

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Communications Manager Beaumont reported on the Bands and Brews event at the Astro on March 22, 2025.

Recreation Director Buller reported on the annual ENOA inspection and other Recreation activities.

Library Director Barcal reported on SID 237 library card numbers.

Park Superintendent Allen reported on a future park survey and all park projects completed in 2024.

## B. PRESENTATION – LIBRARY SPACE NEEDS STUDY

Library Director Barcal introduced Charlsi Kratina from BCDM who gave a brief presentation on the Library Space Needs Study. Discussion was held.

## C. PRESENTATION – MUNICIPAL CAMPUS PLANNING

City Clerk Carl introduced Brue Niedermeyer with RDG who gave a presentation on the Municipal Campus Planning. Discussion was held.

## D. APPROVAL OF CLASS C LIQUOR LICENSE APPLICATION – MAMA'S PIZZA OF OMAHA, INC. DBA MAMA'S PIZZA

### 1. PUBLIC HEARING

At 6:54 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for comment on the Approval of Class C Liquor License Application – Mama's Pizza of Omaha, Inc. dba Mama's Pizza.

At 6:57 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Wetuski. Councilmembers voting aye: Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

### 2. RESOLUTION

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 25-014 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF A CLASS C LIQUOR LICENSE FOR MAMA'S PIZZA OF OMAHA, INC DBA MAMA'S PIZZA IN LA VISTA, NEBRASKA.

WHEREAS, Mama's Pizza of Omaha, Inc dba Mama's Pizza, 8146 S. 96<sup>th</sup> Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License; and

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

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

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

# MINUTE RECORD

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of a Class C Liquor License submitted by Mama's Pizza of Omaha, Inc dba Mama's Pizza, 8146 S3 96<sup>th</sup> Street, La Vista, Sarpy County, Nebraska.

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

## E. ORDINANCE – AMEND MASTER FEE ORDINANCE

Councilmember Hale introduced Ordinance No. 1533 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1529, 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 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: Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1533. Councilmember Sell seconded the motion. Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting 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.

## F. 84TH STREET REDEVELOPMENT AREA TAX INCREMENT FINANCING RESOLUTION AMENDMENT – PART OF MIXED USE REDEVELOPMENT PROJECT (ACTION ON THIS ITEM WILL BE TAKEN BY THE LA VISTA COMMUNITY DEVELOPMENT AGENCY)

### 1. RESOLUTION – AMEND RESOLUTION NO. 25-008 AUTHORIZING TAX INCREMENT REVENUE NOTE (LA VISTA CITY CENTRE HOTEL PROJECT) SERIES 2025

Councilmember Sell introduced and moved for the adoption of Resolution No. 25-015 entitled: A RESOLUTION AUTHORIZING THE ISSUANCE OF A TAX INCREMENT REVENUE NOTE (LA VISTA CITY CENTRE HOTEL PROJECT), SERIES 2025, OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, FOR THE PURPOSE OF PAYING CERTAIN PROJECT COSTS IN CONNECTION WITH A REDEVELOPMENT PROJECT; PRESCRIBING THE FORM AND DETAILS OF SUCH NOTE AND THE COVENANTS AND AGREEMENTS MADE BY THE AGENCY TO FACILITATE AND PROTECT THE PAYMENT THEREOF; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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

# MINUTE RECORD

## G. RESOLUTION – RENEWAL OF INTERLOCAL AGREEMENT – LAW ENFORCEMENT TRAINING ACADEMY

Councilmember Sell introduced and moved for the adoption of Resolution No. 25-016 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE RENEWAL OF THE INTERLOCAL COOPERATION AGREEMENT WITH BELLEVUE, PAPILLION, DOUGLAS COUNTY, SARPY COUNTY AND METROPOLITAN COMMUNITY COLLEGE FOR THE LAW ENFORCEMENT TRAINING ACADEMY.

WHEREAS, the cities of La Vista, Sarpy County, Nebraska; Bellevue, Sarpy County, Nebraska; Papillion, Sarpy County, Nebraska; and Sarpy County, Nebraska, Douglas County, Nebraska and Metropolitan Community College on behalf of the law enforcement agency of each Party; herein collectively referred to as "Participating Agencies" or "Agencies", wish to improve and otherwise provide for the training of law enforcement officers of each of the Participating Agencies by renewing the interlocal cooperation agreement for the law enforcement training academy; and,

WHEREAS, the Participating Agencies have not only common goals, staffing needs, training needs and other needs in common in the area of law enforcement, but also overlapping demands for Police responses; and,

WHEREAS, each of the Participating Agencies have expressed a desire to enhance local control and a more consistent training availability schedule; and,

WHEREAS, the Participating Agencies have long recognized that mutual aid and law enforcement training can be enhanced and made more flexible and effective by cooperation; and,

WHEREAS, the Participating Agencies wish to enter this Agreement for such purposes pursuant to the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev Stat § 13-801 et. Seq. as amended (herein "Interlocal Cooperation Act")

WHEREAS, the Participants desire to enter into an Interlocal Cooperation Agreement and have agreed to the terms setting forth the rights and responsibilities of the Participating Agencies in renewing the interlocal cooperation agreement for the law enforcement training academy.

NOW THEREFORE BE IT RESOLVED that the City Council of La Vista, Nebraska, hereby authorize the execution of an Interlocal Cooperation Agreement renewal with Bellevue, Papillion, Douglas County, Sarpy County and Metropolitan Community College for the law enforcement training academy.

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

## H. RESOLUTION – AMEND CITY PERSONNEL POLICY AND PROCEDURES MANUAL

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 25-017 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AMENDING SECTION 13 OF THE CITY PERSONNEL POLICY AND PROCEDURES MANUAL REGARDING THE EDUCATIONAL ASSISTANCE PROGRAM.

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska, has determined that a need exists to make changes to the existing La Vista City Personnel Policy and Procedures Manual as adopted on December 20, 2005; and

# MINUTE RECORD

WHEREAS, it is being proposed that Section 13 in the manual regarding the educational assistance program be amended to raise the maximum reimbursement; and

WHEREAS, it is the desire of the City Council to amend Section 13 of the Personnel Policy and Procedures Manual to incorporate the changes to the above-mentioned areas.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the existing La Vista City Personnel Policy and Procedures Manual adopted on December 20, 2005, is hereby amended to reflect the proposed change to Section 13 as submitted at the City Council meeting.

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

## I. RESOLUTION – AUTHORIZE PURCHASE – VEHICLE LOCATOR SOFTWARE LICENSE

Councilmember Quick introduced and moved for the adoption of Resolution No. 25-018 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF A VEHICLE LOCATOR SOFTWARE LICENSE FROM SAMSARA, INC., SAN FRANCISCO, CA IN AN AMOUNT NOT TO EXCEED \$7,840.00 PER YEAR.

WHEREAS, the City Council of the City of La Vista has determined the purchase of a vehicle locator software license is necessary, and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed purchase; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a vehicle locator software license from Samsara, Inc., San Francisco, CA in an amount not to exceed \$7,840.00 per year.

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

## J. RESOLUTION – AUTHORIZE PURCHASE – BALLISTIC SHIELDS

Councilmember Hale introduced and moved for the adoption of Resolution No. 25-019 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF THREE (3) BLUERIDGE ARMOR BALLISTIC SHIELDS FROM BLUERIDGE ARMOR LLC, SPINDALE, NC IN AN AMOUNT NOT TO EXCEED \$7,821.00.

WHEREAS, the City Council of the City of La Vista has determined the purchase of three (3) ballistic shields is necessary, and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed purchase; and

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

# MINUTE RECORD

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of three (3) BlueRidge Armor ballistic shields from BlueRidge Armor LLC, Spindale, NC in an amount not to exceed \$7,821.00.

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

## **K. RESOLUTION – DECLARE EQUIPMENT SURPLUS**

Councilmember Wetuski introduced and moved for the adoption of Resolution No. 25-020 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized the following equipment: 1 Vinyl gym floor covering system, 2 Adaptive Pottery Wheels, 2 Billiards Tables, 1 Desk and 1 Choir Riser to be surplus; and

WHEREAS, the City Administrator and Recreation Director recommend that the above mentioned items be declared surplus and sold.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that the following equipment: 1 Vinyl gym floor covering system, 2 Adaptive Pottery Wheels, 2 Billiards Tables, 1 Desk and 1 Choir Riser be declared surplus property and sold.

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

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **COMMENTS FROM MAYOR AND COUNCIL**

There were no comments from Mayor and Council.

At 7:14 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Rachel D. Carl, CMC  
City Clerk

## Meeting of the Board of Directors

LA VISTA/METROPOLITAN COMMUNITY COLLEGE  
CONDOMINIUM OWNERS ASSOCIATION, INC.

MINUTES OF MEETING  
November 11, 2024  
4:05 p.m.

Members Present: Julie Ashley Rose Barcal Brenda Gunn  
Cody Meyer Scott Kardell KT Nelson

## Agenda Item #1: Announcement of Location of Posted Open Meetings Act

A copy of the Open Meetings Act is posted on the wall of the conference room for public access and reference. A copy of the act is also available.

## Agenda Item #2: Approval of the Notice of the Meeting

Notice of Meeting was published by the City and College in the Times and Omaha World Herald. Moved by Gunn and seconded by Meyer to approve. Board members voting aye: Ashley, Barcal, Gunn, Meyer, Kardell and Nelson. Nays: none. Absent: None. Motion approved.

### Agenda Item #3: Approval of the Minutes from August 12, 2024

Moved by Gunn and seconded by Meyer to approve the August 12, 2024 meeting minutes. Board members voting aye: Ashley, Barcal, Gunn, Meyer, Kardell and Nelson. Nays: none. Absent: None. Motion approved.

## Agenda Item #4: Long Range Capital Improvement Plan

No discussion was held.

- a. Re-gasket of panes in rotunda (FY27 for City).
- b. Parking lot: west and southeast lots (FY26 for MCC).

## Agenda Item #5: External Signage for 9110 Building

Meyer reported the City group is determining materials.

## Agenda Item #6: Entryway Carpet

Kardell reported a bid estimate of \$18,400. Approval is being sought from Metropolitan Community College (MCC) to proceed.

## Agenda Item #7: City's Summer Events

Barcal shared information with the board regarding dates for the City's Pet Friendly 2025 events at the Dog Park:

- a. April 24 at 4:00-7:00p
- b. October 16 at 4:30-6:30p

Agenda Item #8: Tree replacement at Sarpy Center

Barcal shared the two trees that have been removed due to storm damage. Kardell will follow up with MCC Sarpy Center grounds for the replacement the trees on the west side.

Agenda Item #9: Other Business

Barcal shared the library is a recipient of a grant from Natural Resources Districts for a container garden for the west side of the building, the confined area nearest the library staff door. City staff will be completing the work necessary for this area.

Gunn announced this was her last meeting. The Board thanked Gunn for her time and dedication to the Board and wished her well in her new endeavors.

Agenda Item #10: Next Meeting

The next meeting will be Monday, February 10, 2025 at 4:00 p.m. at the La Vista Public Library, Conference Room #142.

It was moved by Gunn and seconded by Meyer to adjourn the meeting at 4:10 p.m.



**Remit To:**  
**RDG Planning & Design**  
**301 Grand Avenue**  
**Des Moines, Iowa 50309**  
**Questions: [voicing@rdgusa.com](mailto:voicing@rdgusa.com)**

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

January 22, 2025  
 Project No: R3005.930.00  
 Invoice No: 58981

Project R3005.930.00 City of La Vista - Municipal Campus Master Plan and Design

**Professional Services through January 31, 2025**

**Fee**

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	149,750.00	100.00	149,750.00	134,775.00	14,975.00
<b>Total Fee</b>	<b>149,750.00</b>		<b>149,750.00</b>	<b>134,775.00</b>	<b>14,975.00</b>
<b>Total Fee</b>					<b>14,975.00</b>
<b>Total this Invoice</b>					<b>\$14,975.00</b>

05.71.0917.000 - CTHL15002

  
 1/22/2025





450 Regency Pkwy  
Suite 120  
Omaha, NE 68114  
(712) 323-0530

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

## INVOICE

Invoice Number: 702619-39  
Date: January 23, 2025  
Client Code: 7220  
P.O. Number: 20-008340

**Progress billing for engineering services for the East LaVista Sewer and Pavement Rehabilitation - Phase 2 Final Design, per agreement dated June 4, 2019 & Amendments..**

**Construction Observation, Administration & Testing Through: January 15, 2025**

	Hours	Rate	Current Period	Billed To Date
<b>001: Phase I Investigation (LS \$53,340)</b>		<b>90% Complete</b>		<b>\$48,006.00</b>
<b>002: Trekk (\$90,420) (Hrly)</b>				<b>\$89,172.71</b>
<b>003: Thiele Geotech (\$18,675) (Hrly)</b>				<b>\$19,200.00</b>
<b>004: Emspace &amp; Lovgren (\$9,775) (Hrly)</b>				<b>\$11,809.67</b>
<b>005: Amendment 1 HGM (LS \$923)</b>		<b>100% Complete</b>		<b>\$923.00</b>
<b>006: Amendment 1 TREKK (\$4,000) (Hrly)</b>				<b>\$4,000.00</b>
<b>007: Phase 2 Final Design (Hrly)</b>				<b>\$201,345.71</b>
<b>008: Phase 2 Final Design TREKK (Hrly)</b>				<b>\$64,665.61</b>
<b>009: Phase 2 Final Design Emspace (Hrly)</b>				<b>\$10,763.73</b>
<b>010: Midwest Right of Way (\$58,725) (Hrly)</b>				<b>\$20,205.00</b>
<b>011: Construction Admin (Hrly)</b>				
Design Engineer	93.50	136.32	\$12,745.92	
Design Engineer	114.00	140.48	\$16,014.72	
Design Engineer	23.75	148.48	\$3,526.40	
Design Engineer	70.00	154.72	\$10,830.40	
Engineer Technician	6.50	105.60	\$686.40	

	Hours	Rate	Current Period	Billed To Date
Engineer Technician	11.00	110.40	\$1,214.40	
Engineer Technician	14.25	130.08	\$1,853.64	
Senior Project Engineer	4.00	244.61	\$978.44	
Senior Project Engineer	1.00	261.54	<u>\$261.54</u>	
			<u>\$48,111.86</u>	<u>\$883,608.46</u>

**012: Const. Testing - Thiele Geotech (\$93,873) (Hrly)**

Thiele Geotech, Inc.	<u>\$4,107.00</u>	
	<u>\$4,107.00</u>	<u>\$65,672.50</u>

**013: TREKK - Const. Services (\$12,579) (Hrly)**

		\$374.40
		<u>\$8,059.50</u>

**014: Const. Surveying (Hrly)**

Engineer Technician II	5.50	133.12	\$732.16	
Land Surveyor	7.50	139.84	\$1,048.80	
Land Surveyor	4.00	208.83	<u>\$835.32</u>	
			<u>\$2,616.28</u>	<u>\$10,532.30</u>

Total Amount Billed	<u>\$1,438,338.59</u>
Less Previous Invoices	<u>\$1,383,503.45</u>
<b>Invoice Total</b>	<b><u>\$54,835.14</u></b>

**Outstanding Invoices**

Invoice	0 - 30	31 - 60	61-90	Over 90	Balance
702619-37	11/11/2024		\$46,855.02		\$46,855.02
702619-38	12/10/2024	\$48,506.68			\$48,506.68
		<u>\$48,506.68</u>	<u>\$46,855.02</u>		<u>\$95,361.70</u>

OH TO PAY  
 PMD 1/16/25  
 48.5000 = 02.710017.00 - 5EUR 13.00  
 \$26,320.87  
 50.5000 = 05.71.0017.00 - 5EUR 13.00  
 \$28,514.27



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

INVOICE

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

TD2 South Dakota Office  
5000 S. Minnesota Ave., Unit 312: Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
PAT DOWSE  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 168029  
Date 01/27/2025  
Project 0171-425 STREET RESURFACING - 2024

Professional Services from October 1, 2024 through January 19, 2025

		Amount
<b>Surveying Services</b>		
Contract Amount	25,500.00	
Percent Complete	100.00	
Total Billed	25,500.00	
Prior Billed	25,500.00	
	Current Billed	0.00
<b>Civil Engineering Services</b>		
Contract Amount	55,000.00	
Percent Complete	100.00	
Total Billed	55,000.00	
Prior Billed	55,000.00	
	Current Billed	0.00
<b>Geotechnical, Materials Testing, and Construction Observation</b>		
Contract Amount	59,500.00	
Percent Complete	100.00	
Total Billed	59,500.00	
Prior Billed	58,012.50	
	Current Billed	1,487.50
	Total	<u>1,487.50</u>
	Invoice total	<span style="border: 1px solid black; padding: 2px;">1,487.50</span>

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
168029	01/27/2025	1,487.50	1,487.50				
	Total	<u>1,487.50</u>	<u>1,487.50</u>	0.00	0.00	0.00	0.00

01/27/2025  
pmo 1/28/2025  
01-21-0917acc-57RT4005

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



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

INVOICE

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

TD2 South Dakota Office  
5000 S. Minnesota Ave., Unit 312; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
PAT DOWSE  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 168030  
Date 01/27/2025  
Project 0171-426 LA VISTA POOL DEMO

Professional Services from August 7, 2024 through January 19, 2025

		Amount
<b>Civil Engineering Services</b>		
Contract Amount	9,500.00	
Percent Complete	100.00	
Total Billed	9,500.00	
Prior Billed	8,550.00	
	Current Billed	950.00
	Total	950.00
	Invoice total	950.00

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
168030	01/27/2025	950.00	950.00				
	Total	950.00	950.00	0.00	0.00	0.00	0.00

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

OK TO PAY  
PMD 1/28/25  
16-71-0918.000-PAH100023

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 4<sup>TH</sup>, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PAYMENT AUTHORIZATION – TRANSMISSION REPLACEMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	TODD ARMBRUST POLICE CAPTAIN

**SYNOPSIS**

A resolution has been prepared authorizing payment to AAMCO, Council Bluffs, Iowa for a replacement transmission in an amount not to exceed \$5,789.

**FISCAL IMPACT**

The FY25/FY26 Biennial Budget provides funding for the proposed payment.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The rebuilt transmission replaces the transmission in police cruiser unit #543, a 2020 Chevy Tahoe that was making noises and slipping out of gear. Further examination revealed metal fragments in the transmission fluid, confirmed by AAMCO and indicative of transmission failure. The existing transmission is no longer under warranty. This purchase totaling \$5,789 includes \$3,288 for the transmission and \$2,501 in labor and supplies.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING PAYMENT TO AAMCO, COUNCIL BLUFFS, IOWA FOR A TRANSMISSION REPLACEMENT ON THE 2020 CHEVY TAHOE IN AN AMOUNT NOT TO EXCEED \$5,789.00.

