

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING January 17, 2012

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 January 17, 2012. Present were Councilmembers: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, and Gowan. Absent: Ellerbeck. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Finance Director Lindberg, Community Development Director Birch, Recreation Director Stopak and City Engineer/Assistant Public Works Director Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on January 04, 2012. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

### **APPOINTMENTS – PLANNING COMMISSION – RE-APPOINT – MICHAEL KRZYWICKI AND JODI ANDSAGER**

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint Michael Krzywicki and Jodi Andsager. Councilmember Sell motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain None. Absent: Ellerbeck. Motion carried.

#### **A. CONSENT AGENDA**

- 1.APPROVAL OF THE AGENDA AS PRESENTED**
- 2.APPROVAL OF CITY COUNCIL MINUTES FROM JANUARY 3, 2012**
- 3.APPROVAL OF PLANNING COMMISSION MINUTES FROM DECEMBER 8, 2011**
- 4.APPROVAL OF CITIZEN ADVISORY REVIEW COMMITTEE MINUTES FROM SEPTEMBER 8, 2011**
- 5.APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. MINUTES FROM NOVEMBER 21,2011**
- 6.MONTHLY FINANCIAL REPORT – DECEMBER 2011**
- 7.PAY REQUEST – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK - \$170.00**
- 8.PAY REQUEST – DOUGLAS COUNTY TREASURER – HELL CREEK STABILIZATION PROJECT - \$97,597.50**
- 9.APPROVAL OF CLAIMS**

3E-ELECTRICAL ENGINEERING, bld&grnds	219.84
ACTION BATTERIES, supplies	75.00
ALAMAR, apparel	89.98
ARAMARK, services	405.32
ASSOCIATED FIRE PROTECTION, services	160.25
BAKER & TAYLOR, books	1,702.12
BIG RIG TRUCK ACCESSORIES, maint.	59.45
BLACK HILLS ENERGY, utilities	1,905.51
BOUND TREE MEDICAL, supplies	499.95
BRENTWOOD AUTO WASH, maint.	63.00
BROWN TRAFFIC PRODUCTS, supplies	5,239.50
BUILDERS SUPPLY, bld&grnds	254.46
CAP CARPET, refund	120.00
CARDMEMBER SERVICE, travel&supplies	1,337.03
CENTURY LINK, phone	37.44

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CHARLESTONS WAREHOUSE, refund	225.00
CITY OF OMAHA, services	145,181.96
CJ'S HOME CENTER, bld&grnds	1,395.07
COMPLETE MUSIC, services	200.00
CORNHUSKER INTL, maint.	50.31
CRAFTSMAN WINDOW, refund	120.00
CULLIGAN/U S FILTER, refund	250.00
D & D COMM., services	114.50
DECOSTA SPORTING GOODS, apparel	98.70
DIAMOND VOGEL PAINTS, bld&grnds	212.46
DULTMEIER SALES & SERVICE, maint.	11.73
EBSCO, services	2,785.00
FASTENAL, supplies	59.77
FITZGERALD SCHORR BARMETTLER, services	26,108.23
GALE, books	252.70
GENUINE PARTS, maint.	1,720.60
GOLDMAN, J., travel	22.00
GOV FINANCE OFFICER'S, dues	190.00
GRAYBAR ELECTRIC, bld&grnds	540.06
GREAT PLAINS, services	120.00
GREAT WESTERN BANK, bonds	250.00
H & H CHEVY, maint.	130.68
HELGET GAS, supplies	128.00
HILLYARD, refund	120.00
HUNTEL COMM., services	123.50
HY-VEE, supplies	94.79
IVERSON, D., travel	22.00
JNFS ENGINEERING, services	864.00
JNFS ENGINEERING, services	75.00
KRIHA FLUID POWER, maint.	655.09
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LEAGUE ASSN OF RISK MGMT, ins.	1,473.00
LIFE ASSIST, supplies	161.03
LINCOLN NATIONAL LIFE INS CO	10,553.45
LOU'S SPORTING GOODS, supplies	21.13
MAPA, services	13,247.00
MARSHALL CAVENDISH, book	119.75
MASSMAN NELSON, services	3,800.00
MATHESON TRI-GAS, supplies	46.68
MID AMERICA CUSTOM, refund	120.00
MID CON SYSTEMS INC., equip.	123.66
MID-IAWA SOLID WASTE EQUIP, maint.	7.68
MILLARD METAL SERVICES INC, equip.	42.00
MINUTE MAN PRINTING, services	84.23
MNJ TECHNOLOGIES, services	759.00
NATIONAL PAPER, supplies	422.57
NE GOLF COURSE SUPER., dues	100.00
NE GREEN EXPO, training	1,415.00
NMC EXCHANGE, maint.	691.80
NUTS AND BOLTS INC., maint.	92.26
ODB, maint.	371.82
OFFICE DEPOT, supplies	143.43
O'KEEFE ELEVATOR, services	970.41
OLSSON ASSOCIATES, refund	100.00
OMAHA PIPES & DRUMS, services	200.00
OPPD, utilities	42,611.92
OMAHA WINDUSTRIAL, bld&grnds	47.03
OMAHA WORLD HERALD, adv.	589.47
O'REILLY AUTO., maint.	879.81
PAPILLION SANITATION, services	304.11

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PAPILLION WELDING, maint.	75.00
PARAMOUNT, apparel	187.33
PERFORMANCE CHRYSLER JEEP, maint.	795.18
PETTY CASH, supplies	137.16
PHYSICIANS MUTUAL, adv.	210.00
PLAINS EQUIPMENT, maint.	269.13
QUILL, supplies	101.99
RALSTON COSTUME, events	35.00
RDG PLANNING & DESIGN, services	5,654.60
RUSTY ECK FORD, maint.	134.56
S & W HEALTHCARE, supplies	116.00
SAM'S CLUB, supplies	99.58
SAPP BROS, supplies	14,346.77
SARPY ECONOMIC DEV.CORP, investment	10,000.00
SHRED-SAFE, services	30.00
STATE STEEL, maint.	73.25
STERIL MAN., maint.	75.00
SUPERCO, maint.	179.32
SUPERIOR VISION SVCS INC	359.60
THOMPSON DREESSEN & DORNER, services	4,783.45
THOMPSON DREESSEN & DORNER, services	706.90
TIGHTON FASTENER & SUPPLY, equip.	68.98
U S ASPHALT, maint.	98.65
UPS, services	8.50
UNIVERSAL HOSPITAL SVCS, refund	100.00
WASTE MANAGEMENT, services	1,388.39
WITT, R., training	20.00
WORLD TRADE PRESS, books	612.00
ZIMCO, refund	105.00

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Library Director Barcal reported that they are working with the Ideal School who is putting on a fundraiser to design and paint the walls in the teen area.

### **B. APPLICATION FOR PRELIMINARY PUD, LOT 2, BELLA LA VISTA**

#### **1. PUBLIC HEARING**

Mayor Kindig stated that a public hearing has been scheduled to consider an Application for Preliminary Planned Unit Development – Lot 2, Bella La Vista. He welcomed those in attendance regarding this agenda item. Mayor Kindig stated that this is the first presentation being made to the Mayor and Council regarding the proposed project. He stated that the public hearing would be opened and the developer would be given the opportunity to make their presentation, to be followed by the traffic engineers report and staff will then have a chance to address questions that recently came up. Mayor Kindig then stated that the public would have a chance to address the Council, and the developer then have a short time for rebuttal. The Mayor stated that for the record a protest petition was received from SID 104 and has been given to Council.

At 7:07 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion an Application for Preliminary Planned Unit Development – Lot 2, Bella La Vista.

Community Development Director Birch addressed the Council to inform them that staff has received revised drawings and needs time to review them. Birch stated that this is a proposed preliminary PUD and she believes the two phases as proposed would be in conformance with the

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zoning regulations. The property was rezoned from TA to R-3 in 2006; no site plan was approved at that time. The property is within the gateway corridor and will have to meet design standards, which the developer acknowledges and indicated it will do.

Gary Hassenflu, representing the developer Garrison Development and related property owner Bella La Vista Housing Partners, L.P., addressed Council to give an overview of the proposed project, including phases, number of units, and ingress and egress to the development with each phase and the proposed extension of Chandler Road to Highland Boulevard with the development of phase 2 in 2 to 5 years depending on financing. He stated that all trees in the drainage ditch that are six inches in diameter or greater will be kept and integrated into the development. Though not favoring the proposed connection at 130<sup>th</sup> Street, he acknowledged the need for connectivity across the drainage ditch for the buildings of phase 1. The Garrison organization has built 1,000 units. Other staff of the developer and John Wygoshi of Fremont-based contractor Fauss-Wygo were in attendance to answer any questions.

City Engineer Kottmann and Mark Meisinger addressed the Council. Felsburg, Holt & Ullevig reviewed the study. Some noted items were that prior to 2035 132<sup>nd</sup> and Chandler will need a signal, and the intersection levels of service were reviewed. Kottmann explained the basis for the recommendation to connect the development with streets in Millard Highlands is primarily to ensure alternative points of access for expedient fire and police response. He also referred to provisions of the City's Subdivision Regulations that provide for continuation and integration of streets, and expressed the need for alternatives in the event of street closures in the area for construction or other reasons. Kottmann also stated that the study shows that a calming device would be needed on Highland Blvd, and that it is appropriate for the apartments to connect to the outfall sewer.

Mr. Wygoshi stated that the developer is agreeable to satisfying each of the four conditions of the Planning Commission's recommendation of the proposed preliminary PUD.

Councilmembers Sheehan and Gowan asked questions regarding street connections of the proposed development with Millard Highlands. Councilmember Sheehan asked to see alternatives discussed.

Mayor Kindig asked if there were any other proponents to speak. There were none.

Mayor Kindig stated that testimony will now be heard from any opponents of this project. He stated that public testimony will be limited to approximately 30 minutes, each person will be allowed to speak for two minutes, and should not repeat anything that has already been said. When they come forward to speak they must print their name and address on the sign in sheet and state the same into the microphone, and keep comments relevant to the public hearing and address only the Council and Mayor.

Opponents of the project voiced concerns with regard to traffic, pedestrian safety, apartment height, tenancy, drainage, street usage, green space, property valuations, burden on parks and infrastructure, lighting, and crime

Doug Dreessen with Thompson Dreessen and Dorner on behalf of the developer addressed the Council in response to the comments from the opponents. Dreessen presented information regarding questions on the traffic study, specifically stating that the developer will add the impact of development of Outlot A to the traffic study, as well as work to resolve other issues raised by opponents.

At 8:48 p.m. Councilmember Crawford made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain None. Absent: Ellerbeck. Motion carried.

Councilmember Sheehan stated that we can work with residents to make the project work. Councilmember Crawford suggested tabling the issue to look at what is best for all. Councilmember Sell stressed that the City is not out to steamroll the project. Councilmember Carlisle asked when this item would be back on the agenda and City Administrator Gunn stated February 21, 2012.

## 2. RESOLUTION

Councilmember Carlisle moved to table Resolution 12-002 to the February 21, 2012 Council meeting: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR LOT 2, BELLA LA VISTA, A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 18, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

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WHEREAS, the owners of the above described piece of property have made application for approval of a preliminary planned unit development plan for Lot 2, Bella La Vista; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary planned unit development plan; and

WHEREAS, on December 8, 2011, the La Vista Planning Commission held a public hearing and reviewed the preliminary planned unit development plan and recommended approval subject to resolution of the following items identified by the city engineer and staff:

1. A connection at 130<sup>th</sup> Street is needed.
2. The traffic study indicated the need for a left-turn bay on 132<sup>nd</sup> Street which requires a preliminary geometric plan for the widening of 132<sup>nd</sup> Street. Any additional comments from Felsburg, Holt and Ullevig will need to be addressed in the final copy of the traffic study as well.
3. There is a significant excess of stalls in Phase 2 and consideration should be given to deleting stalls and increasing green space such as for play space.
4. The proposed vertical curve at Sta. 16+84 on Chandler Plaza needs to be lengthened to provide the minimum 175' sight distance per the Subdivision Regulations.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the preliminary Planned Unit Development (PUD) plan for Lot 2, Bella La Vista, located in the SW 1/4 of Section 18, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located east of 132<sup>nd</sup> Street and Chandler Road be, and hereby is, approved subject to the items listed above.

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

Councilmember Gowan moved for a 5 minute recess. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

Councilmember Carlisle moved to reopen the meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **C. ORDINANCE – AMEND THE MUNICIPAL CODE**

### **1. ORDINANCE – AMEND SECTION 35.03 – CONTRACT ADVERTISING**

Councilmember Carlisle introduced and moved for adoption of Ordinance 1161 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 35.03; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1161 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

### **2. ORDINANCE – AMEND SECTION 91.06 – OPEN BURNING BAN; WAIVER NO. 1162**

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Councilmember Sell introduced and moved for adoption of Ordinance 1162 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 91.06; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Crawford. The Mayor then stated the question, "Shall Ordinance No. 1162 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **3. ORDINANCE – AMEND SECTION 114.02 – CITY POWERS AND DUTIES**

Councilmember Quick introduced and moved for adoption of Ordinance 1163 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Crawford. The Mayor then stated the question, "Shall Ordinance No. 1163 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **4. ORDINANCE – AMEND SECTION 114.40 – MINORS AND INCOMPETENTS**

Councilmember Carlisle introduced and moved for adoption of Ordinance 1164 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.40; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1164 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The passage

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and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## 5. ORDINANCE – AMEND SECTION 114.41 – CREDIT SALES

Councilmember Carlisle introduced and moved for adoption of Ordinance 1165 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.41; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Carlisle seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question, "Shall Ordinance No. 1165 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## 6. ORDINANCE – AMEND SECTION 131.01 OPEN CONTAINER

Councilmember Carlisle introduced and moved for adoption of Ordinance 1166 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 131.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Gowan. The Mayor then stated the question, "Shall Ordinance No. 1161 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

Councilmember Sell made a motion to move Item J – Resolution – Extension of CDBG Loan Time of Performance - Easyway International, LLC up on the agenda ahead of Item D – Resolution – Award Contract – Applewood Creek Project. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## J. RESOLUTION – EXTENSION OF CDBG LOAN TIME OF PERFORMANCE – EASYWAY INTERNATIONAL, LLC

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-009; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,

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## NEBRASKA, APPROVING AN EXTENSION OF THE CDBG LOAN TIME OF PERFORMANCE FOR TO EASYWAY INTERNATIONAL, LLC.

WHEREAS, on December 15, 2009, the City Council approved Resolution No. 09-139 authorizing the application for a Community Development Block Grant for the Easyway International, LLC, project; and

WHEREAS, on April 6, 2010, the City Council approved Resolution No. 10-038 authorizing the Mayor to execute a contract between the City and the Nebraska Department of Economic Development for administration of the grant; and

WHEREAS, on April 20, 2010, the City Council approved Resolution No. 10-049 authorizing the Mayor to execute loan documents and other documents related to the project between the City and Easyway International, LLC; and

WHEREAS, Easyway International, LLC, has requested a second extension of the time of performance from December 31, 2011 to December 31, 2012, in order to satisfy the job creation requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a second extension of the CDBG loan time of performance for Easyway International, LLC, from December 31, 2011 to December 31, 2012, and authorize the Mayor to execute related documents, subject to such changes or additional documents or instruments as the City Administrator determines necessary or advisable in consultation with the City Attorney.

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

## D. RESOLUTION – AWARD CONTRACT – APPLEWOOD CREEK PROJECT

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-004; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MELVIN SUDBECK HOMES, INC., OMAHA NEBRASKA FOR CONSTRUCTION OF DRAINAGEWAY STABILIZATION MEASURES IN THE APPLEWOOD CREEK IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$311,241.48

WHEREAS, the City Council of the City of La Vista has determined that the construction of drainageway stabilization measures in the Applewood Creek Improvements Project is necessary; and

WHEREAS, the FY 2011/12 Capital Improvement Program (CIP) will provide funds for this project; and

WHEREAS, an Urban Drainageway grant from the Papio-Missouri River NRD will reimburse this project for 60%; and

WHEREAS, Melvin Sudbeck Homes, Inc. submitted the low qualified 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 award the contract to Melvin Sudbeck Homes, Inc., Omaha Nebraska as the low qualified bid for the construction of drainageway stabilization measures in the Applewood Creek Improvements Project in an amount not to exceed \$311,241.48.

