



***PROCLAMATION
PUBLIC SERVICE RECOGNITION WEEK***

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation functioning; and

WHEREAS, public employees take not only jobs, but oaths; and

WHEREAS, many public servants, including military personnel, police officers, and firefighters, risk their lives each day in service to the people of the United States and around the world; and

WHEREAS, public servants include countless occupations that day in and day out provide the diverse services demanded by the American people of their government with efficiency and integrity; and

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby proclaim the week of May 5 – 11, 2008 as **PUBLIC SERVICE RECOGNITION WEEK** in La Vista and encourage all citizens to recognize the accomplishments and contributions of government employees at all levels.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 6th day of May, 2008.



Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



***PROCLAMATION
BUILDING SAFETY WEEK 2008***

WHEREAS, through our continuing attention to building safer for everyday life and in times of disaster, we are confident that our structures are safe and sound; and

WHEREAS, building safety and fire prevention officials are at work year round to guide the safe construction of buildings; and

WHEREAS, Building Safety Week, sponsored by the International Code Council Foundation®, reminds the public about the critical role of our community's largely unknown guardians of public safety – our local code officials – who help prevent countless fires and accidents; and

WHEREAS, the theme, "*Building Safety: Where You Live, Work and Play*" encourages all Americans to raise awareness of the importance of building safety. Everyone can take appropriate steps to ensure that the places where we live, work, play, and learn are safe. Countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby proclaim that May 5 through May 11, 2008 is Building Safety Week in La Vista. Accordingly our citizens are encouraged to join communities across America to participate in Building Safety Week activities.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 6th day of May, 2008.



Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



**PROCLAMATION
NATIONAL POLICE WEEK**

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police week; and

WHEREAS, the members of the La Vista Police Department play an essential role in safeguarding the rights and freedoms of La Vista; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the La Vista Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, call upon all citizens of La Vista and upon all patriotic, civic, and educational organizations to observe the week of May 11 through May 17th, 2008 as **NATIONAL POLICE WEEK** in La Vista and call upon all citizens and civic organizations to observe this week with appropriate ceremonies commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. I further call upon all citizens of La Vista to observe Tuesday, May 13, 2008 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 6th day of May, 2008.



Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



***PROCLAMATION
MUNICIPAL CLERKS' WEEK***

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerks continually strives to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of Municipal Clerk.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby proclaim the week of May 4 – 10, 2008 as **MUNICIPAL CLERKS' WEEK** in La Vista and further extend appreciation to our Municipal Clerk, Pam Buethe, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 6th day of May, 2008.



Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING April 15, 2008

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on April 15, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Assistant Recreation Director Karlson, Public Works Director Soucie, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on April 3, 2008. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection within 10 days after said meeting and prior to the next convened meeting of said body.

Mayor Kindig called the meeting to order and led the audience in the pledge of allegiance.

Mayor Kindig made an announcement of the location of the posted copy of the Open Meetings Act for public reference.

PROCLAMATIONS – NATIONAL VOLUNTEER WEEK, ARBOR DAY, NATIONAL SAFE KIDS WEEK

Mayor Kindig presented a proclamation to Fire Chief Uhl and Building and Grounds Director Archibald (who is a La Vista Volunteer Fireman) for National Volunteer Week from April 27th through May 3rd.

Mayor Kindig presented a proclamation to Recreation Director Stopak for Arbor Day, April 25th. Stopak informed Council the City of La Vista had recently received the Tree City, USA award for the 17th straight year.

Mayor Kindig read a proclamation for National Safe Kids Week from April 28, 2008 through May 6th.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM APRIL 1, 2008**
- 3. APPROVAL OF CITY COUNCIL CIP WORKSHOP MINUTES FROM APRIL 1, 2008**
- 4. KEYSTONE TRAIL-LA VISTA LINK**
- a. PAY REQUEST NO. 4 FROM THOMPSON, DREESSEN & DORNER, INC. FOR ENGINEERING SERVICES - \$4,500.04**
- 5. PAY REQUEST NO. 2 FROM THE AUSTIN PETERS GROUP, INC. FOR COMPENSATION STUDY - \$3,697.50**
- 6. PAY REQUEST NO. 4 FROM LEO A DALY FOR MUNICIPAL FACILITIES PLAN - \$9,000.00**
- 7. PAY REQUEST NO. 7 FROM JOHN Q. HAMMONS FOR CONSTRUCTION LOAN - \$903,656.81**
- 8. CHANGE ORDER NO. 1 FROM HUNTEL COMMUNICATIONS FOR WIRELESS UPGRADE - \$3,030.42**
- 9. APPROVAL OF CLAIMS**

Councilmember McLaughlin made a motion to approve the consent agenda. Seconded by Councilmember Ellerbeck. Councilmember Sell reviewed the claims for this period and reported that he found everything to be in order. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Abstain: Sell. Absent: None. Motion carried.

A.S.A., Fees	1,760.00
ACCENT DRYWALL SUPPLY, Bldg & Grnds	99.84
ACTION BATTERIES, Vehicle Supplies	322.21
ADAMSON INDUSTRIES, Vehicle Maint.	764.90
AKSARBEN HEATING/ARS, Refund	24.75
ALAMAR UNIFORMS, Wearing Apparel	279.92

MINUTE RECORD

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

April 15, 2008

ALEX, MARY, Travel	240.67
AMERICAN FENCE, Bldg & Grnds	22.56
AMERICAN LEGAL, Contract Services	95.00
AMSAN, Supplies	264.86
AQUILA, Utilities	13,903.20
ARAMARK UNIFORM, Contract Services	127.99
AUDIOVISUAL, Equipment	262.00
AUSTIN PETERS GROUP, Training	2,600.00
BAKER & TAYLOR BOOKS, Books	111.63
BATTERY ZONE, Supplies	64.72
BBC AUDIOBOOKS, Media	189.63
BEACON ATHLETICS, Bldg & Grnds	856.00
BENNINGTON IMPLEMENT, Vehicle Maint.	460.39
BENSON RECORDS, Contract Services	50.88
BEST CARE EMPLOYEE ASST, Contract Services	2,131.50
BOB'S RADIATOR REPAIR, Vehicle Maint.	66.50
BRODART, Books	61.75
BUETHE, PAM, Travel	165.64
BUILDERS SUPPLY, Bldg & Grnds	21.00
CARDMEMBER SERVICE-ELAN, Training/Travel/Supplies	5,787.75
CAVLOVIC, PAT, Travel	25.00
CENTER POINT PUBLISHING, Books	110.82
CITY OF OMAHA, Contract Services	34,117.86
CITY OF PAPILLION, Contract Services	15.00
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	937.18
COX, Contract Services	237.80
CUMMINS CENTRAL POWER, Vehicle Maint.	176.00
CZARNICK, MICHAEL, Travel	256.00
DASH MEDICAL GLOVES, Equip.	38.94
DON'S PIONEER UNIFORMS, Wearing Apparel	2,123.00
DOUGLAS COUNTY HEALTH DEPT, Training	200.00
DULTMEIER SALES & SERVICE, Vehicle Maint.	16.56
ENSLOW PUBLISHERS, Books	49.90
ENTERPRISE LOCKSMITHS, Bldg & Grnds	20.00
ENVIRO TECH, Street Maint.	3,710.70
FASTENAL, Vehicle Maint.	72.88
FERRELLGAS, Utilities	385.46
FILTER CARE, Vehicle Maint.	102.55
FITZGERALD SCHORR BARMETTLER, Professional Services	19,601.78
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,204.00
FOSTER, TERRY, Travel	25.00
GALE, Books	44.93
GALL'S, Wearing Apparel/Equip.	485.82
GASSERT, MIKE, Contract Services	22.00
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	907.27
GOLDMAN, JOHN, Telephone/Travel	370.98
GRAINGER, Bldg & Grnds	12.90
GRAYBAR ELECTRIC, Bldg & Grnds	311.11
GREAT PLAINS ONE-CALL SVC, Contract Services	268.16
GREAT WESTERN BANK, Fees	250.00
GREENKEEPER, Supplies	363.00
GREGER, CHRIS, Training	178.75
GUIDANCE SOFTWARE, Training	997.50
HALPAIN, LEAH, Contract Service	48.75
HAYES ENVIRONMENTAL, Engineering Design	3,200.00
HELWIG, JOHN, Travel	25.00
HOBBY LOBBY, Supplies	38.00
HOLIDAY INN, Travel	419.65
HOME DEPOT, Bldg & Grnds	7.49
HONEYMAN RENT-ALL, Repair	46.30
HOST COFFEE SERVICE, Concessions	22.00
IVERSON, DENNIS, Travel	50.00
J Q OFFICE EQUIPMENT, Contract Services	46.37
JOHNSTONE SUPPLY, Bldg & Grnds	105.38
KELLER, RON, Travel	25.00
KEYSTONE RIDGE DESIGNS, Land & Const. Pymts	17,006.25
KRIZ-DAVIS COMPANY, Bldg & Grnds	265.32
KROGER-DILLON, Supplies	141.85

MINUTE RECORD

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

April 15, 2008

KUSTOM SIGNALS, Vehicle Maint.	233.48
LANDS' END, Deferred Revenue	63.50
LANGLEY ANIMAL HOSPITAL, Contract Services	80.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	1,146.00
LIBRARY ADVANTAGE, Supplies	925.00
LINWELD, Street Maint.	118.42
LIVE OAK MEDIA, Media	20.26
LODES, CHRIS, Contract Services	90.00
LOU'S SPORTING GOODS, Equip./Wearing Apparel	481.33
LUEBBERT, RAY, Travel	25.00
LUPOMECH, CATHY, Travel	174.73
METAL SUPERMARKETS, Bldg & Grnds	297.81
METRO UMPIRES, Contract Services	3,956.00
METROPOLITAN COMMUNITY COLLEGE, Utilities/Telephone	10,953.31
MID CON SYSTEMS, Vehicle Maint.	54.90
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	350.68
MIDWEST TURF & IRRIGATION, Maint.	78.51
NEBRASKA CHAPTER APWA, Training	1,000.00
NEBRASKA STATE VOLUNTEER, Training	375.00
NEBRASKALAND CONF BLDG OFFCL, Dues	145.00
NEUMAN EQUIPMENT COMPANY, Vehicle Maint.	116.00
NEW YORK TIMES, Books	13.00
NMC, Vehicle Maint.	87.34
OABR PRINT SHOP, Printing	226.04
ODEY'S, Bldg & Grnds	108.91
OFFICE DEPOT, Supplies	29.69
OFFUTT YOUTH CENTER, Contract Services	432.00
OMAHA COMPOUND COMPANY, Supplies	313.23
OMG MIDWEST, Repair	1,543.65
OPPD, Utilities	34,439.57
ORIZON, Professional Services	25,915.50
PAPILLION TIRE, Vehicle Maint.	76.07
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	468.44
PAYLESS, Supplies	397.02
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	4.87
PRECISION INDUSTRIES, Vehicle Maint.	454.25
PROPERTY SERVICES, Supplies	504.00
QWEST, Telephone	128.54
R & R PRODUCTS, Bldg & Grnds	193.84
RAMIREZ, JOHN, Contract Services	22.00
RAPPOLD, KYLE, Travel	25.00
REGENCY HOMES, Refund	2,795.31
ROY SR, RICK, Travel	25.00
SAFETY-KLEEN, Contract Services	363.91
SAM'S CLUB, Supplies/Concessions/ Equip.	2,333.81
SARPY COUNTY CHAMBER OF, Travel	245.00
SEDLACEK, TIM, Travel	25.00
SEVENER, DUTCH, Travel	25.00
SHERWIN-WILLIAMS, Bldg & Grnds	174.48
SOUKIE, JOSEPH, Travel	135.00
SUBURBAN NEWSPAPERS, Legal Advertising	538.67
SUMMER KITCHEN, Deferred Revenue	57.92
SUPERIOR TRANSIT SALES, Vehicle Maint.	12.94
THOMPSON DREESSEN & DORNER, Professional Services/	11,413.14
THOMPSON, JAMES, Travel	256.00
THREE RING ENTERPRISES, Vehicle Maint.	1,254.88
TRACTOR SUPPLY COMPANY, Vehicle Maint.	138.31
TURFWERKS, Vehicle Maint.	325.00
U S ASPHALT COMPANY, Street Maint.	883.95
UPS, Postage	35.34
UPSTART, Library Supplies	229.82
WARD, DON, Travel	50.00
WPS MEDICARE PART B, Rescue Revenue	257.26
YOST, JOHN, Travel	50.00

MINUTE RECORD

April 15, 2008

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council of the burglary/arson at the Dollar Tree. He stated there were multiple suspects that set displays on fire and damaged the interior. The Police Department is working on leads in the case.

Police Chief Uhl informed Council that the 2nd Citizen's Fire Academy, which was held on April 5th & 6th, consisted of 8 participants. He believes the Volunteer Fire Department will have 6 or 7 good candidates during the next round of recruiting.

Public Works Director Soucie informed Council the City's Annual Clean Up Days will be held this Friday and Saturday, April 18th and 19th, from 7:00 a.m. to 3:30 p.m. He stated that televisions and computers will be accepted this year. Soucie informed Council that; the Portal Road construction from 101st to 105th Street has been completed; the installation of "No Parking" signs within the newly annexed subdivisions is completed; and the Annual Manhole Golf Tournaments, sponsored this year by Papillion, will be held on May 22, 2008.

Building and Grounds Director Archibald informed Council that a new contract with Qwest has been negotiated and the new programming is nearly complete. This will result in a monthly savings of \$1,150.00.

Recreation Director Stopak informed Council the tree planting event will be held on May 2nd at City Park. Stopak informed Council of an upcoming Employee/Spouse golf league, which will begin in May and continue for 9 weeks.

Library Director Iwan introduced Jody Tangeman, the new Assistant Director/Children's Services Librarian at the La Vista Public Library.

B. RESOLUTION – FIRE DISTRICT MERGER

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-033: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PAPILLION FIRE PROTECTION DISTRICT FOR PARTIAL MERGER AND CHANGE OF BOUNDARIES AND APPROVING THE APPORTIONMENT OF DEBT.

WHEREAS, by reason of annexations the City of La Vista has annexed a part of the territory within a fire protection district and Neb. Rev. Stat. §31-766 requires that by mutual agreement an equitable distribution of the assets, liabilities, maintenance and other obligations shall be determined and submitted to the district court for approval of such merger and change in boundaries of the fire protection district; and

WHEREAS, the City Attorney has prepared an agreement to merge and change the boundaries as well as establish the apportionment of debt which is \$0.00.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the Mayor to execute an agreement with the Papillion Fire Protection District for partial merger and change of boundaries to reflect the September 4, 2007 annexation Val Verde, SID #198; Southwind, Villas at Southwind, Southwind Two and Windstone, SID #200; and certain adjacent land by the City of La Vista, which included areas of the Papillion Fire Protection District.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. RESOLUTION – ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT – WATER'S EDGE AQUATIC DESIGN

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-034: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT WITH WATER'S EDGE AQUATIC DESIGN, LENEXA, KANSAS, FOR ADDITIONAL PROFESSIONAL SERVICES ASSOCIATED WITH THE DEVELOPMENT OF A CONCEPTUAL AQUATICS FACILITY PLAN IN AN AMOUNT NOT TO EXCEED \$7,700.

MINUTE RECORD

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

April 15, 2008

WHEREAS, Water's Edge Aquatic Design, Lenexa, Kansas has prepared and presented a Municipal Aquatics Study and has provided professional services associated with the development of a conceptual plan for a municipal aquatic facility; and

WHEREAS, additional professional services are needed in order to complete the conceptual planning process; and

WHEREAS, funding has been included in the FY 07/08 municipal budget.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that staff is hereby authorized to execute an Addendum to the professional services agreement with Water's Edge Aquatic Design, Lenexa, Kansas, for additional professional services associated with the development of a conceptual aquatics facility plan in an amount not to exceed \$7,700.

Seconded by Councilmember Sell. Councilmember Carlisle asked the Company was going to submit two designs. City Administrator Gunn explained that one design would have a lazy river, the other would not. Councilmember Sheehan asked the expected time frame to receive the new designs. City Administrator Gunn stated she does not have a design completion time at this date. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – AUTHORIZATION TO PURCHASE PAGERS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-035: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIFTEEN MOTOROLA MINITOR V PAGERS FROM D & D COMMUNICATIONS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,140.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase pagers for the Fire Department; and

WHEREAS, funds are provided in the FY 07/08 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of these pagers will reduce dual response times and enhance the ability for the signal to reach responders located in weak or fringe signal areas; 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 authorizes the purchase of fifteen Motorola Minitor V pagers from D & D Communications, Omaha, Nebraska in an amount not to exceed \$7,140.00.

Seconded by Councilmember McLaughlin. Councilmember Sheehan asked if the City is buying or leasing the equipment. Councilmember Sheehan asked if the pagers are being bought or leased. Fire Chief Uhl stated that they are being purchased and at this time, there is no option to lease these emergency pagers. Councilmember Sell asked if there is a trade in for the old pager. Uhl stated that these pagers have a one year warranty and there is currently a buy back program for each old or broken pager turned in for each new one purchased. Mayor Kindig asked how often the pagers have needed repairs. Uhl stated that the current pagers which are being replaced are fifteen years old and the new ones should have the same life expectancy. The pagers rarely require repair. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

E. RESOLUTION – AUTHORIZATION TO PURCHASE MOWING EQUIPMENT

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-036: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2008 JOHN DEERE 1445 FRONT MOWER; TWO (2) 2008 JOHN DEERE 1445 FRONT MOWERS WITH SNOW EQUIPMENT AND ONE (1) 2008 JOHN DEERE Z830A Z-TRAK MOWER FROM A & M GREEN POWER, 15508 2ND AVENUE, PLATTSMOUTH, NE 68048, IN AN AMOUNT NOT TO EXCEED \$73,995.82.

MINUTE RECORD

April 15, 2008

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

- WHEREAS, the City Council of the City of La Vista has determined that the purchase of said mowing equipment for the Public Works Department is necessary; and
- WHEREAS, the FY 2007/08 General Fund Parks Operating Budget did include funds for the purchase of said mowing equipment; and
- WHEREAS, the City Council authorized the solicitation of bids for said mowing equipment on March 18, 2008, and
- WHEREAS A & M Green Power of Plattsmouth, Nebraska, has submitted the low, compliant bid, and
- WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska designate A & M Green Power, Plattsmouth, Nebraska as the low compliant bid for one (1) 2008 John Deere 1445 Front Mower; two (2) 2008 John Deere 1445 Front Mowers with Snow Removal Equipment and one (1) 2008 John Deere Z830A Z-Trak Mower in an amount not to exceed \$73,995.82.

Seconded by Councilmember Ellerbeck. Councilmember Sell asked for a description of a Z-Trak. Public Works Director Soucie stated the Z-Trak is a zero turn mower. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

F. RESOLUTION – COUNCIL POLICY STATEMENT – SAFETY COMMITTEE

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-037: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE ORGANIZATION, RESPONSIBILITIES, AND TENURE OF THE MEMBERS OF THE CITY SAFETY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

- WHEREAS, the City Council of the City of La Vista has determined a Council Policy Statement regarding the La Vista Safety Committee is necessary; and
- WHEREAS, a recommendation by the City Administrator, in consultation with staff has been made regarding procedures pertaining to the organization, responsibilities and appointment; and
- WHEREAS, the recommended policy is in compliance with state statute.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the organization, responsibilities and tenure of members of the city's Safety Committee.

Seconded by Councilmember Carlisle. Councilmember Sheehan stated that he expected more of an update on incidents. City Administrator Gunn stated more information is available and staff will provide the information to Council. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

G. CORPORATE MANAGER APPLICATION – CLASS I LIQUOR LICENSE OF LA VISTA KENO INC DBA LA VISTA KENO

Councilmember McLaughlin motioned to approve the Corporate Manager Application – Class I Liquor License of La Vista Keno Inc. dba La Vista Keno.

Seconded by Councilmember Sell. The Mayor noted for the record that the proposed corporate manager, Kimberly Armstrong, was in attendance at the meeting. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

H. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT **1. PUBLIC HEARING**

MINUTE RECORD

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

April 15, 2008

At 7:28 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Citizen Advisory Review Committee – EDP Report. The Committee's report was filed with the Mayor and City Council and available at the meeting. Doug Kellner, of the Citizen Advisory Review Committee, was available to answer any questions.

At 7:29 p.m. Councilmember Sell made a motion to close the public hearing. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

Councilmember Sheehan motioned to approve the EDP Report. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

I. RESOLUTION – PRODUCTION SERVICES AGREEMENT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-038: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PARTICIPATION AGREEMENT WITH THE ECONOMIC REPORT (PRODUCTION COMPANY) TO PRODUCE A MARKETING FEATURE SEGMENT ON THE CITY OF LA VISTA.

WHEREAS, the Mayor and City Council wish to encourage business retention, expansion, attraction and entrepreneurship in La Vista; and

WHEREAS, the projected loss of Wal Mart from the 84th Street corridor has emphasized the need for the City to provide professional community information to prospective developers and retailers; and

WHEREAS the Mayor and City Council recognize the importance of allocating resources to market the comparative advantages of La Vista; and

WHEREAS, specialized marketing services are required to develop a marketing feature to promote economic development and sell prospects on La Vista; and

WHEREAS, the proposed FY 2007/08 Lottery fund contains funding for economic development related marketing; and

WHEREAS, the City will own the complete licensing rights to a marketing feature segment produced by The Economic Report and aired both nationally and regionally for an amount not to exceed \$19,700.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the Mayor is hereby authorized to execute a participation agreement with the Economic Report (Production Company) to produce a marketing feature segment on the City of La Vista, satisfactory in form to the City Administrator.