WHEREAS, the City Council of the City of La Vista has determined that a replacement transmission on the 2020 Chevy Tahoe is necessary; and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed payment; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize payment to AAMCO for a transmission replacement on the 2020 Chevy Tahoe in an amount not to exceed \$5,789.00.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, MMC  
City Clerk



INTERNATIONAL CUSTOMER SERVICE  
410 Horsham Rd, Horsham, PA 19044  
Call Toll Free 1-800-523-0401

## Aam Trans Corp.

1600 Avenue A  
Council Bluffs, IA 51501  
Tel: (712) 328-3818 • Fax: (712) 328-3601  
6654@aamcoemail.com • http://www.aamco-councilbluffs.com

## Estimate Q140144

Service Advisor: Mike Williams  
Technician: JERRY NEWMAN  
Date: 01-27-2025 4:20 PM

### Customer

#### Jeff Cox/ City Of Lavista (COX007)

9900 Portal Rd  
La Vista NE 68128

Cell: 402-214-7880

JCOX@CITYOFLAVISTA.ORG

### Vehicle

#### 2020 Chevrolet Tahoe PPV

5.3 FLEX - BLACK  
1GNSKDEC2LR261392  
6L80

Miles In: 59,729

Miles Out: 59,729

License Plate: 36341 NE

### Customer Issues and Advisories

#### Symptoms and Diagnostic Trouble Codes

TRANSMISSION MAKES NOISE IN UPPER GEARS

### Work to be Performed

#### Automatic Transmission/Transaxle

Labor	Tech	Total
Remove & Replace - Automatic Transmission/ Transaxle - Automatic Transmission - Transmission, R&R - NOTE - To Flush Cooler Lines, Add		108.00
Remove & Replace - Automatic Transmission/ Transaxle - Automatic Transmission - Transmission, R&R - NOTE - To R&R Driveplate, Add		36.00
Remove & Replace - Automatic Transmission/ Transaxle - Automatic Transmission - Transmission, R&R		2,268.00

Parts	Part No	Qty	Price	Total
EXCHANGED REBUILT TRANSMISSION WITH 36 MONTH 50,000 MILE LIMITED WARRANTY		1.00	3,288.00	3,288.00

Automatic Transmission/Transaxle      SubTotal      \$5,700.00

### Total

#### Proposed Completed Date

01-27-2025 4:30 PM

Labor      2,412.00  
Parts      3,288.00  
Hazmat\*      0.00  
Supplies\*      89.00  
Taxes      0.00

Estimate Total      \$5,789.00

\* Shop Supply & Hazmat Fees: This charge represents costs and profits (where applicable) to this repair facility for miscellaneous shop supplies, and/or waste removal



INTERNATIONAL CUSTOMER SERVICE  
410 Horsham Rd, Horsham, PA 19044  
Call Toll Free 1-800-523-0401

## Aam Trans Corp.

Tel: (712) 328-3818 • Fax: (712) 328-3601

Jeff Cox/ City Of Lavista (COX007) • 2020 Chevrolet Tahoe PPV

# Estimate Q140144

Date: 01-27-2025 4:20 PM

### Authorization

Original Estimate Total: 0.00

Authorization Method:  email  text  phone  fax  in person

Date:

Contact Details:

Authorized By:

X

*Customer Signature*

Save replacement parts for inspection or return? (Core may apply)

Yes

No

Intended Method of Payment:

Check

Credit card

Cash

Other

All Quotes / Estimates valid for 30 days.

User: LALKEMA

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
144093	01/22/2025	ALVINE AND ASSOCIATES, INC	1,500.00	N
144094	01/22/2025	LEAGUE OF NEBRASKA MUNICIPALITIES	428.00	N
144095	01/22/2025	PERU STATE COLLEGE	50.00	N
144096	01/22/2025	RDG PLANNING & DESIGN	4,950.00	N
144097	01/22/2025	TITLECORE NATIONAL, LLC	2,200.00	N
144098	01/22/2025	VERIZON WIRELESS	445.97	N
144099	01/22/2025	WESTERN ENGINEERING COMPANY	39,236.68	N
144100	01/27/2025	AMAZON CAPITAL SERVICES, INC.	3,145.25	N
144101	01/27/2025	PRINTCO GRAPHICS INC	1,861.06	N
144102	01/27/2025	SARPY COUNTY COURTHOUSE	4,582.00	N
144103	01/30/2025	LA VISTA COMMUNITY FOUNDATION	300.00	N
144104	01/30/2025	POLLOCK, RHONDA	24.71	N
1262098(E)	01/30/2025	ACTIVE NETWORK LLC	80.00	N
1262099(E)	01/30/2025	AMERICAN HERITAGE LIFE INSURANCE	409.61	N
1262100(E)	01/30/2025	BLACK HILLS ENERGY	11,323.31	N
1262101(E)	01/30/2025	DEARBORN NATIONAL LIFE INSURANCE	1,395.00	N
1262102(E)	01/30/2025	DEARBORN NATIONAL LIFE INSURANCE	8,007.84	N
1262103(E)	01/30/2025	LINCOLN NATIONAL LIFE INS CO	7,750.16	N
1262104(E)	01/30/2025	MEDICA INSURANCE COMPANY	3,789.44	N
1262105(E)	01/30/2025	MID-AMERICAN BENEFITS INC	2,465.67	N
1262106(E)	01/30/2025	NE DEPT OF REVENUE-LOTT/51	75,564.00	N
1262107(E)	01/30/2025	PITNEY BOWES-EFT POSTAGE	1,871.00	N
1262108(A)	01/30/2025	FRATERNAL ORDER OF POLICE	2,215.00	N
1262108(E)	01/30/2025	ADP INC	5,536.45	N
1262109(E)	01/30/2025	COLONIAL LIFE & ACCIDENT INS CO	2,004.88	N
1262109(A)	01/30/2025	POLICE & FIREMEN'S INSURANCE	316.29	N
1262110(E)	01/30/2025	METLIFE	1,218.60	N
144105	02/04/2025	1000 BULBS	1,189.62	N
144106	02/04/2025	4 SEASONS AWARDS	123.00	N
144107	02/04/2025	ACI-NEBRASKA CHAPTER	35.00	N
144108	02/04/2025	ACTION BATTERIES UNLTD INC	482.15	N
144109	02/04/2025	AKRS EQUIPMENT SOLUTIONS, INC.	1,423.51	N
144110	02/04/2025	AMAZON CAPITAL SERVICES, INC.	2,309.79	N
144113	02/04/2025	ARNOLD MOTOR SUPPLY	2,948.06	N
144115	02/04/2025	AT&T MOBILITY LLC	98.50	N
144116	02/04/2025	B STREET COLLISION CENTER	3,124.56	N
144117	02/04/2025	BERGANKDV LLC	42,500.00	N
144118	02/04/2025	BGNE	1,853.79	N
144119	02/04/2025	BIG RED LOCKSMITHS	75.00	N
144120	02/04/2025	BISHOP BUSINESS EQUIPMENT	155.34	N
144121	02/04/2025	CINTAS CORPORATION NO. 2	213.04	N
144122	02/04/2025	CITY OF OMAHA-PUBLIC WORKS	4,377.45	N
144123	02/04/2025	COLUMN SOFTWARE PBC	2,389.76	N
144124	02/04/2025	DATA443 RISK MITIGATION INC	316.94	N
144125	02/04/2025	DEMCO INCORPORATED	104.91	N
144126	02/04/2025	DIAMOND VOGEL PAINTS	458.81	N
144127	02/04/2025	DULTMEIER SALES LLC	400.35	N
144128	02/04/2025	DXP ENTERPRISES INC	138.00	N
144129	02/04/2025	EBSCO INFORMATION SERVICES	3,181.29	N
144130	02/04/2025	FEDEX	72.67	N
144131	02/04/2025	FELSBURG HOLT & ULLEVIG INC	1,250.00	N
144132	02/04/2025	FIKES COMMERCIAL HYGIENE LLC	66.00	N
144133	02/04/2025	FIRST RESPONDER OUTFITTERS, INC	131.69	N
144134	02/04/2025	FIRST WIRELESS INC	665.00	N
144135	02/04/2025	FLEETPRIDE	213.08	N
144136	02/04/2025	GENERAL TRAFFIC CONTROLS INC	350.00	N
144137	02/04/2025	GRABER MANUFACTURING	1,313.09	N
144138	02/04/2025	GRAINGER	33.30	N
144139	02/04/2025	GREY HOUSE PUBLISHING	345.00	N
144140	02/04/2025	HAMPTON INN-KEARNEY	1,272.00	N

User: LALKEMA

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
144141	02/04/2025	HANEY SHOE STORE	189.99	N
144142	02/04/2025	HASSLER, CHRISTOPHER	310.50	N
144143	02/04/2025	HGM ASSOCIATES, INC.	5,324.72	N
144144	02/04/2025	HONEYMAN RENT-ALL #1	2,331.39	N
144145	02/04/2025	HOTSY EQUIPMENT COMPANY	446.40	N
144146	02/04/2025	HUMANITIES NEBRASKA	50.00	N
144147	02/04/2025	INGRAM LIBRARY SERVICES LLC	211.64	N
144148	02/04/2025	J & J SMALL ENGINE SERVICE	259.60	N
144149	02/04/2025	JOHNSTONE SUPPLY CO	162.32	N
144150	02/04/2025	JONES AUTOMOTIVE INC	46,625.70	N
144151	02/04/2025	KRIHA FLUID POWER CO INC	73.76	N
144152	02/04/2025	LARSEN SUPPLY COMPANY	106.76	N
144153	02/04/2025	LOGAN CONTRACTORS SUPPLY	162.85	N
144154	02/04/2025	MENARDS-RALSTON	815.88	N
144156	02/04/2025	METRO AREA TRANSIT	912.00	N
144157	02/04/2025	METROPOLITAN COMMUNITY COLLEG	33,769.30	N
144158	02/04/2025	MIDLANDS COMMUNITY FOUNDATIO	175.00	N
144159	02/04/2025	MIDWEST TAPE	212.24	N
144160	02/04/2025	MOTOROLA SOLUTIONS INC	3,387.48	N
144161	02/04/2025	MSC INDUSTRIAL SUPPLY CO	712.29	N
144162	02/04/2025	MUNICIPAL PIPE TOOL CO LLC	1,999.51	N
144163	02/04/2025	MYSTAFF INC	2,138.40	N
144164	02/04/2025	O'REILLY AUTO PARTS	5,850.00	N
144165	02/04/2025	OFFICE DEPOT INC	886.62	N
144167	02/04/2025	OLSSON, INC.	900.00	N
144168	02/04/2025	OMNI ENGINEERING	671.83	N
144169	02/04/2025	PER MAR SECURITY SERVICES	214.47	N
144170	02/04/2025	PIONEER ATHLETICS	75.20	N
144171	02/04/2025	PITNEY BOWES GLOBAL FIN SVCS	429.99	N
144172	02/04/2025	POMP'S TIRE SERVICE, INC	588.00	N
144173	02/04/2025	POWER PLAN	78.73	N
144174	02/04/2025	PRIMA DISTRIBUTION, INC.	87.79	N
144175	02/04/2025	PRINTCO GRAPHICS INC	83.82	N
144176	02/04/2025	QUALITY AUTO REPAIR & TOWING, IN	301.40	N
144177	02/04/2025	SARPY COUNTY COURTHOUSE	4,582.00	N
144178	02/04/2025	SARPY COUNTY ELECTION COMMISSIO	1,509.53	N
144179	02/04/2025	SARPY COUNTY FISCAL ADMINSTRTN	23,386.27	N
144180	02/04/2025	SIGN IT	180.00	N
144181	02/04/2025	SOUTHEAST AREA CLERK'S ASSOCIATI	20.00	N
144182	02/04/2025	SUPERIOR DECKS INC	318.88	N
144183	02/04/2025	SWECO SOLID WASTE EQUIP CO	2,355.75	N
144184	02/04/2025	TED'S MOWER SALES & SERVICE INC	732.62	N
144185	02/04/2025	THE ASTRO THEATER	2,917.75	N
144186	02/04/2025	THE PENWORTHY COMPANY	367.43	N
144187	02/04/2025	TRUCK CENTER COMPANIES	201.25	N
144188	02/04/2025	TY'S OUTDOOR POWER & SERVICE	887.68	N
144189	02/04/2025	U.S. CELLULAR	5,160.24	N
144190	02/04/2025	UNITED PARCEL SERVICE	14.24	N
144191	02/04/2025	WM CORPORATE SERVICES	6.93	N
1262111(E)	02/04/2025	CENTURY LINK/LUMEN	323.82	N
1262111(A)	02/04/2025	CITY OF PAPILLION - MFO	246,596.00	N
1262112(E)	02/04/2025	COX COMMUNICATIONS, INC.	147.03	N
1262113(E)	02/04/2025	GREAT PLAINS COMMUNICATION	1,085.24	N
1262114(E)	02/04/2025	ADP INC	454,394.95	N
1262115(E)	02/04/2025	MISSIONSQUARE RETIREMENT	71,940.41	N
TOTAL:				1,183,955.22

User: LALKEMA

DB: La Vista

Check #

Check Date

Vendor Name

Amount

Voided

---

COUNCIL MEMBER

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF A CLASS C LIQUOR LICENSE FOR ALAMO OMAHA, LLC. DBA ALAMO DRAFTHOUSE CINEMAS IN LA VISTA, NEBRASKA.

WHEREAS, Alamo Omaha, LLC. dba Alamo Drafthouse Cinemas, 12750 Westport Pkwy, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of a Class C Liquor License submitted by Alamo Omaha, LLC. dba Alamo Drafthouse Cinemas, 12750 Westport Pkwy, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Rachel D. Carl, CMC  
City Clerk



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

---

**TO:** **Rachel Carl, City Clerk**

**FROM:** **Captain D. J. Barcal**

**DATE:** **January 22, 2025**

**RE:** **Local Background Check– Alamo Omaha, LLC  
dba Alamo Drafthouse Cinemas**

---

The La Vista Police Department has reviewed the Nebraska Liquor Control Commission Documents completed by the applicant and conducted a check of local records relating to the Manager Application for Alamo Omaha, LLC, dba Alamo Drafthouse Cinemas for Darrell Sharron. No criminal record was located.

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



# Nebraska Liquor Control

301 Centennial Mall  
South - 1st Floor PO  
Box 95046 Lincoln  
NE 68508

## Application Copy

File Number: 67567

LICENSE TYPE	APPLICATION DATE RECEIVED
Class C Beer, Wine Spirits On and Off Sale	2024-12-23

### SECONDARY LICENSE(S)

NAME	DESCRIPTION
Catering (Secondary License)	Catering - This is a secondary license that allows a licensee to submit an application for a Special Designated License event without an additional fee. Locations not permanently licensed can have 12 events per year.

LICENSEE LEGAL NAME	LICENSEE TYPE
---------------------	---------------

Alamo Omaha, LLC	Corporation
------------------	-------------

DOING BUSINESS AS	CORPORATE NUMBER
-------------------	------------------

Alamo Drafthouse Cinemas	2410199846
--------------------------	------------

### INCORPORATION DATE

2024-10-11

### CORRESPONDENCE ADDRESS

Attn: Legal  
3908 Avenue B  
Austin, TX 78751

### MAILING ADDRESS

Attn: Legal  
3908 Avenue B  
Austin, TX 78751

### PHYSICAL ADDRESS

12750 WESTPORT PKWY LA VISTA, NE 68138

CONTACT NAME	PREFERRED CONTACT METHOD
Kayla Brown	Email
CONTACT PHONE	ALTERNATE PHONE
(612) 965-3446	
FAX	EMAIL
	kayla.brown@draffhouse.com

#### CORPORATE STRUCTURE

NAME	POSITION/TITLE	PARENT COMPANY	% INTEREST
Alamo Intermediate II Holdings, LLC	Managing Member	Alamo Intermediate I Holdings, LLC	
Michael Kustermann	President		
Dana Pearson	CFO		
Kayla Brown	Asst. Secretary		

#### ADDITIONAL INFORMATION

Temporary Operating Permit

#### LICENSE

License 111600 (Active) - Class C Beer, Wine Spirits On and Off Sale (Nov 01, 2024 - Oct 31, 2025)  
 ALAMO DRAFFHOUSE CINEMA (ENTERTAINMENT MANAGEMENT CO)

#### MARITAL STATUS

Single

#### MANAGED BY AGENT

No

#### PREMISES TYPE

Theatres (concert venues, movie, playhouse, opera)

#### PREMISES NAME

Alamo Drafthouse Cinemas

OPERATOR	CORPORATE LIMIT DESIGNATION
LEASE OR OWN	Inside
Lease	EXPIRATION DATE
PHYSICAL ADDRESS	2035-12-31
12750 WESTPORT PKWY LA VISTA, NE 68138	
MAILING ADDRESS	
Attn: Legal 3908 Avenue B Austin, TX 78751	
CONTACT NAME	PREFERRED CONTACT METHOD
Kayla Brown	Email
CONTACT PHONE	ALTERNATE PHONE
(612) 965-3446	
FAX	EMAIL
	kayla.brown@draffhouse.com
PREMISES MANAGER	PREMISES MANAGER EMAIL
Darrell Sharron	d.sharron@omahadraffhouse.com
QUESTIONS	

**Class C Beer, Wine Spirits On an**

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

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge?

Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party is applying, please list charges by each individual's name. Exclude minor traffic violations such as speeding. Include Driving Under the Influence, Driving Under Suspension & other similar charges. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

No

2. What are the building dimensions: Enter length and width in feet separated by a comma (i.e. L20, W15) \*Not square feet\*  
A simple sketch of the area to be licensed will be required to be uploaded in the Documents Section.. Include the length x width, direction of NORTH and number of floors of the building. (NO BLUEPRINTS)

L264, W168

3. Is there an outdoor area?

\*Must have permanent fencing securing the outdoor area. Please contact the local governing body for other requirements regarding fencing.

Yes

L148, W32

4. Will a basement be used for alcoholic storage or sale?

No

5. How many floors of the building? (excluding basement) Please indicate which floors will be included in the liquor license.

1 floor, ground floor

6. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children?