Seconded by Councilmember Carlisle. Councilmember Crawford asked about the experience of Melvin Sudbeck Homes, Inc. City Engineer Kottmann stated that Melvin Sudbeck Homes, Inc. have done a variety of projects and that their reference were checked and they are bondable. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain None. Absent: Ellerbeck. Motion carried.

## E. RESOLUTION – ADVERTISE FOR BIDS – TRUCK MOUNTED SEWER JETTER

## MINUTE RECORD

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

January 17, 2012

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-004; A  
**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA**  
**AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR A TRUCK MOUNTED SEWER**  
**JETTER.**

WHEREAS, the City Council has determined that a Truck Mounted Sewer Jetter is necessary, and

WHEREAS, the FY 11/12 Sewer Budget provides funding for the purchase of said truck mounted sewer jetter, and

WHEREAS, the Sewer Department Staff, City Engineer and Shop Foreman., have prepared specifications for proposed Truck Mounted Sewer Jetter.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the purchase of a Truck Mounted Sewer Jetter in accordance with specifications prepared by the Sewer Department Staff, City Engineer and Shop Foreman and said bids are to be opened and publicly read aloud at 10 a.m. at La Vista City Hall, 8116 Park View Boulevard on February 21, 2012

**Advertisement of Bids**      **January 26, 2012**

Open Bids February 21, 2012

**Award Contract** **March 6, 2012**

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

## **F. RESOLUTION – PURCHASE OF DIGITAL RADIOS**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 12-005; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE PROPOSAL SUBMITTED BY D & D COMMUNICATIONS, OMAHA, NE FOR THE PURCHASE OF FIVE (5) MOTOROLA 800 MHZ P25 DIGITAL RADIOS.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of the Motorola 800 MHz P25 digital radios is necessary; and

WHEREAS, said purchase of Motorola 800 MHz P25 digital radios is necessary to maintain compatibility with Sarpy County Communications and is in the best interest of the citizens of La Vista, and

WHEREAS, the FY12 budget contains funding for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby accept the proposal submitted by D & D Communications Omaha, NE for the purchase of five (5) Motorola 800 MHz P25 digital radios in an amount not to exceed \$20,185.00.

Seconded by Councilmember Carlisle. Councilmember Sheehan questioned if the radios were compatible with the rest of the metro area, and Police Captain Pokorny stated that they will work on any system. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain None. Absent: Ellerbeck. Motion carried.

**G. RESOLUTION – PURCHASE OF MARKED POLICE CAR**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-006; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO PERFORMANCE DODGE, LINCOLN, NEBRASKA FOR THE PURCHASE OF ONE (1) 2012 DODGE CHARGER POLICE PACKAGE VEHICLE IN AN AMOUNT NOT TO EXCEED \$39,500.

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

WHEREAS, the FY11/12 General Fund budget includes funds for the purchase of said vehicle, and

# MINUTE RECORD

January 17, 2012

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

WHEREAS, the State of Nebraska did receive bids for 2012 Dodge police vehicles, and  
WHEREAS, Performance Dodge, Lincoln, Nebraska, was awarded the state bid for Nebraska for the 2012 Dodge Police Package vehicles and will extend that price to the City of La Vista, and  
WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby accept the Nebraska state bid of Performance Dodge, Lincoln, Nebraska and authorize the purchase of one (1) 2012 Dodge Charger Police Package vehicle in an amount not to exceed \$39,500.

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

## **H. RESOLUTION – PURCHASE OF BUNKER GEAR**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-007; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FOUR SETS OF GLOBE G7 BUNKER GEAR FROM MUNICIPAL EMERGENCY SERVICES, INC., SNYDER, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,663.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase bunker gear and accessories for the Fire Department; and  
WHEREAS, funds are provided in the FY 11/12 General Fund Budget for the proposed purchase; and  
WHEREAS, the purchase of this bunker gear will bring the department closer to attaining NFPA 1971 compliance for the 2007 standards for protective gear; 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 four sets of Globe G7 Bunker Gear from Municipal Emergency Services, Inc., Snyder, Nebraska in an amount not to exceed \$7,663.00.

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

## **I. RESOLUTION – AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT – WESTERN STATES CONTRACTING ALLIANCE & DELL**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-008; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TECHNOLOGY RELATED ITEMS FROM WESTERN STATES CONTRACTING ALLIANCE (WSCA), DELL, AND VARIOUS VENDORS IN AN AMOUNT NOT TO EXCEED \$41,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of technology related items is necessary; and

WHEREAS, the FY 2011/12 IT budget provides funding for the proposed Information Technology purchases; and

# MINUTE RECORD

January 17, 2012

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of technology related items, from Western States Contracting Alliance (WSCA), Dell, and Various Vendors in an amount not to exceed \$41,000.

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

## K. SPECIAL ASSESSMENT

### 1. PUBLIC HEARING

At 9:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 9:21 p.m. Councilmember Sell made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain None. Absent: Ellerbeck. Motion carried.

### 2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-010;  
A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,  
NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY  
TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS  
AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
7613 Gertrude Street/Lot 29 Crestview Heights; \$6,050.12  
were notified to clean up their property as they were in violation of the City  
Municipal Code, Section 133.01, or the City would do so and bill them accordingly,  
and

WHEREAS, the property owners of said addresses chose not to clean the property, thus  
necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid,  
and

WHEREAS, the City may file a Special Assessment for Improvements against property for  
which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file  
with the Sarpy County Treasurer Special Assessments for Improvements in the  
amounts and against the properties specified above, all located within Sarpy  
County, La Vista, Nebraska.

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

# MINUTE RECORD

January 17, 2012

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

## COMMENTS FROM THE FLOOR

No Comments from the Floor

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig thanked Staff for the extra preparation for the night's meeting.

At 09:24 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain None. Absent: Ellerbeck. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY, 2012

CITY OF LA VISTA

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Douglas Kindig  
Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**MEETING OF THE LIBRARY ADVISORY BOARD  
CITY OF LA VISTA**

**MINUTES OF MEETING  
January 12, 2012**

Members Present:	Rose Barcal Valerie Russell	Jill Frederick Kim Schmit-Pokorny	Janice Podoll Carol Westlund
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**Agenda Item #1: Call to Order**

The meeting was called to order at 5:32 p.m.

**Agenda Item #2: Announcement of Location of Posted Open Meetings Act**

An announcement was made of the location of the posted copy of the Open Meetings Act for public reference.

**Agenda Item #3: Introductions**

There were no introductions made.

**Agenda Item #4: Approval of Minutes of November 10, 2011 Meeting**

It was moved by Podoll and seconded by Frederick that the minutes be accepted as presented. Ayes: all. Nays: none. Motion carried.

**Agenda Item #5: Library Director's Report**

- a. Programs: an overview of various programs were given including the Winter Reading Program for adult patrons.
- b. Employee updates were given.
- c. Library Meetings were reviewed.
- d. General Library Information included the return of wireless access at the library as of December 9<sup>th</sup> and the reconfiguration of the teen non-fiction section.

**Agenda Item #6: Circulation Report**

Library Director Barcal distributed the circulation report. The report was discussed and accepted.

**Agenda Item #7: Old Business**

- a. Current and future grants were reviewed. The American Recovery and Reinvestment Act for the Nebraska Library Commission Broadband Technology Opportunities Program continues with monthly statistical computer reports. The computers were delivered and are being installed by staff. The Act did assist in obtaining wireless access for the library. The Youth for Excellence Grant for the Arkham Horror Gaming Club was received through the Nebraska Library Commission. Programming for this will start in April 2012.

**Agenda Item #8: New Business**

- a. State Report. The report this year is due in February.
- b. IDEAL Legacy Project. The City requested ideas for the Legacy Project. The IDEAL project was accepted for the Library and announce on January 11<sup>th</sup> at the school by Mayor Kindig: a wall in the teen section of the library will be painted. The Legacy Project will raise funding for all materials needed for the project which will include a plaque with all participants names. The plaque will be hung in the teen section near the artwork. A local artist has agreed to paint the designed the IDEAL Students come up with and approved by the Teen Advisory Board. The project will be completed by May 2012.

- c. Amnesty Days 2012. The board discussed and determined Library Amnesty Days for the library for 2012.

Agenda Item #9: Comments from the Floor

There were no comments from the floor.

Agenda Item #10: Comments from the Board

The Wellness series was discussed. The free programs are sponsored and made available through/by the Olson Center at the University of Nebraska Medical Center. There are another set of sessions being offered in 2012 because of the positive response from the community.

There was a motion by Westlund and seconded by Podoll to adjourn the meeting at 6:17 p.m.

The next meeting is scheduled for March 8, 2012 at 5:30 p.m. at the La Vista Public Library, Conference Room #142.

BANK NO BANK NAME

CHECK NO DATE

VENDOR NO VENDOR NAME

CHECK AMOUNT

CLEARED

VOIDED

MANUAL

1 Bank of Nebraska (600-873)

46170 Payroll Checks

Thru 46173

46174 Gap in Checks

Thru 106270

106271	1/18/2012	4326 MIDWEST RIGHT OF WAY SVCS INC	170.00	**MANUAL**
106272	1/18/2012	355 DOUGLAS COUNTY ENGINEER	97,597.50	**MANUAL**
106273	1/19/2012	3702 LAUGHLIN, KATHLEEN A, TRUSTEE	474.00	**MANUAL**
106274	1/26/2012	480 UNITED STATES POSTAL SERVICE	1,509.85	**MANUAL**
106275	1/26/2012	944 NE DEPT OF REVENUE-LOTT/51	87,888.89	**MANUAL**
106276	2/01/2012	3702 LAUGHLIN, KATHLEEN A, TRUSTEE	474.00	**MANUAL**
106277	2/07/2012	804 3E-ELECTRICAL ENGINEERING	241.21	
106278	2/07/2012	4545 4 SEASONS AWARDS	30.00	
106279	2/07/2012	4624 911 CUSTOM	163.20	
106280	2/07/2012	762 ACTION BATTERIES UNLTD INC	346.97	
106281	2/07/2012	765 ADT SECURITY SERVICES	274.63	
106282	2/07/2012	4061 AED ZONE	455.00	
106283	2/07/2012	571 ALAMAR UNIFORMS	.00	**CLEARED** **VOIDED**
106284	2/07/2012	571 ALAMAR UNIFORMS	.00	**CLEARED** **VOIDED**
106285	2/07/2012	571 ALAMAR UNIFORMS	1,801.45	
106286	2/07/2012	557 APWA-AMER PUBLIC WORKS ASSN	298.00	
106287	2/07/2012	536 ARAMARK UNIFORM SERVICES INC	239.71	
106288	2/07/2012	188 ASPHALT & CONCRETE MATERIALS	73.20	
106289	2/07/2012	706 ASSOCIATED FIRE PROTECTION	569.10	
106290	2/07/2012	201 BAKER & TAYLOR BOOKS	1,318.65	
106291	2/07/2012	703 BATTERIES PLUS	605.86	
106292	2/07/2012	929 BEACON BUILDING SERVICES	6,712.00	
106293	2/07/2012	410 BETTER BUSINESS EQUIPMENT	53.19	
106294	2/07/2012	249 BKD LLP	41,500.00	
106295	2/07/2012	196 BLACK HILLS ENERGY	10,049.40	
106296	2/07/2012	3841 BOLEY, MIKE	102.00	
106297	2/07/2012	4454 BRAKE, AUSTIN	100.00	
106298	2/07/2012	1143 BRAND, STEVEN	46.00	
106299	2/07/2012	2678 BREWER, ANDY	102.00	
106300	2/07/2012	4647 BREWER, WILLIAM ANDREW	100.00	
106301	2/07/2012	76 BUILDERS SUPPLY CO INC	218.48	
106302	2/07/2012	2078 CAVLOVIC, PAT	22.00	
106303	2/07/2012	2285 CENTER POINT PUBLISHING	211.50	
106304	2/07/2012	219 CENTURY LINK	1,206.79	
106305	2/07/2012	301 CITY OF PAPILLION	32.00	
106306	2/07/2012	3176 COMP CHOICE INC	124.50	
106307	2/07/2012	4615 CONSOLIDATED MANAGEMENT	69.75	
106308	2/07/2012	836 CORNHUSKER INTL TRUCKS INC	438.66	
106309	2/07/2012	2158 COX COMMUNICATIONS	78.04	
106310	2/07/2012	3136 D & D COMMUNICATIONS	815.19	
106311	2/07/2012	2433 DANIELSON/TECH SUPPLY INC	2,915.00	
106312	2/07/2012	3839 DE LAGE LANDEN FINANCIAL SVCS	31.88	
106313	2/07/2012	270 DECOSTA SPORTING GOODS	151.35	

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
106314	2/07/2012	77	DIAMOND VOGEL PAINTS	44.03					
106315	2/07/2012	364	DULTMEIER SALES & SERVICE	9.77					
106316	2/07/2012	632	EASTERN LIBRARY SYSTEM	34.00					
106317	2/07/2012	3084	EBSCO SUBSCRIPTION SERVICES	3,283.29					
106318	2/07/2012	3193	ED ROEHR SAFETY PRODUCTS CO	391.25					
106319	2/07/2012	3334	EDGEWEAR SCREEN PRINTING	171.00					
106320	2/07/2012	4651	EGS MARINE AND AUTO DETAILING	99.00					
106321	2/07/2012	3251	ENSLOW PUBLISHERS INC	480.90					
106322	2/07/2012	1219	ENTERPRISE LOCKSMITHS INC	25.75					
106323	2/07/2012	3310	FBINAA-FBI NATL ACAD ASSOCS	150.00					
106324	2/07/2012	3460	FEDEX	16.16					
106325	2/07/2012	3739	FELSBURG HOLT & ULLEVIG	1,288.63					
106326	2/07/2012	1254	FLEETPRIDE	93.42					
106327	2/07/2012	3415	FOCUS PRINTING	897.07					
106328	2/07/2012	3132	FORT DEARBORN LIFE INSURANCE	1,391.00					
106329	2/07/2012	3673	FOSTER, TERRY	46.00					
106330	2/07/2012	1256	FREMONT NATIONAL BANK & TRUST	1,906.41					
106331	2/07/2012	4050	FROEHLICH, RORY	100.00					
106332	2/07/2012	3984	G I CLEANER & TAILORS	249.40					
106333	2/07/2012	1344	GALE	419.92					
106334	2/07/2012	1161	GALLS, AN ARAMARK COMPANY	44.24					
106335	2/07/2012	53	GCR TIRE CENTERS	361.85					
106336	2/07/2012	35	GOLDMAN, JOHN G	22.00					
106337	2/07/2012	164	GRAINGER	196.60					
106338	2/07/2012	285	GRAYBAR ELECTRIC COMPANY INC	195.67					
106339	2/07/2012	1044	H & H CHEVROLET LLC	614.82					
106340	2/07/2012	426	HANEY SHOE STORE	600.00					
106341	2/07/2012	2663	HARBOR FREIGHT TOOLS	39.98					
106342	2/07/2012	387	HARM'S CONCRETE INC	929.10					
106343	2/07/2012	3775	HARTS AUTO SUPPLY	564.50					
106344	2/07/2012	1744	HEARTLAND AWARDS	1,607.25					
106345	2/07/2012	2407	HEIMES CORPORATION	75.00					
106346	2/07/2012	1403	HELGET GAS PRODUCTS INC	78.00					
106347	2/07/2012	4449	HENDERSON, JERAD	102.00					
106348	2/07/2012	797	HOBBY LOBBY STORES INC	33.15					
106349	2/07/2012	3513	HUSKER MIDWEST PRINTING	233.48					
106350	2/07/2012	1417	IACP	360.00					
106351	2/07/2012	1353	IACP NET/LOGIN SERVICES	800.00					
106352	2/07/2012	3440	ICSC-INTL COUNCIL OF SHPG CTRS	50.00					
106353	2/07/2012	696	IIMC	135.00					
106354	2/07/2012	162	INLAND TRUCK PARTS	1,220.03					
106355	2/07/2012	1896	J Q OFFICE EQUIPMENT INC	1,199.42					
106356	2/07/2012	100	JOHNSTONE SUPPLY CO	235.06					
106357	2/07/2012	3442	KAR SIM KENNEL, INC	40.00					
106358	2/07/2012	1054	KLINKER, MARK A	200.00					
106359	2/07/2012	4328	KOTTMANN, JOHN	90.00					
106360	2/07/2012	2394	KRIHA FLUID POWER CO INC	160.20					
106361	2/07/2012	2057	LA VISTA COMMUNITY FOUNDATION	50.00					
106362	2/07/2012	4425	LANDPORT SYSTEMS INC	125.00					
106363	2/07/2012	2327	LIEN TERMITE & PEST CONTROL	1,378.00					
106364	2/07/2012	1288	LIFE ASSIST	121.23					
106365	2/07/2012	4105	LITTLE, TROY	102.00					
106366	2/07/2012	1573	LOGAN CONTRACTORS SUPPLY	208.25					