Seconded by Councilmember McLaughlin. Councilmember Gowan asked how soon the marketing features would begin showing on television. City Administrator stated the ads will begin in July. Councilmember Sell asked if our legal council had approved the contract. City Attorney McKeon stated that the contract had been reviewed and any comments were given to City Administrator Gunn. Councilmember Sell asked where the funds to cover the cost were coming from. City Administrator Gunn responded that this expense would be paid out of the Lottery Fund. Councilmember Carlisle stated that she would vote against the resolution because the City does not have this expense item in the current budget. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, McLaughlin, Ellerbeck, and Gowan. Nays: Carlisle. Absent: None. Motion carried.

Councilmember Gowan made a motion to move "Comments from the Floor" up on the agenda ahead of Item J, "Executive Session". Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor and that any person desiring to make comments limit them to 3 – 5 minutes. There were no comments from the floor.

J. EXECUTIVE SESSION – LITIGATION STRATEGY SESSION – ORIENTAL TRADING COMPANY; LAND ACQUISITION

MINUTE RECORD

April 15, 2008

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

At 7:32 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a Litigation Strategy Session regarding Oriental Trading Company and to provide negotiating guidance regarding land acquisition. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:52 p.m. the Council came out of executive session. Councilmember Sell made a motion to reconvene in open and public session, noting that the discussion in executive session was limited to the subject matter contained in the original motion. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig congratulated Library Director Iwan and Library staff on a recent newspaper article in the La Vista Sun Newspaper.

Mayor Kindig stated there will be public informational meetings concerning the ½ cent Sales Tax issue on April 22nd at Portal Elementary and April 24th, at G. Stanley Hall; both at 7:00 p.m..

Councilmember Sell congratulated Councilmember Quick on the article about her in the Sunday Omaha World Herald.

At 8:03 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF MAY 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\08 COUNCIL MINUTES\April 15, 2008

City of LaVista
Park & Recreation Advisory Committee Minutes
April 16, 2008

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on March 19, 2008. Present were Recreation Director Scott Stopak, Chairperson Greg Johnson, Pat Lodes, John Vendetti Absent: Randall Cahill, George Forst

A notice of the meeting was given advance thereof by publication in the Times on April 10, 2008. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Chairperson Johnson called the meeting to order.

Seconded by Advisory Board Member Vendetti. Motion carried.

Recreation Director Stopak led the audience in the Pledge of Allegiance.

Recreation Director Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Chairperson Johnson made the motion to approve the consent agenda.

Seconded by Committee Member Vendetti. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Recreation Director Scott Stopak stated that Arbor Day is on April 25, 2008, however, the City will observe it on Friday, May 2, 2008. This is due to the fact that school is not in session on April 25th and cannot participate in the annual tree planting ceremony until May 2nd. The Mayor and a Recreation Department representative will join one school for the tree planting ceremony at City Park. The Park & Recreation Advisory Board members are invited to join in the ceremony.

The City of La Vista has been awarded Tree City for the 17th year in a row. Recreation Director Stopak accepted the award given by Governor Heineman at a ceremony in Lincoln on April 8th.

Program Director Rich Carstensen reported that the Hershey Track Meet is scheduled for April 27th. There are only 16 children registered, so if not more children register, it may have to be cancelled. La Vista is working with Papillion on this event. The Easter Egg Hunt held on March 22nd was a big success with over 1,000 children. 15,000 eggs and 100 prizes were given away. This year, we had over 75 volunteers and staff including La Vista Panthers baseball teams, La

Vista Scout groups, La Vista Senior Center, City Council members, Park and Recreation Advisory Board members, the La Vista Police Department, Public Works and the Recreation Departments, the La Vista Youth Athletic Association, La Vista Wrestling Club, Tackle Football and Cheerleading Club and the La Vista Lancers Soccer Club all donated \$300 toward the event. In an effort to provide more space and better parking, the City is looking into moving the Easter Egg Hunt to the Sports Complex next year.

Program Director Carstensen also reported on the Senior Center activities this month. Eastern Nebraska on Aging (ENOA) held a public meeting on Monday, April 14th to discuss the future of the lunch programs at the various senior centers. The goal is to raise the numbers for lunches at the centers. The Senior Center will also try to hold more variety of activities throughout the month.

Program Coordinator Burns reported that the start of the soccer season was delayed last week due to rain. We will try to begin this Saturday, April 19th. Flag football is in its 4th week. Youth softball and baseball teams have been formed, and t-ball and pinto baseball deadlines are April 30th. The men's basketball league is in its last week, with a tournament beginning April 27th. Women's volleyball is in its 9th week on Wednesday nights.

Recreation Director Stopak also reported that registrations for swimming pool passes have begun. Swimming Lesson registrations will begin on April 28th for residents of La Vista, and May 5th for non-residents. Also, the Aikido Martial Arts program is looking into availability to hold their Women's Self-Defense class on a permanent basis, having one class per month. Details are still being discussed.

Recreation Director Stopak reported that La Vista Falls golf course leagues are now forming with some due to begin soon. An employee golf league is also being promoted on Thursday evenings with tee times 6:30 to 7:30 p.m. All employees, elected and appointed officials, members of the Volunteer Fire Dept, family members and friends are invited to play on the league.

A Code of Conduct pamphlet was also distributed to Board members.

B. SWIMMING POOL CONCEPT DISCUSSION

The Swimming Pool Advisory Committee met last week and decisions were made to obtain new designs for the pool.

Chairperson Johnson stated that it was a good meeting with good suggestions. His major concern is with square footage and the maintenance costs of a lazy river.

Advisory Board Member Lodes commented that he believes that too much time was spent on a design that would be difficult for residents to approve. He thought the last meeting was productive and that the prior meetings should have had better direction.

Advisory Board Member Vendetti stated that those suggestions came from the citizens themselves from the surveys, open house, etc. There had to be a starting point, whether or not it took some time.

Chairperson Johnson said during these times, we are at a point to start looking at it economically.

Advisory Board Member Vendetti said he thought we needed to get things going because the pool may break down, then La Vista would not have a pool at all.

Chairperson Johnson said it would be good to get the revised designs by the beginning of summer, and possibly they could get out and talk to citizens about the new designs. The election should have large numbers this year, due to it being a presidential election, and a lot of people will be able to vote on the pool.

COMMENTS FROM THE FLOOR

No comments.

COMMENTS FROM COMMITTEE MEMBERS

Advisory Board Member Lodes asked if anyone was assigned to check on the fields when they are deemed unplayable due to weather. He reported that there were teams at the soccer complex on Sunday. He said those teams should not get permits to play on the fields.

Advisory Board Member Vendetti asked if a gate could be installed at the entrance to the complex and if people could be ticketed for illegal usage of fields.

Recreation Director Stopak stated that the Public Works Department employees or Recreation Dept. employees check the fields. Stopak will work with the Police Department and the Public Works Department to come up with a solution that is enforceable.

Advisory Board Member Lodes also asked how it was working for the teams to have to carry insurance to rent the fields.

Program Director Carstensen said this is the third year that teams had to carry liability insurance. It has proved very expensive for some teams, and the City has seen a decline of tournaments and revenue because of it.

ADJOURNMENT

Chairperson Johnson made the motion to adjourn. Seconded by Advisory Board Member Vendetti. Motion carried.

Meeting adjourned at 7:50 p.m.



City of La Vista
Attn: Brenda Gunn
8116 Park View Blvd
La Vista, NE 68128

INVOICE

April 16, 2008

Invoice No: 003-10050-000 - 0000005

Development of a Municipal Facilities Plan focusing on General Administrative services (Mayor/Council, Administration, City Clerk, Finance, and Public Buildings and Grounds), Community Development services, Recreation Department administrative services, and Public Works services.

Professional Services Through April 16, 2008**Fee**

Total Fee	60,000.00		
Percent Complete	65.00	Total Earned	39,000.00
		Previous Fee Billing	24,000.00
		Current Fee Billing	15,000.00
		Total Fee	15,000.00
		Total this Invoice	\$15,000.00

Billings to Date

	Current	Prior	Total
Fee	15,000.00	24,000.00	39,000.00
Totals	15,000.00	24,000.00	39,000.00

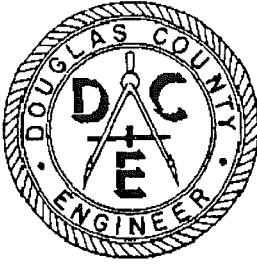
Please make checks payable to:

Leo A Daly Company
Attn: Accounting
8600 Indian Hills Drive
Omaha NE 68114

Tax ID: 47-0363104
Tel: (402) 391-8111
Fax: (402) 391-8564

Edward Vidlak

Consent.
R. Ramsey
4/28/08
05.71.0810.01



TOM DOYLE
DOUGLAS COUNTY ENGINEER

15505 West Maple Road
Omaha, Nebraska 68116-5173
(402) 444-6372
Fax: (402) 444-6244
engineer@co.douglas.ne.us

February 1, 2008

City of LaVista
Mr. Greg Goldman
Public Works Dept.
9900 Portal Road
LaVista, Nebraska 68128

RE: Douglas County Project No. SP-2005(09)
Bridge Rehab – at approximately 93rd & Harrison over BNSFRR

Dear Mr. Goldman:

Upon review of the costs for the referenced project, payments were issued to Transystems Design in the amount of \$19,730.58, JMN Construction in the amount of \$53,265.82 and also to Urettek in the amount of \$19,258.40 for a total of \$92,254.80.

LaVista shares 25% of these costs in the amount of \$23,063.70.

Please issue payment to the Douglas County Engineer, 15505 West Maple Road, Omaha Nebraska 68116.

Very truly yours,

Tom McDonald for Tom Doyle

Tom McDonald
Manager-Maintenance & Construction

TD:mr
Encl.

OK for payment
4-29-08
85,710.813,01



THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

April 18, 2008

Mr. Joe Soucie
Public Works Director
City of La Vista
8116 Park View Boulevard
La Vista, NE 68128

ROBERT E. DREESSEN, P.E.
NELSON J. HYMANS, P.E.
JAMES D. WARNER, L.S.
CHARLES E. RIGGS, P.E.
KA "KIP" P. SQUIRE III, P.E., S.E.
JOHN M. KOTTMANN, P.E.
ARTHUR D. BECCARD, P.E.
JOSEPH G. KOSINOVSKY, P.E.
DOUGLAS S. DREESSEN, P.E.
DEAN A. JAEGER, P.E.
RICHARD M. BROYLES, L.S.
DAVID H. NEEF, L.S.
RONALD M. KOENIG, L.S.
CHRIS E. DORNER, L.S.

TIMOTHY T. PAPSTEIN, P.E.
MICHAEL J. SMITH, L.S.
TROY J. NISSEN, P.E., S.E.
DOUGLAS E. KELLNER, P.E.
KEVIN L. TRUE, L.S.
GARY A. NORTON, P.E.
BRIAN L. LODES, P.E.
KURTIS L. ROHN, P.E.
JEFFREY L. THOMPSON, P.E.
DAREN A. KONDA, P.E.
MICHAEL T. CANIGLIA, L.S.
JEREMY T. STEENHOEK, P.E.
JOSHUA J. STORM, P.E.

RE: Keystone Trail-La Vista Link
Pay Request No. 7 for Engineering Services
Invoice No. 83219
TD² File No. 171-254.29

Joe:

Please find herewith Invoice No. 83219 in the amount of \$2,137.45. We are sending this invoice to you rather than City Hall since this should be reimbursed under your agreement with the NDOR for this project. Attached to the invoice is an itemization of the services and a progress report required by our Consultant Agreement with the City for this project.

Please let me know if we need to provide further information.

Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

Enclosure

cc: File

*OK for Payment
4-29-08 JF
05.71.0816.02*



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors
10836 Old Mill Road
Omaha, NE 68154

Invoice

CITY OF La VISTA
8116 PARKVIEW BOULEVARD
LA VISTA, NE 68128

April 18, 2008
Project No: 0171-254
Invoice No: 83219

Project 0171-254 BIG PAPIO TRAIL CONNECTION PO# 08-0085
Professional Services from March 3, 2008 to March 30, 2008

Payment Request No. 7 per Attached Documentation

Total this Invoice \$2,137.45

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.

KEYSTONE TRAIL - LA VISTA LINK
 PAYMENT REQUEST NO. 7 ITEMIZATION
 INVOICE NO. 83219

Labor

Name & Title	Title	Hours	Actual Rate/Hr.	Cost
John M. Kottmann	Senior Engineer	0	\$40.24	\$0.00
Brian Lodes	Staff Engineer	7	\$24.52	\$171.64
Roger Meyer	Sr. CADD Tech w/Eqpt.	22.5	\$24.20	\$544.50
Michael Smith	Registered Land Surveyor	0	\$27.31	\$0.00
David Pearson	Survey Party Chief	0	\$15.00	\$0.00
Brian Morgan	Survey Technician	0	\$13.00	\$0.00
Michael Skiles	Survey CADD Tech w/Eqpt.	0	\$17.00	\$0.00
Barb Mazurak	Clerical	0.75	\$19.15	\$14.36
Sub-Total				\$730.50
Direct Labor Subtotal				\$730.50
Overhead @ 166%				\$1,212.63
Sub-Total Labor & Overhead				\$1,943.14
Profit, 10% of Subtotal for Labor & Overhead				\$194.31
Total Labor, Overhead & Profit				\$2,137.45

Other Direct Costs

Reimbursable Expenses

Reproduction Services	\$0.00
Mileage	\$0.00
Data Collection Eqpt.	\$0.00
Sub-Total for Reimbursables	\$0.00

Total Estimated Professional Fees \$2,137.45

KEYSTONE TRAIL-LA VISTA LINK
PROJECT NO. ENH-77(50)
CONTROL NO. 22251
CONSULTANT AGREEMENT
PAY REQUEST NO. 7
PROGRESS REPORT

Environmental Reviews	90%
Topo. Survey, ROW & Utility Information	100%
Preliminary Design	100%
Final Design	60%
Final P, S & E	0%
Bidding Phase	0%