No

7. Is premises to be licensed within 300 feet of a college campus or university?

No

8. Are you acquiring any alcohol prior to obtaining this liquor license?

Yes

(document uploaded)

9. What date do you intend to open for business?

January 13, 2025

10. What are the anticipated hours of operation?

10am - 2am, 7 days a week

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

No

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

No

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

No

14. List the primary bank and/or financial institution to be utilized by the business.

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

JP Morgan Chase Bank

Dana Pearson, CFO

15 Do you have prior experience or training in selling, serving or managing alcohol sales?

Yes

Alamo Drafthouse Cinemas owns and operates venues throughout the United States, all which offer the sale of beer, wine and liquor.

16 Are all individuals named in this application as a part of the ownership and/or manager over 21 years of age?

Yes

17 Do you intend to sell cocktails to go as allowed under Neb Rev. Statute 53-123.04(4)?

Yes

18 Do you intend to allow drive through services (curb side pick up) allowed under Neb Rev. Statute 53-178.01(2)

No

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

Alamo Drafthouse Cinemas owns & operates venues throughout the United States; see list below.

Legal Entity	Venue Address	City	State
Zip			
Alamo Mission Buyer, LLC	2550 Mission St		San Francisco
	CA 94110		
Alamo Bloc, LLC	700 West 7th St, Suite U240		
Los Angeles	CA 90017		
Alamo Aspen Grove Buyer, LLC		7301 S Santa Fe Dr, Unit	
850	Littleton CO	80120	
Alamo Sloans Buyer, LLC	4255 W Colfax Ave		Denver
CO 80204			
Alamo Westminster Buyer, LLC		8905 Westminster Blvd	
Westminster CO	80031		
Alamo Naples LLC	9118 Strada Pl #8205		Naples

FL	34108			
Alamo Wrigleyville LLC		3519 N Clark St Ste C301	Chicago	
IL	60657			
Alamo Seaport LLC		60 Seaport Blvd #315	Boston	
MA	2210			
Alamo Woodbury, LLC		9060 Hudson Rd	Woodbury	
MN	55125			
Alamo Drafthouse Raleigh Buyer, LLC		2116-D New Bern Ave		
Raleigh	NC	27610		
Alamo City Point Buyer, LLC		445 Gold Street		
Brooklyn	NY	11201		
Alamo City Point Buyer, LLC		445 Gold Street		
Brooklyn	NY	11201		
Alamo Liberty Buyer, LLC		28 Liberty St, Suite SC301	New York	
NY	11201			
Alamo Staten Island Buyer, LLC		2636 Hylan Blvd, Unit 34		
Staten Island	NY	10306		
Alamo Yonkers Buyer, LLC		2548 Central Park Ave	Yonkers	
NY	10710			
Alamo Richardson, LLC		100 South Central Expressway #14		
Richardson	TX	75080		
Alamo Cedars, LLC		1005 Botham Jean Blvd	Dallas	
TX	75215			
Alamo DH Anderson Lane Buyer, LLC		2700 West Anderson Ln,		
Suite 701	Austin	TX	78757	
Alamo Lake Highlands, LLC		6770 Abrams Rd	Dallas	
TX	75231			
Alamo Las Colinas, LLC		320 W Las Colinas Blvd Bldg A2		
Irving	TX	75039		
Alamo Lakeline Buyer, LLC		14028 North U.S. Highway 183, Building F		
	Austin	TX	78717	
Alamo Denton, LLC		3220 Town Center Tr	Denton	
TX	76201			
Alamo Mueller Buyer, LLC		1911 Aldrich, Ste 120	Austin	
TX	78723			
Alamo Park North Buyer, LLC		618 NW Loop 410		
San Antonio	TX	78216		
Alamo Ritz Buyer, LLC		320 E 6th St	Austin	TX

78701

Alamo Slaughter Lane Buyer, LLC  
Austin TX 78749  
Alamo South Lamar Buyer, LLC  
Austin TX 78704  
Alamo Stone Oak Buyer, LLC  
San Antonio TX 78258

5701 W Slaughter Ln

1120 South Lamar Blvd

22806 US Hwy 281 North

20 Has the premises location been previously licensed within the last 2 years?

Yes

21 Are you applying for a Temporary Operating Permit?

Yes

(document uploaded)

22 Per Nebraska Revised Statute 53-103.18 - Manager, defined: Manager means a person appointed by a corporation or limited liability company to oversee the daily operation of the business licensed in Nebraska. A manager shall meet all the requirements of the Nebraska Liquor Control Act as though he or she were the applicant, including residency.

What is the premises manager's name?

Darrell Sharron

23 What is the manager's address?

7802 S. 162nd Ave. Omaha, NE 68136

24 What is the manager's phone number?

952-224-6326

25 What county is the manager registered to vote in?

The manager must be a resident of the state of Nebraska. If the manager is not registered to vote they can complete their voter registration here - <https://www.nebraska.gov/apps-sos-voter-registration/>

Douglas

26 What is the manager's email address? An email will be sent to them to obtain their personal information.

d.sharron@omahadrafthouse.com

27 Is the manager married?

Yes

d.sharron@omahadrafthouse.com

#### Secondary License: Catering (Secondary License)

1. Do you intend to apply for multiple Special Designated License this calendar year where you will be serving and/or selling alcohol off your licensed premises? With the Catering Secondary license you will be able to apply for SDLs without an additional fee.

No

## DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Business Plan	Business Plan.pdf	
Premises Description & Diagram	Venue Site Plan w Measurements.pdf	Site Plan w Measurements
Premises Description & Diagram	Venue Flor Plan w Measurements.pdf	Floor Plan Diagram w Measurements
Temporary Operating Permit (TOP)	NE Temp Op Permit App_signed.pdf	Temp Op Permit App
Additional Document	Fully Executed Assignment and Assumption of Lease and Consent.pdf	Lease Assignment to Alamo Omaha LLC
Lease / Deed / Purchase Agreement	Fully Executed Second Amended and Restated Lease.pdf	Lease Agreement
Privacy Act Statement	NE Privacy Statement KB_signed.pdf	Privacy Act Statement Kayla Brown
Privacy Act Statement	NE Privacy Statement DS_signed.pdf	Privacy Act Statement Premises Manager
Privacy Act Statement	NE Privacy Statement DP_signed.pdf	Privacy Act Statement Dana Pearson
Alcohol Inventory	Alcohol Inv 12.23.24.pdf	

## APPLICANT

Kayla Brown

## DECLARATION

I (We) the applicant(s) agree and consent

By checking the box next to "I (We) the applicant(s) agree and consent", the applicant(s) hereby consent(s) to an investigation of background and release present and future records of every kind and description including, but not limited to, police records, tax records, bank or lending institution records, and corporate records. I consent to the release of any documents supporting any declarations made in this application and agree to provide any documents supporting these declarations to the Nebraska Liquor Control Commission (NLCC) or the Nebraska State Patrol (NSP) immediately upon demand. I agree to provide any record needed in furtherance of any investigation related to this application immediately upon demand to the NLCC or the NSP. I waive any right or cause of action that I may have against the NLCC, the NSP, or any other individual or entity disclosing or releasing any investigatory or supporting records related to this application or the review of this application.

I acknowledge that false information submitted in this application is grounds for denial of a license. Any license issued based on the information submitted in this application is subject to additional conditions, cancellation, revocation, or suspension if the information contained herein is incomplete, inaccurate, or fraudulent. I acknowledge that any changes to the information contained in this application must be reported to the NLCC. I acknowledge the review of this application will involve a criminal record check of all owners, partners, managers, officers and stockholders or members owning 25% interest in the applying entity and their spouses. Any license granted by the NLCC is subject to the provisions of the Nebraska Liquor Control Act and the Rules & Regulations of the NLCC, and that failure to comply with these provisions and rules may subject the license to suspension, cancellations, or revocation. I acknowledge that a licensee must keep complete, accurate, and separate records and that a licensee's records and books are subject to inspection by the NLCC. NLCC auditors and law enforcement officers are authorized to enter and inspect the licensed premises at any time to determine whether any provision of the Act, rule or regulation, or ordinance has been or is being violated. I acknowledge that it is the licensee's responsibility to comply with the provisions of the Nebraska Liquor Control Act and the Commission's rules and regulations.

If I am an individual applicant, I will supervise in person the management and operation of the business and operate the business authorized by the license for myself and not as an agency for any other person or entity. If I am a corporate applicant, I will ensure that an approved manager will supervise in person the management and operation of the business. If I am a partnership applicant, I will ensure one partner supervises the management and operation of the business.

I will operate the licensed business in compliance with all applicable laws, rules and regulations, and ordinances and to cooperate fully with any authorized agent of the NLCC.

I declare under penalty of perjury that I have read the contents of this application and, to the best of my knowledge, believe all statements made in this application are true, correct, and complete.

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

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF A CLASS C LIQUOR LICENSE FOR TOP SHELF MOBILE BARTENDING, LLC. DBA TOP SHELF BAR ON THE FLY IN LA VISTA, NEBRASKA.

WHEREAS, Top Shelf Mobile Bartending, LLC. dba Top Shelf Bar on the Fly, 7200 S. 84<sup>th</sup> Street, Suite 8, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of a Class C Liquor License submitted by Top Shelf Mobile Bartending, LLC. dba Top Shelf Bar on the Fly, 7200 S. 84<sup>th</sup> Street, Suite 8, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Rachel D. Carl, CMC  
City Clerk



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

---

**TO:** **Rachel Carl, City Clerk**

**FROM:** **Captain D. J. Barcal**

**DATE:** **January 22, 2025**

**RE:** **Local Background Check– Top Shelf Mobile Bartending LLC  
dba Top Shelf Bar on the Fly**

---

The La Vista Police Department has reviewed the Nebraska Liquor Control Commission Documents completed by the applicant and conducted a check of local records relating to the Manager Application for Top Shelf Mobile Bartending LLC, dba Top Shelf Bar on the Fly for Kinsi Tracy. No criminal record was located.

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



# Nebraska Liquor Control

301 Centennial Mall  
South - 1st Floor PO  
Box 95046 Lincoln  
NE 68508

## Application Copy

File Number: 44133

LICENSE TYPE	APPLICATION DATE RECEIVED
Class C Beer, Wine Spirits On and Off Sale	2025-01-02
SECONDARY LICENSE(S)	
NAME	DESCRIPTION
Catering (Secondary License)	Catering - This is a secondary license that allows a licensee to submit an application for a Special Designated License event without an additional fee. Locations not permanently licensed can have 12 events per year.
LICENSEE LEGAL NAME	LICENSEE TYPE
Top Shelf Mobile Bartending LLC	Corporation
DOING BUSINESS AS	CORPORATE NUMBER
Top Shelf Bar on the Fly	
INCORPORATION DATE	
2024-04-09	
CORRESPONDENCE ADDRESS	
4140 U St Omaha, NE 68107	
MAILING ADDRESS	
4140 U St Omaha, NE 68107	
PHYSICAL ADDRESS	
4140 U St Omaha, NE 68107	

CONTACT NAME	PREFERRED CONTACT METHOD
Kinsi Tracy	Email
CONTACT PHONE	ALTERNATE PHONE
(402) 359-0050	(402) 359-0050

FAX

EMAIL

topshelfbar402@gmail.com

#### CORPORATE STRUCTURE

NAME	POSITION/TITLE	PARENT COMPANY	% INTEREST
Kristian O'Mara	President	Top Shelf Mobile Bartending LLC	33
Raschel Andres	President	Top Shelf Mobile Bartending LLC	33
Kinsi Tracey	President	Top Shelf Mobile Bartending LLC	34

#### ADDITIONAL INFORMATION

MARITAL STATUS	
Single	
MANAGED BY AGENT	
No	
PREMISES TYPE	PREMISES NAME
Banquet/Caterer	Top Shelf Mobile Bartending LLC
OPERATOR	CORPORATE LIMIT DESIGNATION
Kinsi Tracy	Inside
LEASE OR OWN	EXPIRATION DATE
Lease	2025-10-01

**PHYSICAL ADDRESS**

7200 S. 84th Street Ste 8  
LaVista, NE 68128

**MAILING ADDRESS**

CONTACT NAME	PREFERRED CONTACT METHOD
Kinsi Tracy	Email
CONTACT PHONE (402) 359-0050	ALTERNATE PHONE (402) 630-0684
FAX	EMAIL topshelfbar402@gmail.com
PREMISES MANAGER Kinsi Tracy	PREMISES MANAGER EMAIL topshelfbar402@gmail.com

**QUESTIONS**

Class C Beer, Wine Spirits On an

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

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge?

Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party is applying, please list charges by each individual's name. Exclude minor traffic violations such as speeding. Include Driving Under the Influence, Driving Under Suspension & other similar charges. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

Yes

(document uploaded)

**2. What are the building dimensions: Enter length and width in feet separated by a comma (i.e. L20, W15) \*Not square feet\***  
A simple sketch of the area to be licensed will be required to be uploaded in the Documents section.. Include the length x width, direction of NORTH and number of floors of the building.

12 feet by 12 feet

1 floor

**3. Is there an outdoor area?**

\*Must have permanent fencing securing the outdoor area. Please contact the local governing body for other requirements regarding fencing.

No

**4. Will a basement be used for alcoholic storage or sale?**

No

5. How many floors of the building? (excluding basement) Please indicate which floors will be included in the liquor license.

1 floor

6. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children?

No

7. Is premises to be licensed within 300 feet of a college campus or university?

No

8. Are you acquiring any alcohol prior to obtaining this liquor license?

No

9. What date do you intend to open for business?

11/30/2024

10. What are the anticipated hours of operation?

8am-12am

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

No

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

No

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

No

14 List the primary bank and/or financial institution to be utilized by the business.

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

Core Bank

Kristian O'Mara

Raschel Andres

Kinsi Tracey

15 Do you have prior experience or training in selling, serving or managing alcohol sales?

Yes

Combined 25 years of bartending

Managing events

16 Are all individuals named in this application over 21 years of age?

Yes

17 Do you intend to sell cocktails to go as allowed under Neb Rev. Statute 53-123.04(4)?

No

18 Do you intend to allow drive through services (curb side pick up) allowed under Neb Rev. Statute 53-178.01(2)

No

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

None

20 Has the premises location been previously licensed within the last 2 years?

No

21 Are you applying for a Temporary Operating Permit?

No

22 What is the premises manager's name?

Kinsi Tracy

23 What is the manager's address?

4140 U St  
Omaha, NE 68107

24 What is the manager's phone number?

402-359-0050

25 What county is the manager registered to vote in?

The manager must be a resident of the state of Nebraska. If the manager is not registered to vote they can complete their voter registration here - <https://www.nebraska.gov/apps-sos-voter-registration/>

Sarpy

26 What is the manager's email address? An email will be sent to them to obtain their personal information.

topshelfbar402@gmail.com

27 Is the manager married?

No

**DOCUMENTS**

TYPE	FILE NAME	DESCRIPTION
Business Plan	Business Plan .pdf	Top Shelf Business Plan
Privacy Act Statement	Raschel Andres Privacy Act Statement_001.pdf	Raschel Andres
Privacy Act Statement	Kinsi Tracy Privacy Act Statement_001.pdf	Kinsi Tracy
Privacy Act Statement	Kristian O'Mara Privacy Act Statement_001.pdf	Kristian O'Mara
Lease / Deed / Purchase Agreement	Lease Agreement_001.pdf	Lease Agreement
Explanation of Convictions/Guilty Pleas	Ashley Court Doc.pdf	Kristian Explanation ( Did not know license was suspended)
Premises Description & Diagram	Office Bldg Diagram_001.pdf	Office Bldg

**APPLICANT**

Top Shelf Mobile Bartending LLC  
Bar on the Fly

## DECLARATION

I (We) the applicant(s) agree and consent

By checking the box next to "I (We) the applicant(s) agree and consent", the applicant(s) hereby consent(s) to an investigation of background and release present and future records of every kind and description including, but not limited to, police records, tax records, bank or lending institution records, and corporate records. I consent to the release of any documents supporting any declarations made in this application and agree to provide any documents supporting these declarations to the Nebraska Liquor Control Commission (NLCC) or the Nebraska State Patrol (NSP) immediately upon demand. I agree to provide any record needed in furtherance of any investigation related to this application immediately upon demand to the NLCC or the NSP. I waive any right or cause of action that I may have against the NLCC, the NSP, or any other individual or entity disclosing or releasing any investigatory or supporting records related to this application or the review of this application.

I acknowledge that false information submitted in this application is grounds for denial of a license. Any license issued based on the information submitted in this application is subject to additional conditions, cancellation, revocation, or suspension if the information contained herein is incomplete, inaccurate, or fraudulent. I acknowledge that any changes to the information contained in this application must be reported to the NLCC. I acknowledge the review of this application will involve a criminal record check of all owners, partners, managers, officers and stockholders or members owning 25% interest in the applying entity and their spouses. Any license granted by the NLCC is subject to the provisions of the Nebraska Liquor Control Act and the Rules & Regulations of the NLCC, and that failure to comply with these provisions and rules may subject the license to suspension, cancellations, or revocation. I acknowledge that a licensee must keep complete, accurate, and separate records and that a licensee's records and books are subject to inspection by the NLCC. NLCC auditors and law enforcement officers are authorized to enter and inspect the licensed premises at any time to determine whether any provision of the Act, rule or regulation, or ordinance has been or is being violated. I acknowledge that it is the licensee's responsibility to comply with the provisions of the Nebraska Liquor Control Act and the Commission's rules and regulations.

If I am an individual applicant, I will supervise in person the management and operation of the business and operate the business authorized by the license for myself and not as an agency for any other person or entity. If I am a corporate applicant, I will ensure that an approved manager will supervise in person the management and operation of the business. If I am a partnership applicant, I will ensure one partner supervises the management and operation of the business.

I will operate the licensed business in compliance with all applicable laws, rules and regulations, and ordinances and to cooperate fully with any authorized agent of the NLCC.

I declare under penalty of perjury that I have read the contents of this application and, to the best of my knowledge, believe all statements made in this application are true, correct, and complete.