BANK NO	BANK NAME						
CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
106367	2/07/2012	4361	MASTER MECHANICAL SERVICE INC	316.00			
106368	2/07/2012	877	MATHESON TRI-GAS INC	313.06			
106369	2/07/2012	4662	MEADOWLARK MODEL A CLUB	50.00			
106370	2/07/2012	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
106371	2/07/2012	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
106372	2/07/2012	553	METROPOLITAN UTILITIES DIST.	2,048.95			
106373	2/07/2012	98	MICHAEL TODD AND COMPANY INC	1,174.70			
106374	2/07/2012	2497	MID AMERICA PAY PHONES	50.00			
106375	2/07/2012	3921	MID-STATES UTILITY TRAILER	114.00			
106376	2/07/2012	1526	MIDLANDS LIGHTING & ELECTRIC	152.20			
106377	2/07/2012	3904	MIDWEST BREATHING AIR LLC	139.21			
106378	2/07/2012	2030	MIDWEST FENCE COMPANY	83.50			
106379	2/07/2012	2299	MIDWEST TAPE	104.46			
106380	2/07/2012	1856	MITCHELL & ASSOCIATES INC	1,400.00			
106381	2/07/2012	995	MOCIC MID-STATES ORGANIZED	200.00			
106382	2/07/2012	2550	MSC INDUSTRIAL SUPPLY CO	115.77			
106383	2/07/2012	1028	NATIONAL PAPER COMPANY INC	201.65			
106384	2/07/2012	1830	NE DEPT OF LABOR-WORKFORCE DEV	2,370.00			
106385	2/07/2012	3294	NEFSMA-NE FLOODPLAIN/STORMWTR	100.00			
106386	2/07/2012	2631	NEXTEL SPRINT COMMUNICATIONS	205.17			
106387	2/07/2012	2631	NEXTEL SPRINT COMMUNICATIONS	385.18			
106388	2/07/2012	1152	NLA-MEMBERSHIPS	280.00			
106389	2/07/2012	408	NOBBIES INC	215.53			
106390	2/07/2012	2530	NOVA HEALTH EQUIPMENT	798.00			
106391	2/07/2012	179	NUTS AND BOLTS INCORPORATED	51.80			
106392	2/07/2012	1968	O'KEEFE ELEVATOR COMPANY INC	982.04			
106393	2/07/2012	3504	OCCUVAX, LLC	27.00			
106394	2/07/2012	1808	OCLC INC	30.17			
106395	2/07/2012	1014	OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
106396	2/07/2012	1014	OFFICE DEPOT INC	788.60			
106397	2/07/2012	79	OMAHA COMPOUND COMPANY	21.75			
106398	2/07/2012	195	OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	
106399	2/07/2012	195	OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	
106400	2/07/2012	195	OMAHA PUBLIC POWER DISTRICT	42,165.12			
106401	2/07/2012	4349	OMAHA TACTICAL LLC	956.80			
106402	2/07/2012	109	OMNIGRAPHICS	163.70			
106403	2/07/2012	3477	ORIZON CPAS LLC	3,300.00			
106404	2/07/2012	1178	OVERHEAD DOOR COMPANY OF OMAHA	770.00			
106405	2/07/2012	2686	PARAMOUNT LINEN & UNIFORM	.00	**CLEARED**	**VOIDED**	
106406	2/07/2012	2686	PARAMOUNT LINEN & UNIFORM	564.59			
106407	2/07/2012	1769	PAYLESS OFFICE PRODUCTS INC	.00	**CLEARED**	**VOIDED**	
106408	2/07/2012	1769	PAYLESS OFFICE PRODUCTS INC	396.85			
106409	2/07/2012	3058	PERFORMANCE CHRYSLER JEEP	54.97			
106410	2/07/2012	4666	PERFORMANCE TOYOTA SCION	250.00			
106411	2/07/2012	1821	PETTY CASH-PAM BUETHE	72.72			
106412	2/07/2012	1784	PLAINS EQUIPMENT GROUP	1,315.34			
106413	2/07/2012	2552	PLUTA, DON	78.00			
106414	2/07/2012	2387	PROFESSIONAL GROUNDS MGMT SOC	175.00			
106415	2/07/2012	4659	PROJECT LIFESAVER INTL	601.59			
106416	2/07/2012	191	READY MIXED CONCRETE COMPANY	496.06			
106417	2/07/2012	3774	RETRIEVEX	84.52			
106418	2/07/2012	4192	S & W HEALTHCARE CORP	79.59			
106419	2/07/2012	487	SAPP BROS PETROLEUM INC	188.75			

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 7, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
84 <sup>TH</sup> STREET BLIGHT AND SUBSTANDARD STUDY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and a proposed resolution prepared to declare the 84<sup>th</sup> Street Redevelopment Area identified in the Blight/Substandard Determination Study prepared by Hanna-Keelan (“Area”) as a blighted and substandard area in need of redevelopment.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

As part of their annual strategic planning process, the Mayor and City Council identified the revitalization of the Area as their number one priority.

Over the last several years, the Area has deteriorated, including in terms of physical appearance, property maintenance and as an employment center for low to moderate income workers. Major anchors including Wal-Mart, Gordman's, and Baker's Supermarket have vacated the Area to move to new shopping centers and smaller businesses have been unable to sustain themselves and forced to relocate or close, leaving many vacant storefronts. Other commercial parcels in the Area were developed many years ago prior to the implementation of good planning and design principles and have not been updated. This once vibrant and thriving corridor on a major arterial road in the heart of La Vista now is considerably depressed and in need of redevelopment.

Ultimately, the City wants to revitalize the Area to be more appealing to residents and visitors. In addition, La Vista would like better and more efficient land utilization

City Council must declare the Area to be a substandard and blighted area in need of redevelopment before a redevelopment plan for the Area is prepared.

On December 20, 2011, City Council approved of a resolution to submit the Blight/Substandard Determination Study to the Planning Commission with the question whether or not the Area is a substandard and blighted area for its review and recommendation.

On January 19, 2012, through a 9-0 vote, the Planning Commission, after notice and public hearing, recommended to the City Council that the Area is blighted and substandard based on factors including the Blight/Substandard Determination Study and any comments at the public hearing. The Planning Commission's written recommendation has been received.

City Council will hold a public hearing on the proposed declaration of the Area as a substandard and blighted area in need of redevelopment. Interested parties will be afforded at the hearing a reasonable opportunity to express their views respecting the question whether or not the Area should be declared a substandard and blighted area in need of redevelopment. After the hearing the Council will consider a resolution to declare the Area as a blighted and substandard area in need of redevelopment.

If the Area is declared a blighted and substandard area in need of redevelopment, Council will then consider an ordinance creating and designating City Council as the "community development agency" of the City, followed by a resolution authorizing a contract for the development and submission to the Planning Commission of a proposed Redevelopment Plan for the Area..

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA A SUBSTANDARD AND BLIGHTED AREA IN NEED OF REDEVELOPMENT.

WHEREAS, the Mayor and City Council submitted the Blight/Substandard Determination Study for the area referred to as the "84<sup>th</sup> Street Redevelopment Area" ("Study") to the Planning Commission of the City of La Vista for its review and recommendation as to whether the 84<sup>th</sup> Street Redevelopment Area, depicted or described in the map or other document submitted with this Resolution, ("Area") is substandard and blighted; and

WHEREAS, after notice and hearing, the Planning Commission, at their January 19, 2012 meeting reviewed and unanimously recommended to the City Council that the Area is a blighted and substandard area based on factors including the Study and in consideration of any public comment at the public hearing, which written recommendation has been received; and

WHEREAS, upon satisfying notice and public hearing requirements, the City Council desires to declare the Area a substandard and blighted area in need of redevelopment..

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska do hereby find, determine, declare and approve as follows:

1. All applicable notice and public hearing requirements have been satisfied.
2. Written recommendation of the Planning Commission has been received that the Area is a substandard and blighted area.
3. Based on factors including the Study and recommendation of the Planning Commission, and after considering any public comment at the public hearing of the City Council, the City Council, in the public interest including public health, safety and welfare, hereby determines and declares that the Area, as depicted or described in the map or other document submitted with this Resolution and incorporated herein, is a substandard and blighted area in need of redevelopment.
4. The City has in place the La Vista Comprehensive Plan, which shall be the general plan for development of the City for purposes of Neb. Rev. Stat. Sections 18-2101 et seq.

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY, 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

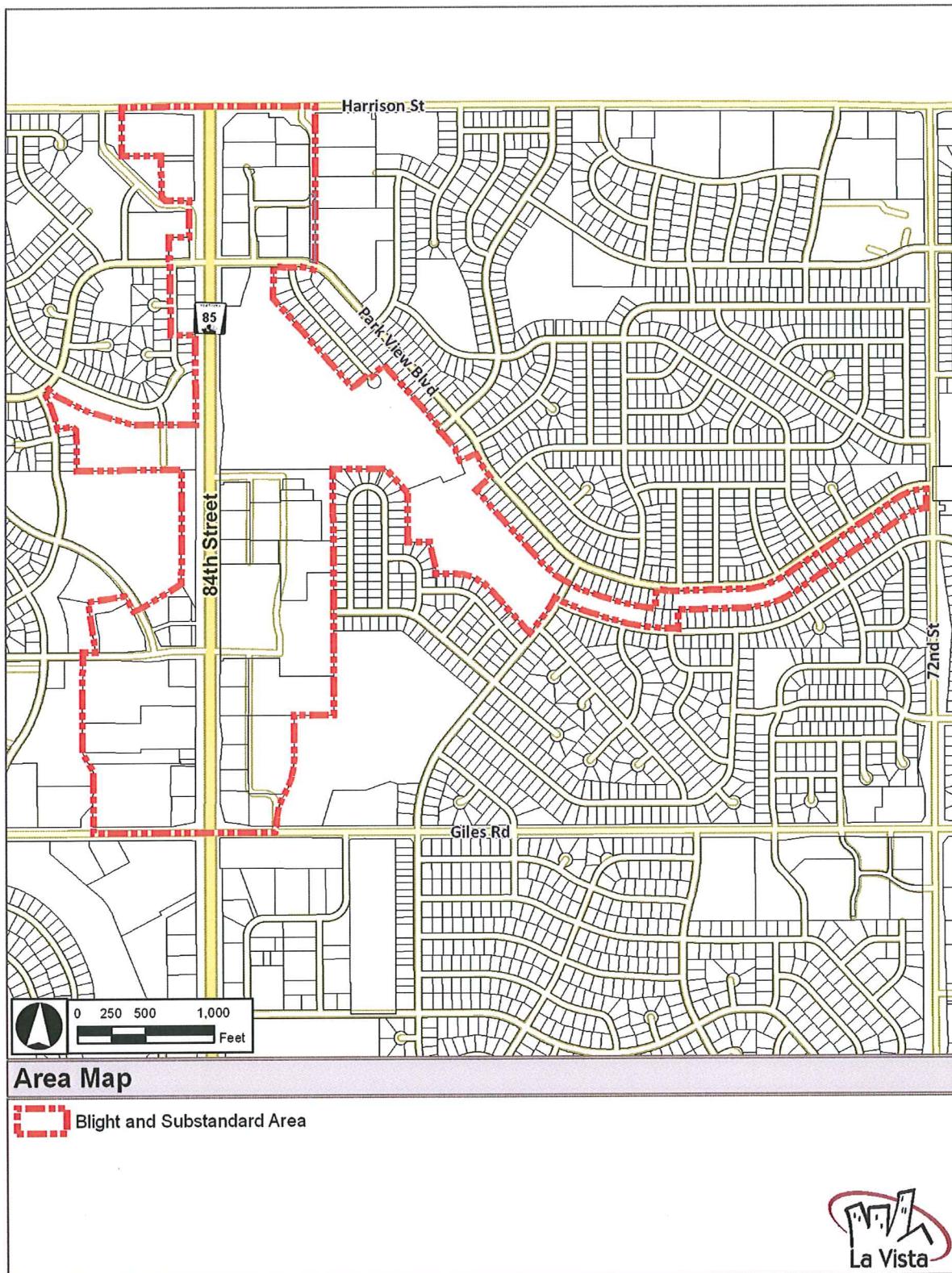
ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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CITY OF LA VISTA  
SUBSTANDARD AND BLIGHTED AREA IN NEED OF REDEVELOPMENT



# Memorandum



**To:** City Council  
**From:** Planning Commission  
**Date:** 1/31/2012  
**Re:** 84<sup>th</sup> Street Blight and Substandard Question

---

On December 20, 2011, La Vista City Council approved of a resolution to submit the Blight/Substandard Determination Study prepared by Hanna:Keelan Associates P.C. for the area referred to as the “84<sup>th</sup> Street Redevelopment Area” (“Study”) to the Planning Commission with the question whether or not the 84<sup>th</sup> Street Redevelopment Area (“Area”) is a substandard and blighted area, for review and recommendation at the January 19, 2012 regular meeting of the Planning Commission.

After notice, on January 19, 2012 the La Vista Planning Commission met, held a public hearing, reviewed the question presented by the City Council and, through an 8-0 vote, recommended to the City Council that the Area is a blighted and substandard area based on factors including those within the Study, and in consideration of any public comment at the public hearing. A Certificate of the Planning Commission’s recommendation is enclosed. By delivery of this Memorandum and Certificate, the Planning Commission’s recommendation is hereby filed with the City Council.

Sincerely,

  
\_\_\_\_\_  
Mike Krzywicki  
Planning Commission Chair

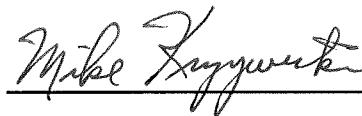
CERTIFICATE  
CITY OF LA VISTA  
PLANNING COMMISSION

The undersigned Chairman of the City of La Vista Planning Commission hereby certifies as follows:

The Planning Commission at its meeting on January 19, 2012 received from the City Council the Blight/Substandard Determination Study "84<sup>th</sup> Street Redevelopment Area" and, pursuant to Neb. Rev. Stat. Section 18-2109, the question as to whether the 84<sup>th</sup> Street Redevelopment Area ("Area") is a substandard and blighted area. The Planning Commission, after notice and hearing, reviewed the question submitted by the City Council and approved a motion recommending to the City Council that said Area is a substandard and blighted area within the meaning of Neb. Rev. Stat. Section 18-2101 et seq. Said motion was made by Planning Commission Member Malmquist, which motion was seconded by Planning Commission Member Hewitt. After consideration, the roll was called and the following members voted in favor of the passage and adoption of said motion: Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Miller, Gahan, Andsager and Alexander. The following members voted against the same: none. The following members were absent or did not vote: none.

The passage of said motion having been consented to by a majority of the members of the Planning Commission, the Chairman declared the motion duly passed and adopted. On this date, this Certificate and recommendation are hereby filed with the City Council.

DATED this 30th day of January, 2012.



Chairman



# Blight/Substandard Determination Study “84<sup>TH</sup> Street Redevelopment Area”

La Vista, Nebraska

**HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH**

\*Lincoln, Nebraska\*402-464-5383\*

NOVEMBER 2011

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## HANNA:KEELAN ASSOCIATES, P.C. COMMUNITY PLANNING & RESEARCH

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# BLIGHT & SUBSTANDARD DETERMINATION STUDY

## EXECUTIVE SUMMARY

### Purpose of Study/Conclusion

The purpose of this Blight and Substandard Determination Study is to apply the criteria set forth in the Nebraska Community Development Law, Section 18-2103, to the designated 84<sup>th</sup> Street Redevelopment Area in La Vista, Nebraska. The results of this Study will assist the City in declaring the 84<sup>th</sup> Street Redevelopment Area as both blighted and substandard.