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL

1	Bank of Nebraska (600-873)								
		45932			Payroll Checks				
Thru		45935							
		45936			Gap in Checks				
Thru		92506							
		92507	4/16/2008	257	SOUTHEAST AREA CLERK'S ASSN	80.00			**MANUAL**
		92508	4/16/2008	1194	QUALITY BRANDS OF OMAHA	198.90			**MANUAL**
		92509	4/16/2008	3909	LEO A DALY COMPANY	9,000.00			**MANUAL**
		92510	4/16/2008	3754	AUSTIN PETERS GROUP INC	3,697.50			**MANUAL**
		92511	4/16/2008	143	THOMPSON DREESSEN & DORNER	4,500.04			**MANUAL**
		92512	4/16/2008	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	372.00			**MANUAL**
		92513	4/24/2008	3955	EYE ON AMERICA TV	19,700.00	**CLEARED**	**VOIDED**	**MANUAL**
		92514	4/24/2008	480	UNITED STATES POSTAL SERVICE	1,296.91			**MANUAL**
		92515	4/24/2008	944	NE DEPT OF REVENUE-LOTT/51	79,411.70			**MANUAL**
		92516	4/29/2008	3955	EYE ON AMERICA TV	19,700.00			**MANUAL**
		92517	4/30/2008	1194	QUALITY BRANDS OF OMAHA	350.00			**MANUAL**
		92518	4/30/2008	1270	PREMIER-MIDWEST BEVERAGE CO	104.10			**MANUAL**
		92519	4/29/2008	615	MILLER BRANDS OF OMAHA INC	169.90			**MANUAL**
		92520	5/06/2008	3939	ACCENT DRYWALL SUPPLY COMPANY	99.84			
		92521	5/06/2008	762	ACTION BATTERIES UNLTD INC	96.74			
		92522	5/06/2008	765	ADT SECURITY SERVICES	221.69			
		92523	5/06/2008	2868	AIR POWER OF NEBRASKA	55.50			
		92524	5/06/2008	3807	ALADDIN CUSTOM SPORTSWEAR INC	29.46			
		92525	5/06/2008	571	ALAMAR UNIFORMS	119.98			
		92526	5/06/2008	720	AMERICAN LEGAL PUBLISHING CORP	250.00			
		92527	5/06/2008	435	ANDERSON FORD LINCOLN MERCURY	132.73			
		92528	5/06/2008	557	APWA-AMER PUBLIC WORKS ASSN	133.00			
		92529	5/06/2008	196	AQUILA	19.72			
		92530	5/06/2008	536	ARAMARK UNIFORM SERVICES INC	176.22			
		92531	5/06/2008	188	ASPHALT & CONCRETE MATERIALS	253.97			
		92532	5/06/2008	706	ASSOCIATED FIRE PROTECTION	53.50			
		92533	5/06/2008	201	BAKER & TAYLOR BOOKS	1,389.48			
		92534	5/06/2008	3875	BAKER, MARCUS	50.00			
		92535	5/06/2008	849	BARONE SECURITY SYSTEMS	780.00			
		92536	5/06/2008	929	BEACON BUILDING SERVICES	6,737.00			
		92537	5/06/2008	1784	BENNINGTON IMPLEMENT	909.95			
		92538	5/06/2008	410	BETTER BUSINESS EQUIPMENT	41.31			
		92539	5/06/2008	3119	BIRCH, ANN	197.00			
		92540	5/06/2008	3448	BIRCH, ANN	50.00			
		92541	5/06/2008	3841	BOLEY, MIKE	71.00			
		92542	5/06/2008	1242	BRENTWOOD AUTO WASH	184.00			
		92543	5/06/2008	117	BRODART	514.71			
		92544	5/06/2008	3703	BUETHE, PAM	100.00			
		92545	5/06/2008	3760	BUETHE, PAM	155.64			
		92546	5/06/2008	76	BUILDERS SUPPLY CO INC	198.89			
		92547	5/06/2008	1142	CANFIELD'S SPORTING GOODS	659.98			
		92548	5/06/2008	415	CAREERTRACK	195.00			
		92549	5/06/2008	1681	CARSTENSEN, RICH	95.60			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME						
CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
92550	5/06/2008	152	CITY OF OMAHA	38,401.44			
92551	5/06/2008	3176	COMP CHOICE INC	525.00			
92552	5/06/2008	3706	CORBIT, JEFF	100.00			
92553	5/06/2008	2433	DANIELSON/TECH SUPPLY INC	260.00			
92554	5/06/2008	3892	DILLON BROS HARLEY DAVIDSON	535.52			
92555	5/06/2008	2908	DIVERSE MEDIA INC	115.60			
92556	5/06/2008	127	DON'S PIONEER UNIFORMS	5,234.47			
92557	5/06/2008	3845	EBEL, TY	71.00			
92558	5/06/2008	1042	ED M. FELD EQUIPMENT	55.52			
92559	5/06/2008	3334	EDGEWEAR SCREEN PRINTING	1,300.50			
92560	5/06/2008	804	ELECTRIC FIXTURE & SUPPLY CO	100.24			
92561	5/06/2008	3776	ELECTRIC SPECIALTIES CO INC	120.00			
92562	5/06/2008	2566	ELECTRONIC ENGINEERING	104.41			
92563	5/06/2008	3251	ENSLOW PUBLISHERS INC	24.95			
92564	5/06/2008	1219	ENTERPRISE LOCKSMITHS INC	248.00			
92565	5/06/2008	2098	ERICKSON, RANDALL	100.00			
92566	5/06/2008	1927	ERICKSON, RANDY	71.00			
92567	5/06/2008	3789	ESRI INC	.00	**CLEARED**	**VOIDED**	
92568	5/06/2008	3789	ESRI INC	.00	**CLEARED**	**VOIDED**	
92569	5/06/2008	3789	ESRI INC	2,100.00			
92570	5/06/2008	3463	FARQUHAR, MIKE	100.00			
92571	5/06/2008	3159	FASTENAL COMPANY	11.01			
92572	5/06/2008	3460	FEDEX	42.60			
92573	5/06/2008	1235	FEDEX KINKO'S	20.45			
92574	5/06/2008	3007	FIRE-EXTRICATION-HAZMAT	28.00			
92575	5/06/2008	53	GCR OMAHA TRUCK TIRE CENTER	122.00			
92576	5/06/2008	35	GOLDMAN, JOHN G	40.00			
92577	5/06/2008	285	GRAYBAR ELECTRIC COMPANY INC	487.68			
92578	5/06/2008	1044	H & H CHEVROLET LLC	95.27			
92579	5/06/2008	426	HANEY SHOE STORE	120.00			
92580	5/06/2008	387	HARM'S CONCRETE INC	68.00			
92581	5/06/2008	433	HIGHSMITH CO INC	785.34			
92582	5/06/2008	513	HOSE & HANDLING INCORPORATED	39.84			
92583	5/06/2008	162	INLAND TRUCK PARTS	1,497.55			
92584	5/06/2008	311	JOE'S TOWING & REPAIR	84.00			
92585	5/06/2008	788	KINDIG, DOUGLAS	255.00			
92586	5/06/2008	926	LAMP RYNEARSON/ASSOCIATES INC	318.84			
92587	5/06/2008	381	LANDS' END BUSINESS OUTFITTERS	50.50			
92588	5/06/2008	942	LIBRA SAFETY PRODUCTS	24.00			
92589	5/06/2008	877	LINWELD	263.90			
92590	5/06/2008	838	LYMAN-RICHEY SAND & GRAVEL CO	191.26			
92591	5/06/2008	588	MENARDS-BELLEVUE	199.99			
92592	5/06/2008	872	METROPOLITAN COMMUNITY COLLEGE	14,544.61			
92593	5/06/2008	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
92594	5/06/2008	553	METROPOLITAN UTILITIES DIST.	763.95			
92595	5/06/2008	98	MICHAEL TODD AND COMPANY INC	480.00			
92596	5/06/2008	1046	MIDWEST TURF & IRRIGATION	900.18			
92597	5/06/2008	141	MOORE WALLACE	487.52			
92598	5/06/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92599	5/06/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92600	5/06/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92601	5/06/2008	1014	OFFICE DEPOT INC-CINCINNATI	854.46			
92602	5/06/2008	79	OMAHA COMPOUND COMPANY	149.71			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME						
CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
92603	5/06/2008	109	OMNIGRAPHICS	61.63			
92604	5/06/2008	976	PAPILLION TIRE INCORPORATED	182.55			
92605	5/06/2008	74	PITNEY BOWES INC-KY	221.00			
92606	5/06/2008	159	PRECISION INDUSTRIES INC	316.25			
92607	5/06/2008	802	QUILL CORPORATION	62.82			
92608	5/06/2008	219	QWEST	2,347.90			
92609	5/06/2008	427	RAMIREZ, RITA M	305.00			
92610	5/06/2008	191	READY MIXED CONCRETE COMPANY	137.20			
92611	5/06/2008	41	SALEM PRESS INCORPORATED	396.00			
92612	5/06/2008	487	SAPP BROS PETROLEUM INC	122.96			
92613	5/06/2008	503	SCHOLASTIC LIBRARY PUBLISHING	247.00			
92614	5/06/2008	533	SOUICIE, JOSEPH H JR	30.00			
92615	5/06/2008	437	SOUTHEAST LIBRARY SYSTEM	10.00			
92616	5/06/2008	871	STOPAK, SCOTT	371.66			
92617	5/06/2008	47	SUBURBAN NEWSPAPERS INC	152.40			
92618	5/06/2008	913	TARGET BANK	83.55			
92619	5/06/2008	264	TED'S MOWER SALES & SERVICE	64.08			
92620	5/06/2008	143	THOMPSON DREESSEN & DORNER	.00	**CLEARED**	**VOIDED**	
92621	5/06/2008	143	THOMPSON DREESSEN & DORNER	12,522.15			
92622	5/06/2008	167	U S ASPHALT COMPANY	672.02			
92623	5/06/2008	62	UNITED RENTALS INC	27.36			
92624	5/06/2008	269	UNITED SEEDS INCORPORATED	150.00			
92625	5/06/2008	33	UNIVERSITY OF NEBRASKA LINCOLN	100.00			
92626	5/06/2008	809	VERIZON WIRELESS, BELLEVUE	35.59			
92627	5/06/2008	78	WASTE MANAGEMENT NEBRASKA	972.70			
92628	5/06/2008	258	WATKINS CONCRETE BLOCK CO INC	64.80			
92629	5/06/2008	122	YANKEE HILL BRICK & TILE	30.57			
92630	5/06/2008	984	ZIMCO SUPPLY COMPANY	1,287.65			
92631	4/16/2008	2803	PERFORMANCE DODGE	28,908.00			**MANUAL**
92632	5/06/2008	3834	FLEET US LLC	2,224.40			
92633	5/06/2008	1344	GALE	94.47			
92634	5/06/2008	1161	GALL'S INCORPORATED	.00	**CLEARED**	**VOIDED**	
92635	5/06/2008	1161	GALL'S INCORPORATED	942.19			
92636	5/06/2008	1248	GASSERT, MIKE	66.00			
92637	5/06/2008	3952	GLESMANN, SABRINA	15.00			
92638	5/06/2008	1624	GUNN, BRENDA	175.00			
92639	5/06/2008	3473	GUNN, BRENDA S	300.00			
92640	5/06/2008	3470	HAMILTON COLOR LAB INC	485.00			
92641	5/06/2008	1688	HANNEBAUM GRAIN CO INC	2,663.99			
92642	5/06/2008	1403	HELGET GAS PRODUCTS INC	73.00			
92643	5/06/2008	2781	HENKE MANUFACTURING CORP	393.00			
92644	5/06/2008	3513	HUSKER MIDWEST PRINTING	166.60			
92645	5/06/2008	1612	HY-VEE INC	45.00			
92646	5/06/2008	3050	INSIGHT TECHNOLOGY	1,600.80			
92647	5/06/2008	2534	IWAN, ROSE	45.00			
92648	5/06/2008	1896	J Q OFFICE EQUIPMENT INC	955.68			
92649	5/06/2008	3947	KAVALEC, NANCY	65.00			
92650	5/06/2008	3954	KILE, TIM	35.00			
92651	5/06/2008	3474	KINDIG, DOUGLAS	150.00			
92652	5/06/2008	1054	KLINKER, MARK A	200.00			
92653	5/06/2008	1241	LEAGUE ASSN OF RISK MGMT	308.00			
92654	5/06/2008	2297	LINDBERG, SHEILA	305.00			
92655	5/06/2008	2142	LODES, CHRIS	90.00			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
92656	5/06/2008	1573	LOGAN CONTRACTORS SUPPLY	276.36			
92657	5/06/2008	3948	LONG, JULIE	65.00			
92658	5/06/2008	2664	LOU'S SPORTING GOODS	600.00			
92659	5/06/2008	2124	LUKASIEWICZ, BRIAN	40.00			
92660	5/06/2008	3868	MAX I WALKER CLEANERS	146.45			
92661	5/06/2008	3938	MCKAY, DONALD	71.00			
92662	5/06/2008	3468	METAL SUPERMARKETS-OMAHA	169.26			
92663	5/06/2008	2497	MID AMERICA PAY PHONES	100.00			
92664	5/06/2008	1526	MIDLANDS LIGHTING & ELECTRIC	19.78			
92665	5/06/2008	2299	MIDWEST TAPE	14.99			
92666	5/06/2008	3320	MILLER, RALPH	52.59			
92667	5/06/2008	3942	MISCHO, SHEILA	30.00			
92668	5/06/2008	2382	MONARCH OIL INC	231.00			
92669	5/06/2008	3953	MUCKEY, CHRIS	135.00			
92670	5/06/2008	3472	MYERS TIRE-KANSAS CITY #16	607.93			
92671	5/06/2008	2732	NATIONAL IMPRINT CORPORATION	346.03			
92672	5/06/2008	1830	NE DEPT OF LABOR-WORKFORCE DEV	3,186.00			
92673	5/06/2008	3350	NEBRASKA IOWA SUPPLY	.00	**CLEARED**	**VOIDED**	
92674	5/06/2008	3350	NEBRASKA IOWA SUPPLY	36,662.54			
92675	5/06/2008	2883	NEBRASKA LANDSCAPE SOLUTIONS	5,544.10			
92676	5/06/2008	2388	NEBRASKA NATIONAL BANK	660.00			
92677	5/06/2008	2610	NEBRASKA SNOW EQUIPMENT	117.98			
92678	5/06/2008	2685	NEBRASKA TURF PRODUCTS	4,835.75			
92679	5/06/2008	3924	NEW YORK TIMES	26.00			
92680	5/06/2008	2631	NEXTEL COMMUNICATIONS	471.25			
92681	5/06/2008	3346	NLA PUBLIC LIBRARY SECTION	15.00			
92682	5/06/2008	1968	O'KEEFE ELEVATOR COMPANY INC	867.50			
92683	5/06/2008	1539	OMG MIDWEST INC.	225.66			
92684	5/06/2008	3935	ORIENTAL TRADING COMPANY	50.19			
92685	5/06/2008	1178	OVERHEAD DOOR COMPANY OF OMAHA	287.00			
92686	5/06/2008	3039	PAPILLION SANITATION	221.52			
92687	5/06/2008	2686	PARAMOUNT LINEN & UNIFORM	463.74			
92688	5/06/2008	3943	PARTEE TYME STAGES	300.00			
92689	5/06/2008	1769	PAYLESS OFFICE PRODUCTS INC	372.10			
92690	5/06/2008	2803	PERFORMANCE DODGE	2,591.00			
92691	5/06/2008	1821	PETTY CASH-PAM BUETHE	.00	**CLEARED**	**VOIDED**	
92692	5/06/2008	1821	PETTY CASH-PAM BUETHE	117.69			
92693	5/06/2008	1821	PETTY CASH-PAM BUETHE	94.42			
92694	5/06/2008	1921	PRINCIPAL LIFE-FLEX SPENDING	155.25			
92695	5/06/2008	1669	PROJECT HARMONY	300.00			
92696	5/06/2008	3657	PROPERTY SERVICES	198.00			
92697	5/06/2008	3949	PRUCH, DAN	85.00			
92698	5/06/2008	3814	PSI PLASTIC GRAPHICS	446.46			
92699	5/06/2008	3469	RAMIREZ, JOHN	66.00			
92700	5/06/2008	1828	RAMIREZ, RITA	75.00			
92701	5/06/2008	3944	REINSCH, DARLENE	165.00			
92702	5/06/2008	3547	SAFE KIDS WORLDWIDE	60.00			
92703	5/06/2008	2240	SARPY COUNTY COURTHOUSE	3,234.94			
92704	5/06/2008	2186	SID 195 - MAYFAIR	4,956.00			
92705	5/06/2008	3707	SMITH, MELANIE	100.00			
92706	5/06/2008	3234	SNITILY CARR	633.70			
92707	5/06/2008	2681	SOFTCHOICE CORPORATION	529.65			
92708	5/06/2008	3838	SPRINT	122.86			

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
92709	5/06/2008	2634	STERIL MANUFACTURING CO		75.00	APPROVED BY COUNCIL MEMBERS 5/6/08			
92710	5/06/2008	3795	SUN COUNTRY DISTRIBUTING LTD		150.53				
92711	5/06/2008	1150	SUTPHEN CORPORATION		275.03				
92712	5/06/2008	3950	THOMAS, BROOKE		65.00				
92713	5/06/2008	1122	TURF CARS LTD		52.14				
92714	5/06/2008	3690	VIER, STEVE		100.00				
92715	5/06/2008	1174	WAL-MART COMMUNITY BRC		835.20				
92716	5/06/2008	3150	WHITE CAP CONSTRUCTION SUPPLY		194.83				
92717	5/06/2008	2386	WORLD POINT ECC INC		888.05	COUNCIL MEMBER			
92718			Gap in Checks						
Thru	95206								

** 95207 4/16/2008 257 SOUTHEAST AREA CLERK'S ASSN 80.00 **CLEARED** **VOIDED** **MANUAL**

**Manual check entered with incorrect check number. Actual number is 92507.

BANK TOTAL	340,405.71
OUTSTANDING	340,405.71
CLEARED	19,780.00
VOIDED	19,780.00

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	157,125.04	157,125.04	.00	50.00
02 SEWER FUND	52,271.37	52,271.37	.00	30.00
05 CONSTRUCTION	22,884.28	22,884.28	.00	.00
08 LOTTERY FUND	100,230.40	100,230.40	.00	19,700.00
09 GOLF COURSE FUND	5,757.10	5,757.10	.00	.00
14 ECONOMIC DEVELOPMENT	118.75	118.75	.00	.00
15 OFF-STREET PARKING	2,018.77	2,018.77	.00	.00
REPORT TOTAL		340,405.71		
OUTSTANDING		340,405.71		
CLEARED		19,780.00		
VOIDED		19,780.00		
+ Gross Payroll 4-18-08		179,991.30		
+ Gross Payroll 5-02-08		184,311.53		
GRAND TOTAL		\$704,708.54		

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 6, 2008 AGENDA**

Subject:	Type:	Submitted By:
BOARD OF EQUALIZATION — LEVY OF SPECIAL ASSESSMENTS SOUTHPORT WEST	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A public hearing has been continued from the meeting of February 5, 2008 and March 18, 2008 and a resolution prepared to approve the levying of special assessments for improvements to the former Sanitary and Improvement District No. 253 (Southport West)

FISCAL IMPACT

The revised total project costs for improvements to former SID 253 (Southport West) are \$6,111,538.74. It is proposed that the Board of Equalization specially assess \$3,926,823.13 to benefiting properties. The balance of the total project costs of \$2,184,715.61 is to be paid by general obligation debt of the City.

RECOMMENDATION

Approval

BACKGROUND

Benefiting property owners were given notice and the City Council sat as the Board of Equalization on March 4, 2008 for the purpose of levying special assessments on properties in the former SID 253 subdivision known as Southport West. These improvements include Sanitary Sewer, Paving, and Storm Sewer Section I, Water Section I, Power Section I, Giles Road & 126th Street Improvements Section I, Traffic Signals Section I, Traffic Signals Section II, and Sanitary Outfall Sewer No. 2.

In accordance with the Subdivision Agreement between the Subdividers, Sanitary and Improvement District No. 253, and the City of La Vista, Nebraska, the difference in construction cost of storm sewers 24 inches in diameter and the actual size required, sanitary outfall sewers, and the construction cost of intersections and certain extra width pavement, together with their proportionate share of engineering, legal, and miscellaneous fees, are considered to be of benefit to the City at large and should be treated as general obligation costs with the balance being specially assessed. The special assessment schedule had been established.

One protest had been received asking the City to grant time for the owner of the property or their agent to meet with the City engineer to review and understand the assessment amounts. A continuation of the public hearing to March 18, 2008 was approved by the Board of Equalization in order that all assessments could be done at the same time.

At the March 18, 2008 meeting Council received a letter from the agent for the property owner requesting adjustments to the special assessments proposed for Southport West. A continuation of the public hearing to May 6, 2008 was approved by the Board of Equalization in order to give the City Engineer the opportunity to review and make a recommendation on the proposed adjustments.

The initial proposal from the agent for the property owner requesting adjustments was approximately \$173,625.75. Upon review of the request a reduction of the special assessments in the amount of \$101,298.91 was determined appropriate by the City Engineer and City Attorney. On April 30, 2008 the original protest was withdrawn regarding the levying of special assessments based upon the reduction of the special assessments.

K:\APPS\City Hall\CNCLRPT\08file\08 ADM BOE set levy Southport West Special Assessments(3).DOC

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA EQUALIZING AND LEVYING SPECIAL ASSESSMENTS TO PAY FOR THE IMPROVEMENTS TO SOUTHPORT WEST, FORMERLY SID NO. 253

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

Section 1. The Mayor and Council find and determine: (a) that by ordinance duly passed and approved, the territory located in former Sanitary and Improvement District No. 253 of Sarpy County, Nebraska, ("Southport West") has been annexed and that public improvements benefiting properties within Southport West have been constructed; (b) that in accordance with Neb. Rev. Stat. Section 31-763 (Reissue 2004), the City may exercise the authority to levy special assessments for such improvements to the same extent as the district may have levied; (c) that the public improvements in Southport West have been completed and accepted, as evidenced by the certificate of acceptance on file with the City Clerk and approved by the Mayor and City Council, and a statement of costs, plat of area in Southport West and schedules for proposed assessment (the "Schedule"), including any recommended revisions, have been prepared, presented to the Mayor and Council and received and placed on file with the City Clerk; (d) that the Mayor and Council have heretofore designated this time and place to sit as a Board of Equalization for holding a public hearing and considering levying special assessments upon property located in Southport West; (e) that notice of the time and place of holding this meeting and public hearing for said purposes has been duly given as provided by statute by publication in the *Papillion Times*, a newspaper published and of general circulation in this City; for not less than twenty (20), nor more than thirty (30), days before the time designated therein for holding this meeting and said public hearing, said publication being made on the same day in each week for two consecutive weeks in the issues of said paper published on April 10 and April 17, 2008 and by mailing a copy of such notice and a copy of the schedule of proposed assessments to each record owner or mortgagee of property proposed to be specially assessed or other interested person; (f) that the Mayor and Council have at this session heard all persons who desired to be heard in reference to the proposed assessments, special benefits or damages by reason of the construction of said improvements; and (g) that, based upon the advice of the City's engineer, the Mayor and Council hereby determine that the amounts shown on the Schedule represent, as to each listed property, the special benefit to such property as served by such improvements within Southport West and should be specially assessed against such property.

Section 2. The Mayor and Council, acting as a Board of Equalization pursuant to Neb. Rev. Stat. Section 16-707 (Reissue 1997), find and determine, after hearing, that all of the benefited properties are as set forth in the Schedule and none of the properties in Southport West have been damaged by said improvements, and such amounts as set forth in the Schedule for each property are hereby determined and equalized and it is further declared and determined that none of such assessments exceeds the benefits upon the respective properties as set forth in the Schedule, which Schedule is hereby incorporated in this resolution by reference.

Section 3. The special assessments as shown in the Schedule for each benefited property are hereby levied upon the respective properties to which they apply as set forth in the Schedule. Said special assessments shall be a lien on each of said properties against which they are assessed as shown on said Schedule from and after the date of levy and shall become due within fifty (50) days after the date of this levy and may be paid within that time without interest but if not so paid shall bear interest at the rate of 6% per annum (or at any lower rate as

may be required by law) until delinquent. Said special assessments shall become delinquent in equal annual installments over a period of ten (10) years in accordance with Neb. Rev. Stat. Section 31-753 (Reissue 2004), with the first such installment due fifty (50) days after the date of adoption of this resolution. Delinquent installments shall bear interest at the rate provided by law until paid and shall be collected in the usual manner for the collection of taxes. If three or more installments shall be delinquent, the Mayor and City Council may declare all of the remaining installments to be at once delinquent, as permitted under applicable law, and such installments declared delinquent shall bear interest at the rate specified in Neb. Rev. Stat. Section 45-104.01 (Reissue 2004), as such rate may from time to time be adjusted by the Legislature, until paid and may be collected the same as other delinquent installments may be collected. The assessments hereby levied shall be collected in the same manner as general taxes and shall be subject to the provisions of Neb. Rev. Stat. Section 77-1917.01 (Reissue 2003).

Section 4. The Mayor and Council hereby direct that notice that special assessments are due shall be mailed or otherwise delivered to the last-known address of the person against whom such special assessments are assessed or to the lending institutions or other party responsible for paying such special assessments, along with such other notice as necessary or advisable.

Section 5. This resolution shall be in force and effect immediately and shall be certified as provided by law to the County Clerk and County Treasurer of Sarpy County for entry upon the proper tax lists.

PASSED AND APPROVED THIS 6TH DAY OF MAY, 2008.