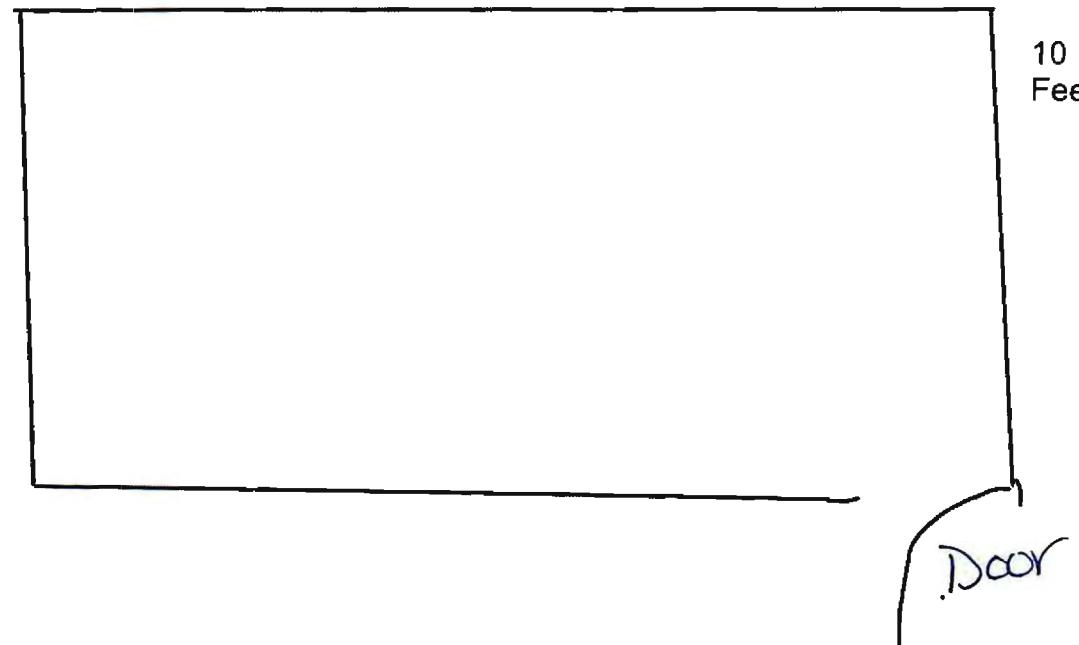
**Applicant Notification and Record Challenge:** An applicant's fingerprints will be used to check the criminal history records of the FBI. The applicant may complete or challenge the accuracy of the information contained in the FBI Identification Record. The procedures for obtaining a change, correction,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



7200 South 84<sup>th</sup> Street, La Vista NE 68128

Suite# 8

10 Feet



## Industry Overview

The mobile bartending industry has seen significant growth, driven by a rise in experiential events and demand for personalized services. Consumers are looking for unique and convenient options for their gatherings.

## Target Market

- Weddings: Couples seeking personalized beverage services for their special day.
- Corporate Events: Businesses looking for professional bartending for events, parties, and gatherings.
- Private Parties: Individuals hosting birthdays, anniversaries, or social gatherings.
- Festivals: Outdoor events and community festivals requiring mobile beverage services.

## Competitive Analysis

Research local competitors offering similar services. Analyze their pricing, service offerings, and customer reviews to identify gaps in the market and areas for differentiation.

## Services Offered

1. Custom Drink Menus: Tailored cocktail options based on client preferences.
2. Bartending Staff: Professional and experienced bartenders for events.
3. Event Setup and Cleanup: Full-service option that includes setting up the bar and cleaning up afterward.
4. Additional Services: Glassware rental, cocktail kits, and themed drink presentations.
5. Provide liquor/beer packages with Top Shelf liquor license documents for client/venue

## Branding

Develop a strong brand identity with a logo, website, and social media presence. Ensure that branding reflects the fun and professional nature of the business.

## Conclusion

Top Shelf Mobile Bartending is poised to tap into the growing demand for mobile beverage services. By providing exceptional service, a diverse drink menu, and a memorable experience, we aim to establish ourselves as the go-to mobile bartending service in Omaha, Nebraska and surrounding areas. With a solid marketing strategy and a focus on customer satisfaction, we are confident of achieving our business objectives and ensuring long-term success.

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 4, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CONDITIONAL USE PERMIT – ASSISTED LIVING FACILITY TRAHERA PROPERTY GROUP, LLC	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSOCIATE CITY PLANNER

**SYNOPSIS**

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit for Trahera Property Group, LLC to allow for the construction and operation of an assisted living facility at 7005 S. 74<sup>th</sup> Street, west of the Heritage Condominiums.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval of the Conditional Use Permit for Trahera Property Group, LLC.

**BACKGROUND**

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit for Trahera Property Group, LLC to allow for the construction and operation of an assisted living facility at 7005 S. 74<sup>th</sup> Street, west of the Heritage Condominiums.

The applicant seeks to construct a single-story, approximately 7,000-square-foot building to house up to 16 residents. Assisted Living facilities are permitted with approval of a Conditional Use Permit in the R-4 Condominium Residential Zoning District, per Section 5.09.03 of the La Vista Zoning Ordinance.

The Planning Commission held a public hearing on October 17, 2024 and voted 4-3-0 to recommend approval of the Conditional Use Permit for Trahera Property Group, LLC for the construction and operation of a nursing care/assisted living facility subject to further investigation of the parking needs and the introduction of additional parking stalls if deemed necessary, and satisfaction of all applicable requirements including recording of a replat, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance. After the Planning Commission meeting, the applicant revised the site plan to include additional parking stalls to address the concerns of the Planning Commission and members of the public present at the hearing.

A detailed staff report is attached.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR TRAHERA PROPERTY GROUP, LLC TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN ASSISTED LIVING FACILITY ON LOT 6 SCHAEFER'S I ADDITION.

WHEREAS, Trahera Property Group, LLC has applied for a Conditional Use Permit to allow for the construction and operation of an assisted living facility on Lot 6 Schaefer's I Addition; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Trahera Property Gorup, LLC to allow for the construction and operation of an assisted living facility on Lot 6 Schaefer's I Addition.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Rachel D. Carl, CMC  
City Clerk



**CITY OF LA VISTA  
PLANNING DIVISION  
RECOMMENDATION REPORT**

CASE NUMBERS: PCUP24-0004;

FOR HEARING ON: FEBRUARY 4, 2025  
REPORT PREPARED ON: JANUARY 23, 2025

**I. GENERAL INFORMATION**

**A. APPLICANT(S):**

Trahera Property Group, LLC  
Attn: David Arehart  
P.O. Box 460999  
Papillion, NE 68046

**B. PROPERTY OWNERS:**

Heritage Condominiums, Inc.  
Attn: Lori Kasowski  
450 36<sup>th</sup> Ave S  
Fargo, ND 58104

**C. LOCATION:** 7005 S. 74<sup>th</sup> Street, generally located east of the intersection of Gertrude Street and S. 74<sup>th</sup> Street.

**D. LEGAL DESCRIPTION:** Lot 6 Schaefer's I Addition, to be replatted as its own parcel prior to the issuance of a building permit.

**E. REQUESTED ACTION(S):** Approval of a Conditional Use Permit for a nursing care/assisted living facility.

**F. EXISTING ZONING AND LAND USE:** R-4 Condominium Residential and Gateway Corridor District (Overlay District). This property is currently vacant and is adjacent to the Heritage Condos.

**G. PURPOSE OF REQUEST:** Applicant is seeking to construct and operate a community-based assisted living facility to house and provide care for up to 16 residents.

**H. SIZE OF SITE:** The applicant is proposing to utilize approximately 0.83 acres of Lot 6 Schaefer's I Addition, to be replatted as its own parcel prior to the issuance of a building permit.

## **II. BACKGROUND INFORMATION**

### **A. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

<u>Direction</u> <u>From</u> <u>Subject</u> <u>Property</u>	<u>Future Land Use</u> <u>Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding</u> <u>Development</u>
North	Urban High-intensity Residential	C-2 General Commercial District and Gateway Corridor District (Overlay District)	Vacant properties
East	Urban Commercial	C-2 General Commercial District and Gateway Corridor District (Overlay District)	Casey's General Store & Sonic
South	Urban High-intensity Residential	R-4 Condominium Residential and Gateway Corridor District (Overlay District); and R-3 High Density Residential and Gateway Corridor District (Overlay District);	Creative Kidz Child Care & Crestview Village Townhomes
West	Urban High-intensity Residential	R-3 High Density Residential	Crestview Village Townhomes

### **B. RELEVANT CASE HISTORY:**

1. The Heritage Condominium building was constructed in 2002 on the property. The property was developed in such a way that additional condominium buildings could be constructed in the future (one to the west of the existing building, and one to the east).
2. The developers/owners chose not to pursue the construction of additional condominium buildings as part of the Heritage Condos, and the additional vacant land has been recently marketed for sale.

### **C. APPLICABLE REGULATIONS:**

1. Section 5.09 of the City of La Vista Zoning Ordinance – R-4 Condominium Residential
2. Section 5.17 of the City of La Vista Zoning Ordinance – Gateway Corridor District (Overlay District)
3. Article 6 of the City of La Vista Zoning Ordinance – Conditional Use Permits

### **III. ANALYSIS**

#### **A. COMPREHENSIVE PLAN:**

1. This application is consistent with the Future Land Use Map of the La Vista Comprehensive Plan, which designates this property for high-intensity residential development.
2. This application supports the following goals and policies from Chapter 4 of La Vista's Comprehensive Plan:
  - i. Live-2: Maintain the balance of diverse, high-quality housing that appeals to people of varying backgrounds, incomes, and abilities.

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

#### **C. TRAFFIC AND ACCESS:**

1. Drive access to the facility will be located off of S. 74<sup>th</sup> Street. This driveway will connect to the existing driveway for the Heritage Condo building, providing a secondary means of ingress/egress for the building and parking lot.

#### **D. UTILITIES:**

1. The property has access to all necessary utilities.

#### **E. PARKING REQUIREMENTS:**

1. The minimum number of off-street parking stalls required for the proposed development per Section 7.06 of the La Vista Zoning Ordinance is 9 parking stalls (1 stall per 3 beds plus 1 stall per employee on peak shift). The number of stalls provided, as represented in the site plan included as an exhibit to the attached draft Conditional Use Permit, is 18 stalls, and therefore meets the requirement. Residents of the proposed facility will not have personal vehicles, so the provided parking will be utilized by staff, delivery drivers, and guests. Nine (9) of these 18 total stalls will be constructed north of the facility on the neighboring property. The property owners have committed to assigning a cross-parking easement through the final plat to allow for the construction and use of these additional stalls by the applicant.
2. The initial application included 9 parking stalls to meet the requirement of Section 7.06 of the La Vista Zoning Ordinance. However, the Planning Commission requested that staff and the applicant explore if additional parking could be included in the site plan as a condition of their recommendation. As a result, the property owner and applicant proposed the construction of an additional 9 parking stalls to address this concern regarding the provided level of parking.

#### **IV. REVIEW COMMENTS:**

1. The building, landscaping, and site design for the proposed assisted living facility must be reviewed and approved through the City's Design Review Process to ensure compliance with the Gateway Corridor Overlay District Design Guidelines, and must be substantially complete prior to application for building permits.
2. Lot 6 Schaefer's I Addition will need to be replatted prior to execution of the conditional use permit and application for building permits to ensure that the proposed assisted living facility and the existing Heritage Condos building will be compliant with the height and lot requirements of Section 5.09 of the La Vista Zoning Ordinance pertaining to the R-4 Zoning District, in addition to La Vista's Subdivision Regulations.
3. A draft Conditional Use Permit, including the operating statement and proposed site plan exhibits, are attached to this staff report.
4. In addition to this Conditional Use Permit, the applicant will be required to obtain a license with the State of Nebraska in order to operate an assisted living facility. The applicant will be required to submit a copy of this license to the city upon receipt.
5. During the planning commission public hearing, several residents of the Heritage Condominiums attended the meeting and voiced some questions regarding how the properties will be replatted and maintenance responsibilities delineated. Agents for current property owners met with the Heritage Condo Association on January 16, 2025 to discuss their plans to replat the property and answer questions that the condo residents have.

#### **V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:**

Staff recommends approval of the Conditional Use Permit for Trahera Property Group, LLC for the construction and operation of a nursing care/assisted living facility subject to satisfaction of all applicable requirements including recording of a replat, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

#### **VI. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT:**

The Planning Commission held a public hearing on October 17, 2024 and voted 4 – 3 – 0 to recommend approval of the Conditional Use Permit for Trahera Property Group, LLC for the construction and operation of a nursing care/assisted living facility subject to further investigation of the parking needs and the introduction of additional parking stalls if deemed necessary, and satisfaction of all applicable requirements including recording of a replat, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

**VII. ATTACHMENTS TO REPORT:**

- A. Vicinity Map
- B. Review and response letters
- C. Draft Conditional Use Permit

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

- A. David Arehart, Trahera Property Group, LLC
- B. Lori Kasowski, Heritage Condominiums, Inc.
- C. Public Upon Request

---



Prepared by: Associate City Planner



1-24-15

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Community Development Director

Date

Harrison St



Gertrude St

S. 74th St

Site for  
Proposed  
Assisted  
Living  
Facility



### Vicinity Map - Trahera Property Group Assisted Living CUP

#### Legend

- Property Lines
- CUP Area





September 19, 2024

Trahera Property Group, LLC  
Attn: David Arehart  
P.O. Box 460999  
Papillion, NE 68046

RE: Conditional Use Permit – Initial Review Letter – Nursing Home

Mr. Arehart,

Thank you for your submittal of the above referenced Conditional Use Permit (CUP) application. Staff has reviewed the initial submittal and has provided the following initial comments:

1. The minimum off-street parking requirement for nursing homes per Section 7.06 of the La Vista Zoning Ordinance is one (1) space per 3 beds plus 1 per employee on the largest shift. This equates to 9 parking stalls. The current site plan shows 8 parking stalls provided. Please update the site plan to provide at least the minimum number of required stalls.
2. The property will need to be replatted prior to issuance of a building permit for construction of the proposed facility. Please reach out about setting up a pre-application meeting to begin the replat process.
3. This property is located within the Gateway Corridor Overlay District and is subject to the Gateway Corridor Design Guidelines. The design for the building, site, and landscaping must be approved through the City's Design Review process prior to application for building permits. When you are ready to begin the design review process, please reach out to schedule a pre-application meeting.
4. In addition to the landscaping requirements of the Gateway Corridor Overlay District, the property is subject to the landscaping requirements in Section 7.17 of the La Vista Zoning Ordinance which include a requirement for the placement of one tree per 40 feet of lineal street frontage.

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
402.331.4343 **P**  
402.331.4375 **F**

**Community Development**  
8116 Park View Blvd.  
402.593.6400 **P**  
402.593.6445 **F**

**Library**  
9110 Giles Rd.  
402.537.3900 **P**  
402.537.3902 **F**

**Police**  
7701 S. 96th St.  
402.331.1582 **P**  
402.331.7210 **F**

**Public Works**  
9900 Portal Rd.  
402.331.8927 **P**  
402.331.1051 **F**

**Recreation**  
8116 Park View Blvd.  
402.331.3455 **P**  
402.331.0299 **F**

5. The current site plan layout does not provide the proper dead-end fire apparatus access road turnaround. Attached are various options to meet this turnaround with a dead-end as provided by the Fire Plans Examiner with the Papillion Fire Department. Please revise the site plan to accommodate the appropriate dead-end turnaround around or provide a through-access connection for approval by the Fire Plans Examiner.

A date for the Planning Commission and City Council public hearings will be determined upon review of your resubmittal. Please let me know if you have any questions.

Sincerely,



Cale Brodersen, AICP  
Associate City Planner  
City of La Vista  
(402) 525-9535  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)

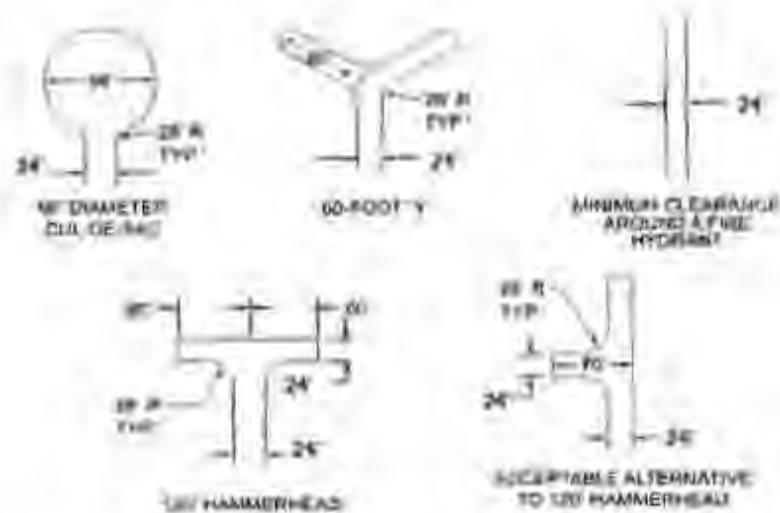
#### D102.1 Amended; Access and loading.

Revise to read: Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds (34,050 kg) prior to beginning construction above the foundation of the building or storage of combustible construction materials on the site.

#### D103.1 Access road width with a hydrant.

Revise to read: Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 24 feet (7315 mm) exclusive of shoulders (see Figure D103.1).

**Figure D103.1 Amended; Dead-End Fire Apparatus Access Road Turnaround Dimensions revised as follows:**



#### D103.3 Amended; Turning Radius.

Revise to read: The minimum turning radius shall be determined by the fire code official. Figure D103.3 shall be accepted when shown by AutoTURN or other accepted similar program.

## Cale Brodersen

---

**From:** David Arehart <davidarehart6@gmail.com>  
**Sent:** Monday, September 30, 2024 12:24 PM  
**To:** Cale Brodersen  
**Subject:** [EXT]New site plan  
**Attachments:** 24-12 LaVista Assisted Living\_CUP Site Plan\_9-29-2024.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello Cale,

Here is a new version of the site plan that corrects the issues stated in the initial review letter. This was drawn by a local architect that I will be using to design the building so once we get a little farther into the conditional use permit process and things look good I will schedule a design review meeting. Please let me know if anything else is needed at this time from myself or the architect. Our broker has informed the seller they need to reach out to the city themselves to start the replatt process as well. Thanks!