### Location

The 84<sup>th</sup> Street Redevelopment Area shall include all real property that is within the following boundary description, as follows:

Beginning at the intersection of the center line of Harrison Street and the extended east line of 83<sup>rd</sup> Street (also the west line of Lot 1282-D1 of the La Vista Addition), thence south along said extended east line, and continuing south along the east line of 83<sup>rd</sup> Street and its extended east line to its intersection with the north line of Park View Boulevard, thence continuing south across Park View Boulevard along the extended east line of 83<sup>rd</sup> Street to its intersection with the south line of Park View Boulevard, thence west along the south line of Park View Boulevard to its intersection with the east line of Tax Lot 12 (also known as the La Vista Falls Golf Course), thence south along said east line to its intersection with the northeastern line of Tax Lot 12, thence southeasterly along said northeastern line to its intersection with the northwestern line of Tax Lot 13, thence northeasterly along said northwestern line to its intersection with the northeastern line of Tax Lot 13 (also the southern line of Park View Boulevard), thence southeasterly along said northeastern line of Tax Lot 13 to its intersection with the eastern line of said Tax Lot 13 (also the western line of Edgewood Boulevard), thence continuing southeasterly along an extended line of said northeastern line of Tax Lot 13 across Edgewood Boulevard to its intersection with the eastern line of Edgewood Boulevard (also the northwest corner of Lot 990 of the La Vista Addition, thence easterly along the north line of said Lot 990, thence continuing easterly along the northern line of Lots 989 through 980 of the La Vista Addition and partially along Lot 979 to its intersection with the west line of Lot 912, thence north along said west line of Lot 912 to its intersection with the south line of Lot 912, also the south line of Park View Boulevard, thence easterly along said south line to its intersection with the east line of Lot 932 (also known as the west line of Terry Drive), thence continuing east/northeasterly along an extended north line of Lot 932 across Terry Drive to its intersection with the west line of Lot 933 of the La Vista Addition (also known as the east line of Terry Drive), thence east/northeasterly along the north line of said lot 933 (also known as the south line of Park View Boulevard) and continuing east/northeasterly along the north line of Lots 934 through 945 of the La Vista Addition to its intersection with the east line of said Lot 945, thence south

along said east line to its intersection with the south line of said Lot 945, thence west along said south line and continuing west/southwesterly along the south line of Lots 944 through 933 to its intersection with the west line of Lot 933 (also known as the east line of Terry Drive, thence continuing west/southwesterly along an extended south line of Lot 933 across Terry Drive to its intersection with the west line of Terry Drive (also known as the east line of Lot 932, thence west/southwesterly along said south line of Lot 932 and continuing west/southwesterly along the south line of Lots 931 through 914 to its intersection with the east line of Lot 977, thence south along said east line of Lot 977 to its intersection with the south line of Lot 977 (also known as the north line of Valley Road, thence west/northwesterly along the south line of Lots 977 through Lot 990 to its intersection with the west line of Lot 990 (also known as the east line of Edgewood Boulevard), thence continuing west/northwesterly along an extended south line of Lot 990 across Edgewood Boulevard to its intersection of the west line of Edgewood Boulevard (also known as the eastern line of Tax Lot 13, thence south/southwesterly along said eastern line of Tax Lot 13 to its intersection with the southern line of said Tax Lot 13, thence west/northwesterly along said southern line to its intersection with the west line of Tax Lot 13, thence north along said west line to its intersection with the southern line of Tax Lot 12 (also known as the La Vista Falls Golf Course), thence northwest and west along said south line to its intersection with the east line of Lot 8A2 of the Brentwood Crossing Replat #2, thence south along said east line of Lot 8A2 and continuing south along the east line of Lot 8A3 of Brentwood Crossing Replat #2 and Lots 1 and 4 of the Brentwood Crossing Addition to its intersection with the south line of said Lot 4, thence west along said south line of Lot 4 to its intersection with the east line of Lot 9 of the Wiltham Place Replat 1 Addition, thence south along said east line of Lot 9, and continuing south along the east lines of Lots 8, 7, 6, 5, and 4 to its intersection with the south line of Lot 4 of the said Wiltham Place Replat 1 Addition (also known as the north line of Giles Road, thence continuing south along an extension of said east line of Lot 4 of the Wiltham Place Replat 1 Addition to its intersection with the Center Line of Giles Road, thence west along said center line to its intersection with an extended west line of Lot 2A4A of the Willow Brook Addition, thence north along said extended line to its intersection with the north line of Giles Road, thence north along the west line of Lot 2A4A of the Willow Brook Addition and continuing north/northwesterly and north again along the west lines of Lots 2A5, 2A8, and 2A2 of said Willow Brook Addition to its intersection with the north line of Lot 2A2 (also known as the south line of Brentwood Drive), thence north along an extended west line of Lot 2A2 of the Willow Brook Addition across Brentwood Drive to its intersection with the north line of said Brentwood Drive, thence east along said north line to its intersection with the west line of Lot 118B of Parkview Heights 4 Addition, thence north along said west line of Lot 118B to its intersection with the north line of said Lot 118B, thence easterly along said north line to its intersection with the west line of Granville Parkway, thence continuing easterly along an extended north line of said Lot 118B to its intersection with the east line of Granville Parkway, thence southeasterly along said east line of Granville Parkway to its intersection with the north line of Lot 22A1A1 of the Alpine Village South

Addition, thence northeasterly along said north line to its intersection with the west line of Lot 21A2 of the said Alpine Village South Addition, thence north along said west line of Lot 21A2 and continuing north along the west line of Lot 21A1 of the Alpine Village South Addition to the south line of Lot 13 of the Park View Heights Addition (also known as the La Vista Municipal Pool), thence west along said south line of Lot 13 to its intersection with the west line of said Lot 13, thence north along said west line (also the east line of Lots 8, 9, 10, 11 and 12 of the said Park View Heights Addition) to its intersection with the northern line of Lot 12 of the Park View Heights Addition, thence northwest and west along the north line of Lot 12 of said Addition to its intersection with the west line of Lot 13 of the said Park View Heights Addition, thence continuing north along said Lot 13 west line to its intersection with the north line of said Lot 13, thence northeast and southeasterly to its intersection with the east Line of said Lot 13, which is also known as the west line of 84<sup>th</sup> Street, thence north along said west line to its intersection with the south line of Lot 16A1 of the Park View Heights Addition, thence west along said south line of Lot 16A1 to its intersection with the west line of said Lot 16A1, which is also the east line of 85<sup>th</sup> Street, thence continuing west along an extended south line of said Lot 16A1 across 85<sup>th</sup> Street to its intersection with the west line of said 85<sup>th</sup> Street, thence north along the said west line of 85<sup>th</sup> Street to its intersection with the south line of Park View Boulevard, thence west along said south line of 85<sup>th</sup> Street to its intersection with the extended west line of Lot 57B of the Park View Heights Addition, thence north across Park View Boulevard along said extended west line of Lot 57B to its intersection with the north line of Park View Boulevard, thence continuing north along the west line of Lot 57B and Lot 159B to its intersection with the north line of Lot 159B, thence east along said north line of Lot 159B to its intersection with the east line of said Lot 159B, thence continuing east along an extended north line of Lot 159B to its intersection with the west line of 84<sup>th</sup> Street, thence north along said west line, which is also the east line of Lot 159D of the Park View Heights Addition, to its intersection with the north line of Lot 159D, which is also the south line of Plaza Boulevard, thence west along said south line of Plaza Boulevard to its intersection with the extended west line of Lot 159C, thence north along said extended west line across Plaza Boulevard to its intersection with the north line of Plaza Boulevard, thence north along said west line of Lot 159C and Lot 159A6B to its intersection with the south line of Tax Lot 1 of Section 15, Township 14, Range 12, of the 6<sup>th</sup> Principle Meridian, thence west along said south line of Tax Lot 1 to its intersection with the west line of said Tax Lot 1, thence north along said west line of Tax Lot 1 to its intersection with the north line of Tax Lot 1, which is also the south line of Harrison Street, thence north along an extended west line of Tax Lot 1 to the center line of Harrison Street, thence east along said center line to its intersection with an extended east line of 83<sup>rd</sup> Street, which is also known as the point of Beginning.

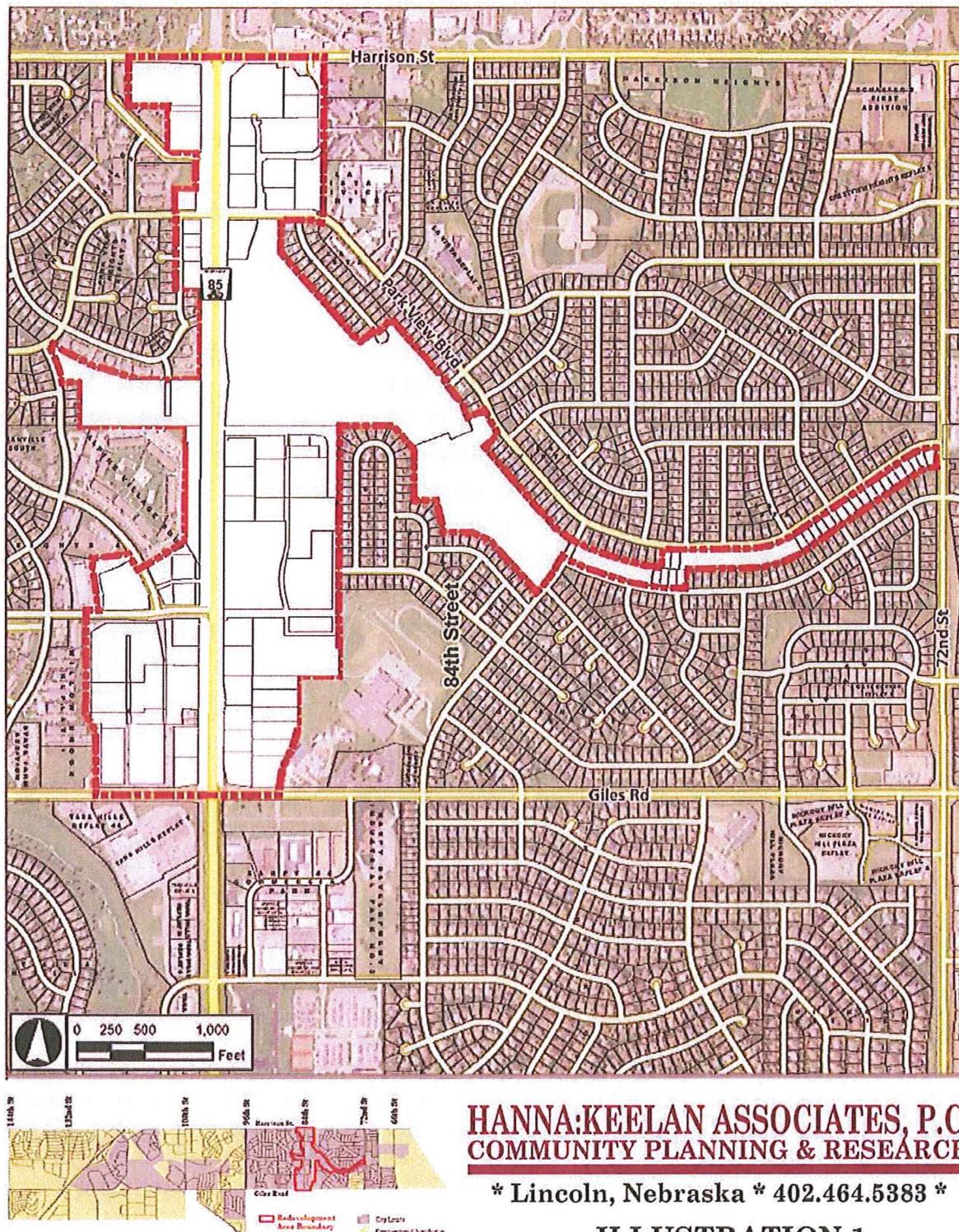
The referenced 84<sup>th</sup> Street Redevelopment Area in the City of La Vista, Nebraska includes the following identified Parcel Numbers or City owned Lots:

1. 010748792	29. 011288387	
2. Lots 1 and 2, Parsley Place	30. 011122536	
3. 010537449	31. 011288388	<u>La Vista Addn.</u>
4. 010537023	32. 011288361	56. Lots 990 – 981 of
5. 010537481	33. 011175656	Central Park
6. 011591964	34. 011045507	57. Lots 914 – 927 of
7. 010765174	35. 010974458	Champion Park
8. 010944656	36. 011047305	58. Vacant Lots:
9. 010944648	37. 011047313	980 – 977; 930 &
10. 011100389	38. 010974482	931; 933 – 938;
11. 010549781	39. 010974466	942 – 945.
12. 010537341	40. 011047321	59. Houses at Lots:
13. 010562028	41. 010581111	912 – 010561811
14. 011181583	42. 011082828	928 – 010561994
15. 011254750	43. 011046414	929 – 010562087
16. 011254769	44. 010580999	932 – 010560769
17. 011234237	45. 010485651	939 – 010571175
18. 011234245	46. 010973257	940 – 010571256
19. 011254734	47. 010581170	941 – 010571264
20. 011254742	48. 010504737	60. House at Lot:
21. 011181656	49. 010580468	913--010561900
22. 011181648	50. 010580549	61. Lot 159A6B
23. 011181621	51. 010580727	010584226
24. 011181605	52. 010580646	
25. 011181613	53. 010973737	
26. 011181591	54. 010584390	
27. 011288353	55. 1412-15-NE-	
28. 011288345	00000-000-	
	TL1-0	

Illustration 1, Context Map, identifies the location of the 84<sup>th</sup> Street Redevelopment Area in relation to the City of La Vista. The primary streets and roads within the 84<sup>th</sup> Street Redevelopment Area include 84<sup>th</sup> Street, Harrison Street and Giles Road.

# CONTEXT MAP

## 84<sup>th</sup> STREET REDEVELOPMENT AREA LA VISTA, NEBRASKA



La Vista, Nebraska  
Blight & Substandard Determination Study  
84<sup>th</sup> Street Redevelopment Area

This blight and substandard evaluation included a detailed exterior structural survey of 56 structures, a parcel-by-parcel field inventory, conversations with City of La Vista staff and a review of available reports and documents containing information which could substantiate the existence of blight and substandard conditions.

### ***SUBSTANDARD AREA***

As set forth in the Nebraska legislation, a **substandard area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of the following factors:

1. Dilapidated/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4. (a) High density of population and overcrowding; or  
(b) The existence of conditions which endanger life or property by fire and other causes; or  
(c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

### ***BLIGHTED AREA***

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), a **blighted area** shall mean "an area, which by reason of the presence of the following factors:

1. A substantial number of deteriorated or deteriorating structures;
2. The advanced age and associated condition of structures;
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. Insanitary or unsafe conditions due to the age, small diameter of water mains;
5. Deterioration of site or other improvements due to nearly 40 percent of the parcels having overall site conditions rated as "fair";
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;

8. Defective or unusual conditions of title;
9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and
12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;
  1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
  2. The average age of the residential or commercial units in the area is at least 40 years;
  3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
  4. The per capita income of the study or designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
  5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated **Factors** may be sufficient to make a finding of **blight and substandard**, this evaluation was made on the basis that existing **Blight and Substandard Factors** must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of **Blight and Substandard Factors** throughout the **84<sup>th</sup> Street Redevelopment Area** must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are **blighted and substandard**.

On the basis of this approach, the 84<sup>th</sup> Street Redevelopment Area is found to be eligible as "blighted" and "substandard", within the definition set forth in the legislation. Specifically:

### **SUBSTANDARD FACTORS**

Of the Four Substandard Factors, set forth in the Nebraska Community Development Law, one Factor represents a "strong presence," while the remaining three Factors represent a "reasonable presence" in the 84<sup>th</sup> Street Redevelopment Area. The Substandard Factors present in the Redevelopment Area are reasonably distributed throughout the Area.

**TABLE 1**  
**SUBSTANDARD FACTORS**  
**84<sup>TH</sup> STREET REDEVELOPMENT AREA**  
**LA VISTA, NEBRASKA**

1.	Dilapidated/deterioration.	<input checked="" type="checkbox"/>
2.	Age or obsolescence.	<input checked="" type="checkbox"/>
3.	Inadequate provision for ventilation, light, air, sanitation or open spaces.	<input checked="" type="checkbox"/>
4.	Existence of conditions which endanger life or property by fire and other causes.	<input type="checkbox"/>

Strong Presence of Factor

Reasonable Presence of Factor

No Presence of Factor

Source: Hanna:Keelan Associates, P.C., 2011

#### **Strong Presence of Factor -**

The parcel-by-parcel field analysis determined that the Substandard Factor *Existence of Conditions Which Endanger Life or Property* by fire and other causes is a **strong presence** throughout the 84<sup>th</sup> Street Redevelopment Area. The primary contributing elements include the existence of wood frame buildings and masonry buildings containing combustible elements and fixtures. Additionally, the age and size of privately owned and maintained water mains are substandard by current development standards.