ATTEST:

Douglas Kindig, Mayor

Pamela A. Bueth, CMC
City Clerk

[SEAL]

3/25/08

The following lots are located in Southport West:

Lot	Area (acres)	Sanitary Sewer	Storm Sewer	Paving	126th & Giles Paving & Storm Sewer	Water	Power	Total
1	27.761	\$ 73,098.28	\$ 210,408.15	\$ 138,239.27	\$ 207,555.84	\$ 128,207.06	\$ 101,693.49	\$ 859,202.09
2	2.281	\$ 6,006.17	\$ 17,288.32	\$ 11,358.52	\$ 9,908.56	\$ 10,534.21	\$ 8,355.71	\$ 63,451.49
3	2.106	\$ 5,545.37	\$ 15,961.95	\$ 10,487.08	\$ 9,148.37	\$ 9,726.02	\$ 7,714.65	\$ 58,583.44
4	8.847	\$ 23,295.29	\$ 67,053.81	\$ 44,054.71	\$ 38,430.96	\$ 40,857.60	\$ 32,408.14	\$ 246,100.51
15	6.612	\$ 17,410.25	\$ 50,114.14	\$ 32,925.26	\$ 28,722.23	\$ 30,535.83	\$ 24,220.93	\$ 183,928.64
16	2.389	\$ 6,290.54	\$ 18,106.88	\$ 11,896.32	\$ 10,377.71	\$ 11,032.98	\$ 8,751.33	\$ 66,455.76
19	0.818	\$ 2,153.90	\$ 6,199.84	\$ 4,073.33	\$ 3,553.35	\$ 3,777.72	\$ 2,996.48	\$ 22,754.62
20	0.806	\$ 2,122.30	\$ 6,108.89	\$ 4,013.57	\$ 3,501.23	\$ 3,722.30	\$ 2,952.52	\$ 22,420.81
23	1.019	\$ 2,683.16	\$ 7,723.28	\$ 5,074.23	\$ 4,426.49	\$ 4,705.99	\$ 3,732.78	\$ 28,345.93
24	0.854	\$ 2,248.69	\$ 6,472.70	\$ 4,252.60	\$ 3,709.74	\$ 3,943.98	\$ 3,128.35	\$ 23,756.06
25	0.877	\$ 2,309.25	\$ 6,647.02	\$ 4,367.13	\$ 3,809.65	\$ 4,050.20	\$ 3,212.61	\$ 24,395.86
26	0.890	\$ 2,343.48	\$ 6,745.55	\$ 4,431.86	\$ 3,866.12	\$ 4,110.24	\$ 3,260.23	\$ 24,757.48

The following lots are located in Southport West Replat One:

1	10.304	\$ 27,131.76	\$ 78,096.81	\$ 51,310.02	\$ 44,760.11	\$ 47,586.38	\$ 37,745.39	\$ 286,630.47
2	11.590	\$ 30,517.96	\$ 87,843.75	\$ 57,713.81	\$ 50,346.43	\$ 53,525.44	\$ 42,456.24	\$ 322,403.63
3	20.502	\$ 53,984.40	\$ 155,390.22	\$ 102,092.20	\$ 89,059.75	\$ 94,683.23	\$ 75,102.48	\$ 570,312.28

The following lots are located in Southport West Replat Two:

2	0.880	\$ 2,317.15	\$ 6,669.76	\$ 4,382.07	\$ 3,822.68	\$ 4,064.05	\$ 3,223.60	\$ 24,479.31
3	0.783	\$ 2,061.74	\$ 5,934.57	\$ 3,899.04	\$ 3,401.32	\$ 3,616.08	\$ 2,868.27	\$ 21,781.02

The following lots are located in Southport West Replat Three:

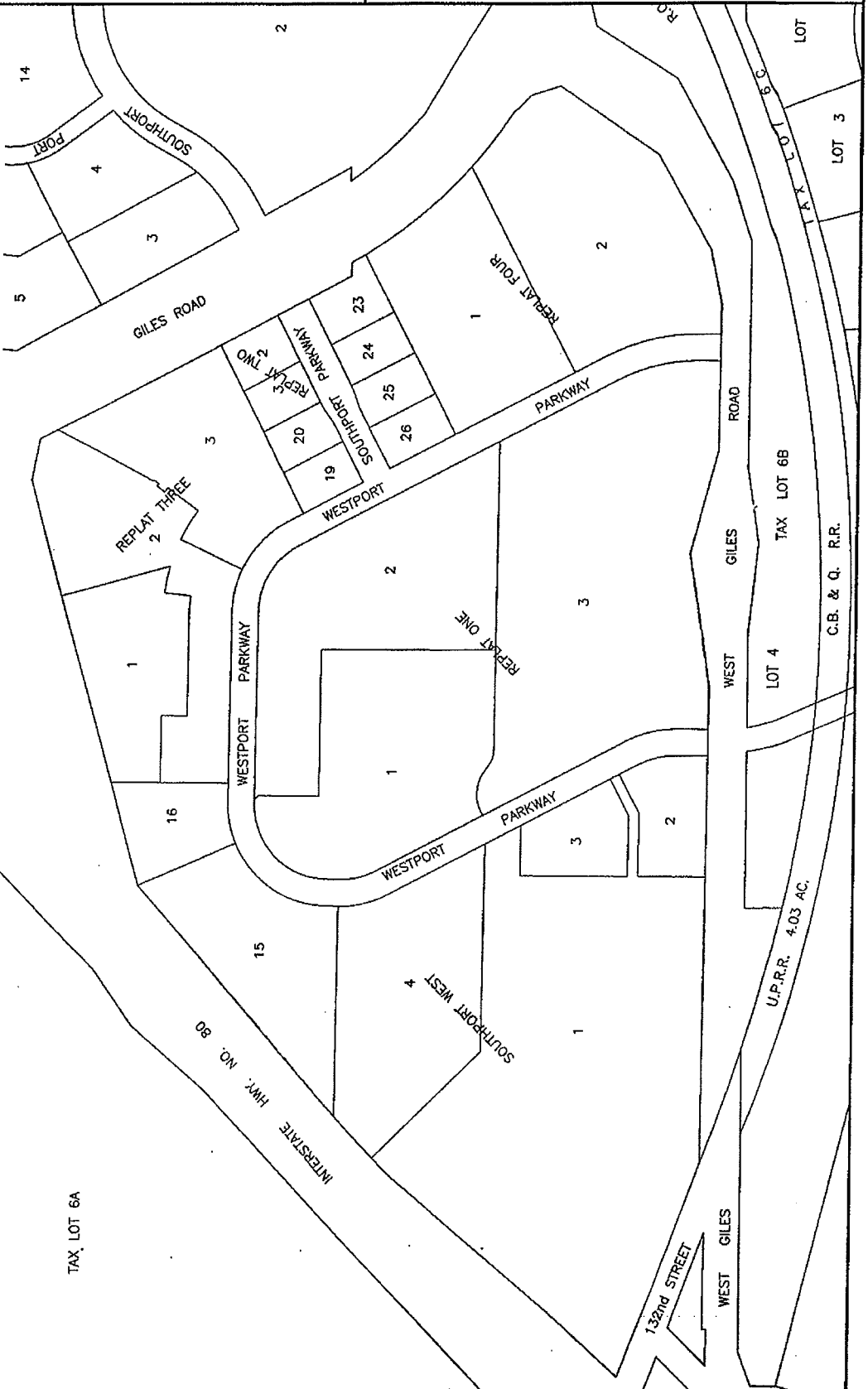
1	4.946	\$ 13,023.45	\$ 37,487.08	\$ 24,629.21	\$ 21,485.20	\$ 22,841.83	\$ 18,118.08	\$ 137,584.85
2	7.853	\$ 20,677.96	\$ 59,520.02	\$ 39,104.97	\$ 34,113.07	\$ 36,267.07	\$ 28,766.94	\$ 218,450.03
3	6.534	\$ 17,204.86	\$ 49,522.95	\$ 32,536.84	\$ 28,383.40	\$ 30,175.64	\$ 23,935.20	\$ 181,758.89

The following lots are located in Southport West Replat Four:

1	7.476	\$ 19,685.27	\$ 56,662.63	\$ 37,227.65	\$ 40,416.90	\$ 34,525.99	\$ 27,385.92	\$ 215,904.36
2	11.197	\$ 29,483.14	\$ 84,865.10	\$ 55,756.83	\$ 60,533.45	\$ 51,710.47	\$ 41,016.61	\$ 323,365.60

Total	137.325	\$ 361,594.37	\$ 1,040,823.42	\$ 683,826.52	\$ 703,332.56	\$ 634,200.31	\$ 503,045.95	\$ 3,926,823.13
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SOUTHPORT WEST **SOUTHPORT WEST REPLAT ONE** **SOUTHPORT WEST REPLAT TWO** **SOUTHPORT WEST REPLAT THREE** **SOUTHPORT WEST REPLAT FOUR**



THOMPSON, DRESSSEN & DORNER, INC.
 Consulting Engineers & Land Surveyors
 10936 OLD MILL ROAD OMAHA, NEBRASKA 68164
 PHONE: 402.330.8860 FAX: 402.330.5888 EMAIL: TDMAIL@TDCO.COM
 WEBSITE: WWW.TDCO.COM

JOB NO: 171-336
 171336 SOUTHPORT WEST ASSESSMENT EXHIBIT.dwg

LA VISTA, NEBRASKA	ASSESSMENT PLAT
scale: AS SHOWN	date: 12-10-07
drawn by: RTM	checked by: JMK
revision: 3-24-08	

NOTICE OF HEARING

TO: ALL PERSONS INTERESTED IN PROPOSED ASSESSMENT OF COSTS OF PUBLIC IMPROVEMENTS CONSTRUCTED IN THE TERRITORY OF FORMER SANITARY AND IMPROVEMENT DISTRICT NO. 253 OF SARPY COUNTY, NEBRASKA, NOW KNOWN AS SOUTHPORT WEST, CITY OF LA VISTA.

NOTICE IS HEREBY GIVEN that the public hearing and meeting of the Mayor and City Council of the City of La Vista, Nebraska sitting as a Board of Equalization with regard to proposed special assessments in Southport West (formerly Sanitary & Improvement District No. 253 of Sarpy County, Nebraska), originally scheduled for February 5, 2008, has been continued and adjourned to and will be held May 6, 2008 at 7:00 p.m. in the Council Chambers, City Hall, 8116 Park View Boulevard, City of La Vista, Nebraska, at which time and place the Mayor and City Council shall again meet as a Board of Equalization, hold and conclude the continued public hearing and consider any objections, adjust and equalize the proposed assessments with reference to the special benefits resulting from the improvements, and levy the special assessments. Each owner shall have the right to be heard. Any objector may appear in person or by representative and submit such comments, objections or additional information as desired. The revised statement of costs of improvements and revised schedule of amount proposed to be assessed against each separate property in Southport West, showing a reduction in the amount of costs and assessments originally proposed, along with the revised plat of properties to be assessed within Southport West, are on file in the City Clerk's office and open for public inspection.

CITY OF LA VISTA, NEBRASKA

BY: _____
City Clerk

PUBLISH ABOVE NOTICE ON THE FOLLOWING DATES:

April 10, 2008

April 17, 2008

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 6, 2008 AGENDA**

Subject:	Type:	Submitted By:
CALL FOR REDEMPTION OF BONDS AND REFUNDING SERIES 2008 BOND ISSUE	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

SYNOPSIS

Resolutions have been prepared authorizing bonds called for redemption of the Various Purpose Bonds, 2001 Series; Various Purpose Bonds, 2002 Series; General Obligation Bonds, Series 2001, Sanitary Improvement District 198; and General Obligation Bonds, Series 2002, Sanitary Improvement District 200.

An ordinance has been prepared authorizing the Refunding of the 2001 \$1,600,000 G.O. Bond Issue, the 2001 \$2,555,000 GO Various Purpose Bond Issue, the 2002 \$1,600,000 Street Improvement Bond Issue and the 2002 \$3,450,000 G.O. Various Purpose Bond Issue. This will be the Refunding Bonds, Series 2008 in the principal amount of \$6,845,000.

FISCAL IMPACT

Savings of \$913,500 will be recognized over time in the Debt Service Fund as a result of the lower interest rate.

RECOMMENDATION

Approval.

BACKGROUND

The City is paying an average coupon (interest) rate of 5.4% on these current bond issues; however, with the refunding, the average coupon rate will fall to 3.7%. The refinancing of these bond issues will help build up the Debt Service Fund in order to ensure the long term sustainability of the fund and to meet the City's current and future debt obligations.

SOURCES AND USES OF FUNDS

CITY of LA VISTA, NEBRASKA
SERIES 2008 REFUNDING BONDS
Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)
Non-BQ, Insured, 2021 Final Maturity
[Preliminary - For Discussion only]

Dated Date 05/06/2008
Delivery Date 05/06/2008

Sources:

Bond Proceeds:	
Par Amount	6,845,000.00
Other Sources of Funds:	
Prior int. (accr. to closing date)	69,279.44
	6,914,279.44

Uses:

Refunding Escrow Deposits:	
Cash Deposit	6,789,279.44
Delivery Date Expenses:	
Cost of Issuance	13,690.00
Underwriter's Discount	51,337.50
Bond Insurance (est: 60bps; min: \$12K)	51,930.30
Ratings	7,000.00
	123,957.80
Other Uses of Funds:	
Contingency	1,042.20
	6,914,279.44

SUMMARY OF REFUNDING RESULTS

CITY of LA VISTA, NEBRASKA

SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Dated Date	05/06/2008
Delivery Date	05/06/2008
Arbitrage yield	3.797883%
Escrow yield	
Bond Par Amount	6,845,000.00
True Interest Cost	3.796444%
Net Interest Cost	3.807047%
All-In TIC	3.974140%
Average Coupon	3.702048%
Average Life	7.143
Par amount of refunded bonds	6,720,000.00
Average coupon of refunded bonds	5.429789%
Average life of refunded bonds	7.804
PV of prior debt to 05/06/2008 @ 3.797883%	7,497,369.38
Net PV Savings	636,062.44
Percentage savings of refunded bonds	9.465215%
Percentage savings of refunding bonds	9.292366%

SAVINGS

CITY of LA VISTA, NEBRASKA
 SERIES 2008 REFUNDING BONDS
 Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
 Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)
 Non-BQ, Insured, 2021 Final Maturity
 [Preliminary - For Discussion only]

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Refunding Receipts	Refunding Net Cash Flow	Savings	Present Value to 05/06/2008 @ 3.7978834%
09/30/2008	73,931.25	69,279.44	4,651.81		1,042.20	-1,042.20	5,694.01	5,273.63
09/30/2009	357,120.00		357,120.00	321,397.54		321,397.54	35,722.46	33,027.25
09/30/2010	816,021.25		816,021.25	737,618.75		737,618.75	78,402.50	66,564.36
09/30/2011	813,267.50		813,267.50	735,005.00		735,005.00	78,262.50	63,837.20
09/30/2012	818,902.50		818,902.50	740,948.75		740,948.75	77,953.75	61,036.05
09/30/2013	812,580.00		812,580.00	735,130.00		735,130.00	77,450.00	58,376.12
09/30/2014	824,443.75		824,443.75	747,591.25		747,591.25	76,852.50	55,515.44
09/30/2015	819,103.75		819,103.75	743,477.50		743,477.50	75,626.25	52,413.72
09/30/2016	841,026.25		841,026.25	762,377.50		762,377.50	78,648.75	52,481.52
09/30/2017	572,685.00		572,685.00	518,603.75		518,603.75	54,081.25	34,321.20
09/30/2018	580,128.75		580,128.75	527,670.00		527,670.00	52,458.75	31,614.46
09/30/2019	580,400.00		580,400.00	525,437.50		525,437.50	54,962.50	31,938.62
09/30/2020	579,022.50		579,022.50	521,930.00		521,930.00	57,092.50	32,010.71
09/30/2021	576,272.50		576,272.50	522,005.00		522,005.00	54,267.50	28,877.64
09/30/2022	571,882.50		571,882.50	515,857.50		515,857.50	56,025.00	28,774.51
	9,636,787.50	69,279.44	9,567,508.06	8,655,050.04	1,042.20	8,654,007.84	913,500.22	636,062.44

Savings Summary

PV of savings from cash flow	636,062.44
Net PV Savings	636,062.44

SAVINGS BY MATURITY

CITY of LA VISTA, NEBRASKA SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Bond	Maturity Date	Interest Rate	Par Amount	Adjusted Savings	Adjusted Savings Percent
Ser 2001 SID 198, dtd 10/15/01 callable 10/1/05, 01SID198:					
SER	10/15/2009	4.800%	70,000.00	1,040.59	1.487%
	10/15/2010	4.900%	70,000.00	2,493.10	3.562%
	10/15/2011	5.000%	75,000.00	3,899.33	5.199%
	10/15/2012	5.100%	80,000.00	5,220.93	6.526%
	10/15/2013	5.150%	85,000.00	6,607.45	7.773%
	10/15/2014	5.200%	90,000.00	8,092.53	8.992%
	10/15/2015	5.250%	95,000.00	9,007.84	9.482%
	10/15/2016	5.300%	100,000.00	10,014.27	10.014%
	10/15/2017	5.350%	105,000.00	10,995.95	10.472%
	10/15/2018	5.400%	110,000.00	12,267.97	11.153%
	10/15/2019	5.450%	120,000.00	13,275.58	11.063%
	10/15/2020	5.500%	125,000.00	14,094.35	11.275%
	10/15/2021	5.500%	135,000.00	15,291.14	11.327%
			1,260,000.00	112,301.02	
Ser 2002 SID 200A Dated 4/01/02, 02SD200A:					
SER	04/01/2010	4.850%	140,000.00	2,963.44	2.117%
	04/01/2011	4.950%	150,000.00	6,407.16	4.271%
	04/01/2012	5.050%	160,000.00	9,551.13	5.969%
	04/01/2013	5.150%	165,000.00	12,155.47	7.367%
	04/01/2014	5.250%	175,000.00	15,590.16	8.909%
	04/01/2015	5.350%	185,000.00	19,083.44	10.315%
	04/01/2016	5.450%	195,000.00	22,148.26	11.358%
	04/01/2017	5.550%	205,000.00	25,602.34	12.489%
	04/01/2018	5.750%	220,000.00	31,982.01	14.537%
	04/01/2019	5.750%	235,000.00	34,876.23	14.841%
	04/01/2020	5.750%	245,000.00	35,153.55	14.348%
	04/01/2021	5.750%	260,000.00	37,232.01	14.320%
	04/01/2022	5.750%	275,000.00	38,923.11	14.154%
			2,610,000.00	291,668.30	
Ser 2001 GO VP dtd 1/15/01, GOVP01:					
SERIALS	01/15/2010	5.050%	175,000.00	3,862.22	2.207%
	01/15/2011	5.100%	180,000.00	7,968.06	4.427%
	01/15/2012	5.150%	190,000.00	11,544.62	6.076%
	01/15/2013	5.250%	200,000.00	15,080.00	7.540%
	01/15/2014	5.350%	220,000.00	20,340.67	9.246%
	01/15/2015	5.450%	225,000.00	24,194.39	10.753%
	01/15/2016	5.550%	260,000.00	30,767.50	11.834%
			1,450,000.00	113,757.47	
Ser 2002 GO VP dtd 6/12/02, VPST02R:					
SERIALS	06/15/2010	4.450%	80,000.00	1,136.70	1.421%
	06/15/2011	4.550%	85,000.00	2,750.66	3.236%
	06/15/2012	4.650%	90,000.00	4,140.16	4.600%
	06/15/2013	4.750%	90,000.00	5,082.32	5.647%
	06/15/2014	4.850%	95,000.00	6,536.51	6.881%
	06/15/2015	5.000%	100,000.00	8,465.03	8.465%
	06/15/2016	5.100%	105,000.00	9,607.36	9.150%
	06/15/2017	5.200%	110,000.00	11,009.74	10.009%
	06/15/2018	5.250%	120,000.00	12,394.32	10.329%
	06/15/2019	5.300%	125,000.00	13,661.65	10.929%
	06/15/2020	5.350%	130,000.00	13,734.74	10.565%
	06/15/2021	5.400%	135,000.00	14,725.44	10.908%
	06/15/2022	5.450%	135,000.00	15,091.02	11.179%
			1,400,000.00	118,335.65	
			6,720,000.00	636,062.44	

Note: Calculated Using Remaining Maturities

BOND PRICING

CITY of LA VISTA, NEBRASKA
SERIES 2008 REFUNDING BONDS
 Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
 Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)
 Non-BQ, Insured, 2021 Final Maturity
 [Preliminary - For Discussion only]

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Serial Bonds:					
	10/15/2008	105,000	2.300%	2.300%	100.000
	10/15/2009	515,000	2.350%	2.350%	100.000
	10/15/2010	525,000	2.500%	2.500%	100.000
	10/15/2011	545,000	2.750%	2.750%	100.000
	10/15/2012	555,000	3.000%	3.000%	100.000
	10/15/2013	585,000	3.150%	3.150%	100.000
	10/15/2014	600,000	3.300%	3.300%	100.000
	10/15/2015	640,000	3.500%	3.500%	100.000
	10/15/2016	415,000	3.650%	3.650%	100.000
	10/15/2017	440,000	3.800%	3.800%	100.000
	10/15/2018	455,000	3.900%	3.900%	100.000
	10/15/2019	470,000	4.100%	4.100%	100.000
	10/15/2020	490,000	4.200%	4.200%	100.000
	10/15/2021	505,000	4.300%	4.300%	100.000
		6,845,000			

Dated Date	05/06/2008	
Delivery Date	05/06/2008	
First Coupon	10/15/2008	
Par Amount	6,845,000.00	
Original Issue Discount		
Production	6,845,000.00	100.000000%
Underwriter's Discount	-51,337.50	-0.750000%
Purchase Price	6,793,662.50	99.250000%
Accrued Interest		
Net Proceeds	6,793,662.50	

BOND SUMMARY STATISTICS

CITY of LA VISTA, NEBRASKA SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Dated Date	05/06/2008
Delivery Date	05/06/2008
First Coupon	10/15/2008
Last Maturity	10/15/2021
Arbitrage Yield	3.797883%
True Interest Cost (TIC)	3.796444%
Net Interest Cost (NIC)	3.807047%
All-In TIC	3.974140%
Average Coupon	3.702048%
Average Life (years)	7.143
Duration of Issue (years)	6.177
Par Amount	6,845,000.00
Bond Proceeds	6,845,000.00
Total Interest	1,810,050.04
Net Interest	1,861,387.54
Bond Years from Dated Date	48,893,208.33
Bond Years from Delivery Date	48,893,208.33
Total Debt Service	8,655,050.04
Maximum Annual Debt Service	762,377.50
Average Annual Debt Service	643,897.09
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	7.500000
Total Underwriter's Discount	7.500000
Bid Price	99.250000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Serial Bonds	6,845,000.00	100.000	3.702%	7.143	4,090.95
	6,845,000.00			7.143	4,090.95

	TIC	All-In TIC	Arbitrage Yield
Par Value	6,845,000.00	6,845,000.00	6,845,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	-51,337.50	-51,337.50	
- Cost of Issuance Expense		-13,690.00	
- Other Amounts		-58,930.30	-51,930.30
Target Value	6,793,662.50	6,721,042.20	6,793,069.70
Target Date	05/06/2008	05/06/2008	05/06/2008
Yield	3.796444%	3.974140%	3.797883%

BOND DEBT SERVICE

CITY of LA VISTA, NEBRASKA
SERIES 2008 REFUNDING BONDS
 Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
 Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)
 Non-BQ, Insured, 2021 Final Maturity
 [Preliminary - For Discussion only]