\*\*This message originated from an **External Source**. Use caution when opening attachments, clicking links, or responding to this email.\*\*

**Use the "Phish Alert" button if you think this email is malicious.**

David Arehart  
davidarehart6@gmail.com

## Cale Brodersen

---

**From:** David Arehart <davidarehart6@gmail.com>  
**Sent:** Friday, October 25, 2024 10:12 AM  
**To:** Cale Brodersen  
**Subject:** [EXT]Revised Site Plan  
**Attachments:** Site plan revised.pdf

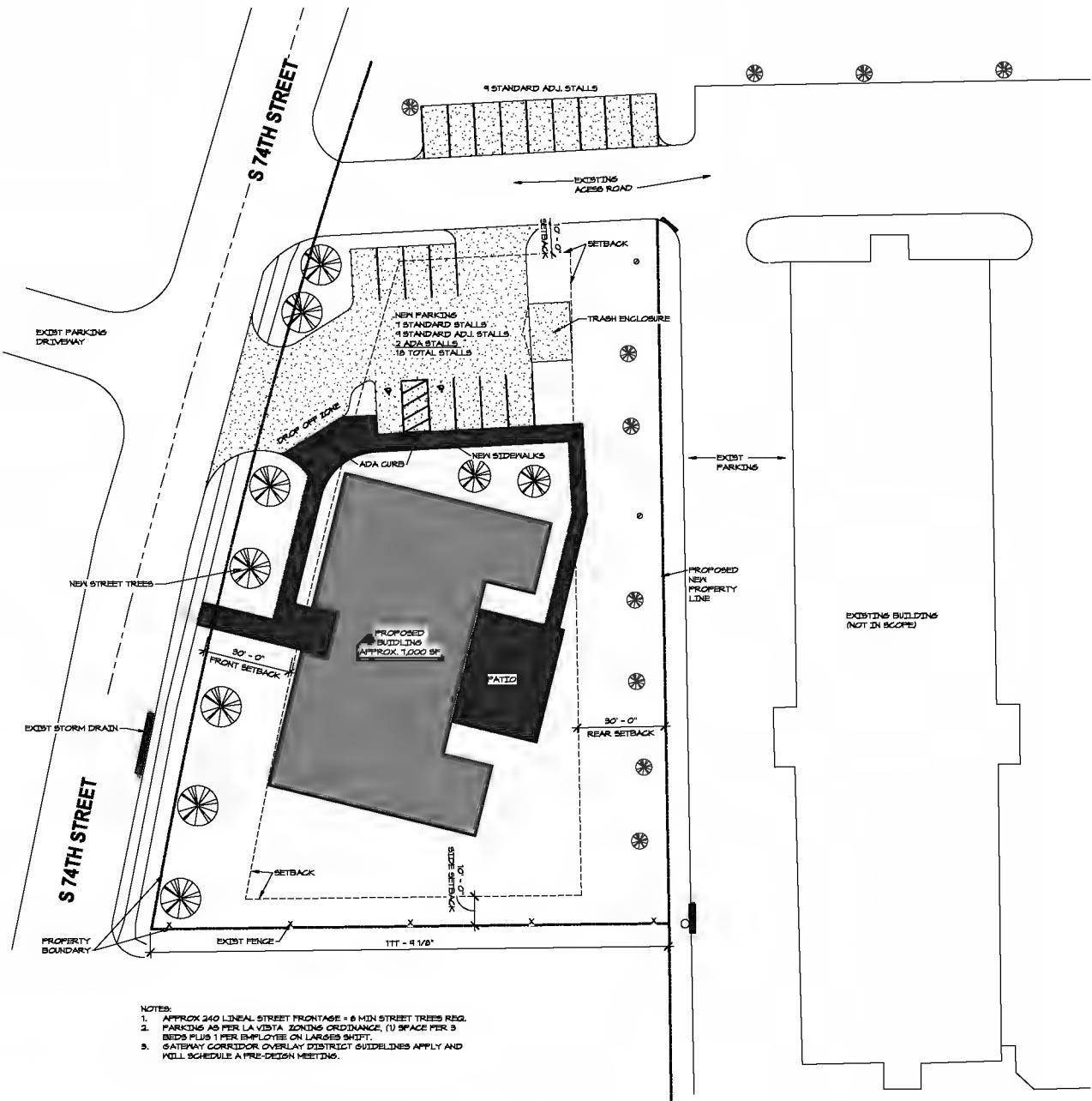
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello Cale,

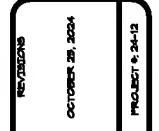
Here is a revised version of our site plan with the addition of 9 Parking stalls on the north side of the access drive. Let me know if this works or if anything else is needed from me, thanks!

\*\*This message originated from an **External Source**. Use caution when opening attachments, clicking links, or responding to this email.\*\*  
**Use the "Phish Alert" button if you think this email is malicious.**

David Arehart  
davidarehart6@gmail.com



1 Site Plan for Conditional Use Permit - Revised  
1" = 20'-0"



COPYRIGHT 2024  
PETERS AND ASSOCIATED ARCHITECTS P.C.  
TRAHERA PROPERTY GROUP AND TRAHERA PROPERTY  
AND ASSOCIATES ARCHITECTS P.C. AND ARE  
PROTECTED BY COPYRIGHT LAW. THEY MAY  
NOT BE REPRODUCED OR DUPLICATED IN  
WHOLE OR IN PART WITHOUT EXPRESS  
WRITTEN PERMISSION OF PETERS AND  
ASSOCIATED ARCHITECTS P.C. BELLEVUE, NE

CUP-1

**CITY OF LAVISTA  
CONDITIONAL USE PERMIT**

**Conditional Use Permit for Assisted Living Facility  
(Trahera Property Group, LLC Assisted Living)  
(Lot 1 Schaefer's First Addition Replat One)**

This Conditional Use Permit is issued this 4th day of February, 2025 by the City of La Vista, a municipal corporation in Sarpy County, Nebraska ("City") to Trahera Property Group, LLC, a Nebraska limited liability company, ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate an assisted living facility within the City of La Vista's zoning jurisdiction upon the following described tract of land:

Lot 1 Schaefer's First Addition Replat One, a subdivision in Sarpy County, Nebraska (the "Property") as depicted in Exhibit "A" the final plat; and

WHEREAS, Owner has applied for a Conditional Use Permit for the purpose of constructing and operating an assisted living facility; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a Conditional Use Permit to the Owner for such purposes and on such conditions and the terms and conditions provided in this permit (the "Permit").

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this Permit is issued to the Owner to construct additional improvements on Lot 1 Schaefer's First Addition Replat One and use the Property and all improvements on the Property for the purposes described above ("Permitted Uses" or "Uses").

**Conditions of the Permit**

The conditions to which the granting of this Permit is subject are as follows:

1. Development and operation on the Property is governed by this Permit. Breach of any terms hereof shall cause Permit to expire and terminate without any further action of the City.
2. In respect to the proposed Uses:
  - a. The CUP site plan (the "Site Plan") showing the Property's boundaries, all existing and propose structures, parking, access points, and drives, is attached hereto and incorporated herein as Exhibit "B".
  - b. The Uses and operations on the property will be limited to and carried out in accordance with the Operational Statement attached as Exhibit "C" and incorporated into this permit by reference. Any proposed additions or changes to the Permitted Uses or operations on the Property shall require such reviews, amendments to this Conditional Use Permit and approvals as City Planner determines necessary or appropriate.
  - c. Architectural review of the plans for building design, landscaping, and lighting on the property must be completed and approved to the satisfaction of the City Planner through the City's Design Review Process for conformance with the Gateway Corridor Overlay District Design Guidelines prior to application and issuance of building permits, and the approved plans shall be attached to this permit as Exhibits "D" and "E".
  - d. The Property shall be developed and maintained in accordance with the Site Plan and all other Exhibits

of this Agreement, as approved by the City and incorporated herein by this reference. Any modifications to the Site Plan must be submitted to the Chief Building Official for such approval as the Chief Building Official determines necessary or appropriate. Modification of any other document or Exhibit shall be subject to such approval of the City as determined by the City Administrator, or City Administrator's designee, as he or she determines necessary or appropriate.

- e. All signage, including without limitation design, location, placement and dimensions, shall be in accordance the La Vista Zoning Ordinance and all other applicable requirements and subject to such approval as the Community Development Director or such Director's designee as he or she determines necessary or appropriate.
- f. No vehicle repair (other than emergency maintenance such as changing a tire), inoperable or abandoned vehicles, or storage of vehicles shall be allowed in the parking areas on the Property shown on Exhibit "B". The Owner shall have seventy-two (72) hours after notice from the City or other appropriate political subdivision to correct any violation or cause the removal of any such vehicle that is in violation.
- g. Owner shall obtain all required permits in connection with the Uses from the City of La Vista.
- h. Owner shall comply (and shall ensure that all structures, appurtenances and improvements on the Property at any time comply) with any applicable federal, state and/or local laws, rules or regulations, as amended or in effect from time to time, including, but not limited to, applicable building codes, fire codes, ADA requirements, and environmental or safety laws, rules or regulations.
- i. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the Owner or its agents, employees, assigns, suppliers or invitees relating to the Owner's Uses of the Property, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violations of any applicable environmental or safety law, rule or regulation.
- o. There shall not be any outside storage of materials. All trash receptacles, benches and planters shall be placed on property and securely fastened to building or concrete. Trash dumpsters shall be placed within a trash enclosure of six feet in height and screened accordingly.
- p. Landscaping requirements from Section 7.17 of the City of La Vista Zoning Ordinance shall be satisfied and maintained in accordance with the approved landscaping plan (Exhibit "D") and the requirements of the Gateway Corridor District.
- q. Owner shall be responsible for ensuring that the perimeter sidewalks adjacent to the Property are maintained and repaired in good condition, or replaced, and kept free of snow and vegetation.

3. The Owner's right to maintain the Uses of the Property, as contemplated by this Permit, shall be based on the following conditions:

- a. An annual inspection to determine compliance with the conditions of this Permit. The Permit may be revoked (with respect to a particular Use) upon a finding by the City that there is a violation of the terms of this Permit.
- b. Construction will be in accordance with the City Building Code.
- c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard or that are in disrepair or constitute a nuisance shall be abated and/or removed from the Property at Owner's expense within twelve (12) months of cessation of the Use of the Property as related to said structures, facilities or materials.

4. Notwithstanding any other provision herein to the contrary, this Permit, and all rights granted hereby, shall expire and terminate as to a Permitted Use hereunder upon the first of the following to occur:

- a. Owner's abandonment of the Permitted Use. There shall be a presumption that the Permitted Uses have been abandoned if the Owner fails to commence construction of the building within the time provided by Section 5 below.

- b. Cancellation, revocation, denial or failure to obtain or maintain any federal, state or local permit required for the Uses.
- c. Owner's construction or placement of a storage tank, structure or other improvement on the Property, (except during construction of any phase of the project) not specified in this Permit and Owner's failure to cure such breach within ten (10) days after City's giving notice thereof.
- d. Owner's breach of other terms hereof and its failure to correct such breach within ten (10) days of City's giving notice thereof.

5. If construction of the assisted living facility, parking and other improvements on the Property has not been commenced within twelve (12) months, and fully completed within 24 months, from the date of this Permit, this Permit shall be null and void and all rights hereunder shall lapse with respect to Lot 1; provided, however, Owner shall have the right to file for an extension of time pursuant to the La Vista Zoning Ordinance. Any request or grant of an extension shall be in writing.

6. If the Owner fails to promptly remove any safety, environmental or other hazard or nuisance from the premises, or upon the expiration or termination of this Permit fails to promptly remove any remaining safety, environmental or other hazard or nuisance, the City may at its option (but without any obligation to exercise said option) cause the same to be removed at Owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the Owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the Property and take whatever action as may be necessary or appropriate to carry out this section 6 or any other provision of this Permit.

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

8. The conditions and terms of this Permit shall constitute covenants running with the land and shall be binding upon the Owner, its successors and assigns, and enforceable by the City.

9. Delay of City to terminate this Permit on account of breach of Owner of any terms hereof in accordance with the terms hereof, or to exercise any other rights under this Permit, shall not constitute a waiver of City's right to terminate or exercise any other rights under this Permit, unless the City has expressly waived said breach or such other rights in writing. A waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature, or waiver of any other rights.

11. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises.

12. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed as follows:

To Owner:    Traherra Property Group, LLC  
                          David Arehart  
                          PO Box 460999  
                          Papillion, NE 68046

13. All recitals at the beginning of this document and exhibits or other documents referenced in this Permit shall be incorporated herein by reference.

14. Exhibits. The following exhibits are incorporated herein by reference:

Exhibit "A":	Final Plat
Exhibit "B":	Site Plan
Exhibit "C":	Operating Statement
Exhibit "D":	Landscaping Plan
Exhibit "E":	Elevation Renderings

DRAFT

Effective Date:

This Permit shall take effect upon the filing hereof with the City Clerk and with the Sarpy County Register of Deeds signed originals hereof

THE CITY OF LA VISTA

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

Attest:

Rachel Carl, CMC  
City Clerk

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA

)  
)  
)  
ss.

COUNTY OF SARPY

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Douglas Kindig, personally known by me to be the Mayor of the City of La Vista and Rachel Carl, to me personally known to be the City Clerk of the City of La Vista, the identical persons whose names are affixed to the foregoing Permit, and they acknowledged the execution thereof to be their voluntary act and deed.

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

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

Owner:

Trahera Property Group, LLC

By: David Arehart

Its:

## ACKNOWLEDGMENT OF NOTARY

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me a Notary Public, duly commissioned and qualified in and for said County, appeared David Arehart, personally known by me to be the \_\_\_\_\_ of Trahera Property Group, L.L.C., a limited liability company, and the identical person whose name is affixed to the foregoing Permit, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

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

---

## Notary Public

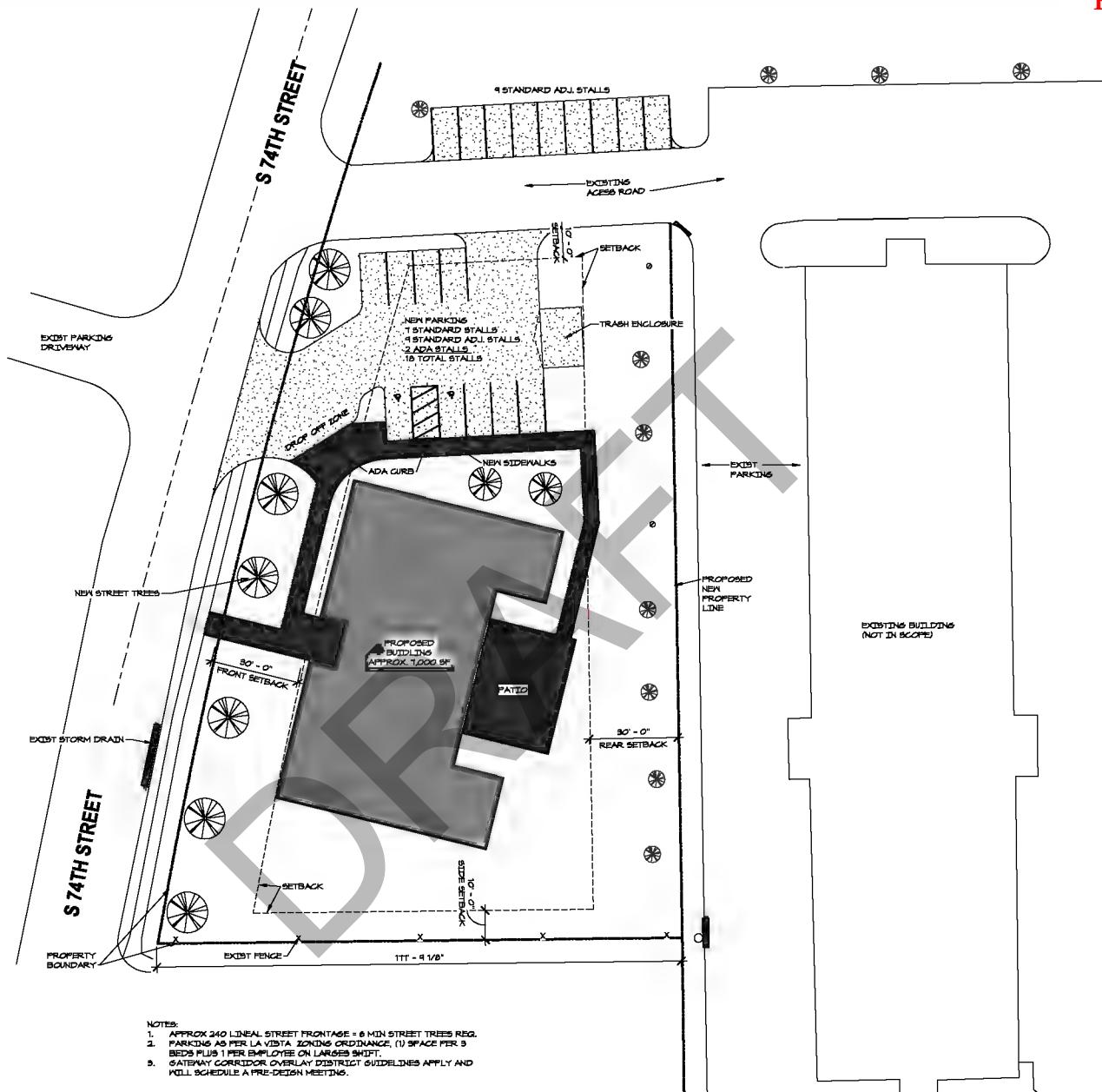
## **Exhibit A**

Final Plat

(Insert once properties are replatted)

DRAFT

## Exhibit B - Site Plan



1 Site Plan for Conditional Use Permit - Revised  
1' = 20'-0"

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REVISIONS	REVISIONS
OCTOBER 25, 2024	OCTOBER 24, 2024
PROJECT # 24-12	PROJECT # 24-12
PROPOSED SITE PLAN FOR CONDITIONAL USE PERMIT	
TRAHERA PROPERTY GROUP, LLC LA VISTA ASSISTED LIVING LA VISTA, NEBRASKA	
<b>PETERS &amp; ASSOCIATES ARCHITECTS, P.C.</b> 1100 BALKIN ROAD SOUTH, BELLEVUE, NEBRASKA 68123 PHONE: 402-295-5200	

FOR  
REVIEW  
ONLY  
BY  
CONTRACTOR

CUP-1

## **Exhibit C - Operating Statement**

**OVERVIEW:** Our Residential Assisted Living model offers 24-hour care for a group of seniors with disabilities who require assistance with one or more activities of daily living. This model provides high-quality care in a residential home environment, offering an alternative to traditional “big box” institutions. Our setting is designed to feel like home, allowing seniors to live as independently as possible while receiving the care they need in a community-based environment.

The single-family home will function similarly to any other home in the neighborhood. Residents will enjoy meals together in the family kitchen and dining room, participate in social activities in common areas, and have private or semi-private bedrooms. The residents will not drive or own vehicles, reducing the strain of parking in the surrounding area.

**OPERATIONS:** To maintain our high standard of care, we will be licensed as an assisted living facility in the state of Nebraska for up to 16 residents, with a caregiver ratio of 6:1. This includes three caregivers on-site during the day and two on the overnight shift, providing 24/7 continuous care. This staffing model ensures adequate care for all residents. Deliveries from services like UPS, Amazon, and Fedex, will occur as they would in any typical neighborhood, without added disruption to traffic flow.

**SERVICES:** Our direct care staff will assist residents with all activities of daily living they require, including but not limited to personal hygiene, toileting, dressing, mobility, eating, medication management, and response to safety or emergency needs. Seniors can also enjoy daily activities such as light exercise, companionship, shopping, community outings, outdoor leisure, technology use, and mental exercises (e.g., puzzles, books, games).