### **Reasonable Presence of Factor -**

The results of the field survey identified 10 structures, or 17.8 percent of the 56 total structures in the 84<sup>th</sup> Street Redevelopment Area as *Deteriorating or Dilapidated*. This Factor is of a reasonable presence throughout the Area.

Based on the results of a parcel-by-parcel field survey analysis, approximately 14, or 25 percent of the 56 total buildings are *40+ years of age* (built prior to 1971). Additionally, the estimated average age of commercial structures in the 84<sup>th</sup> Street Redevelopment Area is approximately 26 years and the average age of residential structures is 62 years, based on records available at the Sarpy County Assessor's Office. The Factor of *Age or Obsolescence* is a reasonable presence throughout the 84<sup>th</sup> Street Redevelopment Area.

The conditions which result in *Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Space* are reasonably present and distributed throughout the 84<sup>th</sup> Street Redevelopment Area. Portions of municipal and private water and sanitary sewer distribution systems are undersized by current development standards and are aging, thus prone to repeated maintenance and or replacement.

*The prevailing substandard conditions, evident in buildings and the public infrastructure, as determined by the field survey, include:*

1. Aging structures;
2. Dilapidated/deteriorated structures;
3. Public streets, access roads and parking areas that are severely deteriorated surfaces, in poor condition and a significant threat to motor vehicles and pedestrians;
3. "Fair" to "Poor" overall site conditions;
4. Frame buildings and wood structural components in masonry buildings as potential fire hazards;
5. Average age of residential structures being in excess of 40+ years of age; and
6. Portions of the 84<sup>th</sup> Street Redevelopment Area having under-sized private and municipal owned utility mains.

## **BLIGHT FACTORS**

Of the 12 Blight Factors set forth in the Nebraska Community Development Law, nine represent a "strong presence" in the 84<sup>th</sup> Street Redevelopment Area and one represents a "reasonable presence". The Factor "tax or special assessment excluding the fair value of land," was of little or "no presence" and "defective or unusual condition of title," was not reviewed. All Blight Factors are reasonably distributed throughout the Redevelopment Area.

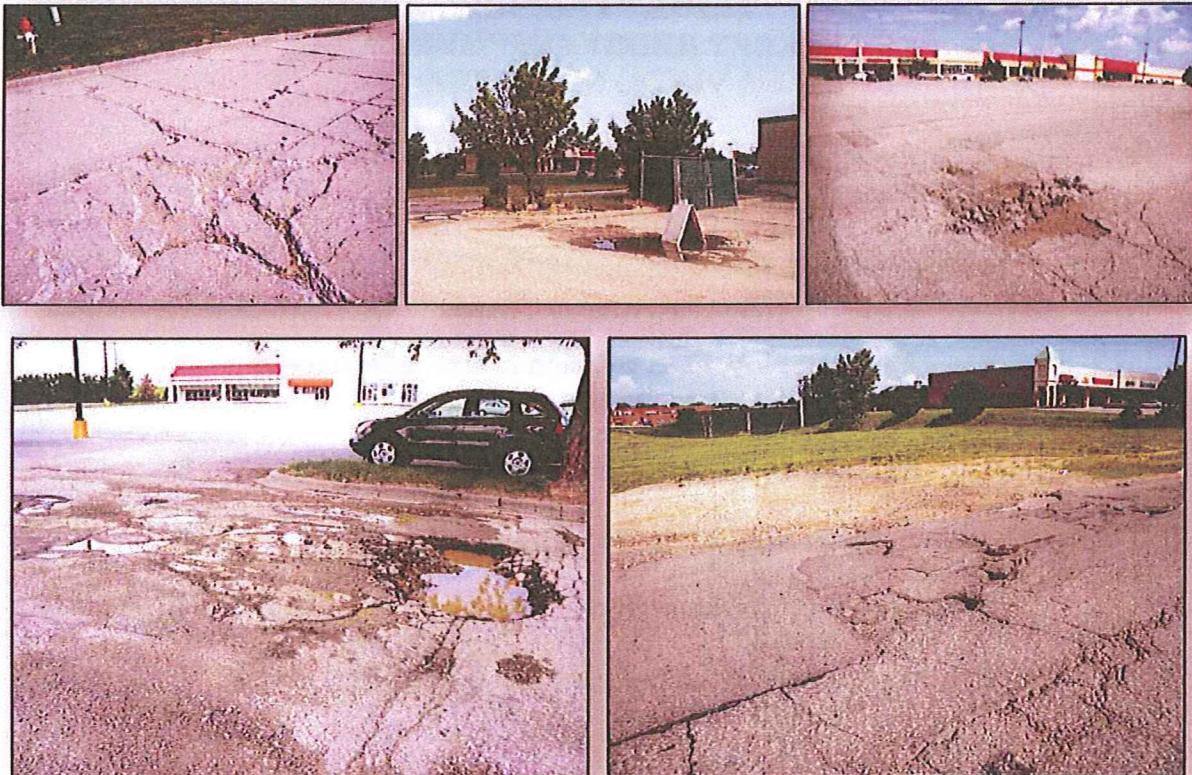
**TABLE 2**  
**BLIGHT FACTORS**  
**84<sup>TH</sup> STREET REDEVELOPMENT AREA**  
**LA VISTA, NEBRASKA**

1.	A substantial number of deteriorated or dilapidated structures.	<input type="checkbox"/>
2.	Existence of defective or inadequate street layout.	<input type="checkbox"/>
3.	Faulty lot layout in relation to size, adequacy, accessibility or usefulness.	<input type="checkbox"/>
4.	Insanitary or unsafe conditions.	<input type="checkbox"/>
5.	Deterioration of site or other improvements.	<input type="checkbox"/>
6.	Diversity of Ownership.	<input type="checkbox"/>
7.	Tax or special assessment delinquency exceeding the fair value of land.	<input checked="" type="checkbox"/>
8.	Defective or unusual condition of title.	NR
9.	Improper subdivision or obsolete platting.	<input type="checkbox"/>
10.	The existence of conditions which endanger life or property by fire or other causes.	<input type="checkbox"/>
11.	Other environmental and blighting factors.	<input type="checkbox"/>
12.	One of the other five conditions.	<input type="checkbox"/>
Strong Presence of Factor		<input type="checkbox"/>
Reasonable Presence of Factor		<input type="checkbox"/>
Little or No Presence of Factor		<input checked="" type="checkbox"/>
NR = Not Reviewed		NR

Source: Hanna:Keelan Associates, P.C., 2011

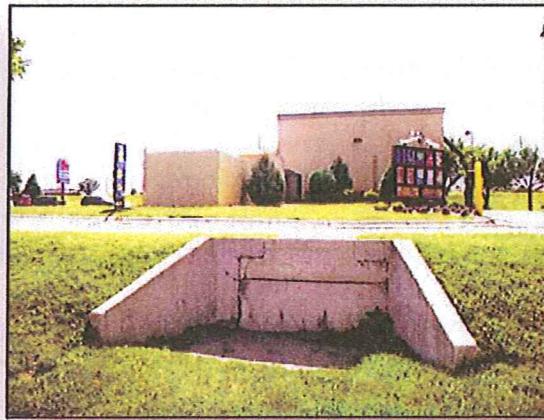
## Strong Presence of Factor –

**Defective or Inadequate Street Layout** is a strong presence in the 84<sup>th</sup> Street Redevelopment Area due to a significant percentage of privately owned and maintained “frontage” streets that are significantly deteriorated. Large areas are impacted by “alligator cracking” and settling, as well as several potholes within street rights-of-way and in private parking lots. Many of these potholes are large enough to damage motor vehicles. Additional frontage street sections lack concrete curbs, gutters and storm water drainage systems.



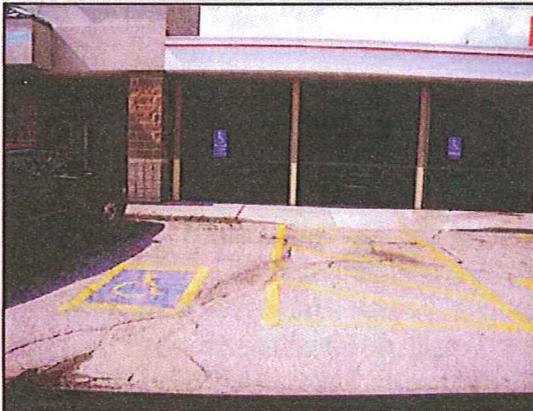
**Faulty Lot Layout** is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area. Conditions contributing to the presence of this Factor include inadequate lot sizes, whereby lots are either too small for future developments, thus requiring multiple lots, or irregular tracts of land are too large, encouraging piecemeal development by subsequent lot splits for individual development sites.

**Insanitary or Unsafe Conditions** are a strong presence throughout the entire the 84<sup>th</sup> Street Redevelopment Area. Conditions contributing to this Factor include poorly designed and implemented, privately owned, storm water surface drainage systems and the advanced age of privately owned and maintained underground water, sewer and storm sewer mains in the **Redevelopment Area**.



***Deterioration of Site or Other Improvements*** is a strong presence throughout the Area, where, of the total 63 parcels examined, 44.4 percent, or 28 parcels have "fair" to "poor" overall site conditions.

The ***Diversity of Ownership*** is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area. Research of public records from the Sarpy County Assessor's office indicates that 40 individuals own property in the Redevelopment Area.



***Improper Subdivision or Obsolete Platting*** is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area. Lot sizes throughout the Redevelopment Area are not supportive of today's residential or commercial development requirements. There are residential structures placed upon individual lots that are considered too small by current development standards. Additionally, several commercial lots are irregularly shaped and too small to support a variety of other modern commercial uses.

The Redevelopment Area includes a nine-hole golf course; La Vista Falls. The location of the course represents an under-utilization of land, or a barrier to the economic value of the Area.

The **Existence of Conditions Which Endanger Life or Property** by fire or other causes is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area. Conditions that are related to this Factor include the existence of wood frame buildings and masonry buildings containing combustible elements and fixtures. Additionally, the age and size of privately owned and maintained water mains are substandard by current development standards.

In regards to **Other Environmental and Blighting Factors**, economically and socially undesirable land uses and functional obsolescence is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area. The Area contains commercial buildings with outmoded conditions. Several buildings are too small, or poorly designed to be adapted for new commercial uses.

**One of the Required Five Additional Blight Factors** has a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area. Based on the field survey analysis, the estimated average age of residential buildings is approximately 62 years.

#### Reasonable Presence of Factor -

**Deteriorated or Dilapidated Structures** are reasonably present in the 84<sup>th</sup> Street Redevelopment Area. A total of 10 structures, or 17.8 percent of the 56 total structures were documented as deteriorating, or are in a dilapidated condition.

#### Conclusion

It is the conclusion of the Consultant retained by the City of La Vista that the number, degree and distribution of **Blight and Substandard Factors**, as documented in this **Executive Summary**, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the **Nebraska Community Development Law**. It is also the opinion of the Consultant, that the findings of this **Blight and Substandard Determination Study** warrant designating the 84<sup>th</sup> Street Redevelopment Area as "substandard" and "blighted."

The conclusions presented in this **Study**, are those of the Consultant, engaged by the City of La Vista to examine whether conditions of **blight and substandard** exist. The local governing body should review this **Study** and, if satisfied with the summary of findings contained herein, may adopt a resolution making a **finding of blight and substandard** and this **Study** a part of the public record.

## **BASIS FOR REDEVELOPMENT**

For a project in La Vista to be eligible for redevelopment under the Nebraska Community Development Law, the subject area or areas must first qualify as both a "substandard" and "blighted" area, within the definition set forth in the Nebraska Community Development Law. This Study has been undertaken to determine whether conditions exist which would warrant designation of the 84<sup>th</sup> Street Redevelopment Area as a "blighted and substandard area" in accordance with provisions of the law.

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (Cumulative Supplement 1994), a **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. Dilapidation/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4.
  - (a) High density of population and overcrowding; or
  - (b) The existence of conditions which endanger life or property by fire and other causes; or
  - (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

1. A substantial number of deteriorated or deteriorating structures;
2. Existence of defective or inadequate street layout;
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
4. Insanitary or unsafe conditions;
5. Deterioration of site or other improvements;
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;
8. Defective or unusual conditions of title;

9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
  1. Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
  2. The average age of the residential or commercial units in the area is at least 40 years;
  3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
  4. The per capita income of the designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
  5. The area has had either stable or decreasing population based on the last two decennial censuses.

The Consultant for this **Blight and Substandard Determination Study** was guided by the premise that the finding of **blight and substandard** must be defensible and sufficient evidence of the presence of **Factors** should exist so members of the City Council of La Vista (local governing body), acting as reasonable and prudent persons, could conclude public intervention is necessary or appropriate. Therefore, each factor was evaluated in the context of the extent of its presence and the collective impact of all **Factors** found to be present.

Also, these deficiencies should be reasonably distributed throughout the **84<sup>th</sup> Street Redevelopment Area**. Such a "reasonable distribution of deficiencies test" would preclude localities from taking concentrated **areas of blight and substandard conditions** and expanding the areas arbitrarily into non-blighted/ substandard areas for planning or other reasons. The only exception which should be made to this rule is where projects must be brought to a logical boundary to accommodate new development and ensure accessibility, but even in this instance, the inclusion of such areas should be minimal and related to an area otherwise meeting the reasonable distribution of deficiencies test.

## **THE STUDY AREA**

The purpose of this Study is to determine whether all or part of the 84<sup>th</sup> Street Redevelopment Area in La Vista, Nebraska, qualifies as a blighted and substandard area, within the definition set forth in the Nebraska Community Development Law, Section 18-2103.

The 84th Street Redevelopment Area shall include all real property that is within the following boundary description, as follows:

Beginning at the intersection of the center line of Harrison Street and the extended east line of 83<sup>rd</sup> Street (also the west line of Lot 1282-D1 of the La Vista Addition), thence south along said extended east line, and continuing south along the east line of 83<sup>rd</sup> Street and its extended east line to its intersection with the north line of Park View Boulevard, thence continuing south across Park View Boulevard along the extended east line of 83<sup>rd</sup> Street to its intersection with the south line of Park View Boulevard, thence west along the south line of Park View Boulevard to its intersection with the east line of Tax Lot 12 (also known as the La Vista Falls Golf Course), thence south along said east line to its intersection with the northeastern line of Tax Lot 12, thence southeasterly along said northeastern line to its intersection with the northwestern line of Tax Lot 13, thence northeasterly along said northwestern line to its intersection with the northeastern line of Tax Lot 13 (also the southern line of Park View Boulevard), thence southeasterly along said northeastern line of Tax Lot 13 to its intersection with the eastern line of said Tax Lot 13 (also the western line of Edgewood Boulevard), thence continuing southeasterly along an extended line of said northeastern line of Tax Lot 13 across Edgewood Boulevard to its intersection with the eastern line of Edgewood Boulevard (also the northwest corner of Lot 990 of the La Vista Addition, thence easterly along the north line of said Lot 990, thence continuing easterly along the northern line of Lots 989 through 980 of the La Vista Addition and partially along Lot 979 to its intersection with the west line of Lot 912, thence north along said west line of Lot 912 to its intersection with the south line of Lot 912, also the south line of Park View Boulevard, thence easterly along said south line to its intersection with the east line of Lot 932 (also known as the west line of Terry Drive), thence continuing east/northeasterly along an extended north line of Lot 932 across Terry Drive to its intersection with the west line of Lot 933 of the La Vista Addition (also known as the east line of Terry Drive), thence east/northeasterly along the north line of said lot 933 (also known as the south line of Park View Boulevard) and continuing east/northeasterly along the north line of Lots 934 through 945 of the La Vista Addition to its intersection with the east line of said Lot 945, thence south along said east line to its intersection with the south line of said Lot 945, thence west along said south line and continuing west/southwesterly along the south line of Lots 944 through 933 to its intersection with the west line of Lot 933 (also known as the east line of Terry Drive, thence continuing west/southwesterly along an extended south line of Lot 933 across Terry Drive to its intersection with the west line of Terry Drive (also known as the east line of Lot 932, thence

west/southwesterly along said south line of Lot 932 and continuing west southwesterly along the south line of Lots 931 through 914 to its intersection with the east line of Lot 977, thence south along said east line of Lot 977 to its intersection with the south line of Lot 977 (also known as the north line of Valley Road, thence west/northwesterly along the south line of Lots 977 through Lot 990 to its intersection with the west line of Lot 990 (also known as the east line of Edgewood Boulevard), thence continuing west/northwesterly along an extended south line of Lot 990 across Edgewood Boulevard to its intersection of the west line of Edgewood Boulevard (also known as the eastern line of Tax Lot 13, thence south/southwesterly along said eastern line of Tax Lot 13 to its intersection with the southern line of said Tax Lot 13, thence west/northwesterly along said southern line to its intersection with the west line of Tax Lot 13, thence north along said west line to its intersection with the southern line of Tax Lot 12 (also known as the La Vista Falls Golf Course), thence northwest and west along said south line to its intersection with the east line of Lot 8A2 of the Brentwood Crossing Replat #2, thence south along said east line of Lot 8A2 and continuing south along the east line of Lot 8A3 of Brentwood Crossing Replat #2 and Lots 1 and 4 of the Brentwood Crossing Addition to its intersection with the south line of said Lot 4, thence west along said south line of Lot 4 to its intersection with the east line of Lot 9 of the Wiltham Place Replat 1 Addition, thence south along said east line of Lot 9, and continuing south along the east lines of Lots 8, 7, 6, 5, and 4 to its intersection with the south line of Lot 4 of the said Wiltham Place Replat 1 Addition (also known as the north line of Giles Road, thence continuing south along an extension of said east line of Lot 4 of the Wiltham Place Replat 1 Addition to its intersection with the Center Line of Giles Road, thence west along said center line to its intersection with an extended west line of Lot 2A4A of the Willow Brook Addition, thence north along said extended line to its intersection with the north line of Giles Road, thence north along the west line of Lot 2A4A of the Willow Brook Addition and continuing north/northwesterly and north again along the west lines of Lots 2A5, 2A3, and 2A2 of said Willow Brook Addition to its intersection with the north line of Lot 2A2 (also known as the south line of Brentwood Drive), thence north along an extended west line of Lot 2A2 of the Willow Brook Addition across Brentwood Drive to its intersection with the north line of said Brentwood Drive, thence east along said north line to its intersection with the west line of Lot 118B of Parkview Heights 4 Addition, thence north along said west line of Lot 118B to its intersection with the north line of said Lot 118B, thence easterly along said north line to its intersection with the west line of Granville Parkway, thence continuing easterly along an extended north line of said Lot 118B to its intersection with the east line of Granville Parkway, thence southeasterly along said east line of Granville Parkway to its intersection with the north line of Lot 22A1A1 of the Alpine Village South Addition, thence northeasterly along said north line to its intersection with the west line of Lot 21A2 of the said Alpine Village South Addition, thence north along said west line of Lot 21A2 and continuing north along the west line of Lot 21A1 of the Alpine Village South Addition to the south line of Lot 13 of the Park View Heights Addition (also known as the La Vista Municipal Pool), thence west along said south line of Lot 13 to its intersection with the west line of said Lot 13, thence north along

said west line (also the east line of Lots 8, 9, 10, 11 and 12 of the said Park View Heights Addition) to its intersection with the northern line of Lot 12 of the Park View Heights Addition, thence northwest and west along the north line of Lot 12 of said Addition to its intersection with the west line of Lot 13 of the said Park View Heights Addition, thence continuing north along said Lot 13 west line to its intersection with the north line of said Lot 13, thence northeast and southeasterly to its intersection with the east Line of said Lot 13, which is also known as the west line of 84<sup>th</sup> Street, thence north along said west line to its intersection with the south line of Lot 16A1 of the Park View Heights Addition, thence west along said south line of Lot 16A1 to its intersection with the west line of said Lot 16A1, which is also the east line of 85<sup>th</sup> Street, thence continuing west along an extended south line of said Lot 16A1 across 85<sup>th</sup> Street to its intersection with the west line of said 85<sup>th</sup> Street, thence north along the said west line of 85<sup>th</sup> Street to its intersection with the south line of Park View Boulevard, thence west along said south line of 85<sup>th</sup> Street to its intersection with the extended west line of Lot 57B of the Park View Heights Addition, thence north across Park View Boulevard along said extended west line of Lot 57B to its intersection with the north line of Park View Boulevard, thence continuing north along the west line of Lot 57B and Lot 159B to its intersection with the north line of Lot 159B, thence east along said north line of Lot 159B to its intersection with the east line of said Lot 159B, thence continuing east along an extended north line of Lot 159B to its intersection with the west line of 84<sup>th</sup> Street, thence north along said west line, which is also the east line of Lot 159D of the Park View Heights Addition, to its intersection with the north line of Lot 159D, which is also the south line of Plaza Boulevard, thence west along said south line of Plaza Boulevard to its intersection with the extended west line of Lot 159C, thence north along said extended west line across Plaza Boulevard to its intersection with the north line of Plaza Boulevard, thence north along said west line of Lot 159C and Lot 159A6B to its intersection with the south line of Tax Lot 1 of Section 15, Township 14, Range 12, of the 6<sup>th</sup> Principle Meridian, thence west along said south line of Tax Lot 1 to its intersection with the west line of said Tax Lot 1, thence north along said west line of Tax Lot 1 to its intersection with the north line of Tax Lot 1, which is also the south line of Harrison Street, thence north along an extended west line of Tax Lot 1 to the center line of Harrison Street, thence east along said center line to its intersection with an extended east line of 83<sup>rd</sup> Street, which is also known as the point of Beginning.

The referenced 84<sup>th</sup> Street Redevelopment Area in the City of La Vista, Nebraska includes the following identified Parcel Numbers or City owned Lots:

1. 010748792	27. 011288353	53. 010973737
2. Lots 1 and 2, Parsley Place	28. 011288345	54. 010584390
3. 010537449	29. 011288337	55. 1412-15-NE-
4. 010537023	30. 011122536	00000-000-
5. 010537481	31. 011288388	TL1-0
6. 011591964	32. 011288361	<u>La Vista Addn.</u>
7. 010765174	33. 011175656	56. Lots 990 – 981 of
8. 010944656	34. 011045507	Central Park
9. 010944648	35. 010974458	57. Lots 914 – 927 of
10. 011100389	36. 011047305	Champion Park
11. 010549781	37. 011047313	58. Vacant Lots:
12. 010537341	38. 010974482	980 – 977; 930 &
13. 010562028	39. 010974466	931; 933 – 938;
14. 011181583	40. 011047321	942 – 945.
15. 011254750	41. 010581111	59. Houses at Lots:
16. 011254769	42. 011082828	912 – 010561811
17. 011234237	43. 011046414	928 – 010561994
18. 011234245	44. 010580999	929 – 010562087
19. 011254734	45. 010485651	932 – 010560769
20. 011254742	46. 010973257	939 – 010571175
21. 011181656	47. 010581170	940 – 010571256
22. 011181648	48. 010504737	941 – 010571264
23. 011181621	49. 010580468	60. House at Lot:
24. 011181605	50. 010580549	913--010561900
25. 011181613	51. 010580727	61. Lot 159A6B
26. 011181591	52. 010580646	010584226

**Illustration 1, Context Map**, identifies the location of the 84<sup>th</sup> Street Redevelopment Area in relation to the City of La Vista. The primary streets and roads within the **Redevelopment Area** include 84<sup>th</sup> Street, Harrison Street and Giles Road.

Major land uses in the 84<sup>th</sup> Street **Redevelopment Area** consist, primarily, of commercial, residential and vacant land. These land uses are highlighted in **Illustration 2**. The **Redevelopment Area** contains an estimated 213 acres, of which approximately 95 percent of the Area has been developed.

The major roadways within and bordering the 84<sup>th</sup> Street **Redevelopment Area** are Harrison Street to the north, Giles Road to the south and 84<sup>th</sup> Street, which runs through the middle of the **Redevelopment Area**.

**Table 3** identifies the estimated existing land uses within the **Redevelopment Area**, in terms of number of acres and percentage of total for all existing land uses.

TABLE 3  
EXISTING LAND USES  
84<sup>TH</sup> STREET REDEVELOPMENT AREA  
LA VISTA, NEBRASKA

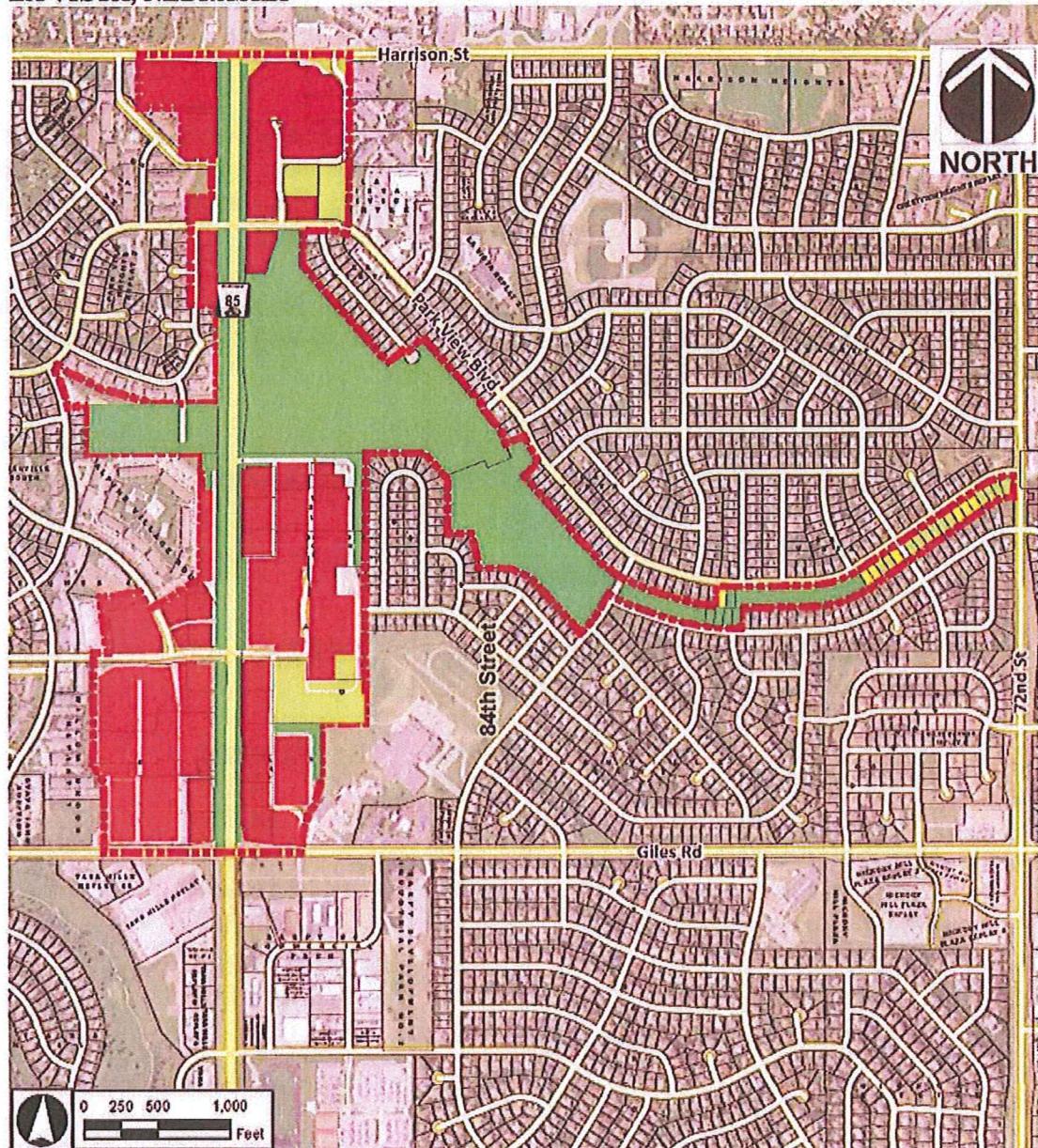
<u>Land Use</u>	<u>Acres</u>	<u>Percent</u>
Public	0.2	0.1%
Parks/Recreation	52.6	24.7%
Single Family	1.4	0.7%
Commercial	85.1	39.9%
Streets (Municipal/Priv.)	63.6	29.8%
<u>Vacant</u>	<u>10.2</u>	<u>4.8%</u>
<b>Total Acreage</b>	<b>213.1</b>	<b>100.0%</b>

Source: Hanna:Keelan Associates, P.C., 2011

**Illustration 3** identifies the existing **Zoning Classifications** within the 84<sup>th</sup> Street **Redevelopment Area**, which is entirely located within the current Corporate Limits of the City of La Vista. Zoning activities throughout the 84<sup>th</sup> Street **Redevelopment Area** are controlled by the City of La Vista.

# EXISTING LAND USE MAP

84<sup>th</sup> STREET REDEVELOPMENT AREA  
LA VISTA, NEBRASKA



## LEGEND

- VACANT/AGRICULTURAL
- SINGLE FAMILY RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- COMMERCIAL
- REDEVELOPMENT AREA BOUNDARY

**HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH**

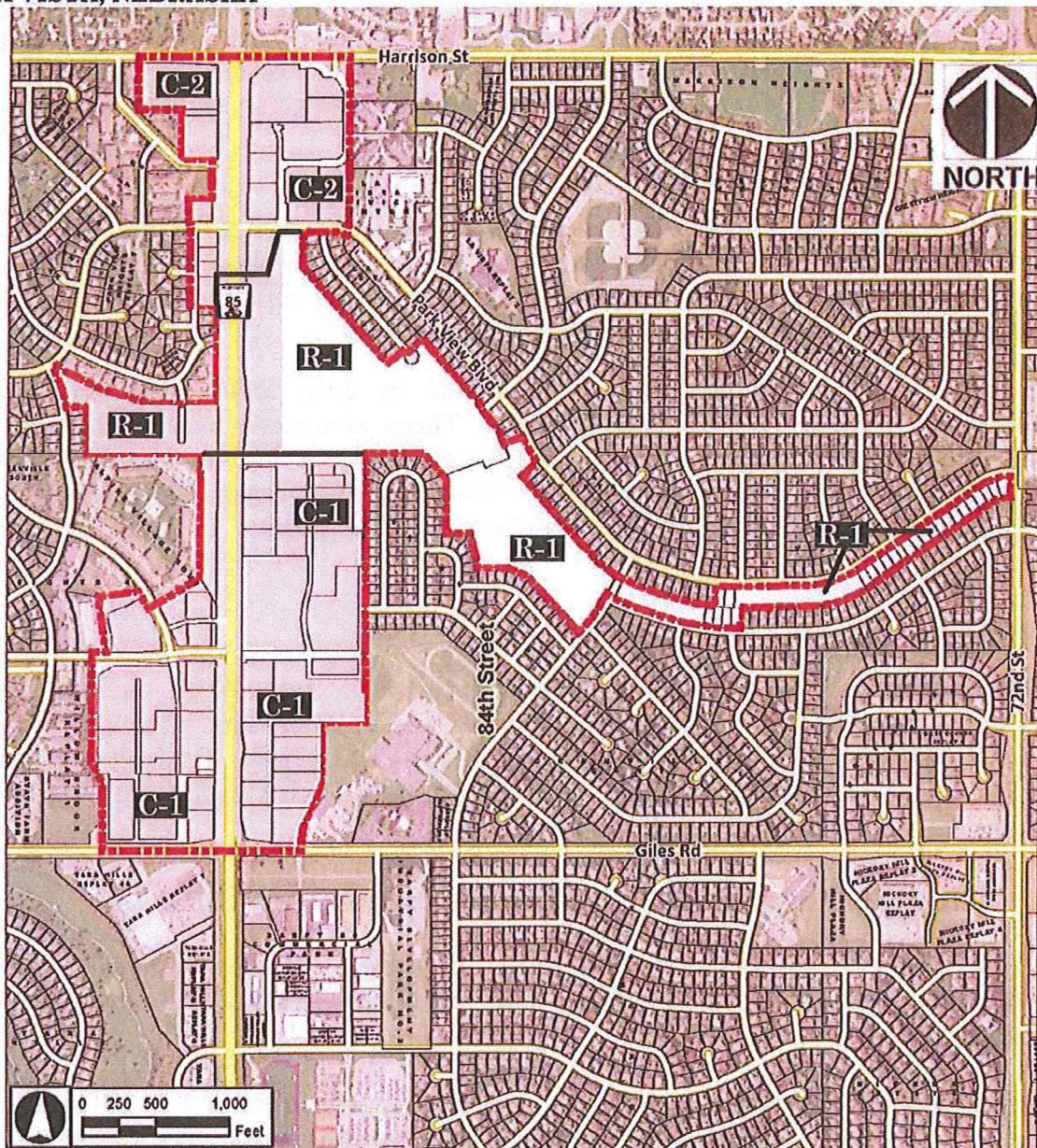
\*Lincoln, Nebraska\* 402.464.5383 \*

**ILLUSTRATION 2**

La Vista, Nebraska  
Blight & Substandard Determination Study  
84<sup>th</sup> Street Redevelopment Area

# EXISTING ZONING MAP

84TH STREET REDEVELOPMENT AREA  
LA VISTA, NEBRASKA



## LEGEND

- R-1 Single Family Residential District
- C-1 Shopping Center Commercial
- C-2 General Commercial District
- Gateway Corridor Overlay
- Zoning District Boundary
- Redevelopment Area Boundary

**HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH**

\*Lincoln, Nebraska\* 402.464.5383 \*

## ILLUSTRATION 3

La Vista, Nebraska  
Blight & Substandard Determination Study  
84th Street Redevelopment Area

## **THE RESEARCH APPROACH**

The **blight and substandard determination research approach** implemented for the **84<sup>th</sup> Street Redevelopment Area** included an area-wide assessment (100 percent sample) of all of the **Blight and Substandard Factors** identified in the **Nebraska Community Development Law**, with the exception of **defective or unusual condition of title**. All **Factors** were investigated on an area-wide basis.