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/15/2008	105,000	2.300%	102,062.54	207,062.54	
04/15/2009			114,335.00	114,335.00	
09/30/2009					321,397.54
10/15/2009	515,000	2.350%	114,335.00	629,335.00	
04/15/2010			108,283.75	108,283.75	
09/30/2010					737,618.75
10/15/2010	525,000	2.500%	108,283.75	633,283.75	
04/15/2011			101,721.25	101,721.25	
09/30/2011					735,005.00
10/15/2011	545,000	2.750%	101,721.25	646,721.25	
04/15/2012			94,227.50	94,227.50	
09/30/2012					740,948.75
10/15/2012	555,000	3.000%	94,227.50	649,227.50	
04/15/2013			85,902.50	85,902.50	
09/30/2013					735,130.00
10/15/2013	585,000	3.150%	85,902.50	670,902.50	
04/15/2014			76,688.75	76,688.75	
09/30/2014					747,591.25
10/15/2014	600,000	3.300%	76,688.75	676,688.75	
04/15/2015			66,788.75	66,788.75	
09/30/2015					743,477.50
10/15/2015	640,000	3.500%	66,788.75	706,788.75	
04/15/2016			55,588.75	55,588.75	
09/30/2016					762,377.50
10/15/2016	415,000	3.650%	55,588.75	470,588.75	
04/15/2017			48,015.00	48,015.00	
09/30/2017					518,603.75
10/15/2017	440,000	3.800%	48,015.00	488,015.00	
04/15/2018			39,655.00	39,655.00	
09/30/2018					527,670.00
10/15/2018	455,000	3.900%	39,655.00	494,655.00	
04/15/2019			30,782.50	30,782.50	
09/30/2019					525,437.50
10/15/2019	470,000	4.100%	30,782.50	500,782.50	
04/15/2020			21,147.50	21,147.50	
09/30/2020					521,930.00
10/15/2020	490,000	4.200%	21,147.50	511,147.50	
04/15/2021			10,857.50	10,857.50	
09/30/2021					522,005.00
10/15/2021	505,000	4.300%	10,857.50	515,857.50	
09/30/2022					515,857.50
	6,845,000		1,810,050.04	8,655,050.04	8,655,050.04

AGGREGATE NET REFUNDING DEBT SERVICE

CITY of LA VISTA, NEBRASKA
SERIES 2008 REFUNDING BONDS
 Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
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 Non-BQ, Insured, 2021 Final Maturity
 [Preliminary - For Discussion only]

Debt Service of Proposed and Unrefunded Bonds

Date	Proposed Debt Service (net of Accrued)	Unrefunded and/or Other Debt Service	Total	Annual Total
06/15/2008		73,047.50	73,047.50	
07/15/2008		4,125.00	4,125.00	
09/30/2008				77,172.50
10/01/2008		3,138.75	3,138.75	
10/15/2008	207,062.54	66,527.50	273,590.04	
12/15/2008		1,612.50	1,612.50	
01/15/2009		169,125.00	169,125.00	
04/01/2009		138,138.75	138,138.75	
04/15/2009	114,335.00		114,335.00	
06/15/2009		76,612.50	76,612.50	
09/30/2009				776,552.54
10/15/2009	629,335.00		629,335.00	
04/15/2010	108,283.75		108,283.75	
09/30/2010				737,618.75
10/15/2010	633,283.75		633,283.75	
04/15/2011	101,721.25		101,721.25	
09/30/2011				735,005.00
10/15/2011	646,721.25		646,721.25	
04/15/2012	94,227.50		94,227.50	
09/30/2012				740,948.75
10/15/2012	649,227.50		649,227.50	
04/15/2013	85,902.50		85,902.50	
09/30/2013				735,130.00
10/15/2013	670,902.50		670,902.50	
04/15/2014	76,688.75		76,688.75	
09/30/2014				747,591.25
10/15/2014	676,688.75		676,688.75	
04/15/2015	66,788.75		66,788.75	
09/30/2015				743,477.50
10/15/2015	706,788.75		706,788.75	
04/15/2016	55,588.75		55,588.75	
09/30/2016				762,377.50
10/15/2016	470,588.75		470,588.75	
04/15/2017	48,015.00		48,015.00	
09/30/2017				518,603.75
10/15/2017	488,015.00		488,015.00	
04/15/2018	39,655.00		39,655.00	
09/30/2018				527,670.00
10/15/2018	494,655.00		494,655.00	
04/15/2019	30,782.50		30,782.50	
09/30/2019				525,437.50
10/15/2019	500,782.50		500,782.50	
04/15/2020	21,147.50		21,147.50	
09/30/2020				521,930.00
10/15/2020	511,147.50		511,147.50	
04/15/2021	10,857.50		10,857.50	
09/30/2021				522,005.00
10/15/2021	515,857.50		515,857.50	
09/30/2022				515,857.50
	8,655,050.04	532,327.50	9,187,377.54	9,187,377.54

SUMMARY OF BONDS REFUNDED

CITY of LA VISTA, NEBRASKA
SERIES 2008 REFUNDING BONDS
Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)
Non-BQ, Insured, 2021 Final Maturity
[Preliminary - For Discussion only]

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Ser 2001 SID 198, dtd 10/15/01 callable 10/1/05:					
SER	10/15/2009	4.800%	70,000.00	05/06/2008	100.000
	10/15/2010	4.900%	70,000.00	05/06/2008	100.000
	10/15/2011	5.000%	75,000.00	05/06/2008	100.000
	10/15/2012	5.100%	80,000.00	05/06/2008	100.000
	10/15/2013	5.150%	85,000.00	05/06/2008	100.000
	10/15/2014	5.200%	90,000.00	05/06/2008	100.000
	10/15/2015	5.250%	95,000.00	05/06/2008	100.000
	10/15/2016	5.300%	100,000.00	05/06/2008	100.000
	10/15/2017	5.350%	105,000.00	05/06/2008	100.000
	10/15/2018	5.400%	110,000.00	05/06/2008	100.000
	10/15/2019	5.450%	120,000.00	05/06/2008	100.000
	10/15/2020	5.500%	125,000.00	05/06/2008	100.000
	10/15/2021	5.500%	135,000.00	05/06/2008	100.000
			1,260,000.00		
Ser 2002 SID 200A Dated 4/01/02:					
SER	04/01/2010	4.850%	140,000.00	05/06/2008	100.000
	04/01/2011	4.950%	150,000.00	05/06/2008	100.000
	04/01/2012	5.050%	160,000.00	05/06/2008	100.000
	04/01/2013	5.150%	165,000.00	05/06/2008	100.000
	04/01/2014	5.250%	175,000.00	05/06/2008	100.000
	04/01/2015	5.350%	185,000.00	05/06/2008	100.000
	04/01/2016	5.450%	195,000.00	05/06/2008	100.000
	04/01/2017	5.550%	205,000.00	05/06/2008	100.000
	04/01/2018	5.750%	220,000.00	05/06/2008	100.000
	04/01/2019	5.750%	235,000.00	05/06/2008	100.000
	04/01/2020	5.750%	245,000.00	05/06/2008	100.000
	04/01/2021	5.750%	260,000.00	05/06/2008	100.000
	04/01/2022	5.750%	275,000.00	05/06/2008	100.000
			2,610,000.00		
Ser 2001 GO VP dtd 1/15/01:					
SERIALS	01/15/2010	5.050%	175,000.00	05/06/2008	100.000
	01/15/2011	5.100%	180,000.00	05/06/2008	100.000
	01/15/2012	5.150%	190,000.00	05/06/2008	100.000
	01/15/2013	5.250%	200,000.00	05/06/2008	100.000
	01/15/2014	5.350%	220,000.00	05/06/2008	100.000
	01/15/2015	5.450%	225,000.00	05/06/2008	100.000
	01/15/2016	5.550%	260,000.00	05/06/2008	100.000
			1,450,000.00		
Ser 2002 GO VP dtd 6/12/02:					
SERIALS	06/15/2010	4.450%	80,000.00	05/06/2008	100.000
	06/15/2011	4.550%	85,000.00	05/06/2008	100.000
	06/15/2012	4.650%	90,000.00	05/06/2008	100.000
	06/15/2013	4.750%	90,000.00	05/06/2008	100.000
	06/15/2014	4.850%	95,000.00	05/06/2008	100.000
	06/15/2015	5.000%	100,000.00	05/06/2008	100.000
	06/15/2016	5.100%	105,000.00	05/06/2008	100.000
	06/15/2017	5.200%	110,000.00	05/06/2008	100.000
	06/15/2018	5.250%	120,000.00	05/06/2008	100.000
	06/15/2019	5.300%	125,000.00	05/06/2008	100.000
	06/15/2020	5.350%	130,000.00	05/06/2008	100.000
	06/15/2021	5.400%	135,000.00	05/06/2008	100.000
	06/15/2022	5.450%	135,000.00	05/06/2008	100.000
			1,400,000.00		
			6,720,000.00		

ESCROW REQUIREMENTS

CITY of LA VISTA, NEBRASKA

SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Ser 2001 SID 198, dtd 10/15/01 callable 10/1/05

Period Ending	Interest	Principal Redeemed	Total
05/06/2008	3,871.15	1,260,000.00	1,263,871.15
	3,871.15	1,260,000.00	1,263,871.15

ESCROW REQUIREMENTS

CITY of LA VISTA, NEBRASKA SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Ser 2002 SID 200A Dated 4/01/02

Period Ending	Interest	Principal Redeemed	Total
05/06/2008	13,892.57	2,610,000.00	2,623,892.57
	13,892.57	2,610,000.00	2,623,892.57

ESCROW REQUIREMENTS

CITY of LA VISTA, NEBRASKA SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Ser 2001 GO VP dtd 1/15/01

Period Ending	Interest	Principal Redeemed	Total
05/06/2008	23,669.21	1,450,000.00	1,473,669.21
	23,669.21	1,450,000.00	1,473,669.21

ESCROW REQUIREMENTS

CITY of LA VISTA, NEBRASKA

SERIES 2008 REFUNDING BONDS

Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)

Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)

Non-BQ, Insured, 2021 Final Maturity

[Preliminary - For Discussion only]

Ser 2002 GO VP dtd 6/12/02

Period Ending	Interest	Principal Redeemed	Total
05/06/2008	27,846.52	1,400,000.00	1,427,846.52
	27,846.52	1,400,000.00	1,427,846.52

SUMMARY OF UNREFUNDED BONDS

CITY of LA VISTA, NEBRASKA
SERIES 2008 REFUNDING BONDS
Current Refunding of: Ser. 2001 & Ser. 2002 (Var. Purpose bonds)
Current Refunding of: Ser. 2001 (SID 198) & Ser 2002 (SID 200A)
Non-BQ, Insured, 2021 Final Maturity
[Preliminary - For Discussion only]

Bond	Maturity Date	Interest Rate	Par Amount
Ser 2001 SID 198, dtd 10/15/01 callable 10/1/05: SER	10/15/2008	4.700%	65,000.00
Ser 2002 SID 200A Dated 4/01/02: SER	04/01/2009	4.650%	135,000.00
Ser 2001 GO VP dtd 1/15/01: SERIALS	01/15/2009	5.000%	165,000.00
Ser 2002 GO VP dtd 6/12/02: SERIALS	06/15/2008	4.100%	70,000.00
	06/15/2009	4.300%	75,000.00
			145,000.00
			510,000.00

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF VARIOUS PURPOSE BONDS, 2001 SERIES FOR REDEMPTION

WHEREAS, the following bonds are hereby called for redemption at par plus accrued interest on June 10, 2008 after which date said bonds shall cease to bear interest:

Various Purpose Bonds, 2001 Series, dated January 24, 2001, in the principal amount of \$1,450,000, numbered as shown on the records of the paying agent and registrar, becoming due on January 15 in each year from January 15, 2010, through January 15, 2016, issued by the City to pay the costs of constructing improvements in Street Improvement District Nos. 1997-1, 98-1 and 99-1; and to pay the costs of flood control and storm water sewer improvements within the City of La Vista, Nebraska.

WHEREAS, Said bonds are payable at the office of the City Treasurer, in La Vista, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with the City Treasurer, in La Vista, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the Various Purpose Bonds, 2001 Series at par plus accrued interest on June 10, 2008 and to authorize the City Treasurer of La Vista, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND ADOPTED THIS 6TH DAY OF MAY, 2008.

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

(SEAL)

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF VARIOUS PURPOSE BONDS, 2002 SERIES FOR REDEMPTION

WHEREAS, That the following bonds are hereby called for redemption at par plus accrued interest on June 10, 2008 after which date said bonds shall cease to bear interest:

Various Purpose Bonds, 2002 Series, dated June 12, 2002, in the aggregate principal amount of \$1,400,000, numbered as shown on the records of the paying agent and registrar, becoming due on June 15 in each year from June 15, 2010, through June 15, 2022, issued by the City to pay the costs of constructing improvements in Paving Improvement District No. 2000-1, Sanitary Sewer Extension District No. 2000-1 and Storm Sewer District No. 2000-1, all such districts within the City of La Vista, Nebraska.

WHEREAS, Said bonds are payable at the office of the City Treasurer, in La Vista, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with the City Treasurer, in La Vista, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the Various Purpose Bonds, 2001 Series at par plus accrued interest on June 10, 2008 and to authorize the City Treasurer of La Vista, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND ADOPTED THIS 6TH DAY OF MAY, 2008.

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

(SEAL)

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF GENERAL OBLIGATION BONDS, 2001 SERIES FOR REDEMPTION

WHEREAS, That the following bonds are hereby called for redemption at par plus accrued interest on June 10, 2008 after which date said bonds shall cease to bear interest:

General Obligation Bonds, Series 2001, of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska, dated October 15, 2001, in the principal amount of \$1,260,000, numbered as shown on the records of the paying agent and registrar, becoming due on October 15 in each year from October 15, 2009, through and including October 15, 2021, (the "Called Bonds") issued by Sanitary and Improvement District No. 198 of Sarpy County, Nebraska, (the "District") for the acquisition and construction of various public infrastructure improvements for the District. The City by Ordinance No. 1046 has annexed all of the District and the Called Bonds constitute the valid and binding obligations of the City.

WHEREAS, Said bonds are payable at the office of TeamBank, N.A., in Bellevue, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with TeamBank, N.A., in Bellevue, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the Various Purpose Bonds, 2001 Series at par plus accrued interest on June 10, 2008 and to instruct TeamBank, N.A., in Bellevue, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND ADOPTED THIS 6TH DAY OF MAY, 2008.

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

(SEAL)

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF GENERAL OBLIGATION BONDS, 2002 SERIES FOR REDEMPTION

WHEREAS, That the following bonds are hereby called for redemption at par plus accrued interest on June 10, 2008 after which date said bonds shall cease to bear interest:

General Obligation Bonds, Series 2002, of Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, dated April 1, 2002, in the aggregate principal amount of \$2,610,000, numbered as shown on the records of the paying agent and registrar, becoming due on April 1 in each year from April 1, 2010, through and including April 1, 2022, (the "Called Bonds") issued by Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, (the "District") for the acquisition and construction of various public infrastructure improvements for the District. The City by Ordinance No. 1046 has annexed all of the District and the Called Bonds constitute the valid and binding obligations of the City.

WHEREAS, Said bonds are payable at the office of Great Western Bank, Omaha, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with Great Western Bank, Omaha, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the Various Purpose Bonds, 2001 Series at par plus accrued interest on June 10, 2008 and to instruct Great Western Bank, Omaha, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND ADOPTED THIS 6TH DAY OF MAY, 2008.

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2008, OF THE CITY OF LA VISTA, IN THE PRINCIPAL AMOUNT OF SIX MILLION EIGHT HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$6,845,000) TO REFUND CERTAIN OUTSTANDING DEBT OF THE CITY OF LA VISTA; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

Section 1. The Mayor and Council of the City of La Vista, Nebraska (the "City") hereby find and determine that there have been issued and are now outstanding and unpaid valid interest bearing bonds of the City consisting of the following series:

- A) Various Purpose Bonds, 2001 Series, dated January 24, 2001, in the total remaining principal amount of \$1,615,000 which mature and bear interest as follows:

<u>Amount</u>	<u>Interest Rate</u>	<u>Mature January 15 Of Year</u>
\$165,000	5.00%	2009
175,000	5.05	2010
180,000	5.10	2011
190,000	5.15	2012
200,000	5.25	2013
220,000	5.35	2014
225,000	5.45	2015
260,000	5.55	2016

Of which, those bonds maturing in the years 2010 through and including 2016 in the aggregate principal amount of \$1,450,000 (the "Called 2001 VP Bonds") have been called in accordance with their call provisions on June 10, 2008 (the "Redemption Date"); and

- B) Various Purpose Bonds, 2002 Series, dated June 12, 2002, in the total remaining principal amount of \$1,545,000 which mature and bear interest as follows:

<u>Amount</u>	<u>Interest Rate</u>	<u>Mature June 15 Of Year</u>
\$70,000	4.10%	2008
75,000	4.30	2009
80,000	4.45	2010
85,000	4.55	2011
90,000	4.65	2012
90,000	4.75	2013
95,000	4.85	2014
100,000	5.00	2015
105,000	5.10	2016
110,000	5.20	2017
120,000	5.25	2018
125,000	5.30	2019
130,000	5.35	2020
135,000	5.40	2021
135,000	5.45	2022

Of which, those bonds maturing in the years 2010 through and including 2022 in the aggregate principal amount of \$1,400,000 (the "Called 2002 VP Bonds") have been called in accordance with their call provisions on the Redemption Date.

The Mayor and Council of the City further find and determine that City by Ordinance No. 1046 has annexed all of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska ("SID 198") and by Ordinance No. 1046 has annexed all of Sanitary and Improvement District No. 200 of Sarpy County, Nebraska ("SID 200"); that there have been heretofore issued and are now outstanding and unpaid valid interest bearing bonds issued by SID 198 and SID 200 and such outstanding bond

obligations of SID 198 and SID 200 are now obligations of the City of La Vista, Nebraska; that said bonds include the following series:

- C) General Obligation Bonds, Series 2001, of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska, dated October 15, 2001, in the total remaining principal amount of \$1,325,000 which mature and bear interest as follows:

<u>Amount</u>	<u>Interest Rate</u>	<u>Mature October 15 Of Year</u>
\$65,000	4.70%	2008
70,000	4.80	2009
70,000	4.90	2010
75,000	5.00	2011
80,000	5.10	2012
85,000	5.15	2013
90,000	5.20	2014
95,000	5.25	2015
100,000	5.30	2016
105,000	5.35	2017
110,000	5.40	2018
120,000	5.45	2019
125,000	5.50	2020
135,000	5.50	2021

Of which, those bonds maturing in the years 2009 through and including 2021 in the aggregate principal amount of \$1,260,000 (the "Called 2001 SID Bonds") have been called in accordance with their call provisions on the Redemption Date; and

- D) General Obligation Bonds, Series 2002, of Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, dated April 1, 2002, in the total remaining principal amount of \$2,745,000 which mature and bear interest as follows:

<u>Amount</u>	<u>Interest Rate</u>	<u>Mature April 1 Of Year</u>
135,000	4.65	2009
140,000	4.85	2010
150,000	4.95	2011
160,000	5.05	2012
165,000	5.15	2013
175,000	5.25	2014
185,000	5.35	2015
195,000	5.45	2016
205,000	5.55	2017
220,000	5.75	2018
235,000	5.75	2019
245,000	5.75	2020
260,000	5.75	2021
275,000	5.75	2022

Of which, those bonds maturing in the years 2010 through and including 2022 in the aggregate principal amount of \$2,610,000 (the "Called 2002 SID Bonds") have been called in accordance with their call provisions on the Redemption Date.

The Called 2001 VP Bonds, the Called 2002 VP Bonds, the Called 2001 SID Bonds and the Called 2002 SID Bonds are referred to herein collectively as the "Called Outstanding Bonds". The Mayor and Council of the City further find and determine as follows: since the issuance of the Called Outstanding Bonds rates in the market have so declined, that by issuing its refunding bonds to provide for the payment and redemption of the Called Outstanding Bonds, all as set out above, a savings in the amount of yearly annual payments will be achieved; that all conditions, acts and things required to exist or to be done precedent to the issuance of refunding bonds of the City in the principal amount of \$3,942,000 pursuant to Section 10-615 and 10-616, R.R.S. Neb. 1997, as amended, to refund the Called 2001 SID Bonds and the Called 2002 SID Bonds do exist and have been done as required by law; that all conditions, acts and things required to exist or to be done precedent to the issuance of refunding bonds of the City in the principal amount of \$2,903,000 pursuant to Section 10-142, R.R.S. Neb. 1997, as amended, to refund the Called 2001 VP Bonds and the Called 2002 VP Bonds do exist and have been done as required by law; that all conditions, acts and things required to exist or to be

done precedent to the issuance of General Obligation Various Purpose Refunding Bonds of the City in the stated principal amount of not to exceed \$8,840,000 under Sections 18-1801 and 18-1802 R.R.S. Neb. 1997, as amended, to provide for the payment and redemption of the Called Outstanding Bonds do exist and have been done as required by law; and that for the purpose of providing for the payment and redemption of the Called Outstanding Bonds, and to pay the costs of issuance of said bonds, it is in the best interest of the City to issue its General Obligation Refunding Bonds in the amount of not to exceed \$8,840,000.