Caregivers will prepare home-cooked meals with monthly menus planned in advance, adhering to dietary standards. Additionally, we provide landscaping, maintenance, housekeeping, utilities, and furnishings to ensure a safe and comfortable home environment. Our Services are designed to support residents in a way that promotes their well-being and independence.

## **Exhibit D**

### Building Elevations

(Insert once approved through Design Review Process)

DRAFT

## **Exhibit E**

### Landscaping Plan

(Insert once approved through Design Review Process)

DRAFT

## **Exhibit F**

### Lighting Plan

(Insert once approved through Design Review Process)

DRAFT

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 4, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PROFESSIONAL SERVICES AGREEMENT – ◆ RESOLUTION EAST LA VISTA SEWER & PAVEMENT REHABILITATION – AMENDMENT NO. 5	ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

#### **SYNOPSIS**

A resolution has been prepared authorizing the execution of Amendment No. 5 to the Professional Services Agreement with HGM Associates, Inc., Omaha, Nebraska for additional construction phase services associated with the East La Vista Sewer and Pavement Rehabilitation Project in an additional amount not to exceed \$191,337.

#### **FISCAL IMPACT**

The FY25/FY26 Biennial Budget includes funding for this project.

#### **RECOMMENDATION**

Approval.

#### **BACKGROUND**

The initial agreement with HGM Associates Inc. was executed on June 4, 2019, to which a subsequent administrative amendment was executed November 11, 2019, to study the conditions of the existing sanitary sewer pavement conditions on the original east side of La Vista, or from east of 72<sup>nd</sup> Street to 69<sup>th</sup> Avenue, and from south of Harrison Street to 69<sup>th</sup> Street. The 2<sup>nd</sup> Amendment was approved on July 7, 2021, for the Final Design of the project. The 3<sup>rd</sup> Amendment was approved on April 4, 2023, to provide construction phase services for the project. The 4<sup>th</sup> Amendment was approved on July 16, 2024, to continue the 3<sup>rd</sup> Amendment construction phase services tasks.

Amendment No. 5 allows for additional time for the 3<sup>rd</sup> and 4<sup>th</sup> Amendment tasks to be carried out approximately through the end of June 2025. As these tasks are on a time and materials basis, only the actual project hours worked by HGM will be billed.

A copy of the scope is attached.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HGM ASSOCIATES, INC., OMAHA, NEBRASKA FOR ADDITIONAL CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE EAST LA VISTA SEWER AND PAVEMENT REHABILITATION PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$191,337.00.

WHEREAS, the Mayor and City Council have determined that professional services for additional construction phase services associated with the East La Vista Sewer and Pavement Rehabilitation Project are necessary; and

WHEREAS, the FY25/FY25 Biennial Budget includes funding for this project; and

WHEREAS, Subsection © (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, do hereby approve amendment No. 5 to the professional services agreement with HGM Associates, Inc. for additional construction phase services associated with the East La Vista Sewer and Pavement Rehabilitation Project in an additional amount not to exceed \$191,337.00.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Rachel D. Carl, CMC  
City Clerk



January 23, 2025

**Mr. Pat Dowse, P.E.**

City Engineer  
City of LaVista  
9900 Portal Road  
LaVista, Nebraska 68128

Subject: East LaVista Sewer and Pavement Rehabilitation Amendment No. 5  
Phase III Construction Administration Services Extension to 6/30/25  
HGM Project No. 702619

Dear Mr. Dowse:

HGM Associates would like to request an amendment to our agreement for additional Construction Phase Management and Observation Services due to the construction operations extending beyond the construction completion date of November 30, 2024 to an estimated completion date of June 30, 2025. This letter shall serve as Amendment Number Five (5) to our agreement dated June 4, 2019. This amendment consists of this letter and the attached Manhour & Fee Estimate labeled as Exhibit A.

HGM will provide these continuing Construction Phase Services on an hourly basis with our total estimated cost to be \$191,337.00. Additional Services will be charged on an hourly basis in accordance with our standard hourly rate schedule.

**City of La Vista**

January 23, 2025

Page 2 of 2

**Please indicate your authorization of these additional services by signing where indicated below and returning one original signed copy to this office; OR, you may then scan a complete set of this document and email in its entirety to HGM. We sincerely appreciate the opportunity to work with you.**

Yours very truly,  
**HGM ASSOCIATES INC. - CONSULTANT**



William J. Glismann, P.E.  
Senior Project Manager



Stephen W. Moffitt, P.E.  
Vice President

Authorization of Additional Services:  
City of LaVista

---

Authorized Signature

---

Printed Name & Title

---

Date

## EXHIBIT "A"

City of La Vista - East La Vista Construction Phase Services - Amendment #5

1/23/2025

### MANHOUR AND FEE ESTIMATE CONSTRUCTION ENGINEERING / OBSERVATION

		WJG	PAP	RJM	JLE	DEF	ZEH	JML+JDD	
Task	Task Description	Project Mgr	Constr Manager	Constr Observer	2nd Const Observer	RLS	CADD Tech	Survey Crew	Total
									0
									0
									0
									0
									0
									0
<b>Total Hours - 2024</b>		0	0	0	0	0	0	0	0
<b>Hourly Rate</b>		\$223.68	\$140.00	\$136.32	\$98.40	\$190.78	\$115.20	\$245.00	
<b>2024 Amount per Discipline</b>		\$0	\$0	\$0	\$0	\$0	\$0	\$0	
1	From 12/1/24 to 5/31/25								
	<b>2025 Construction - East La Vista Construction Phase Services (150 work days M-F, 31 weeks)</b>								
	Pre-Construction Activity								0
	Construction Phase	8	296	888	134				1326
	Post-Construction Activity								0
	Project Management	6							6
	Construction Survey								0
<b>Total Hours - 2025</b>		14	296	888	134	0	0	0	1332
<b>Hourly Rate</b>		\$244.61	\$154.72	\$140.48	\$130.08	\$202.23	\$122.11	\$259.70	
<b>2025 Amount per Discipline</b>		\$3,363	\$45,797	\$124,746	\$17,431	\$0	\$0	\$0	
<b>Grand Total Hours</b>		14	296	888	134	0	0	0	1332
<b>Amount per Discipline</b>		\$3,363	\$45,797	\$124,746	\$17,431	\$0	\$0	\$0	
<b>TOTAL DIRECT LABOR</b>									<b>\$191,337</b>
<b>TOTAL FEE</b>									<b>\$191,337</b>

**Working Day Calculation (See Next Tab)****2024      2025      Totals**

449 Contract Calendar Days	0	211	211
5/1/23 Start Date			
5/31/25 End Date			
259 Working Days (Mon-Sat)	0	148	148

65 Calendar Weeks

**Construction Observer**Preconstruction Phase  0 hours

Distribute Leaflets

Attend precon meeting

Review and approve construction schedule

Take, document and provide precon photos

**Construction Manager**Preconstruction Phase  0 hours

Create Information Leaflets

Arrange and direct precon meeting

Review and approve construction schedule

**Project Manager**Preconstruction Phase  0 hours

Manage resources

Contract administration

Attend precon meeting

Construction Phase - 1  6 hrs/day 5 days/wk

Maintain field documents

Input daily entries into Daily Report form

Monitor contractor for compliance

Review traffic control daily

Observe and record change order work

Mark removals per City standards

Document manhole conditions using provided software

Provide 2nd Observer for 25% of working days

Construction Phase - 1  2 hrs/day 5 days/wk

Establish document management system

Direct weekly meetings, take minutes

Process change order paperwork

Provide PR contact to respond to public

Act as Construction Observer when required

Overlap with other projects or Observer III

Construction Phase - 1  0.25 hrs/wk

Manage resources

Contract administration

Provide Engineering Assistance

Post Construction  0 hours

Final Walkthrough

Prepare Punchlist

Verify all work completed and approved

Post Construction  0 hours

Final Walkthrough

Prepare Punchlist

Verify all work completed and approved

Post Construction  0 hours

Final Walkthrough

Manage resources

Contract administration

Material Testing - included above

Perform on site tests

Acquire and record material certifications

Material Testing - included above

Perform on site tests

Acquire and record material certifications

Material Testing - Included above

Manage resources

Contract administration

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 4, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPROVE EXECUTIVE SEARCH & RECRUITMENT FIRM FOR CITY ADMINISTRATOR	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RITA RAMIREZ INTERIM CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared to approve the selection of MGT Impact Solutions, LLC, Northfield, IL to provide professional executive search and recruitment services associated with hiring a new City Administrator and to authorize the Interim City Administrator to negotiate a contract with said firm in the amount of \$25,000 plus search-related expenses in an amount not to exceed \$15,000.

**FISCAL IMPACT**

Funding is included in the FY25 annual budget.

**RECOMMENDATION**

Approval.

**BACKGROUND**

City Administrator Brenda Gunn's employment with the City ended on December 31, 2024. A national search process is recommended for this position to ensure that we identify and select the best candidate. This is the top leadership position in the organization and the person who holds this position is responsible for all aspects of the day-to-day operation of the City. It is critical that we find the right candidate.

Proposals were received from seven firms; four were interviewed. We narrowed to two firms and the Mayor visited with representatives and clients from both of those firms. The team is recommending that a contract be offered to MGT.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO APPROVE THE SELECTION OF MGT IMPACT SOLUTIONS, LLC, NORTHFIELD, IL, TO PROVIDE PROFESSIONAL EXECUTIVE SEARCH AND RECRUITMENT SERVICES ASSOCIATED WITH THE HIRING OF A NEW CITY ADMINISTRATOR IN THE AMOUNT OF \$25,000.00 PLUS SEARCH-RELATED EXPENSES IN AN AMOUNT NOT TO EXCEED \$15,000.00.

WHEREAS, the City Council of the City of La Vista has determined that assistance in filling the City Administrator position is necessary; and

WHEREAS, the FY25/FY26 biennial budget provides funding for this; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby approve the selection of MGT Impact Solutions, LLC, Northfield, IL to provide professional executive search and recruitment services associated with the hiring of a new City Administrator in the amount of \$25,000.00 plus search-related expenses in an amount not to exceed \$15,000.00.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Rachel D. Carl, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 4, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE PAYMENT – COST SHARE W/ SARPY COUNTY – ARC GIS SNOWPLOW TRACKING	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing a payment to Sarpy County for La Vista's share of a joint ArcGIS snowplow tracking software program in an amount not to exceed \$11,250.

**FISCAL IMPACT**

The FY25/26 Biennial Budget provides funding for the proposed payment.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Approximately one year ago, Sarpy County I.T. along with public works representatives from the cities of La Vista, Papillion, Bellevue, and Gretna met to explore the possibility of pursuing a joint effort to track the progress of snow removal throughout Sarpy County. The goal was to find a platform that met the needs of each of the participating entities throughout the county, provided the necessary information to the public about snow removal progress, and provided significant cost savings to each participating entity by sharing a similar platform. This ultimately led to the selection of ESRI ArcGIS snow removal tracking software that will be housed and maintained by Sarpy County I.T. The cities of La Vista and Papillion would participate with Sarpy County in this effort, with the costs being shared 50% by Sarpy County, 25% by La Vista, and 25% by Papillion.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING PAYMENT TO SARPY COUNTY FOR THE SHARE OF A JOINT ARCGIS SNOWPLOW TRACKING SOFTWARE PROGRAM IN AN AMOUNT NOT TO EXCEED \$11,250.00.

WHEREAS, the City Council of the City of La Vista has determined that payment to Sarpy County for the share of a joint ArcGIS Snowplow Tracking Software Program is necessary; and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed payment; 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 payment to Sarpy County for La Vista's share of a joint ArcGIS Snowplow Tracking Software Program in an amount not to exceed \$11,250.00.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Rachel D. Carl, CMC  
City Clerk



# INVOICE

Company: City of La Vista  
Address: 8116 Park View Blvd  
Address:  
City, State, Zip: La Vista, NE 68128

**1210 Golden Gate Drive  
Papillion, NE 68046  
Phone: 402-593-4133  
Fax: 402-593-4304  
[www.sarpy.gov](http://www.sarpy.gov)**

Attn: rsouth@cityoflavista.org

INVOICE # **1859-TS**

INVOICE DATE: **10/24/2024**

**DUE DATE:** upon receipt

Please make checks payable to: **Sarpy County**  
and remit to:



Mikala Gansemer  
Sarpy County Fiscal Administration  
1210 Golden Gate Drive  
Papillion, NE 68046

Payments/Credits	a	\$	-
<b>TOTAL DUE</b>		\$	<b>11,250.00</b>

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 4, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE PURCHASE – TRAINING SIMULATOR	◆ RESOLUTION ORDINANCE RECEIVE/FILE	TODD ARMBRUST POLICE CAPTAIN

**SYNOPSIS**

A resolution has been prepared to approve the purchase of one (1) DART MAX virtual firearms training simulator from Digimation, Lake Mary, FL in an amount not to exceed \$19,550.

**FISCAL IMPACT**

The FY25/FY26 Biennial Budget includes funding for the proposed purchase.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The DART MAX virtual firearms training simulator would be an addition to our virtual training program. The Police Department currently has two (2) DART virtual training systems. The DART MAX would replace one of these systems and become the primary training platform for virtual firearms and use of force scenario-based training. One current system would be traded in as part of the purchase price for DART MAX and the other DART system would remain in inventory and be used as a supplementary training platform.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) DART MAX VIRTUAL TRAINING SIMULATOR FROM DIGIMATION, LAKE MARY, FL IN AN AMOUNT NOT TO EXCEED \$19,550.00.

WHEREAS, the City Council of the City of La Vista has determined the purchase of one (1) Dart Max Virtual Training Simulator is necessary, and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed purchase; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) Dart Max Virtual Training Simulator from Digimation, Lake Mary, FL in an amount not to exceed \$19,550.00.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Rachel D. Carl, CMC  
City Clerk



Quote

**From:**  
Remit Payment To | checks payable to "Digimation"  
Digimation | DART Range  
1705 W. Lake Mary Blvd.  
Lake Mary, Florida 32746  
(407) 833-0600  
Federal Tax ID 72-126 2714

Quote Number	1746-7966
Quote Date	January 9, 2025
Valid Until	February 28, 2025
<b>Total</b>	<b>\$19,550.00</b>

**To:**  
La Vista Police Department  
kgomon@cityoflavista.org

Hrs/Qty	Service	Rate/Price	Sub Total
1	DART MAX   Hardware Migration Credit \$9,500.00 + \$3,000.00 VP discount applied below Includes laptop computer, wireless mouse, HD short-throw projector, 25-watt speaker, USB camera, hard case, and Range software.	\$27,950.00	\$27,950.00
1	MAX DTA - Blocks 1 and 2   Software Migration Credit \$2,000.00 applied below Training modules consisting of video instruction and customized drills designed to focus on specific, real-world learning objectives	\$2,950.00	\$2,950.00
1	MAX Studio   Software Migration Credit \$2,000.00 + \$4,000.00 VP discount applied below Software with enhanced capabilities for creating cost and-type situations using realistic DTA targets.	\$8,950.00	\$8,950.00
1	Pistol Drills for MAX *Discounted \$500.00 below* Assorted pistol drills	\$500.00	\$500.00
1	Reactive Range Course Pack *Discounted \$500.00 below* Reactive range courses	\$500.00	\$500.00
1	Traffic Stop for MAX *Discounted \$500.00 below* Video-based traffic stop scenarios	\$500.00	\$500.00
1	Shipping UPS Ground	\$200.00	\$200.00
		Sub Total	\$41,550.00
		Tax	\$0.00
		Discount	-\$22,000.00
		<b>Total</b>	<b>\$19,550.00</b>

Questions? Contact Dave Nielsen at [daven@dartrange.com](mailto:daven@dartrange.com) or (407) 280-1169.

**THIS PRICING EXPIRES FEBRUARY 28, 2025.**

FREE DART Technical Training offered in Lake Mary, Florida (within 1 year of purchase)

7% sales tax for all Florida businesses without tax-exempt status.

\*\*3% processing fee will be added for credit card payments\*\*

Thanks for choosing DART | [hello@dartrange.com](mailto:hello@dartrange.com)

# DART MAX

DART MAX™ simulated firearms training provides a realistic, flexible, and cost-effective approach to developing, improving, and maintaining firearm proficiency and decision making skills.

## **The need for innovation in simulation training.**

For decades, simulation training has proven to be an effective, cost-efficient way to improve firearm proficiency and critical decision making skills. It is also highly regarded as a way to experience and learn from life-threatening situations in a safe environment.

Yet, simulation systems themselves have changed very little since they were first introduced. For the past forty years, simulators have remained large, expensive, and based on outdated video technology. This lack of innovation has kept simulation training out of the hands of a majority of those who could benefit from it.

## **Introducing the future of firearms training.**

DART MAX brings advanced simulation training to law enforcement and military personnel by offering features you would expect from more expensive systems; including multiple lanes, shooters, and weapons - but at a price that is surprisingly lower.

But DART MAX goes much further than affordability by introducing capabilities not found anywhere else. We invite you to compare the technology behind MAX, the number of training options available, its advanced courseware authoring, and realism with any other simulator at any price.

## **Accessible training is the key to frequency.**

Firearms and related skills can only be developed through frequent and effective training, but that can't occur if a simulation system is too large, too expensive, or too complex to use. DART MAX eliminates these barriers to frequent use that are inherent in traditional simulation training.

**Portable.** DART MAX requires very little space, so it can transform virtually any room into a training center and move easily between locations.

**Affordable.** The main deterrent to simulation training has always been the cost of ownership, so DART MAX is reasonably priced and budget-friendly.

**Easy.** In the past, simulators were well known for being difficult to learn and use. DART MAX is intuitively designed so setup and use are easy.

**Versatile.** Legacy simulators based on older video technology did not lend themselves to repeat training. DART MAX incorporates more training options so that lessons are always fresh. In addition, MAX's powerful, courseware authoring allows you to tailor training content to the specific needs of your team. This encourages frequent training and leads to better-prepared individuals.