### **Structural Survey Process**

The rating of building conditions is a critical step in determining the eligibility of an area for redevelopment. It is important that the system for classifying buildings be based on established evaluation standards and criteria and that it result in an accurate and consistent description of existing conditions.

A structural condition survey was conducted in July, 2011. A total of **56 structures** received exterior inspections. These structures were examined to document structural deficiencies in individual buildings and to identify related environmental deficiencies in the **84<sup>th</sup> Street Redevelopment Area**. The "Structural Condition Survey Form" utilized in this process is provided in the **Appendix**.

### **Parcel-by-Parcel Field Survey**

A parcel-by-parcel field survey was also conducted in July, 2011. A total of **63 separate parcels** were inspected for existing and adjacent land uses, overall site conditions, existence of debris, parking conditions and street, sidewalk and alley surface conditions. The Condition Survey Form is included in the **Appendix**, as well as the results of the Survey.

### **Research on Property Ownership and Financial Assessment of Properties**

Public records and aerial photographs of all parcels in the **84<sup>th</sup> Street Redevelopment Area** were analyzed to determine the number of property owners within the Area.

An examination of public records was conducted to determine if tax delinquencies existed for properties in the **84<sup>th</sup> Street Redevelopment Area**. The valuation, tax amount and any delinquent amount was examined for each of the properties.

## **ELIGIBILITY SURVEY AND ANALYSIS FINDINGS**

An analysis was made of each of the Blight and Substandard Factors listed in the Nebraska legislation to determine whether each or any were present in the 84<sup>th</sup> Street Redevelopment Area and, if so, to what extent and in what locations. The following represents a summary evaluation of each Blight and Substandard Factor presented in the order of listing in the law.

### **SUBSTANDARD FACTORS**

#### **(1) Dilapidation/Deterioration of Structures**

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the 84<sup>th</sup> Street Redevelopment Area, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **56 existing structures**, within the 84<sup>th</sup> Street Redevelopment Area, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the Area.

#### **1. Structures/Building Systems Evaluation.**

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or has minor, major, or critical defects. Structures/building systems examined included the following three types, **one Primary** and **two Secondary**.

**Structural Systems (Primary Components).** These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

## (Secondary Components)

**Building Systems.** These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

**Architectural Systems.** These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land included the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railroad track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/building.

## 2. Criteria for Rating Components for Structural, Building and Architectural Systems.

The components for the previously identified Systems were individually rated utilizing the following criteria.

**Sound.** Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

**Minor Defect.** Component that contains minor defects (loose or missing material or holes and cracks over a limited area). These can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

**Major Defect.** Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

#### 4. Field Survey Conclusions.

The conditions of the total **56 buildings** within the **84th Street Redevelopment Area** were determined based on the finding of the exterior survey. These surveys indicated the following:

- Twenty-Eight (28) structures were classified as structurally sound;
- Eighteen (18) structures were classified as deteriorating with minor defects.
- Five (5) structures were classified as deteriorating with major defects; and
- Five (5) structures were classified as dilapidated.

The results of the exterior structural survey identified the condition of structures throughout the **84th Street Redevelopment Area**. Of the 56 total structures, 10 structures (17.8 percent) were either deteriorating or dilapidated to a substandard condition.

#### Conclusion.

The results of the structural condition survey indicate deteriorating structures are a reasonable presence throughout the **84th Street Redevelopment Area**. Table 4 identifies the results of the structural rating process per building type.

**Critical Defect.** Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

### 3. Final Structure/Building Rating.

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

**Sound.** Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, have less than six points.

**Deteriorating-Minor.** Defined as structures / buildings classified as deficient--requiring minor repairs--having between six and 10 points.

**Deteriorating-Major.** Defined as structures/buildings classified as deficient--requiring major repairs-- having between 11 and 20 points.

**Dilapidated.** Defined as structurally substandard structures / buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will have at least 21 points.

An individual **Exterior Rating Form** is completed for each structure/building. The results of the **Exterior Rating** of all structures/buildings are presented in a **Table format**.

Primary Components	Secondary Components
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

**TABLE 4**  
**EXTERIOR SURVEY FINDINGS**  
**84TH STREET REDEVELOPMENT AREA**  
**LA VISTA, NEBRASKA**

Exterior Structural Rating

<u>Activity</u>	<u>Sound</u>	<u>Deteriorating (Minor)</u>	<u>Deteriorating (Major)</u>	<u>Dilapidated</u>	<u>Number of Structures</u>	<u>Deteriorating and/ or Dilapidated</u>
Residential	0	0	3	4	7	7
Commercial	27	16	2	1	46	3
<u>Other</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>0</u>
<b>Total</b>	<b>28</b>	<b>18</b>	<b>5</b>	<b>5</b>	<b>56</b>	<b>10</b>
Percent	50.0%	32.1%	8.9%	8.9%	100.0%	17.8%

Source: Hanna:Keelan Associates, P.C., 2011

**(2) Age of Obsolescence.**

As per the results of the field survey and by confirmation from Sarpy County Assessor's Office property records, an estimated 14 (25 percent) of the total 56 structures in the Area are 40+ years of age, or built prior to 1971. Additionally, the estimated average age of residential structures in the 84<sup>th</sup> Street Redevelopment Area is 62 years of age, while the estimated average age of commercial buildings is 25 years.

**Conclusion.**

**The age and obsolescence of the structures is a reasonable presence throughout the 84<sup>th</sup> Street Redevelopment Area.**

(3) **Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Spaces.**

The results from the exterior structural survey, along with other field data, provided the basis for the identification of insanitary and unsafe conditions in the **84th Street Redevelopment Area**. Factors contributing to insanitary and unsafe conditions are discussed below.

As per the results of the field survey, an estimated 17.8 percent of the total 56 structures in the **84<sup>th</sup> Street Redevelopment Area** were rated as deteriorating or dilapidated. When not adequately maintained or upgraded to present-day occupancy standards, buildings in these conditions pose safety and sanitary problems. Wood frame buildings and masonry buildings with wooden structural elements or combustible materials were found to be deteriorating or dilapidated and in need of structural repair and fire protection, or should be demolished.

The majority of the structures throughout the **Redevelopment Area** were identified to be in "sound" to "deteriorating-minor" condition. Site features, such as parking lots, privately owned frontage and access roads and above ground storm water drainage systems were deteriorating. **Approximately 44 percent of the total 63 parcels were identified as having "fair" or "poor" overall site conditions.**

The City of La Vista's Public Works Staff estimated that the majority of municipal and private water and sewer mains throughout the **84<sup>th</sup> Street Redevelopment Area**, with the exception of 84<sup>th</sup> Street, are approximately 40+ years of age. Privately owned water and sewer mains connect to Municipal or Metropolitan Utilities District (MUD) mains beyond the individual properties. These privately owned utility mains are undersized and in substandard condition by current engineering standards utilized by the City of La Vista and MUD. As the underground mains continue to age, repeated maintenance and repair issues will become more prevalent.

### **Conclusion**

**The inadequate provision for ventilation, light, air, sanitation or open spaces in the 84<sup>th</sup> Street Redevelopment Area is a reasonable presence to constitute a Substandard Factor.**

4) **The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.**

1. **Building Elements that are Combustible.**

There are wood-framed buildings and masonry buildings containing combustible elements and fixtures, located throughout the 84<sup>th</sup> Street **Redevelopment Area**. Several of these buildings have been vacant for an extended length of time and not adequately maintained. These vacant structures will require extensive rehabilitation to be able to support new commercial tenants. **Approximately 10 buildings, or 17.8 percent of the total 56 buildings, have been determined to be deteriorating or dilapidated.**

2. **Lack of Adequate Utilities.**

The City of La Vista Public Works Staff estimated that the majority of water and sewer mains throughout the 84th Street **Redevelopment Area**, with the exception of 84<sup>th</sup> Street, are approximately 40+ years of age. Privately owned and maintained water, sewer and storm water drainage systems connect to Municipal or MUD mains beyond the large shopping center properties. As the privately owned utility systems continue to age, repeated maintenance and repair issues are anticipated to become more frequent. Updates and ongoing maintenance of these utility systems is imperative to the continued economic viability of the 84<sup>th</sup> Street **Redevelopment Area**.

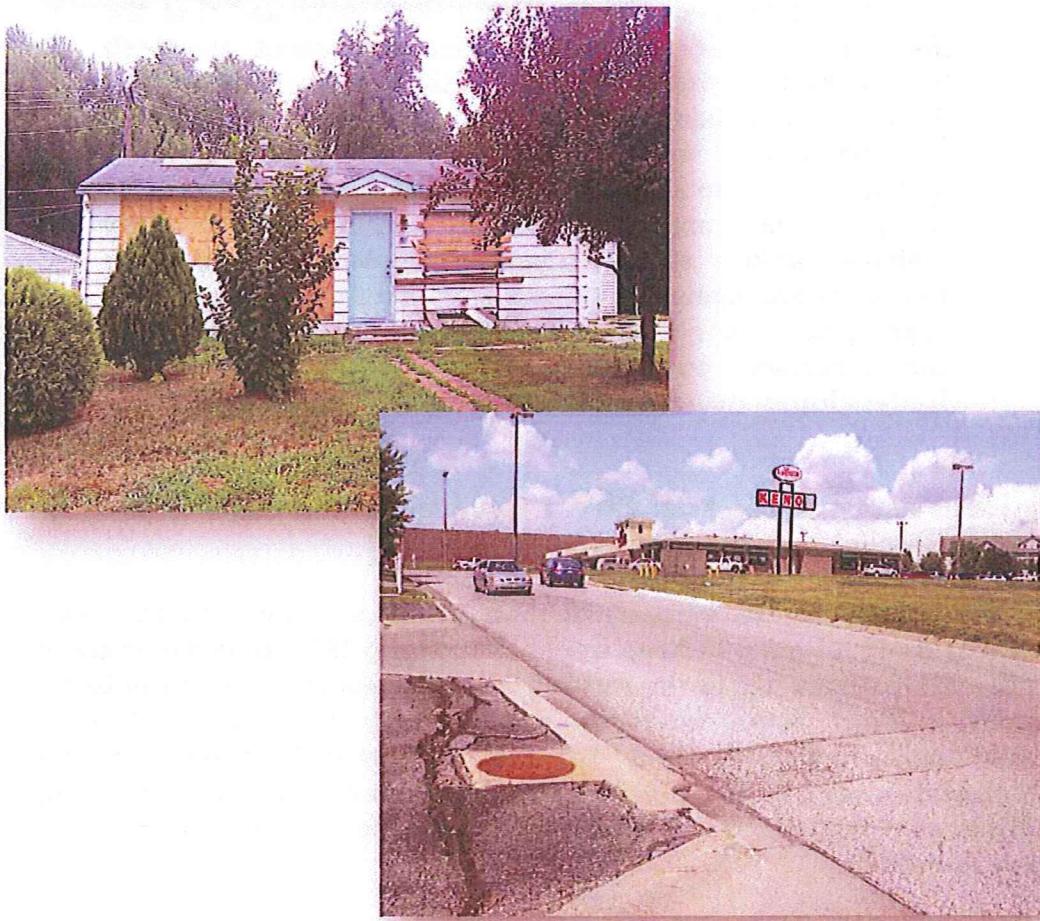
Specific data relating to the 84th Street **Redevelopment Area** is discussed in the following paragraphs.

Approximately 14 (25 percent) of the total 56 structures in the 84th Street **Redevelopment Area** were built prior to 1971, thus 40+ years of age. The average age of the residential structures is estimated to be 62 years. Wood frame buildings and masonry buildings containing combustible elements and fixtures are located throughout the **Redevelopment Area**, many of which are deteriorated or dilapidated, are located throughout the Area and are in need of structural repair or fire protection.

Overall site conditions at properties throughout the 84<sup>th</sup> Street Redevelopment Area were generally found to be in "fair" condition. The field survey determined that 22 parcels, or 34.9 percent of the total 63 parcels were found to be in "fair" condition and an additional six parcels, or 9.5 percent, were determined to be in "poor" condition. This overall condition rating combines for a total of 444.4 percent of the parcels being in "fair" or "poor" condition. Generally, conditions combining for this determination included the evaluation of the general condition of structures, site improvements and adjacent right-of-way conditions.

### Conclusion.

The conditions which endanger life or property by fire and other causes are a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area.



## **BLIGHT FACTORS**

### **(1) Dilapidation/Deterioration of Structures.**

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the 84<sup>th</sup> Street Redevelopment Area, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **56 existing structures**, within the **84<sup>th</sup> Street Redevelopment Area**, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the Area.

#### **1. Structures/Building Systems Evaluation.**

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or has minor, major, or critical defects. Structures/building systems to be examined will include the following three types, one Primary and two Secondary.

**Structural Systems (Primary Components).** These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

**(Secondary Components)**

**Building Systems.** These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

**Architectural Systems.** These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land includes the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railroad track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/building.

**2. Criteria for Rating Components for Structural, Building and Architectural Systems.**

The components for the previously identified Systems, are individually rated utilizing the following criteria.

**Sound.** Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

**Minor Defect.** Component that contained minor defects (loose or missing material or holes and cracks over a limited area) which often can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

**Major Defect.** Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

**Critical Defect.** Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

### 3. Final Structure/Building Rating.

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

**Sound.** Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, have less than six points.

**Deteriorating-Minor.** Defined as structures/buildings classified as deficient--requiring minor repairs--having between six and 10 points.

**Deteriorating-Major.** Defined as structures/buildings classified as deficient--requiring major repairs-- having between 11 and 20 points.

**Dilapidated.** Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will have at least 21 points.

An individual **Exterior Rating Form** is completed for each structure/building. The results of the **Exterior Rating** of all structures/buildings are presented in a **Table format**.

Primary Components	Secondary Components
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

#### 4. Field Survey Conclusions.

The conditions of the total 56 buildings within the 84th Street Redevelopment Area were determined based on the finding of the exterior survey. These surveys indicated the following:

- Twenty-Eight (28) structures were classified as structurally sound;
- Eighteen (18) structures were classified as deteriorating with minor defects.
- Five (5) structures were classified as deteriorating with major defects; and
- Five (5) structures were classified as dilapidated.

The results of the exterior structural survey identified the condition of structures throughout the 84<sup>th</sup> Street Redevelopment Area. Approximately 10 (17.8 percent) of the total 56 structures were either deteriorating or dilapidated to a substandard condition.

#### Conclusion.

The results of the structural condition survey indicate deteriorating structures are a reasonable presence throughout the 84<sup>th</sup> Street Redevelopment Area. Table 5 identifies the results of the structural rating process per building type.