Section 2. To provide for the payment and redemption of the bonds as described in Section 1 hereof, there shall be and there are hereby ordered issued General Obligation Various Purpose Refunding Bonds, Series 2008, of the City of La Vista, Nebraska, in the principal amount of not to exceed Six Million Eight Hundred Forty-five Thousand Dollars (\$6,845,000) (the "Bonds"), with said Bonds bearing interest at the rates per annum and to become due on October 15 of each year as indicated below:

<u>Principal Amount</u>	<u>Maturing October 15</u>	<u>Interest Rate</u>
\$105,000	2008	5.00%
515,000	2009	5.00
525,000	2010	5.00
545,000	2011	5.00
555,000	2012	5.00
585,000	2013	5.00
600,000	2014	5.00
640,000	2015	5.00
415,000	2016	5.00
440,000	2017	5.00
455,000	2018	5.00
470,000	2019	5.00
490,000	2020	5.00
505,000	2021	5.00

The terms set forth above are intended as preliminary directions relating to the sale and issuance of the Bonds. In connection with determining the final terms of sale for the Bonds under Section 8 of this Ordinance there shall be executed and delivered on behalf of the City a designation of final terms (the "Designation") subject to the following: (a) such Bonds may bear interest at any lower interest rate per annum for each maturity from that shown above, (b) the principal maturity amounts may be modified consistent with the purpose of obtaining an overall savings in interest costs, and (c) serial maturities may be converted to term maturities with mandatory sinking fund redemptions, all as the City Administrator and/or Mayor may establish acting on behalf of the City and as may be agreed to by the Purchaser designated in Section 8 of this Ordinance, provided further that in no event shall the aggregate stated principal amount of the Bonds exceed \$6,845,000 and the Designation shall contain the following provision to govern any term maturities with mandatory sinking fund redemptions: "the bonds maturing as term bonds on October 15, 20__ (the "Term Bonds") shall be subject to call for redemption through application of a mandatory sinking fund payment, said bonds being callable by lot in the amount and on the dates as set out below at par plus accrued interest to the date of such call and in accordance with Section 6 of this Ordinance: [Insert table showing redemption dates and corresponding amounts to be redeemed]"

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable semi-annually on October 15 and April 15 of each year, commencing on October 15, 2008 (each an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with unpaid accrued interest thereon, shall be made by said Paying Agent and Registrar to the registered owners upon presentation

and surrender of the Bonds to said Paying Agent and Registrar. The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this Ordinance shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The City Treasurer is hereby designated to serve as Paying Agent and Registrar for the Bonds. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at the office of the City Treasurer. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the City, will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Bond or Bonds of the same series, interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Ordinance, one Bond may be transferred for several such Bonds of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligation as the Bonds surrendered and shall be entitled to all the benefits and protection of this Ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption. The Mayor and Council without amending this Ordinance may designate a replacement Paying Agent and Registrar with written notice of any such designation being furnished by mail or other means of communication deemed appropriate to the registered owners of the Bonds.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. Bonds maturing on or after October 15, 2013 shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue of the Bonds at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the Bonds to be redeemed for optional redemption in its sole discretion. Any scheduled mandatory redemptions of Term Bonds (if any) shall be at a price equal to 100% of the principal amount redeemed plus interest accrued on the principal amount being redeemed to the date fixed for redemption. The Paying Agent and Registrar shall select the Term Bonds (if any) for mandatory redemption using any random method of selection deemed appropriate by the Paying Agent and Registrar. Notice of redemption of any Bond called for redemption shall be given, at the direction of the City in the case of optional redemption and without further direction in the case of mandatory redemption, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for new Bonds evidencing the unredeemed principal thereof. Notice of redemption shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of the Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which

notice by mail has been properly given and the City shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF SARPY

GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BOND
OF THE CITY OF LA VISTA, NEBRASKA
SERIES 2008

No. R-

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	October 15,	Date of Delivery	

Registered Owner: Cede & Co.
13-2555119

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of La Vista, in the County of Sarpy, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable semiannually on April 15 and October 15 of each year, commencing October 15, 2008 (each an "Interest Payment Date"). Said interest shall be computed based upon a 360-day year consisting of twelve 30-day months. The principal hereof and interest due at maturity or upon earlier redemption are payable upon presentation and surrender of this bond at the office of the City Treasurer, the Paying Agent and Registrar, in La Vista, Nebraska. Interest on this bond due prior to maturity or early redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of Six Million Eight Hundred Forty-five Thousand Dollars (\$6,845,000), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the City in pursuance of and as provided by Sections 10-142, 10-615 and 10-616, R.R.S. Neb. 1997, as amended, and has been duly authorized by ordinance (the "Ordinance") legally passed, approved and published and by proceedings duly had by the Mayor and Council of said City in accordance with Section 18-1801 and 18-1802, R.R.S. Neb. 1997, as amended, for the purpose of refunding the following obligations issued by the City: Various Purpose Bonds, 2001 Series, dated January 24, 2001 in the principal amount of \$1,450,000 maturing in the years 2010 through and including 2016, Various Purpose Bonds, 2002 Series, dated June 12, 2002 in the principal amount of \$1,400,000 maturing in the years 2010 through and including 2022; and for the purpose of refunding the following obligations issued by Sanitary and Improvement District No. 198 of Sarpy County, Nebraska, and Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, which districts have been annexed by the City of La Vista and which bonds now constitute obligations of the City of La Vista: General Obligation Bonds, Series 2001, of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska, dated October 15, 2001, in the principal amount of \$1,260,000 maturing in the years 2009 through and including 2021, General Obligation Bonds, Series 2002, of Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, dated April 1, 2002, in the principal amount of \$2,610,000 maturing in the years 2010 through and including 2022.

Bonds of this issue maturing on or after October 15, 2013, are subject to redemption at the option of the City, in whole or in part, at any time on or after the fifth anniversary of the date of original issue thereof, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption.

[The Bonds due as term bonds in the year 20____ (the "Term Bonds") are required to be redeemed prior to their stated maturity, commencing on October 15, 20____, and continuing on October 15 of each year thereafter through and including payment at maturity, in part, which redemptions and payment at maturity shall be in the years and for the principal amounts set forth below:

Redemption Date

Amount Required to be Redeemed

(final maturity)

Such mandatory redemptions shall be at a price equal to 100% of the principal amount redeemed plus interest accrued on the principal amount being redeemed to the date fixed for redemption. The Paying Agent and Registrar shall select the Term Bonds for mandatory redemption using any random method of selection deemed appropriate by the Paying Agent and Registrar, subject to the terms of the Ordinance.]

Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed in the manner specified in the Ordinance. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the Ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

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

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

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

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

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

IN WITNESS WHEREOF, the Mayor and Council have caused this bond to be executed on behalf of the City of La Vista by being signed by facsimile signatures of the Mayor and City Clerk and by causing the official seal of the City to be affixed hereto, all as of the date of original issue specified above.

CITY OF LA VISTA, NEBRASKA

ATTEST:

(facsimile)
Mayor

(facsimile)
City Clerk
[SEAL]

CERTIFICATE OF AUTHENTICATION

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

CITY TREASURER, City of La Vista, Nebraska, as
Paying Agent and Registrar

STATEMENT OF INSURANCE

Financial Security Assurance Inc. ("Financial Security"), New York, New York, has delivered its municipal bond insurance policy with respect to the scheduled payments due of principal of and interest on this Bond to **the Treasurer of the City of La Vista, Nebraska**, or its successor, as paying agent for the Bonds (the "Paying Agent"). Said Policy is on file and available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from Financial Security or the Paying Agent.

(FORM OF ASSIGNMENT)

For value received _____ hereby sells,
assigns and transfers unto _____ the within bond and
hereby _____ irrevocably _____ constitutes _____ and _____ appoints
_____, attorney, to transfer the same on the
books of registration in the office of the within mentioned Paying Agent and Registrar with full power of
substitution in the premises.

Date: _____

Registered Owner

Witness: _____

Note: The signature(s) of this assignment must correspond with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Section 8. Each of the Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have impressed or imprinted thereon the City's seal. The Bonds shall be issued initially as "book-entry-only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a letter of representations (the "Letter of Representations") in the form required by the Depository (including any blanket letter previously executed and delivered by the City), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

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

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

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

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

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

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

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

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

(i) any successor securities depository or its nominee;

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

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

If for any reason the Depository resigns and is not replaced, the City shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Bonds upon transfer or partial redemption, the City agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Mayor and City Clerk of said City. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The City Treasurer shall cause a record of the information required by Section 10-140, R.R.S. Neb. 1997, as amended, regarding the Bonds to kept by the City and filed in the office of the Auditor of Public Accounts of the State of Nebraska. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the City Treasurer, who is authorized to deliver them to D.A. Davidson & Co., as the initial purchaser thereof, (the "Purchaser") upon receipt of 99.25% (which amount may be modified in the Designation to include original issue discount and/or original issue premium if determined appropriate for any maturity in connection with the determination of final interest rates and maturity schedule under the terms of Section 2 of this Ordinance) of the principal amount of the Bonds plus accrued interest thereon to date of payment of the Bonds. The Purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. The final terms of the Bonds shall be set forth in a Designation of Final Maturity Schedule and Interest Rates (the "Designation") executed on behalf of the Purchaser and on behalf of the City by the Mayor. Such purchaser and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing. If no other written agreement for the purchase of the Bonds is executed and delivered, this Ordinance and the Designation shall constitute the bond purchase agreement between the City and the Purchaser.

Section 9. The City Clerk shall make and certify duplicate transcripts of the proceedings of the Mayor and Council precedent to the issuance of said Bonds, one of which transcripts shall be delivered to the Purchaser of said Bonds.

Section 10. All accrued interest received from the sale of the Bonds shall be applied to pay interest falling due on October 15, 2008. The net principal proceeds of the Bonds shall be applied upon receipt to the redemption on the Redemption Date on a current basis of the principal of the Called 2001 Bonds, the Called 2002 Bonds, the Called 2001 SID Bonds and the Called 2002 SID Bonds by immediate deposit with the respective paying agent for each such issue of bonds. The City agrees to provide all amounts necessary, in addition to the available net proceeds of the Bonds, to effect the redemption in full of the Called 2001 Bonds, the Called 2002 Bonds, the Called 2001 SID Bonds and the Called 2002 SID Bonds on the Redemption Date. The City hereby agrees to take any and all actions and make any and all payments required to effect the redemption in full of the Called Outstanding Bonds as described in this Ordinance. The City hereby agrees that the holders of the Bonds shall be subrogated to the rights of the Called Outstanding Bonds from and after their respective redemptions as described in this Ordinance.

Section 11. The Mayor and Council shall cause to be levied and collected annually a special levy of taxes on all the taxable property in the City for the purpose of paying and sufficient to pay the interest on and principal of the Bonds when and as such principal and interest become due.

Section 12. The City hereby covenants to the purchasers and holders of the Bonds herein authorized that it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Internal Revenue Code of 1986, as amended, and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. The City hereby covenants and agrees to take all actions necessary under the Internal Revenue Code of 1986, as amended, to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds.

Section 13. The City's obligations under this Ordinance with respect to any or all of the Bonds shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been purchased by the City and canceled or when the payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made or caused to have been made in accordance with the terms thereof or (b) shall have been provided for by depositing with a national or state bank having trust powers or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as "U.S. Government Obligations") in such amount and bearing interest payable and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will insure the availability of sufficient money to make such payment; provided, however, that with respect to any Bond to be paid prior to maturity, the City shall have duly called such Bond for redemption and given notice of such redemption as provided by law or made irrevocable provision for the giving of such notice. Any money so deposited with such bank or trust company may be invested and reinvested in U.S. Government Obligations at the direction of the City, and all interest and income from such U.S. Government Obligations in the hands of such bank or trust company in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited shall be paid over to the City as and when collected.

Section 14. The Mayor and City Council hereby approve the Preliminary Official Statement with respect to the Refunding Bonds and the information therein contained, and the Mayor and City Finance Officer or either of them is authorized to approve and deliver a final Official Statement for and on behalf of the City, and said final Official Statement shall be delivered in accordance with the requirements of Reg. Sec. 240.15c2-12 of the Securities and Exchange Commission.

Section 15. In accordance with the requirements of Rule 15c2-12 (as now existing or subsequently amended, the "Rule") promulgated by the Securities and Exchange Commission (the "Commission"), the City hereby agrees that it will provide the following continuing disclosure information:

(a) to each nationally recognized municipal securities information repository (a "NRMSIR") and to the Purchaser of the Bonds, the City shall provide annual financial and operating information generally consistent with the information set forth under the heading "SELECTED FINANCIAL AND OPERATING INFORMATION" in Appendix A to the Official Statement for the Bonds and its audited financial statements; such information is expected to be available not later than seven months after the end of each fiscal year for the City; audited financial information shall be provided for the regular City funds, proprietary funds and pension trust funds in conformity with generally accepted accounting principles;

(b) in a timely manner to each NRMSIR (as and to the extent required by the Rule) or to the Municipal Securities Rule Making Board ("MSRB") (as and to the extent required by the Rule), notice of the occurrence of any of the following events with respect to the Bonds, if in the judgment of the City, such event is material:

- (1) principal and interest payment delinquencies,
- (2) non-payment related defaults,
- (3) unscheduled draws on debt service reserves reflecting financial difficulties,
- (4) unscheduled draws on credit enhancements reflecting financial difficulties,
- (5) substitution of credit or liquidity providers, or their failure to perform,
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds,
- (7) modifications to rights of the registered owners of the Bonds,
- (8) bond calls for the Bonds,
- (9) defeasances for the Bonds,
- (10) release, substitution, or sale of property securing repayment of the

Bonds, and

(11) rating changes, if any.

The City has not undertaken to provide notice of the occurrence of any other material event, except the events listed above.

(c) in a timely manner to each NRMSIR (as and to the extent required by the Rule) or to the MSRB (as and to the extent required by the Rule) notice of any failure on the part of the City to provide required annual financial information not later than seven months from the close of the City's fiscal year.

The City reserves the right to modify from time to time the specific types of information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City, consistent with the Rule. The City hereby agrees that such covenants may be enforced by any registered owner or Beneficial Owner of the Bonds, provided that any such right to enforcement shall be limited to specific enforcement of the continuing disclosure provisions of this Ordinance and any failure shall not constitute an event of default under this Ordinance or the Bonds. The continuing disclosure obligations of the City shall cease when none of the Bonds remain outstanding.

Section 16. The Bonds are being sold on the basis of bond insurance to be provided by Financial Security Assurance Inc. with the premium for such insurance to be paid by the City as a part of the terms of the sale of the Bonds and the officers of the City (or any one or more of them) are hereby authorized to take any and all actions deemed necessary in connection with effecting such insurance and to execute any and all agreements, documents and certificates deemed necessary in connection therewith.

For purposes of this Ordinance, the following definitions with respect to such insurance shall apply:

"The Insurer" or the "Insurer" shall mean Financial Security Assurance Inc., a New York-domiciled stock insurance company.

"Financial Guaranty Insurance Policy" shall mean the financial guaranty insurance policy issued by Financial Security Assurance Inc. insuring the payment when due of the principal of and interest on the Bonds as provided therein.

The Financial Guaranty Insurance Policy is to be provided by Financial Security Assurance Inc. pursuant to a Commitment for Financial Guaranty Insurance, Commitment Transaction No. _____ (the "Commitment"). The officers of the City (or any one or more of them) are hereby authorized to accept the Commitment on behalf of the City and to take any and all actions deemed necessary or appropriate in connection with the obtaining of such insurance. The premium for such insurance shall be paid for by the City from its own funds or from the proceeds of the Bonds, as determined appropriate by the officers of the City and if paid from the proceeds of the Bonds may be directly remitted by the Underwriter to The Insurer on behalf of the City. In connection with the requirements set forth in the Commitment relating to the issuance of the Financial Guaranty Insurance Policy, the following terms and conditions as required by The Insurer are hereby made and agreed to by the City with respect to the Bonds:

(a) Consent of The Insurer. As and to the extent that any provision of this Ordinance expressly recognizes or grants rights in or to The Insurer, such provisions may not be amended in any manner which affects the rights of The Insurer under this Ordinance without the prior written consent of The Insurer.

(b) Consent of The Insurer in Addition to Bondholder Consent. Unless otherwise provided in this Section 14, The Insurer's consent shall be required in addition to bondholder consent, when required, for the following purposes: (i) execution and delivery of any supplemental ordinance or any amendment, supplement or change to or modification of this Ordinance, (ii) removal of the Paying Agent and Registrar and selection and appointment of any successor paying agent and registrar; and (iii) initiation or approval of any action not described in (i) or (ii) above which requires bondholder consent.

(c) Consent of The Insurer in the Event of Insolvency. Any reorganization or liquidation plan with respect to the City must be acceptable to The Insurer. In the event of any reorganization or liquidation, The Insurer shall have the right to vote on behalf of all bondholders (registered owners) who hold (or own, including beneficial ownership) The Insurer-insured Bonds absent a default by The Insurer under the Financial Guaranty Insurance Policy.

(d) Consent of The Insurer Upon Default. Anything in this Ordinance to the contrary notwithstanding, upon the occurrence and continuance of a default in payment of principal or interest on the Bonds, The Insurer shall be entitled to control and direct the enforcement of

all rights and remedies granted to the holders (registered owners including Beneficial Owners) under this Ordinance or pursuant to the law of the State of Nebraska.

(e) Notices. The City agrees that notice shall be provided to The Insurer in accordance with the following provisions and further hereby directs the Paying Agent and Registrar to give notice as and to the extent required to be given by the Paying Agent and Registrar under the terms of such provisions:

(1) Notices to be sent to the attention of SURVEILLANCE DEPARTMENT:

- A. While the Financial Guaranty Insurance Policy is in effect, the City shall furnish to The Insurer (to the attention of the Surveillance Department, unless otherwise indicated):
 - (a) as soon as practicable after the filing thereof with the City, a copy of the City's audit and annual report and of any other financial statements of the City prepared by the City's accountants from time to time, at no cost to The Insurer;
 - (b) such additional information as The Insurer may reasonably request from time to time;
- B. a copy of any notice to be given to the registered owners of the Bonds, including, without limitation, notice of any redemption of or defeasance of the Bonds, and any certificate rendered pursuant to this Ordinance relating to the security for the Bonds, as and to the extent that any such certificate may be required under the terms of this Ordinance.
- C. The Insurer shall receive a copy of any information filed with any NRMSIR or the MSRB pursuant to the provisions of Section 13 of this Ordinance

(2) Notices to be sent to the attention of the GENERAL COUNSEL OFFICE:

- A. The City shall notify The Insurer of any failure of the City to provide relevant notices and certifications (if any) as required under the terms of this Section 14.
- B. Notwithstanding any other provision of this Ordinance, the City shall immediately notify The Insurer if at any time there are insufficient moneys to make any payments of principal and/or interest on the Bonds as required.

(f) Access for The Insurer. The City will permit The Insurer to discuss the affairs, finances and accounts of the City or any information The Insurer may reasonably request regarding the security for the Bonds with appropriate officers of the City. The City will permit The Insurer to have access to and to make copies of all books and records relating to the Bonds at any reasonable time. The Paying Agent and Registrar will permit The Insurer to have access to and to make copies of all books and records relating to the Bonds as may be kept by the Paying Agent and Registrar at any reasonable time.

(g) The Insurer's Right to Direct an Accounting. The Insurer shall have the right to direct an accounting at the City's expense, and the City's failure to comply with such direction within thirty (30) days after receipt of written notice of the direction from The Insurer shall be deemed a default hereunder; provided, however, that if compliance cannot occur within such period, then such period will be extended so long as compliance is begun within such period and diligently pursued, but only if such extension would not materially adversely affect the interests of any registered owner (including Beneficial Owners) of the Bonds.

(h) Payment Procedures under Financial Guaranty Insurance Policy. As long as the insurance under the Financial Guaranty Insurance Policy shall be in full force and effect, the City and any Paying Agent and Registrar agree to comply with the following provisions:

- (1) At least one (1) day prior to all Interest Payment Dates, the Paying Agent and Registrar will determine whether there will be sufficient funds available to pay the principal of or interest on the Bonds on such Interest Payment Date. If the Paying Agent and Registrar determines that there will be

insufficient funds available, the Paying Agent and Registrar shall so notify The Insurer. Such notice shall specify the amount of the anticipated deficiency, the Bonds to which such deficiency is applicable and whether such Bonds will be deficient as to principal or interest, or both. If the Paying Agent and Registrar has not so notified The Insurer at least one (1) day prior to an Interest Payment Date, The Insurer will make payments of principal or interest due on the Bonds on or before the first (1st) day next following the date on which The Insurer shall have received notice of nonpayment from the Paying Agent and Registrar.

(2) The Paying Agent and Registrar shall, after giving notice to The Insurer as provided in (1) above, make available to The Insurer and, at The Insurer's direction, to any bank, trust company or other fiduciary institution designated by The Insurer, as insurance trustee for The Insurer or any successor insurance trustee (the "Insurance Trustee"), the registration books of the City maintained by the Paying Agent and Registrar and all records relating to the Bonds maintained under this Ordinance.

(3) The Paying Agent and Registrar shall provide The Insurer and the Insurance Trustee with a list of registered owners of Bonds entitled to receive principal or interest payments from The Insurer under the terms of the Financial Guaranty Insurance Policy, and shall make arrangements with the Insurance Trustee (i) to mail checks or drafts to the registered owners of Bonds entitled to receive full or partial interest payments from The Insurer and (ii) to pay principal upon Bonds surrendered to the Insurance Trustee by the registered owners of Bonds entitled to receive full or partial principal payments from The Insurer.

(4) The Paying Agent and Registrar shall, at the time it provides notice to The Insurer pursuant to (1) above, notify registered owners of Bonds entitled to receive the payment of principal or interest thereon from The Insurer (i) as to the fact of such entitlement, (ii) that The Insurer will remit to them all or a part of the interest payments next coming due upon proof of any such owner's entitlement to interest payments and delivery to the Insurance Trustee, in form satisfactory to the Insurance Trustee, of an appropriate assignment of the registered owner's right to payment, (iii) that should they be entitled to receive full payment of principal from The Insurer, they must surrender their Bonds (along with an appropriate instrument of assignment in form satisfactory to the Insurance Trustee to permit ownership of such Bonds to be registered in the name of The Insurer) for payment to the Insurance Trustee, and not the Paying Agent and Registrar and (iv) that should they be entitled to receive partial payment of principal from The Insurer, they must surrender their Bonds for payment thereon first to the Paying Agent and Registrar who shall note on such Bonds the portion of the principal paid by the Paying Agent and Registrar and then, along with an appropriate instrument of assignment in form satisfactory to the Insurance Trustee, to the Insurance Trustee, which will then pay the unpaid portion of principal.