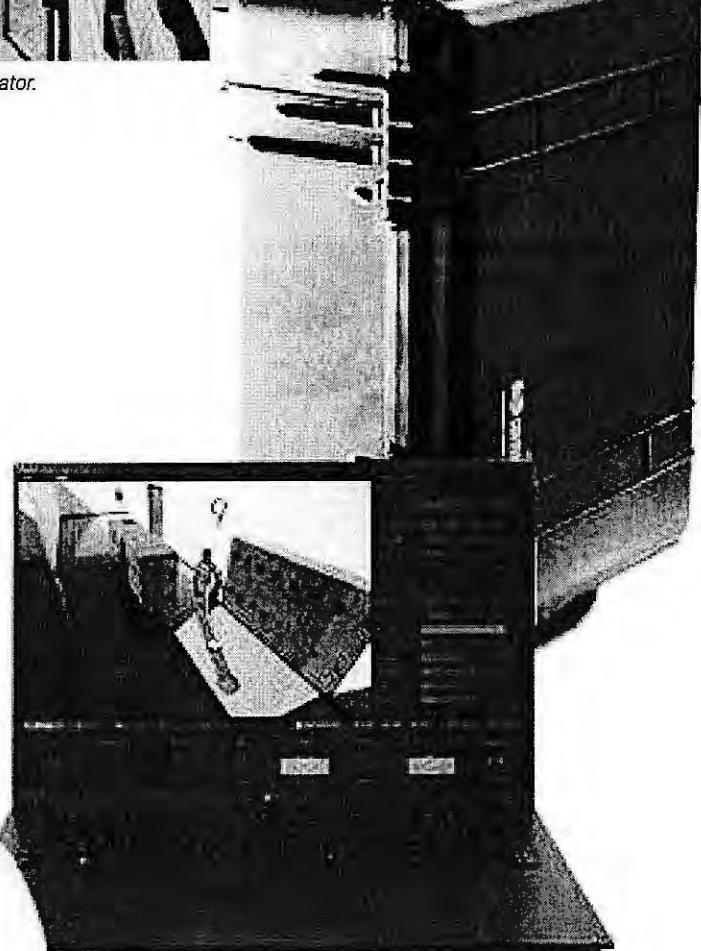
*DART MAX offers the most realistic visuals ever created for a firearms training simulator.*

## **Portable, Affordable, and Easy to Use**

DART MAX comes packaged in a single 24x16x10 inch case, which is exceptionally easy to transport and stow. The simulator can be set up virtually anywhere, which increases accessibility. As training accessibility increases, so does usage.

A complete DART MAX system costs less than \$30,000, and software updates and technical support are always free. And since the availability and cost of ammunition are no longer limiting factors, your officers can practice more often. Training frequency increases while training costs decrease.

Of course, all of this doesn't mean a thing if the system is too difficult to learn and use, which is why we made DART MAX simple enough for a single individual to use - without the need for a dedicated system admin.





*Every human character in a course or scenario can be assigned its own behaviors and mortality parameters.*

## What a Simulator is Supposed To Do

An important part of a training simulator's job is to simulate real-life situations and environments as accurately as possible. Realistic and immersive visuals capture the attention of trainees and keeps them engaged, which is essential for maintaining focus throughout training. Not only does this lead to better retention and skill development, but a high degree of realism can also evoke an emotional response. This type of engagement helps trainees learn how to manage stress, make decisions under pressure, and handle their emotions effectively.

These are just some of the reasons that we focused on making DART MAX the most realistic training simulator ever developed. More realistic than VR. More realistic than video.

That's because realism in DART MAX extends past visual fidelity to include behaviors, actions, and reactions. Consider a scenario in which an armed suspect begins firing at you. In a typical video-based system, if you shoot the suspect (anywhere) they'll die. But is that realistic?

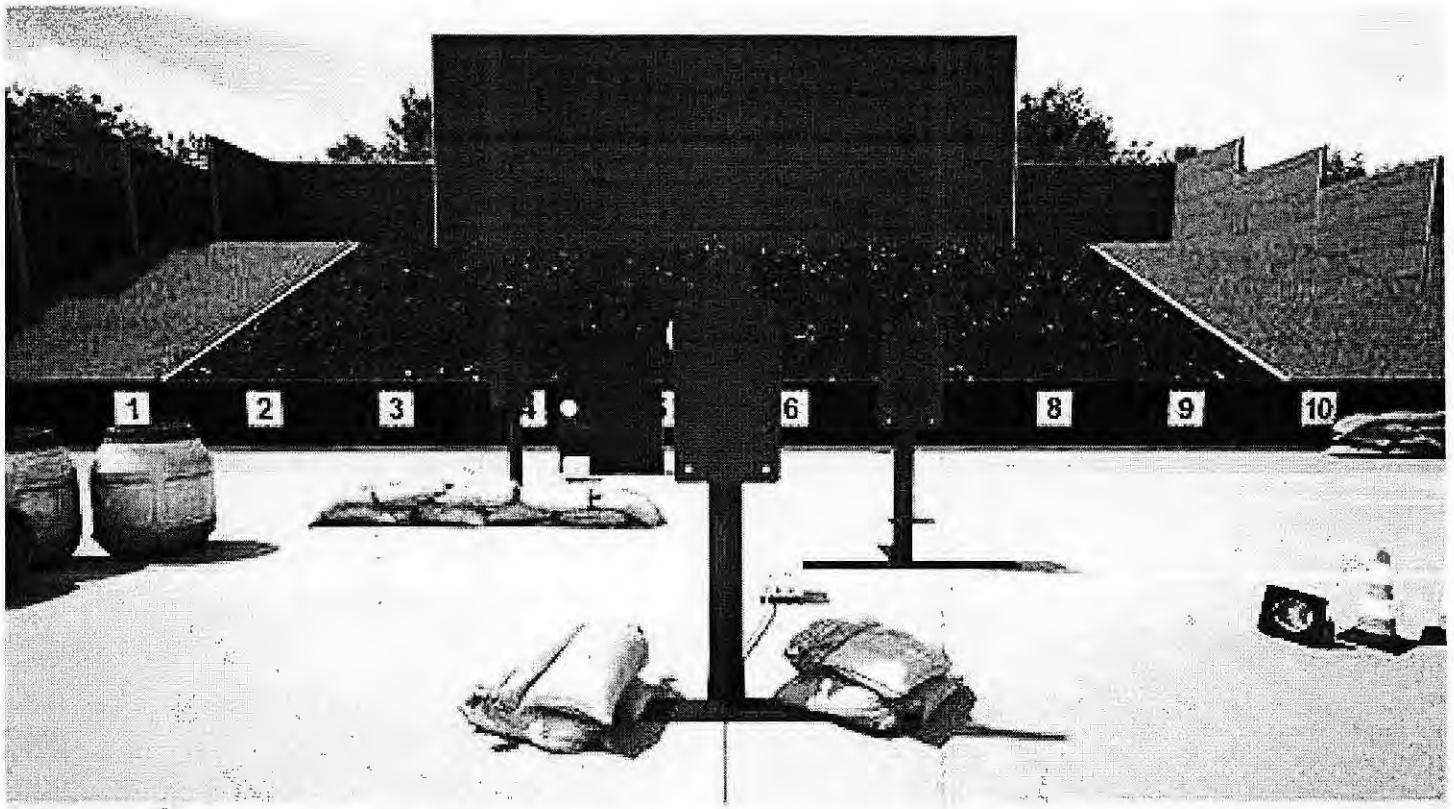
In DART MAX, human characters can react and respond in a number of ways. A single hit might stop the suspect - or maybe it won't.

A shot to the leg may cause the suspect to attempt to retreat, slow down, or give up. A single shot to the pelvis can be set to bring a subject down, where a hit to the chest may not. These rules can be purposely set or randomly assigned so that trainees cannot predict how a situation will unfold - even after running the same course multiple times.

The result is a simulation that is much more realistic and comparable to what a trainee may actually experience.

And isn't that what a simulator is supposed to do?





*DART MAX is the most realistic virtual firing range available.*

## **The Range was Never Like This**

Traditional ranges are an important part of learning and developing firearm skills, but even the most sophisticated ranges have limitations that prevent them from being used to practice many critical skills.

The types of targets are limited and they move little, if at all. Perhaps of most concern is that the shooter's movement is highly restricted, which may actually run counter to what an officer or warfighter should do in case of a life-threatening situation.

DART MAX brings the world's most versatile firing range inside your building. Not only does it provide a high degree of visual fidelity, it encourages trainees to move, take cover, and respond to threats as they would if the circumstances were real.

- Up to six lanes, shooters, and weapons at once
- Virtually unlimited target options including traditional flat targets, 3D reactive targets, TruTargets™ (realistic people), video, and more.
- Any number of targets can be used - each with unrestricted movement and custom behaviors.
- Up to 15 hit zones per target with settings for start times, hits to fall, reset time, scoring, audio, and more.



*DART MAX makes it easy to setup and run quick practice sessions. Set limits for time and ammunition. Pick an environment and time of day, and drag in a selection of targets - from familiar 2D silhouettes to reactive 3D targets.*



TruTargets are both realistic and intelligent, with the ability to respond to action within and outside the simulation.

## Advanced Courseware Creation

Training needs change and evolve over time – and so should your training content. With changing mission goals and regulations, training priorities can shift quickly. That's why DART MAX was designed with custom drill and course creation in mind.

With MAX, you're able to create effective courseware and drills targeted specifically to your needs. Plus, MAX is the only simulator that makes it easy to share courses and training content with others.

## Maximum Training Options

DART MAX is the first simulator to combine hyper-realistic 3D graphics and video in one immersive training environment. This allows DART MAX courseware to contain any combination of these elements:

- 2D Targets (traditional paper and silhouette targets)
- 3D Targets
- Reactive Targets (poppers, Texas stars, Ivans, etc.)
- Smart Targets™ (targets with embedded AI that make course creation even easier)
- TruTargets™ (the most realistic people you'll encounter in a firearms simulator)
- Video Scenarios (full screen video)
- Video Targets (innovative video clips of people with selectable poses, movement, and behaviors)
- 3D Environments (realistic indoor and outdoor locations)
- 3D Props, Lights, and Cameras

Simply put, it's easy to create scenarios and drills in DART MAX that would be impossible on any other system, and laser focused on the skill and proficiency level you are training to. This means trainees who are more engaged in their training and thus better prepared for the challenges of the job.





DART Red Fire works with third-party products like the SKIFTECH tactical vest and Scorpion shock band to simulate gun fire from characters within the simulation.

## Push Your Training Even Further with Red Fire™

DART Red Fire is an optional accessory for DART MAX that can activate compatible third-party devices - such as a lightweight tactical vest worn by the shooter - when predefined events, like gun fire, happen in the simulation.



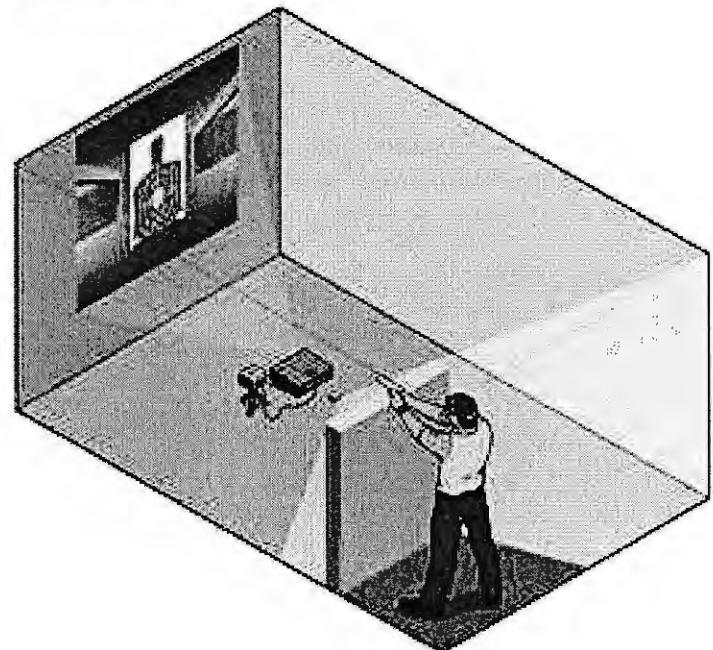
The SKIFTECH tactical vest fits comfortably over a trainee's outfit and uses multiple sensors to capture hits from simulated gunfire or explosions.

The SKIFTECH stress band adds even more realism to your training by creating a physical stimulus when a trainee is "shot". The stress band is a safe way to bring stress-based training to DART MAX courses.



## Cover Training

In wide mode, Red Fire can use a sensor vest to detect a room-wide "shot" that will activate unless the trainee is behind cover.



Contact Information  
[dartrange.com](http://dartrange.com)  
[hello@dartrange.com](mailto:hello@dartrange.com)  
(407) 833-0600

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 4, 2025 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
84 <sup>TH</sup> STREET REDEVELOPMENT AREA – ENTERTAINMENT DISTRICT	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	RITA RAMIREZ INTERIM CITY ADMINISTRATOR

**SYNOPSIS**

An Ordinance and Resolution are presented to amend the Municipal Code, authorize entertainment districts in the 84<sup>th</sup> Street Redevelopment Area and entertainment district liquor licenses, and designate the Astro and upper level of the Link as an initial entertainment district.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approve.

**BACKGROUND**

State Statutes authorize a city to designate an entertainment district, allowing retail liquor licensees abutting commons area within such district to obtain an entertainment district license for sale and consumption on premises within such commons area. The Ordinance presented would add Municipal Code §§114.32-114.38 authorizing entertainment districts within the 84<sup>th</sup> Street Redevelopment Area. The Resolution would designate the Astro and plaza, restroom, concession and other areas of the upper level of the Link, and ingress and egress to and from such upper level, on Lot 2, La Vista City Centre Replat Four, as an initial entertainment district, with such parts of the Link, ingress and egress being commons area.

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

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND CHAPTER 114 OF THE LA VISTA MUNICIPAL CODE GOVERNING ALCOHOLIC LIQUORS TO ADD §§114.32 THROUGH 114.38 AUTHORIZING ENTERTAINMENT DISTRICTS, COMMONS AREAS AND ENTERTAINMENT DISTRICT LICENSES, AND SPECIFYING RELATED PROVISIONS; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR SEVERABILITY, PUBLICATION, AND AN EFFECTIVE DATE.

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

**SECTION 1. AMENDMENT OF LA VISTA MUNICIPAL CODE.** The La Vista Municipal Code is amended by adding §§114.32 through 114.38 titled ENTERTAINMENT DISTRICT LICENSES as follows:

“§114.32 Intent. The Mayor and City Council declare that the intent of the City Council in adopting the provisions of this subchapter include, but are not limited to:

- A. Furthering the purposes of the Redevelopment Plan “84<sup>th</sup> Street Redevelopment Area,” as amended, (“Redevelopment Plan”) and elimination and prevention of recurrence of substandard and blighted areas of the 84<sup>th</sup> Street Redevelopment Area (“Redevelopment Area”);
- B. Providing additional exciting, vibrant and diverse entertainment options within the Redevelopment Area;
- C. Attracting residents and visitors to the Redevelopment Area and use of public, recreational, entertainment and other improvements within such Area;
- D. Maximizing the impact of investment within the Redevelopment Area to achieve the purposes of the Redevelopment Plan by enhancing the appeal and utilization of such public, recreational, entertainment and other improvements within the Redevelopment Area;
- E. Generating additional City revenues to pay for improvements within the Redevelopment Area and further redevelop, eliminate and prevent recurrence of substandard and blighted areas within the Redevelopment Area;
- F. Providing for regulation of any designated Entertainment Districts within the 84<sup>th</sup> Street Redevelopment Area, and Commons Areas and Entertainment District Licensees within any such Districts; and
- G. Protecting the health, safety, welfare and public interest of the City, its residents and visitors in connection with any such Entertainment Districts.

§114.33 Definitions. For purposes of §§114.32 through 114.38, the following definitions shall apply unless Applicable Law or context clearly indicates or requires a different meaning.

- A. *Applicable Law* means applicable provisions of the La Vista Municipal Code, City Ordinances or Nebraska Statutes, or any policies, rules or regulations thereunder, as adopted or amended from time to time, including without limitation La Vista Municipal Code §§114.32 through 114.38, the Liquor Control Act and the Community Development Law, and.
- B. *Commons Area* means an area of City or private property, including without limitation any City or private right of way, within the 84<sup>th</sup> Street Redevelopment Area that is:
  - 1. Within an Entertainment District designated by the City Council;
  - 2. Shared by authorized licensees with Entertainment District Licenses;
  - 3. Abutting the licensed premises of such licensees;
  - 4. Having limited pedestrian accessibility by use of a physical barrier, either on a permanent or temporary basis; and
  - 5. Closed to vehicular traffic when used as a Commons Area.

With respect to any Commons Area that includes City property, a permit or other authorization or permission of the City Council, Mayor, City Administrator or Community Development Director allowing temporary use of City property shall be required for such City property to constitute or be used as Commons Area within an Entertainment District for the sale or consumption of alcoholic liquor pursuant

to an Entertainment District License, and any such City property shall constitute Commons Area and be used for such purposes only during such times and subject to such terms and conditions as specified in such permit or other authorization or permission to use such City property. At all other times, such City property shall not constitute Commons Area, sale or consumption of alcoholic liquor on premises within such Commons Area pursuant to an Entertainment District License shall not be allowed, and such City property shall be used by the City, general public or by such persons and for such purposes as the City in its sole discretion determines appropriate. Further, upon expiration, suspension, revocation or termination of any such permit or other authorization or permission to use City property, use of such City property as Commons Area by any Entertainment District Licensee pursuant to §§114.32 through 114.38 automatically shall cease without any notice or other action required by the City, and without any right to or expectation of any extension or additional or further permit or other authorization or permission of any Entertainment District Licensee to use such City property. Notwithstanding the provisions of any permit or other authorization or permission of the City or §§114.32 through 114.38 to the contrary, any permit or other authorization or permission providing for City property as Commons Area shall be subject to access by the City, its officials and employees at all times, and further subject to suspension, revocation or termination at any time, with or without cause, as the City Administrator or Community Development Director in her or his sole discretion determines necessary or appropriate for City purposes, immediately upon written notice to the permit holder, in which case such City property shall return to such uses and purposes as the City Administrator or Community Development Director determines appropriate.

- C. *Community Development Law* means Neb. Rev. Stat. §§18-2101 through 18-2157.
- D. *Eligible Licensee* means a retail, craft brewery, micro distillery or manufacturer's licensee of licensed premises within, and abutting Commons Area of, a designated Entertainment District, and that may obtain an Entertainment District License for sale of alcoholic liquor for consumption on premises within such Commons Area pursuant to the Liquor Control Act and La Vista Municipal Code §§114.32 through 114.38.
- E. *Entertainment District or District* means one or more areas of real property within the 84<sup>th</sup> Street Redevelopment Area from time to time designated by the City Council and including Commons Area within which the sale of alcoholic liquor by Eligible Licensees for consumption on premises may be permitted pursuant to an Entertainment District License.
- F. *Entertainment District License* means a license issued pursuant to the Liquor Control Act by the Liquor Control Commission to an Eligible Licensee within an Entertainment District for consumption on premises within Commons Area of such Entertainment District that abuts the licensed premises of such Eligible Licensee. Consumption of alcoholic liquor in a Commons Area only shall occur in accordance with the provisions of §§114.32 through 114.38, including without limitation the hours specified in §114.36 below.
- G. *Entertainment District Licensee* means the holder of any Entertainment District License.
- H. *Liquor Control Act* means the Nebraska Liquor Control Act set forth in Neb. Rev. Stat. §§53-101 through 53-1,122.
- I. *Liquor Control Commission or Commission* means the Nebraska Liquor Control Commission.
- J. *Owner* means an entity that, directly, or indirectly through one or more affiliates, (1) owns or controls one or more parcels of real property, or (2) is under common ownership or control with one or more entities that own or control one or more parcels of real property.
- K. *Promotional Association* means an association formed pursuant Nebraska law under the circumstances described in §114.34(B), which is organized for the purpose of applying for and maintaining an Entertainment District designation and

Commons Area permit, and membership of which shall consist of the licensed premises of all Entertainment District Licensees abutting Commons Area of such Entertainment District. The Promotional Association shall have authority to manage and control the Commons Area while used as such pursuant to any Entertainment District License.

- L. *84<sup>th</sup> Street Redevelopment Area* means the 84<sup>th</sup> Street Redevelopment Area identified in the City of La Vista Redevelopment Plan “84<sup>th</sup> Street Redevelopment Area” as approved or amended from time to time by the City.
- M. *Redevelopment Documents* mean the Redevelopment Plan “84<sup>th</sup> Street Redevelopment Area” and related Redevelopment Agreement and Subdivision Agreement, as approved or amended from time to time by the City of La Vista or La Vista Community Development Agency.

#### §114.34 Entertainment Districts.

- A. **Proposed District.** The Mayor, City Council, any Eligible Licensee or Promotional Association may propose an Entertainment District within the 84<sup>th</sup> Street Redevelopment Area. Any such Eligible Licensee or Promotional Association that desires the designation of an Entertainment District shall specify the boundaries of the proposed Entertainment District and Commons Area, and satisfy any application, plan, specification, submittal or other requirements from time to time specified by the City Administrator or Community Development Director, and pay all applicable fees.
- B. **Designation.** From time to time, the City Council in its sole discretion may elect to consider or by ordinance or resolution designate any area of real property within the 84<sup>th</sup> Street Redevelopment Area as an Entertainment District, subject to any conditions it determines appropriate. The City Clerk shall be authorized to issue a Commons Area permit to an entity that is the Owner of all private property constituting the Commons Area and licensed premises of Eligible Licensees abutting such Commons Area, or to a Promotional Association if private property constituting the Commons Area and licensed premises of Entertainment District Licensees abutting such Commons Area has two or more unrelated Owners. Provided, however, if any proposed Entertainment District includes any City property as Commons Area, a permit or other authorization or permission of the City shall be required, allowing use of such City property, which requirement the City Administrator or Community Development Director may determine is satisfied by any permit or other authorization or permission in effect when the Entertainment District is designated, or subsequently granted, and in which case such permit or other authorization or permission also shall constitute the Commons Area permit for purposes of §§114.32 through 114.38.

Except as otherwise provided in §§114.32 through 114.38 to the contrary, designation of an Entertainment District shall be for such duration and subject to such terms and conditions as specified by ordinance or resolution or in any permit or other authorization or permission in connection with such designation or Commons Area. In the event of any conflict between or among the terms of any such ordinance, resolution, permit or other authorization or permission, the City Administrator in her or his sole discretion shall determine the terms that govern, control and best serve the interests of the City. The City Council may elect to review, and extend or renew, any Entertainment District designation or Commons Area permit or other authorization or permission for one or more additional periods of such duration and on such terms and conditions it determines appropriate, subject to any additional filings and requirements as specified by the City Administrator or Community Development Director, and payment of any applicable fees.

- C. **Revocation.** The City Council in its sole discretion at any time may terminate, revoke or suspend the designation of an Entertainment District or Commons Area permit if it finds that such District or Commons Area, or any part thereof, is contrary to the public health, safety, welfare or interests or has become a nuisance.
- D. **Filing Requirements.** The City Clerk on behalf of the City Council shall file with the Liquor Control Commission any designation, termination or revocation of an Entertainment District by the City Council.

§114.35 Entertainment District License. Any Eligible Licensee of licensed premises abutting a Commons Area within a designated Entertainment District may apply to the Liquor Control Commission for an Entertainment District License authorizing the sale of alcohol for consumption on premises of such Commons Area, by filing such forms as the Commission prescribes and paying such application, permit, license or other fees as specified by ordinance or State Statutes, including without limitation Neb. Rev. Stat. §53-123.17. The Commission will notify and provide the City Clerk a copy of any application for an Entertainment District License that is filed. The application will be processed in accordance with the Liquor Control Act, including without limitation §53-132 and notice and public hearing requirements of subsection 53-134(7).

§114.36 Commons Area. In addition to any other applicable terms or conditions:

- A. Only the holder of an Entertainment District License or employees of such licensee may sell or dispense alcoholic liquor in Commons Area while it is being used as such.
- B. Consumption of alcoholic liquor on premises within Commons Area pursuant to an Entertainment District License only shall occur:
  1. During such hours that use of the Commons Area as such is allowed by the owner or owner's agent of such Commons Area, subject to the limitations and requirements of §§114.32 through 114.38, §114.46 or Nebraska Statutes §53-179, and
  2. While food service is available in such Commons Area.
- C. An Entertainment District Licensee shall serve alcoholic liquor to be consumed in the Commons Area in containers that prominently display such licensee's trade name or logo or some other mark that is unique to the licensee under the licensee's retail, craft brewery, microdistillery or manufacturer's license.
- D. Entertainment District Licensees of an Entertainment District may allow alcohol sold by such Entertainment District Licensees to enter the Commons Area or any licensed premises of any Entertainment District Licensee within such District. No Entertainment District Licensees shall allow alcoholic liquor beyond the applicable Commons Area or licensed premises of Entertainment District Licensees within the Entertainment District.
- E. The City Council, by ordinance not inconsistent with the Liquor Control Act, may regulate any designated Entertainment District.

§114.37 Additional Provisions.

- A. The Commons Area permit holder shall have primary responsibility for receiving and promptly addressing and resolving any complaints regarding such Commons Area or Entertainment District. Such Commons Area permit holder at all times shall maintain on file with the City current contact information of the manager responsible for the Commons Area and resolving any complaints within the Commons Area while it is being used as such, and shall maintain at its offices within the Entertainment District current written records of all such complaints, responses and resolutions connected with the Commons Area while used as such and for five years after such use ends, which records shall be available for inspection or audit by the City Administrator, Chief of Police or Community Development Director upon request.
- B. The City Council may impose additional rules with respect to a Commons Area permit, the Entertainment District, or the operation of businesses in the Entertainment District, including without limitation rules regarding boundaries, barriers, access, design, types of business and uses, hours of operation, and types of events.
- C. Not in limitation of any other provisions of §§114.32 through 114.38, the City Council in its sole discretion may amend, suspend, terminate, revoke, or elect not to approve any application or proposal to renew an Entertainment District designation or issuance of a Commons Area permit if the City Council

determines that:

1. The Entertainment District or Commons Area failed or fails to satisfy any requirements of §§114.32 through 114.38, the Liquor Control Act, or any terms or conditions of an Entertainment District or Commons Area permit;
2. The Entertainment District or Commons Area is contrary to the public health, safety, welfare or interests or has become a nuisance; or
3. The initial or renewal application is, or includes information that is, false, misleading, or fraudulent

D. **Notification Requirements.** Commons Area permit holders and Entertainment District Licensees within an Entertainment District each shall provide written notification to the City Clerk of any change in ownership, operation, management or legal status of any Owner of such Commons Area permit holder, Entertainment District Licensee, Commons Area, or licensed premises of such Entertainment District Licensee as soon as possible and in all cases not more than 30 days after learning of the change. Any such change that the Mayor or City Administrator determines is material shall require such City approval as the Mayor or City Administrator determines appropriate.

E. An Entertainment District designation and Commons Area permit shall be for the duration specified by ordinance or resolution designating the Entertainment District, or in any permit or other authorization or permission in connection with such designation or Commons Area, except: (1) as otherwise provided in §§114.32 through 114.38, (2) if all Commons Area and licensed premises of Entertainment District Licensees within the Entertainment District directly, or indirectly through affiliated entities, are owned by the same Owner, and the ownership changes such that one or more parcels are owned by two or more Owners, such designation and permit shall expire six months following the date of such change, if elected by the City Council or City Administrator, or (3) if a Promotional Association is the Commons Area permit holder and the Promotional Association is dissolved, the designation and permit shall expire immediately, unless other arrangements are made to the satisfaction of the City Administrator or Community Development Director.

F. Any reference in §§114.32 through 114.38 to any elected or appointed official, officer or employee of the City shall mean the referenced official, officer or employee, or any designees of such official, officer or employee.

G. References in §§114.32 through 114.38 to provisions of State Statute or the La Vista Municipal Code shall mean such provisions as enacted, adopted or amended from time to time.

H. **Violations.**

1. It shall be unlawful for any Eligible Licensee or Commons Area permit holder to violate any provisions of §§114.32 through 114.38 or conditions of any Entertainment District designation or Commons Area permit, including without limitation selling alcoholic liquor for consumption on premises of Commons Area without a current Commons Area permit and Entertainment District License in effect.
2. Not in limitation of any other provisions of §§114.32 through 114.38, any Entertainment District License shall be subject to revocation, cancellation, or suspension for any violation or breach of any applicable provisions of the La Vista Municipal Code, State Statutes or any applicable licenses, permits, conditions, rules or regulations governing the applicable Entertainment District License, Entertainment District Licensee, Entertainment District, Commons Area, Eligible Licensee or licensed premises.

**§114.38 Construction.** Sections 114.32 through 114.38 are enacted pursuant to Applicable Law, and City exercise of authority granted by such Applicable Law and the Redevelopment Documents. Such provisions, powers conferred by such provisions, and the exercise of such powers, shall be additional and supplemental to, independent of, and

separate from any other laws or their exercise, and considered complete and independent and not amendatory of or limited by, provisions of or powers conferred by any other law, or their exercise. All provisions, grants or exercise of power, authority, rights or discretion, and all actions of the City or any official, officer, employee or agent of the City, shall be liberally construed. All incidental powers necessary to carry into effect said provisions are hereby expressly granted and conferred. Such provisions shall be full authority for the powers granted therein and the exercise of such powers, and no additional action, proceeding or election shall be required to authorize, exercise or carry out any such provisions, except as expressly provided therein to the contrary. Such provisions shall govern and control the sale and consumption of alcoholic liquor within Commons Area when used as such pursuant to an Entertainment District License. Notwithstanding any provisions of the La Vista Municipal Code to the contrary, if any provisions of §§114.32 through 114.38 are contrary to or inconsistent with any other provisions of the La Vista Municipal Code or any ordinance, the provisions of §§114.32 through 114.38 shall govern and control."

**SECTION 2. REPEAL OF CONFLICTING PROVISIONS.** Any Ordinances or parts of Ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

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

**SECTION 4. PUBLICATION AND EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in book, pamphlet or electronic form in accordance with applicable law.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Rachel D. Carl, CMC  
City Clerk

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DESIGNATING AN ENTERTAINMENT DISTRICT PURSUANT TO LA VISTA MUNICIPAL CODE §§114.32 THROUGH 114.38; AND AUTHORIZING FURTHER ACTIONS.

WHEREAS, La Vista Municipal Code §§114.32 through 114.38 ("Entertainment District Code Provisions") provide for the City Council to designate Entertainment Districts within the 84<sup>th</sup> Street Redevelopment Area permitting sale of alcoholic liquor for consumption on premises within Commons Area of such Districts by retail, craft brewery, micro distillery, or manufacturer's licensees of licensed premises abutting such Commons Area pursuant to Entertainment District Liquor Licenses.

WHEREAS, the City Council desires to designate an Entertainment District pursuant to the Entertainment District Code Provisions.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby designates La Vista City Centre Entertainment District 1 ("Entertainment District 1" or "District 1") consisting of such parcels, commons area and boundaries as preliminarily described or depicted in Exhibit A presented with this Resolution and incorporated herein by reference, effective the first day of the calendar month beginning after this Resolution is adopted. The term of La Vista City Centre Entertainment District 1 shall be one year and automatically shall renew thereafter for one or more additional terms of one year, subject to any election of the City Council before the first day of any renewal period not to renew District 1 for an additional year, or termination, revocation or otherwise pursuant to La Vista Municipal Code §§114.32 through 114.38.

BE IT FURTHER RESOLVED that the City Clerk or her designee shall be authorized and directed to file this Resolution and designation of Entertainment District 1 with the Nebraska Liquor Control Commission.

BE IT FURTHER RESOLVED that the City Planner or City Engineer shall be authorized to revise the description or depiction of District 1 in Exhibit A as he determines necessary or appropriate to accurately describe or depict such District 1 or as required by the Nebraska Liquor Control Commission.

BE IT FURTHER RESOLVED that the Mayor, City Administrator, City Clerk or City Planner, or any designee of the Mayor, City Administrator, City Clerk or City Planner, shall be authorized to take all actions as he or she determines necessary or appropriate to carry out the actions approved in this Resolution, including without limitation, issuing Commons Area or other permits on such terms and conditions as he or she determines appropriate.

BE IT FURTHER RESOLVED that recitals at the beginning of this Resolution are incorporated into this Resolution by reference.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY 2025.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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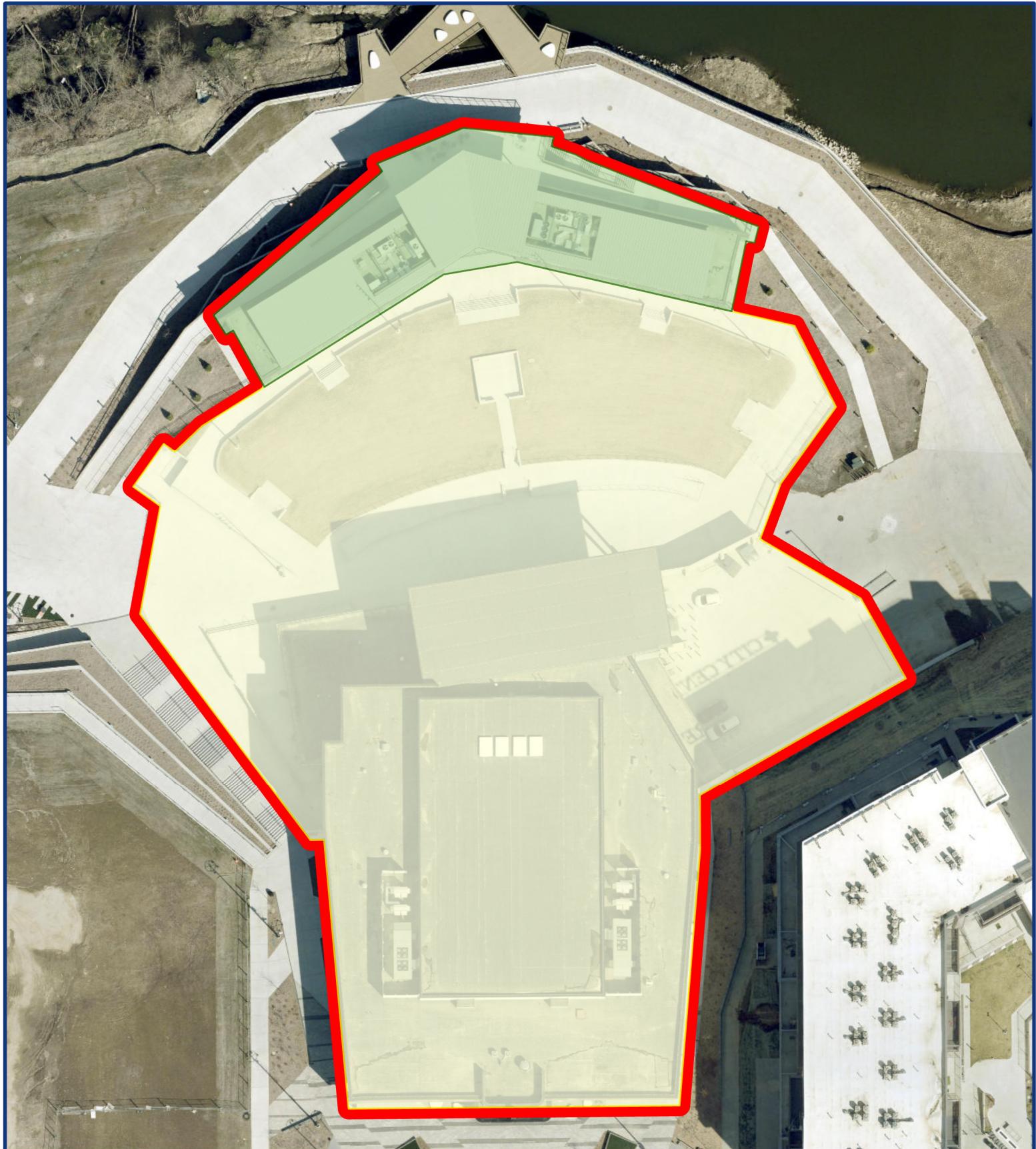
Rachel D. Carl, CMC  
City Clerk

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- Resolution Designating Entertainment District.docx

**EXHIBIT A**

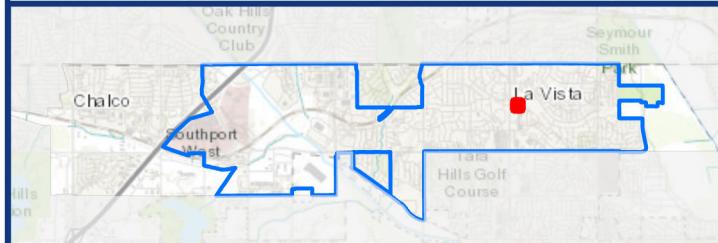
**ENTERTAINMENT DISTRICT**

La Vista City Centre Entertainment District 1 shall have and consist of the Astro on Lot 3, La Vista City Centre Replat Four, and plaza, restroom, concession and other areas of the upper level of the Link, and ingress and egress to and from such upper level, on Lot 2, La Vista City Centre Replat Four, with such parts of the Link, ingress and egress being commons area, as generally depicted on the following page of this Exhibit.



## Exhibit A

## Event Center Entertainment District



### Legend

- Commons Area (City)
- Event Venue (Private)
- Entertainment District Boundaries