(5) In the event that the Paying Agent and Registrar has notice that any payment of principal of or interest on a Bond which has become Due for Payment (as defined in the Financial Guaranty Insurance Policy) and which is made to a holder (or registered owner) by or on behalf of the City has been deemed a preferential transfer and theretofore recovered from its registered owner pursuant to the United States Bankruptcy Code by a trustee in bankruptcy in accordance with the final, nonappealable order of a court having competent jurisdiction, the Paying Agent and Registrar shall, at the time The Insurer is notified pursuant to (1) above, notify all registered owners that in the event that any registered owner's payment is so recovered, such registered owner will be entitled to payment from The Insurer to the extent of such recovery if sufficient funds are not otherwise available, and the Paying Agent and Registrar shall furnish to The Insurer its records evidencing the payments of principal of and interest on the Bonds which have been made by the Paying Agent and Registrar and subsequently recovered from registered owners and the dates on which such payments were made.

(f) In addition to those rights granted The Insurer under this Ordinance, The Insurer shall, to the extent it makes payment of principal of or interest on Bonds, become subrogated to the rights of the recipients of such payments in

accordance with the terms of the Financial Guaranty Insurance Policy, and to evidence such subrogation (i) in the case of subrogation as to claims for past due interest, the Paying Agent and Registrar shall note The Insurer's rights as subrogee on the registration books of the City maintained by the Paying Agent and Registrar upon receipt from The Insurer of proof of the payment of interest thereon to the registered owners of the Bonds, and (ii) in the case of subrogation as to claims for past due principal, the Paying Agent and Registrar shall note The Insurer's rights as subrogee on the registration books of the City maintained by the Paying Agent and Registrar upon surrender of the Bonds by the registered owners thereof together with proof of the payment of principal thereof.

To the extent that this Ordinance confers upon or gives or grants to The Insurer any right, remedy or claim under or by reason of this Ordinance, The Insurer is hereby explicitly recognized as being a third-party beneficiary under this Ordinance and may enforce any such right remedy or claim conferred, given or granted under this Ordinance to or for the benefit of the registered owners of the Bonds (including Beneficial Owners). Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give or grant to, any person or entity, other than the City, the Paying Agent and Registrar, the Underwriter, The Insurer and the registered owners (including Beneficial Owners) of the Bonds, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent and Registrar, the Underwriter, The Insurer and the registered owners of the Bonds (including Beneficial Owners). In all cases where the direction or consent of The Insurer is required or permitted under the terms of this Ordinance, the right of The Insurer to require or withhold consent or to direct any actions to be taken shall be conditioned upon the Insurer's not then being in default under the express terms of the Financial Guaranty Insurance Policy as of the time for such consent or direction.

Section 17. This Ordinance shall be published in pamphlet form and shall be in force and take effect from and after its passage as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF MAY, 2008.

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

[SEAL]

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

I, Pamela A. Bueth, the undersigned City Clerk for the City of La Vista, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on May 6, 2008; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

City Clerk

[SEAL]

DOCS/836103.2

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 6, 2008 AGENDA**

Subject:	Type:	Submitted By:
MUNICIPAL CODE – AMEND SECTION 91.08 – ADD SECTIONS 91.061, 91.062, AND 91.09	RESOLUTION ♦ ORDINANCES RECEIVE/FILE	RICH UHL FIRE CHIEF

SYNOPSIS

Ordinances have been prepared to amend and add certain sections in Chapter 91: Fire Regulations of the Municipal Code.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

Recently, the City has received several complaints regarding the burning of plastics, cardboard, and other combustibles in home fireplaces. Additionally, the City has received complaints regarding unattended, “home-made” fire pits on personal property. It is the intention of these proposed ordinances to specifically identify acceptable and unacceptable materials used for recreational and cooking fires. Also, these proposed ordinances will clarify the definition of approved fire pits and outdoor fireplaces.

City Staff including law enforcement, fire department, and code enforcement personnel have responded to these complaints, but have had little to base their actions upon. These proposed ordinances would provide the public adequate clarification for purchase and use of these appliances and provide staff grounds for mitigation of violations of the Municipal Code.

Recommended amendments are proposed as follows:

- Section 91.08 of the Municipal Code amended to clarify the exclusion of the named appliances from burning ban provisions and to identify that rules exist for what materials can be burned.
- Section 91.061 to provide for definitions of approved outdoor burning appliances.
- Section 91.062 to determine what are allowable and not allowable outdoor recreation fires.
- Section 91.09 specifies the materials that can and cannot be burned in any of the aforementioned appliances.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 91.08 OF THE LA VISTA MUNICIPAL CODE PERTAINING TO FIREPLACES AND INDOOR INCINERATORS; TO REPEAL SECTION 91.08 AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. AMENDMENT OF SECTION 91.08. Section 91.08 of the La Vista Municipal Code is hereby amended to read as follows:

§ 91.08 FIREPLACES AND INDOOR INCINERATORS EXEMPTED

Burning in fireplaces and incinerators opening exclusively into the interior of any permanent structure are exempt from the burning ban as well as grilling/outdoor cooking appliances but must follow rules regarding burning materials which are allowed and not allowed.

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

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

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

PASSED AND APPROVED THIS 6TH DAY OF MAY 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO PROVIDE FOR OPEN BURNING: OUTDOOR RECREATIONAL FIRES;
AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. New Section 91.061 of the La Vista Municipal Code. Section 91.061 of the La Vista
Municipal Code is hereby enacted to read as follows:

"§ 91.061 DEFINITIONS. For the purpose of Section 91.062 the following definitions shall
apply unless the context clearly indicates or requires a different meaning.

1. *Approved fire pit* shall mean any pit dug below ground not greater than 36 inches inside
diameter (inside edge of the pit to inside edge); lined with non-combustible material, soil, metal or
stone; a minimum of 6 inches deep; and, ringed on the outer diameter with stone, brick or
concrete, and the fire fuel area shall be enclosed within a steel or non-combustible screening
material.
2. *Outdoor Fireplace* shall mean any commercially available appliance designed to contain a
wood fire when operated according to manufacturer's instructions with all lids, screens and spark
arresting devices in place; or permanent fireplace structure built entirely of non-combustible
materials designed with spark arrestors and screens to contain a wood fire.
3. *Recreational fire* shall mean any fire used for purposes of entertainment and personal
enjoyment which is contained within an outdoor fireplace in accordance with any requirements or
limitations of this Code.
4. *Proper Fire Extinguishing Equipment* shall mean a garden hose connected to a water
supply, shovels, water buckets or a 2A 10BC rated fire extinguisher.

SECTION 2. New Section 91.062 of the La Vista Municipal Code. Section 91.062 of the La Vista
Municipal Code is hereby enacted to read as follows:

"§ 91.062 OPEN BURNING: OUTDOOR RECREATIONAL FIRES. Outdoor fires within the
corporate limits of the City of La Vista are prohibited except as set forth in subsections (A) and (B)
of this section.

(A) (1) No grills or devices used for outdoor fires for cooking are authorized to be used above
the first story of any building on a balcony, raised porch or platform, etc. except for properly
maintained liquid petroleum or liquid natural gas outdoor cooking appliances that have tanks no
greater than 1.02 lb. LP gas capacity.

(B) (1) No recreational fire may be started or allowed to continue burning unless such
recreational fire is fully contained within an approved fire pit or outdoor fireplace.

(2) Outdoor fireplace appliances shall not be within 10 feet of any dwelling, building
structure, shed or garage or combustible material; no fire pit shall be closer than 15 feet from any
wooden fence, deck or combustible material; all recreational fires are to be set back a minimum
of 6 feet from adjoining property lines.

(3) No recreational fire shall be started or allowed to continue burning when the wind
direction or wind speed will cause embers or other burning material to be carried onto any
building or combustible material; nor any time that the wind direction will carry smoke into the
open windows of any building. Smoke from any recreational fire shall not create a nuisance for
neighboring properties and fires shall be completely extinguished when police or fire department
investigation determines a nuisance is present.

(4) Fuel for outdoor recreational fires shall consist of natural wood or manufactured fire log
material only and may not include leaves, rubbish, garbage, trash, construction materials, any
materials made of or coated with rubber or plastic, leather or petroleum based materials and may
not contain any flammable or combustible liquids. Flammable or combustible liquids may not be
used to aid in starting any outdoor fire. Common/standard dry kindling materials may be used to
aid in starting fires.

(5) Recreational fires shall be constantly attended and supervised by a competent person
at least 18 years of age until the fire has been completely extinguished. Proper fire extinguishing
equipment must be kept immediately available at all times when a recreational fire is burning.

(6) Any party who starts or maintains a recreational fire that is allowed to burn out-of-control shall be held responsible for paying any costs associated with fire control efforts to extinguish the fire.

(7) Ash or waste from any fire shall not be deposited in the roadway ditches within the public streets and highways within the township.

(8) Recreational fires shall be permitted only from 11 a.m. to 11 p.m., year round."

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF MAY 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO PROVIDE FOR OPEN BURNING: OUTDOOR RECREATIONAL FIRES;
AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. New Section 91.09 of the La Vista Municipal Code. Section 91.09 of the La Vista
Municipal Code is hereby enacted to read as follows:

"§ 91.09 BURNING MATERIALS: ALLOWED AND NOT ALLOWED.

Except for commercial products expressly manufactured for starting a fire in a wood burning
appliance, whether internal or external, no person shall cause or allow any of the following
materials to be burned in a wood burning appliance: 1). Garbage; 2). Treated wood; 3). Plastic
products; 4). Rubber products; 5). Waste petroleum products; 6). Paints & paint solvents; 7)
Coal; 8). Glossy or colored paper; 9). Particle board; 10). Any other material not intended by a
manufacturer for use as fuel in a solid fuel burning device.

Fuel allowed by this section shall include, but shall not supersede manufacturer's specifications
for a specific wood burning appliance: 1). Seasoned wood (containing no more than 20%
moisture by weight); 2). Solid fuel (any wood or other non-gaseous or non-liquid fuel) approved
by the manufacturer for the appliance."

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this
Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or
invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance.
The Mayor and City Council of the City of La Vista hereby declare that it would have passed this
Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact
that any one or more sections, subsections, sentences, clauses or phrases be declared
unconstitutional or invalid.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect from and
after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF MAY, 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 6, 2008 AGENDA**

Subject:	Type:	Submitted By:
AWARD CONTRACT – GOLF COURSE CART PATHS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared awarding a contract to TAB Construction Company, Omaha, Nebraska, for the installation of concrete cart paths on fairways #2 and #3 at the Golf Course in an amount not to exceed \$13,561.00.

FISCAL IMPACT

The FY 2008/09 Golf Fund provides \$10,000 for the proposed improvements.

RECOMMENDATION

Approval

BACKGROUND

The Public Works Department solicited bids for installing 6-foot wide concrete cart paths on fairways #2 and #3 at the Golf Course. Bids were received from three companies. TAB Construction Company was the low compliant bidder. The following bids were received:

TAB Construction Company	\$13,561.00
Navarro Enterprise Construction Inc.	\$16,605.00
Howrey Construction	\$15,300.00

The low bid exceeds the amount budgeted by \$3,561.00. The attached location map shows the portion that could be funded within the budgeted amount. It also depicts the remainder needed to get to the bridge. It is anticipated that completion of the cart path to the bridge would guarantee play 90-95% of the time during periods of inclement weather. Therefore, it is believed that completion of the cart path to the bridge will increase the number of rounds and cart rentals and as a result fund the difference through increased play and rentals.

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO TAB CONSTRUCTION COMPANY, OMAHA, NEBRASKA, FOR INSTALLATION OF CONCRETE CART PATHS ON FAIRWAY #2 AND #3 AT THE GOLF COURSE IN AN AMOUNT NOT TO EXCEED \$13,561.00.

WHEREAS, the City Council of the City of La Vista has determined that the proposed construction improvements are necessary; and

WHEREAS, the FY 2008/09 Golf Fund provides funding for the proposed project.

WHEREAS, the Public Works Department solicited bids and recommends that a contract be awarded to TAB Construction Company, as the low qualified bidder; 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, by the Mayor and City Council of La Vista, Nebraska, that a contract be awarded to TAB Construction Company, Omaha, Nebraska, for installation of concrete cart paths on fairway #2 and #3 at the Golf Course in an amount not to exceed \$13,561.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

PASSED AND APPROVED THIS 6TH DAY OF MAY 2008

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

REPLAT 2

\$10,000

\$3,561

Bridge #3

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**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 6, 2008 AGENDA**

Subject:	Type:	Submitted By:
AMENDMENT TO CDBG RECOVERED PROGRAM INCOME REUSE PLAN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared to approve an amendment to the Community Development Block Grant (CDBG) Recovered Program Income Reuse Plan for Economic Development to allow for additional eligible activities and applicants.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

In May of 1997, the City Council approved a Reuse Plan for retention of recovered program income from CDBG funds. In May of 2004 the City Council approved Resolution No. 04-054 which amended the plan to include loan servicing costs, such as attorney fees and other administrative costs. In reviewing the City's plan recently with the Metropolitan Area Planning Agency (MAPA), staff was advised that other communities have amended their reuse plans to add the national objective of the elimination of slums or blight and to allow projects involving public infrastructure for economic development activities or the removal of blighted conditions, including the planning/engineering studies necessary to design a project.

The City's CDBG Recovered Program Income Reuse Plan for Economic Development is attached with the proposed amendments to Parts II and III. The Plan will then be submitted to the Nebraska Department of Economic Development for approval.

CITY OF LA VISTA
CDBG Recovered Program Income – Reuse Plan for Economic Development
Smokin' Gun Meats Retention of Recovered Program Income
94-ED-016

Amended May 2008
Amended May-18, 2004

PART I: Regional Plan

Reuse of recovered program income funds, ~~approximately \$150,000~~ from the Smokin' Gun Meats Project (94-ED-016) will be available for reuse in Sarpy County: Bellevue, La Vista, Gretna, Papillion and Springfield.

PART II: Goals and Objectives of the Plan

A. National Objective

~~Projects approved for reuse funds will meet the national objective~~ one of two national objectives, listed as follows: A minimum of fifty-one percent of the jobs created or retained must be held by or made available to low-moderate income persons.

1. Creation and/or retention of jobs which are held by or made available through first consideration to low-to-moderate-income persons.
2. Removal of slums or blighted areas, provided that project activities are consistent with the CDBG regulations established by HUD and the Nebraska Department of Economic Development.

~~Projects approved for reuse funds will meet the national objective. A minimum of fifty-one percent of the jobs created or retained must be held by or made available to low-moderate income persons.~~

B. Local Objectives

1. To provide financing for start-up and existing businesses that cannot obtain conventional financing or to attract new business to the Sarpy County area, with preference for La Vista and the La Vista zoning jurisdiction.
2. To create, ~~and~~ retain, ~~or replace~~ jobs principally for low- ~~or moderate~~-income persons.
3. To diversify the area economy by assisting businesses which are presently not in the area.
4. To encourage the redevelopment of vacant or blighted businesses and land.
5. To promote entrepreneurship and new business development.
6. To stop "leakage" of dollars from leaving the Sarpy County area.
7. To provide necessary public infrastructure to businesses.
8. To assist businesses with job training cost for new employees or to upgrade skills of existing employees.
9. ~~To aid in removal of slums and blight.~~

PART III: Eligibility

A. Eligible Business

Businesses eligible for project assistance through the reuse funds include (in no preferential order):

1. Manufacturing
2. Service Sector when the majority of sales are derived from interstate commerce.
3. Research and Development which includes the conducting of research, development and testing of scientific, food, or industrial purposes.
4. Warehousing and Distribution when the majority of revenue is derived from interstate commerce.
5. Administrative Management Headquarters
6. Transportation when the majority of revenue is derived from interstate commerce.

7. Tourism attractions which are expected to draw 2,500 additional visits from origins of at least 100 miles away. Tourist attractions are sites and facilities which draw visitors from a distance because of their scenic, historic, cultural, scientific, and/or recreational attributes. Examples of eligible attractions are "historic restoration, museums, particularly sports facilities, and convention centers".

For projects involving the provision of public infrastructure for economic development activities or the removal of slums and blight, local units of municipal and county government are also considered to be eligible applicants.

B. Eligible Activities

1. Assistance to eligible for-profit businesses when the assistance is appropriate to carry out an economic development project.
2. Activities involving eligible business which are carried out by public or private entities, including acquisition, construction, rehabilitation, or installation of (a.) public facilities (except for the general conduct of government), site improvements, and utilities, and (b.) commercial or industrial real property improvements.
3. Planning activities necessary to develop strategies for the elimination of slums and blight.

C. Types of Assistance

Applicants (eligible businesses) may apply for the following types of assistance to carry out eligible activities:

1. DIRECT LOAN for a) working capital, and b) fixed assets which include (1) land acquisition, (2) the acquisition, construction, reconstruction, rehabilitation, or installation of commercial or industrial buildings/structures, and (3) the acquisition of machinery and equipment.
2. LOAN GUARANTEE for working capital revolving, on a one-year basis with a one year option to extend. A renewal will not be granted unless the job creation requirements have been met.
3. DEFERRED LOANS FOR EQUITY for start-up businesses or existing businesses experiencing increased or rapid growth in meeting equity capital investment of private lenders and such public lenders as the Small Business Administration, Research and Development Authority, and the Farmers Home Administration. Start-up businesses are defined as businesses operational for less than five years, or the buy-out of an existing business in which the restructuring of ownership is essential for the creation or retention of LMI jobs. Increased and rapid growth is defined as increased or anticipated growth in sales related to markets accompanied by a shortage of working capital.
4. GRANTS for public infrastructure to aid in removal of slums or blighted conditions in designated redevelopment areas or to facilitate creation/retention of jobs for low-to-moderate income citizens by an eligible business.

D. Guidelines for Assistance

1. Direct Loan

- a. CDBG reuse funds shall not constitute more than 50% of the total project costs.
- b. Owner equity requirements shall be determined on a case-by-case basis, normally ranging from 10% to 20% of the projected costs.
- c. The remaining portion of the financing will typically come from regulated lenders which include commercial banks, savings and loan associations, savings banks, insurance companies, and other public lenders.
- d. The CDBG reuse loan shall carry an interest rate between 0% and the "New York Prime" interest rate established by the most recent issue of the Wall Street Journal.
- e. The CDBG reuse loan term shall generally not exceed seven years for working capital loans and the useful life of the fixed asset financed up to 15 years.

- f. The CDBG reuse loan shall generally be secured by a mortgage, deed of trust, and/or such other security as is appropriate. Collateral value will be established by an appraisal (real estate and equipment) or cost verification must be adequate to secure the loan.
 - g. Personal and/or corporate guarantees are generally required.
 - h. If other federal guarantors or federal lenders are financing project costs, CDBG reuse loan payments will be made concurrently with their loan payments.
 - i. Start-up businesses shall demonstrate the market, financial, and technical feasibility of a proposed project.
 - j. Performance based loans, in which the loan is forgiven, are permitted in projects that significantly increase benefit to lower income persons and the public at large must be matched by the community's direct financial commitment (excluding CDBG program income funds and community improvement financing).
2. Loan Guarantee
- a. CDBG reuse funds shall not guarantee more than 80% of the loan's principal amount.
 - b. The guaranteed lender shall, to the extent feasible, secure the loan, and shall cause to be executed a note and all additional instruments and take such actions which shall be required to fully protect or preserve the interests of the lender and the local government in the loan. The note shall generally be secured by accounts receivable and inventory. Additional secured positions might be taken.
 - c. Significant penalties may be imposed on the borrower if job creation requirements are not met.
 - d. The interest rate of the lender shall be negotiated by the lender, the borrower, and the Sarpy County Economic Development Corporation (SCEDC) on behalf of Sarpy County, on a case-by-case basis.
 - e. The lender shall not acquire any preferential security, surety, or insurance to protect its unguaranteed interest in the loan.
 - f. If a default occurs, the grantee and lender are required to take whatever recourse it has against the borrower prior to call the guarantee.
3. Deferred Loans for Equity
- a. CDBG reuse shall not constitute more than 49% of the minimum equity requirements to leverage conventional and other public sources of financing. For a business buy-out, any amount attributed to "blue sky" shall be deducted from the purchase price before calculating the minimum equity investment according to this provision.
 - b. SCEDC shall determine financial, market, management and technical feasibility based on the projects ability to leverage other private or public sources of debt and equity financing and appropriate criteria.
 - c. Repayment terms of the CDBG reuse funds will be negotiated on a case-by-case basis and generally commence at the maturity or end of the initial primary loan.
 - d. The CDBG reuse loan shall generally carry an interest rate between 0% and the "New York Prime" interest rate established by the most recent issue of the Wall Street Journal. This rate will accrue over the deferment period. The amortized repayment interest rate will be the same.
 - e. The business shall be required to execute a promissory note, and loan agreement which shall contain a due on sale provision that requires a payback if the business is sold.
 - f. Sarpy County shall take an assignment of security.
 - g. Personal and/or corporate guarantees shall generally be required.
 - h. The business must show evidence of sufficient working capital.
 - i. Deferred Loans for Equity funds cannot be used when the business is receiving other CDBG direct loans and/or loan guarantees.

4. Grants for Public Infrastructure

- a. Grants for public infrastructure improvements shall be reviewed utilizing the same procedures as for loans.
- b. Grants shall be disbursed from the funds monthly as needed, reimbursing the applicant for expenditures.

PART IV: Administration of the Plan

A. Application Process

1. Businesses will be able to obtain applications from:

Sarpy County Economic Development Corporation
1301 Harney Street
Omaha, Nebraska 68102
(402) 346-5015

2. The application review committee shall consist of the executive board of the Sarpy County Economic Development Corporation. The members of the review committee shall be the SCEDC:

President	Treasurer	
Vice President	County Commissioner	
Secretary	Legal Counsel	La Vista
Director		

Representative - SCEDC Board of Directors

3. Recommendations from the review committee shall be approved by the Sarpy County Economic Development Corporation Board of Directors and the City of La Vista City Council prior to approval of the application.

B. Loan Closing and Project Monitoring

1. All legal documents and security instruments shall be prepared by the applicant. All legal documents and security instruments shall be reviewed and approved by the legal counsel of the SCEDC and Sarpy County.
2. Funds shall be disbursed to the business (1) at the completion of the application and in accordance with criteria established in PART III, Section D.
3. Determination will be made on a case-by-case basis whether the loan servicing and monitoring of job creation/retention requirements shall be the responsibility of the SCEDC, Sarpy County, or MAPA.
4. Determination will be made on a case-by-case basis whether the CDBG compliance such as environmental review and Davis Bacon compliance shall be the responsibility of the SCEDC, Sarpy County, or MAPA.
5. To ensure program continuity, a 1.5 to 2% funding fee will be charged to each borrower to cover the City's cost of servicing the loan.

C. Amending the Plan

Amendments to the Smokin' Gun Meats Recovered Program Income Reuse Plan Project 94-ED-016 must be approved by:

- 1) La Vista City Council
- 2) Nebraska Department of Economic Development

PART V: Reporting to DED

A. First Reuse Approval

The first reuse of program income from grant 94-ED-016 will be submitted to DED for approval.

B. Program Income Reports

Sarpy County Economic Development Corporation shall be responsible for submitting Semi-Annual Program Income Reports to DED by July 15 and January 15.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AMENDING THE CDBG RECOVERED PROGRAM INCOME REUSE PLAN FOR ECONOMIC DEVELOPMENT TO ADD THE NATIONAL OBJECTIVE OF THE ELIMINATION OF SLUMS AND BLIGHT AND TO ALLOW PROJECTS INVOLVING PUBLIC INFRASTRUCTURE FOR ECONOMIC DEVELOPMENT ACTIVITIES OR THE REMOVAL OF BLIGHTED CONDITIONS, INCLUDING THE PLANNING OR ENGINEERING STUDIES NECESSARY TO DESIGN A PROJECT.

WHEREAS, the City of La Vista adopted a CDBG Recovered Program Income Reuse Plan for Economic Development on May 6, 1997; and

WHEREAS, on May 18, 2004, the City Council approved Resolution No. 04-054 to amend the Plan to allow loan servicing costs as an eligible cost; and

WHEREAS, based on discussions with the Metropolitan Area Planning Agency, staff is recommending amendments to the Plan to add the national objective of the elimination of slums or blight and to allow projects involving public infrastructure for economic development activities or the removal of blighted conditions, including the planning/engineering studies necessary to design a project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby amend the CDBG Recovered Program Income Reuse Plan for Economic Development by adding amendments to Parts II and III which add the national objective of the elimination of slums or blight and to allow projects involving public infrastructure for economic development activities or the removal of blighted conditions, including the planning/engineering studies necessary to design a project.

PASSED AND APPROVED THIS 6TH DAY OF MAY, 2008

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
CDBG Recovered Program Income – Reuse Plan for Economic Development
Smokin' Gun Meats Retention of Recovered Program Income
94-ED-016

Amended May 2008

PART 1: Regional Plan

Reuse of recovered program income funds, from the Smokin' Gun Meats Project (94-ED-016) will be available for reuse in Sarpy County: Bellevue, La Vista, Gretna, Papillion and Springfield.

PART II: Goals and Objectives of the Plan

A. National Objective

Projects approved for reuse funds will meet one of two national objectives, listed as follows:

1. Creation and/or retention of jobs which are held by or made available through first consideration to low-to-moderate-income persons.
2. Removal of slums or blighted areas, provided that project activities are consistent with the CDBG regulations established by HUD and the Nebraska Department of Economic Development.

B. Local Objectives

1. To provide financing for start-up and existing businesses that cannot obtain conventional financing or to attract new business to the Sarpy County area, with preference for La Vista and the La Vista zoning jurisdiction.
2. To create, retain, or replace jobs principally for low- or moderate-income persons.
3. To diversify the area economy by assisting businesses which are presently not in the area.
4. To encourage the redevelopment of vacant or blighted businesses and land.
5. To promote entrepreneurship and new business development.
6. To stop "leakage" of dollars from leaving the Sarpy County area.
7. To provide necessary public infrastructure to businesses.
8. To assist businesses with job training cost for new employees or to upgrade skills of existing employees.
9. To aid in removal of slums and blight.

PART III: Eligibility

A. Eligible Business

Businesses eligible for project assistance through the reuse funds include (in no preferential order):

1. Manufacturing
2. Service Sector when the majority of sales are derived from interstate commerce.
3. Research and Development which includes the conducting of research, development and testing of scientific, food, or industrial purposes.
4. Warehousing and Distribution when the majority of revenue is derived from interstate commerce.
5. Administrative Management Headquarters
6. Transportation when the majority of revenue is derived from interstate commerce.
7. Tourism attractions which are expected to draw 2,500 additional visits from origins of at least 100 miles away. Tourist attractions are sites and facilities which draw visitors from a distance because of their scenic, historic, cultural, scientific, and/or recreational attributes. Examples of eligible attractions are "historic restoration, museums, particularly sports facilities, and convention centers".

For projects involving the provision of public infrastructure for economic development activities or the removal of slums and blight, local units of municipal and county government are also considered to be eligible applicants.

B. Eligible Activities

1. Assistance to eligible for-profit businesses when the assistance is appropriate to carry out an economic development project.
2. Activities involving eligible business which are carried out by public or private entities, including acquisition, construction, rehabilitation, or installation of (a.) public facilities (except for the general conduct of government), site improvements, and utilities, and (b.) commercial or industrial real property improvements.
3. Planning activities necessary to develop strategies for the elimination of slums and blight.

C. Types of Assistance

Applicants (eligible businesses) may apply for the following types of assistance to carry out eligible activities:

1. DIRECT LOAN for a) working capital, and b) fixed assets which include (1) land acquisition, (2) the acquisition, construction, reconstruction, rehabilitation, or installation of commercial or industrial buildings/structures, and (3) the acquisition of machinery and equipment.
2. LOAN GUARANTEE for working capital revolving, on a one-year basis with a one year option to extend. A renewal will not be granted unless the job creation requirements have been met.
3. DEFERRED LOANS FOR EQUITY for start-up businesses or existing businesses experiencing increased or rapid growth in meeting equity capital investment of private lenders and such public lenders as the Small Business Administration, Research and Development Authority, and the Farmers Home Administration. Start-up businesses are defined as businesses operational for less than five years, or the buy-out of an existing business in which the restructuring of ownership is essential for the creation or retention of LMI jobs. Increased and rapid growth is defined as increased or anticipated growth in sales related to markets accompanied by a shortage of working capital.
4. GRANTS for public infrastructure to aid in removal of slums or blighted conditions in designated redevelopment areas or to facilitate creation/retention of jobs for low-to-moderate income citizens by an eligible business.

D. Guidelines for Assistance

1. Direct Loan

- a. CDBG reuse funds shall not constitute more than 50% of the total project costs.
- b. Owner equity requirements shall be determined on a case-by-case basis, normally ranging from 10% to 20% of the projected costs.
- c. The remaining portion of the financing will typically come from regulated lenders which include commercial banks, savings and loan associations, savings banks, insurance companies, and other public lenders.
- d. The CDBG reuse loan shall carry an interest rate between 0% and the "New York Prime" interest rate established by the most recent issue of the Wall Street Journal.
- e. The CDBG reuse loan term shall generally not exceed seven years for working capital loans and the useful life of the fixed asset financed up to 15 years.
- f. The CDBG reuse loan shall generally be secured by a mortgage, deed of trust, and/or such other security as is appropriate. Collateral value will be established by an appraisal (real estate and equipment) or cost verification must be adequate to secure the loan.
- g. Personal and/or corporate guarantees are generally required.
- h. If other federal guarantors or federal lenders are financing project costs, CDBG reuse loan payments will be made concurrently with their loan payments.

- i. Start-up businesses shall demonstrate the market, financial, and technical feasibility of a proposed project.
 - j. Performance based loans, in which the loan is forgiven, are permitted in projects that significantly increase benefit to lower income persons and the public at large must be matched by the community's direct financial commitment (excluding CDBG program income funds and community improvement financing).
- 2. Loan Guarantee
 - a. CDBG reuse funds shall not guarantee more than 80% of the loan's principal amount.
 - b. The guaranteed lender shall, to the extent feasible, secure the loan, and shall cause to be executed a note and all additional instruments and take such actions which shall be required to fully protect or preserve the interests of the lender and the local government in the loan. The note shall generally be secured by accounts receivable and inventory. Additional secured positions might be taken.
 - c. Significant penalties may be imposed on the borrower if job creation requirements are not met.
 - d. The interest rate of the lender shall be negotiated by the lender, the borrower, and the Sarpy County Economic Development Corporation (SCEDC) on behalf of Sarpy County, on a case-by-case basis.
 - e. The lender shall not acquire any preferential security, surety, or insurance to protect its unguaranteed interest in the loan.
 - f. If a default occurs, the grantee and lender are required to take whatever recourse it has against the borrower prior to call the guarantee.
- 3. Deferred Loans for Equity
 - a. CDBG reuse shall not constitute more than 49% of the minimum equity requirements to leverage conventional and other public sources of financing. For a business buy-out, any amount attributed to "blue sky" shall be deducted from the purchase price before calculating the minimum equity investment according to this provision.
 - b. SCEDC shall determine financial, market, management and technical feasibility based on the projects ability to leverage other private or public sources of debt and equity financing and appropriate criteria.
 - c. Repayment terms of the CDBG reuse funds will be negotiated on a case-by-case basis and generally commence at the maturity or end of the initial primary loan.
 - d. The CDBG reuse loan shall generally carry an interest rate between 0% and the "New York Prime" interest rate established by the most recent issue of the Wall Street Journal. This rate will accrue over the deferment period. The amortized repayment interest rate will be the same.
 - e. The business shall be required to execute a promissory note, and loan agreement which shall contain a due on sale provision that requires a payback if the business is sold.
 - f. Sarpy County shall take an assignment of security.
 - g. Personal and/or corporate guarantees shall generally be required.
 - h. The business must show evidence of sufficient working capital.
 - i. Deferred Loans for Equity funds cannot be used when the business is receiving other CDBG direct loans and/or loan guarantees.
- 4. Grants for Public Infrastructure
 - a. Grants for public infrastructure improvements shall be reviewed utilizing the same procedures as for loans.
 - b. Grants shall be disbursed from the funds monthly as needed, reimbursing the applicant for expenditures.

PART IV: Administration of the Plan

A. Application Process

1. Businesses will be able to obtain applications from:

Sarpy County Economic Development Corporation
1301 Harney Street
Omaha, Nebraska 68102
(402) 346-5015

2. The application review committee shall consist of the executive board of the Sarpy County Economic Development Corporation. The members of the review committee shall be the SCEDC:

President		
Vice President	Treasurer	
Secretary	County Commissioner	
Director	Legal Counsel	La Vista

Representative - SCEDC Board of Directors

3. Recommendations from the review committee shall be approved by the Sarpy County Economic Development Corporation Board of Directors and the City of La Vista City Council prior to approval of the application.

B. Loan Closing and Project Monitoring

1. All legal documents and security instruments shall be prepared by the applicant. All legal documents and security instruments shall be reviewed and approved by the legal counsel of the SCEDC and Sarpy County.
2. Funds shall be disbursed to the business (1) at the completion of the application and in accordance with criteria established in PART III, Section D.
3. Determination will be made on a case-by-case basis whether the loan servicing and monitoring of job creation/retention requirements shall be the responsibility of the SCEDC, Sarpy County, or MAPA.
4. Determination will be made on a case-by-case basis whether the CDBG compliance such as environmental review and Davis Bacon compliance shall be the responsibility of the SCEDC, Sarpy County, or MAPA.
5. To ensure program continuity, a 1.5 to 2% funding fee will be charged to each borrower to cover the City's cost of servicing the loan.

C. Amending the Plan

Amendments to the Smokin' Gun Meats Recovered Program Income Reuse Plan Project 94-ED-016 must be approved by:

- 1) La Vista City Council
- 2) Nebraska Department of Economic Development

PART V: Reporting to DED

A. First Reuse Approval

The first reuse of program income from grant 94-ED-016 will be submitted to DED for approval.

B. Program Income Reports

Sarpy County Economic Development Corporation shall be responsible for submitting Semi-Annual Program Income Reports to DED by July 15 and January 15.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOL AT GLORY DAYS INC DBA J BIRDS FOOD AND SPIRITS LOUNGE MAY 31, 2008, IN CONJUNCTION WITH THE ANNUAL LA VISTA FIRE DEPARTMENT GOLF TOURNAMENT.

WHEREAS, Glory Days Inc dba J Birds Food and Spirits Lounge is located within the City of La Vista; and

WHEREAS, Glory Days Inc dba J Birds Food and Spirits Lounge has requested approval of a Special Designated Permit to sell alcohol in an outdoor area at their establishment May 31, 2008 from 11:00 a.m. to 3:00 p.m., in conjunction with the annual La Vista Fire Department Golf Tournament.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Glory Days Inc dba J Birds Food and Spirits Lounge to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell alcohol in an outdoor area at their establishment on May 31, 2008, in conjunction with the annual La Vista Fire Department Golf Tournament.

PASSED AND APPROVED THIS 6TH DAY OF MAY 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



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

TO: Pam Buethe, City Clerk

FROM: Robert S. Lausten, Police Chief

DATE: 29 April 2008

RE: Application for SDL

CC:

Re: Glory Days, Inc
Special Designated Use Permit

The La Vista Police Department has been informed and has reviewed the request by Glory Days Inc. for a special designated use permit on May 31, 2008 from 11 am to 3 pm at 9725 Giles Road in La Vista. There have been no concerns regarding the event identified by the police department at this time.

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE
RETAIL LICENSE HOLDERS**

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

BEFORE SUBMITTING APPLICATION TO THE LIQUOR CONTROL COMMISSION

- ☐ Include approval from the City, Village or County Clerk where the event is to be held
- ☐ Include signed statement from the local law enforcement (see question #8)
- ☐ A license fee \$40 (payable to Nebraska Liquor Control Commission) for each day/event to be licensed (i.e. if you have two separate areas at one event they both need to be licensed) (unless licensed as a K Caterer no fees required)
- ☐ Application MUST be received at the Liquor Control Commission Office no later than 10 working days prior to event (excluding weekends, Federal and State observed holidays)

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed

☒ Beer ☒ Wine ☒ Distilled Spirits

2. Liquor license number and class (i.e. C-55441)

79978 class C

3. Licensee name (last, first, middle), Corporate name, Limited Liability Company (LLC)

NAME: Glory Days Inc

ADDRESS: 9723 & 9725 Giles Rd COUNTY Sarpy

4. Location where event will be held; name, address, city, county, zip code

ADDRESS: 9725 Giles Rd La Vista 68128 COUNTY Scout

- a. Is this location within the city/village limits? ☒ YES ☐ NO
b. Is this location within the 150' of church, school, hospital or home aged/indigent or for veterans their wives? ☐ YES ☒ NO
c. Is this location within 300' of any university or college campus? ☐ YES ☒ NO

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date <u>5-31-08</u>	Date <u> </u>	Date <u> </u>	Date <u> </u>	Date <u> </u>	Date <u> </u>
Hours From <u>11⁰⁰am</u>	Hours From <u> </u>	Hours From <u> </u>	Hours From <u> </u>	Hours From <u> </u>	Hours From <u> </u>
To <u>3⁰⁰pm</u>	To <u> </u>	To <u> </u>	To <u> </u>	To <u> </u>	To <u> </u>

- a. Alternate date:
b. Alternate location:
(alternate date or location must be approved by local and law enforcement)

6. Indicate type of activity to be carried on during event
☐ Dance ☐ Reception ☒ Fund Raiser ☐ Beer Garden ☐ Sampling/Tasting ☐ Other

7. Description of area to be licensed
☐ Inside building, dimensions of area to be covered INFEET x
Name of building (not square feet or acres)

- ☒ Outdoor area dimensions of area to be covered INFEET 80' x 30'
(not square feet or acres)

If outdoor area, how will premises be enclosed

☐ fence, type of fence

☐ tent

☒ other, explain Pylons & caution tape provided by La Vista Fire Department

*If both inside and outdoor area to be licensed include **simple sketch**

8. Attach a signed statement from local police chief or county sheriff, whichever is applicable, that local law enforcement has been informed in advance of this event, and if they are aware of any reason the event should not occur.

9. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages.

Myself and volunteer Fireman will be present.

10. Will premises to be covered by license comply with all Nebraska sanitation laws?

☒ YES ☐ NO

- a. Are there separate toilets for both men and women? ☒ YES ☐ NO

11. Will there be any games of chance operating during the event? ☒ YES ☐ NO
If so, describe activity Raffle tickets for prizes

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions:

13. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Jay Brown Phone: Before 402-991-3999 During same
Print name of Event Supervisor

Jay Brown
Signature of Event Supervisor

Consent of Authorized Representative/Applicant

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here Jay Brown President 11-28-08
Authorized Representative/Applicant Title Date

Jay Brown
Print Name

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.



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

TO: Pam Buethe, City Clerk

FROM: Bob Lausten, Police Chief

DATE: 29 April 2008

RE: Glory Days Permit Request

CC:

The number of attendees should not affect the normal operation of police, fire, or ambulance service personnel should their response be required.

I recommend the application be approved.

CITY OF LA VISTA, NEBRASKA
PERMIT APPLICATION
PARADES, PROCESSIONS AND PUBLIC ASSEMBLIES

Pursuant to §131.05 of the La Vista Municipal Code no parade or procession shall be allowed upon any street or public way, nor shall any open-air public assembly be held upon any street, public way or other public place in the City until a permit is obtained. Applications must be submitted no less than 30 calendar days prior to the date of the event.

PLEASE TYPE OR PRINT CLEARLY

Name of Organization N-Birds Food & Spirits Today's Date 4-28-08
Street Address 8725 Giles Rd
City La Vista State Ne Zip 68128
Contact Person Jay Brown Phone (day) 991-3999 (evening) 891-3999

APPLICANT READ

This permit application is used by the City Council to evaluate your organization's request for a Public Assembly Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

Type of Event Fundraiser - La Vista Fire Dept Date of Event May 31, 2008
Starting Time of Event 11:00 A.M. Duration 3:00 P.M.
Purpose of Event La Vista Fire Dept Golf Tournament
Estimated Number of Participants 80
Location of Event (For a Parade or Procession a Description of the Route) Sidewalk and
front parking spaces at 8725 Giles Rd
Event Coordinator Jay Brown Phone 991-3999
Bory Froehlich 871-7437

The Chief of Police will review all permit applications and consider the following prior to making a recommendation to the City Clerk regarding the granting or denial of said permit, any or all of which could be grounds for denial:

- (1) Whether the conduct of the proposed activity will substantially interrupt the safe and orderly movement of traffic to its route.
- (2) Whether the conduct of the proposed activity will require the diversion of so great a number of police officers of the City as to prevent normal police protection to the City.
- (3) Whether the conduct of the proposed activity will require the diversion of so great a number of ambulances as to prevent normal ambulance service to other portions of the City.
- (4) Whether the concentration of persons, animals and vehicles at parade assembly points or the site of the proposed activity will unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to those assembly areas or sites.

(5) Whether the conduct of the proposed activity will interfere with the movement of firefighting equipment en route to a fire.

(6) Whether the conduct of the proposed activity will reasonably likely cause injury to persons or property, provoke disorderly conduct or create a disturbance.

(7) If a parade or procession whether it is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.

(8) Whether the activity is being held for the sole purpose of advertising any product, goods or event and designed to be held purely for private profit.

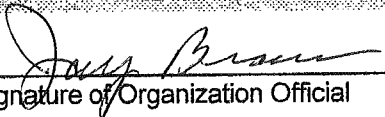
The Chief of Police will make his recommendation within 10 working days after the filing of the application. If the application is not approved the City Clerk shall mail to the applicant within 12 working days after the date of the application filing, a notice of his/her action stating the reasons for denial.

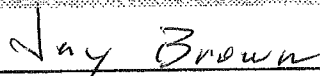
If the permit is granted the City of La Vista reserves the right to require the applicant to provide such things as trash receptacles, port-a-johns, drinking water, first aid facilities, an emergency telephone, etc. If it is determined that additional City public safety personnel must be utilized the applicant will be liable for these costs. Applicants will be notified in advance of any additional requirements and/or costs.

Approval of the permit application does not remove or reduce any liability for damages, injury or monetary loss from the event organizers to any person, business or corporation caused by or as a result of this event.

CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, and materials submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.


Signature of Organization Official


Printed Name of Organization Official

Title of Organization Official

FOR CITY HALL USE ONLY

Date Received: _____

Received by: _____