**TABLE 5**  
**EXTERIOR SURVEY FINDINGS**  
**84TH STREET REDEVELOPMENT AREA**  
**LA VISTA, NEBRASKA**

Exterior Structural Rating

<u>Activity</u>	<u>Sound</u>	<u>Deteriorating (Minor)</u>	<u>Deteriorating (Major)</u>	<u>Dilapidated</u>	<u>Number of Structures</u>	<u>Deteriorating and/ or Dilapidated</u>
Residential	0	0	3	4	7	7
Commercial	27	16	2	1	46	3
<u>Other</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>0</u>
<b>Total</b>	<b>28</b>	<b>18</b>	<b>5</b>	<b>5</b>	<b>56</b>	<b>10</b>
Percent	50.0%	32.1%	8.9%	8.9%	100.0%	17.8%

Source: Hanna:Keelan Associates, P.C., 2011



*Occupied storefront.*

*No pedestrian sidewalks between businesses and 84<sup>th</sup> Street public sidewalk.*

**(2) Existence of Defective or Inadequate Street Layout.**

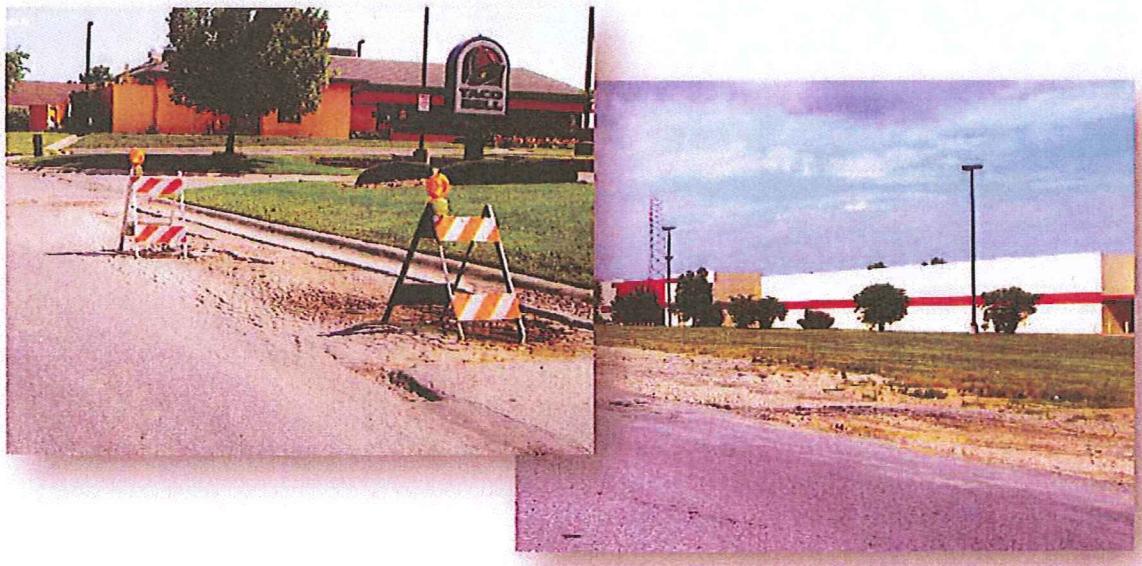
The street pattern within the 84<sup>th</sup> Street Redevelopment Area consists of a standard rectilinear grid system. The Highway 85 (84th Street) Corridor runs through the center of the 84<sup>th</sup> Street Redevelopment Area. Major problem conditions that contribute to the Factor of existence of defective or inadequate street layout are discussed below.

**1. Poor Condition Frontage and Access Streets.**

The majority of privately owned and maintained frontage roads and access roads are in substandard condition. The field survey of property and structures revealed severely deteriorating asphalt and concrete surfaced frontage roads, such as the southern portion of 83<sup>rd</sup> Street, south of Summer Drive and the concrete surfaced access road behind the former Walmart shopping center. Large segments of privately owned asphalt and concrete surfaced access roads are severely impacted by "alligator cracking" and settling. Potholes have become such a problem that property owners have put lighted caution barriers in the worst sections to divert motor vehicle traffic. Long segments of these frontage roads lack concrete curbs and gutters to control and facilitate storm water drainage.

**Conclusion.**

The existence of defective or inadequate street layout in the 84<sup>th</sup> Street Redevelopment Area is a strong presence and constitutes a Blight Factor.



3) **Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness.**

Building use and condition surveys, the review of property ownership and subdivision records and field surveys resulted in the identification of conditions associated with faulty lot layout in relation to size, adequacy and accessibility, or usefulness of land within the 84<sup>th</sup> Street Redevelopment Area. The problem conditions include:

1. **Inadequate Lot Size and Adequacy Issues.**

Platted commercial subdivisions, such as Brentwood Crossing and Willow Brook, are located adjacent the 84<sup>th</sup> Street Corridor. These subdivisions are comprised of several individual parcels that have been replatted to the extent that it becomes difficult to identify which parcels and parts of smaller parcels are associated with one another. In several instances, small and oddly shaped parcels have been subdivided from larger parcels, but are listed jointly on one Sarpy County Assessor property information file.

2. **Accessibility or Usefulness.**

Access to individual properties and public facilities are limited within the 84<sup>th</sup> Street Redevelopment Area. Although highly visible from the 84<sup>th</sup> Street Corridor, the two stone-surfaced commercial buildings along the west side of 84<sup>th</sup> Street are only accessed by a long cul-de-sac private access road. Also, the La Vista Municipal Swimming Pool that is part of Kelly McMahon Park, is only accessible off of Birch Drive. Vehicles and pedestrians from 84<sup>th</sup> Street have very limited access to these public facilities. Residents of the Shadow Ridge Apartment Complex, directly south of the Park, have no public sidewalk connection to the park without following 87<sup>th</sup> Street to Birch Drive around the west and north perimeter of the recreation facility.

**Conclusion.**

Faulty lot layout in relation to size, adequacy and usefulness is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area.

**(4) Insanitary and Unsafe Conditions.**

The results of the area-wide field survey, along with information retained from City Officials provided the basis for the identification of insanitary and unsafe conditions within the 84<sup>th</sup> Street Redevelopment Area.

**1. Age of Structures.**

The analysis of all 56 structures in the 84<sup>th</sup> Street Redevelopment Area identified 25 percent, or 14 structures as being 40+ years of age, built prior to 1971. Additionally, the estimated average age of residential buildings is 62 years, while the average age of commercial buildings is approximately 26 years. The advanced age of residential structures results in the potential for deteriorating buildings and other structures with deferred maintenance.

**2. Deteriorating Buildings.**

The deteriorating or dilapidated conditions documented in this Study were prevalent in an estimated 17.8 percent of the existing structures. Structures in this condition can result in hazards which endanger adjacent properties.

**3. Lack of Adequate Utilities.**

The City of La Vista Public Works Staff estimated that the majority of water and sewer mains throughout the 84<sup>th</sup> Street Redevelopment Area, with the exception of 84<sup>th</sup> Street, are approximately 40+ years of age. Privately owned and maintained water, sewer and storm water drainage systems connect to Municipal or MUD mains beyond the large shopping center properties. As the privately owned utility systems continue to age, repeated maintenance and repair issues are anticipated to become more frequent. Updates and ongoing maintenance of these utility systems is imperative to the continued economic viability of the 84<sup>th</sup> Street Redevelopment Area.

**Conclusion.**

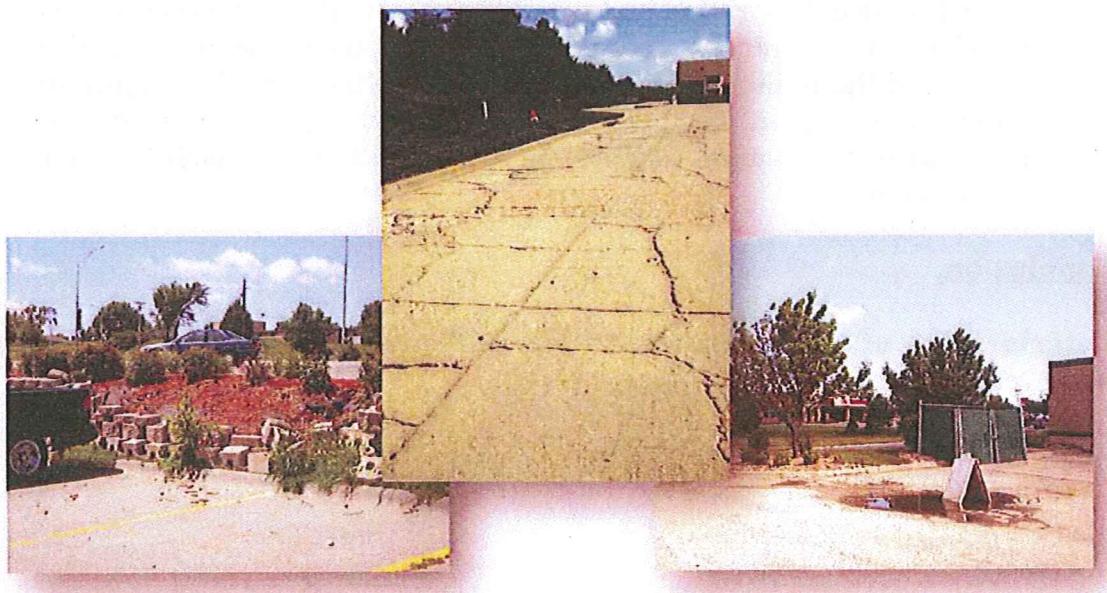
**Insanitary and unsafe conditions are a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area.**

**(5) Deterioration of Site or Other Improvements.**

Field observations were conducted to determine the condition of site improvements within the **84<sup>th</sup> Street Redevelopment Area**, including arterial and local streets, storm water drainage ditches, traffic control devices and off-street parking. The **Appendix** documents the present condition of these site features. The primary problems in the **84<sup>th</sup> Street Redevelopment Area** are age and condition of public utilities, debris and inadequate public improvements.

A total of 22 parcels, or 34.9 percent of the total 63 parcels within the **84<sup>th</sup> Street Redevelopment Area** received an overall site condition rating of "fair", while an additional six parcels (9.5 percent) received a "poor" rating. Combined, these parcels amount to an estimated 44 percent of the parcels in the **Area** having substandard site conditions. Conditions that lead to these findings included:

1. Many buildings and/or shopping facilities throughout the **Area** are accessed by asphalt or concrete surfaced streets. Several segments of privately owned "frontage streets" were observed to lack concrete curbs and gutters and thus have open storm water drainage ditches. These frontage roads were also observed to be severely deteriorated with large areas impacted by cracking and settling. Many of these street segments also have several potholes, some that are large enough to damage vehicles to the extent that they are barricaded to divert traffic. As a result, these roads can become impassable during inclement weather. Ponding water in the areas with settling, potholes and storm water drainage ditches can attract mosquitoes and other pests.



3. Parking lots throughout the **Redevelopment Area** lack designated pedestrian paths or sidewalks. If the parking lots would be fully occupied, pedestrians would need to walk up to a distance of approximately 300 to 400 feet from the rear of the lot to the front door of many retail establishments, through a deteriorated asphalt surfaced parking lot.



*Brentwood Plaza*



*Brentwood Square*

4. Approximately five (8.9 percent) of the total 56 structures were identified as deteriorating and five (8.9 percent) of the structures were found to be dilapidated. Together, these structures account for 17.8 percent of the buildings throughout the **84<sup>th</sup> Street Redevelopment Area** as being in need of rehabilitation, or potentially, if cost prohibitive to restore, should be considered for demolition and replacement.

### Conclusion.

**Deterioration of site improvements is a strong presence in the 84<sup>th</sup> Street Redevelopment Area.**

**(6) Diversity of Ownership.**

The total number of unduplicated owners within the 84<sup>th</sup> Street Redevelopment Area is estimated to be **40 individuals, partnerships or corporations**. Publicly owned lands and local street public rights-of-way are located throughout the 84<sup>th</sup> Street Redevelopment Area.

The necessity to acquire numerous lots is a hindrance to redevelopment. Land assemblage of larger proportions is necessary for major developments to be economically feasible and attract financial support. Public patronage is also required to repay such financial support. Such assemblage is difficult without public intervention.

**Conclusion.**

The Factor “diversity of ownership” is a strong presence in the 84<sup>th</sup> Street Redevelopment Area.



*Former Walmart shopping center.*

**(7) Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land.**

A thorough examination of public records was conducted to determine the status of taxation of properties located in the **84<sup>th</sup> Street Redevelopment Area**. It should be noted, real estate is taxed at approximately 98 percent of fair value, rendering it almost impossible for a tax to exceed value in a steady real estate market. If a badly dilapidated property was assessed (or valued) too high, the public protest system is designed to give the owner appropriate relief and tax adjustment.

**1. Real estate Taxes.**

Public records were examined for the purposes of determining if delinquent taxes were currently outstanding on parcels within the **84<sup>th</sup> Street Redevelopment Area**. The records indicated that three of the parcels were classified as delinquent by the Sarpy County Treasurer's Office.

**2. Real Estate Taxes.**

The tax values within the **84<sup>th</sup> Street Redevelopment Area** generally appeared to be equal to or greater than the market value of the properties. The total estimated appraised valuation within the **84<sup>th</sup> Street Redevelopment Area** is **\$42,371,494**.

**3. Tax Exempt.**

Only six properties within the **84<sup>th</sup> Street Redevelopment Area** were identified by the Sarpy County Assessor and Treasurer's Offices as having full exemption from property taxes. An additional 24 dwellings along the south side of Park View Boulevard were purchased by the City of La Vista within the last nine months as part of the Floodplain Mitigation process. These properties will be demolished and become tax exempt as part of the Champion Park expansion.

**Conclusion.**

**Taxes or special assessments delinquency were of no presence in the 84<sup>th</sup> Street Redevelopment Area.**

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**Conclusion.**

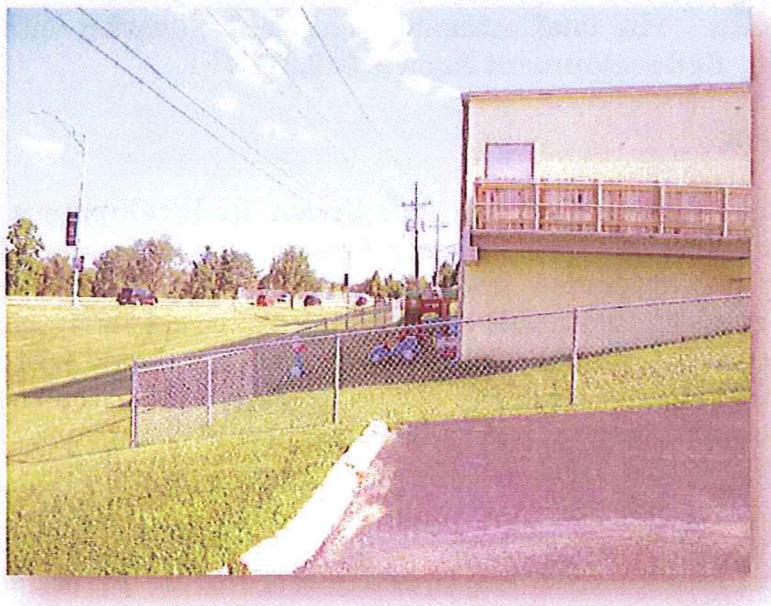
**Taxes or special assessments delinquency were of no presence in the 84<sup>th</sup> Street Redevelopment Area.**

**(8) Defective or Unusual Condition of Title.**

Whenever land is sold, mortgaged, or both, a title insurance policy is typically issued, at which time any title defects are corrected. Once title insurance has been written, all other titles in the same subdivision or addition will only have to be checked for the period of time subsequent to the creation of the addition or subdivision, as everything previous is the same and any defects will already have been corrected. Thus, the only possibility for title problems are from improper filings, since platting on properties that have not been mortgaged or sold is very small.

**Conclusion.**

Examination of public records does not provide any basis for identifying any defective or unusual conditions of title. Such few conditions as may exist would contribute to neither any existing problems nor to difficulty in acquisition or redevelopment and are therefore not found to exist at a level large enough to constitute a Blight Factor in the 84<sup>th</sup> Street Redevelopment Area.



**(9) Improper Subdivision or Obsolete Platting.**

An in-depth analysis of the subdivision conditions in the 84<sup>th</sup> Street Redevelopment Area revealed that improper subdivision and obsolete platting is prevalent throughout the Area. Individual parcels throughout the 84<sup>th</sup> Street Redevelopment Area have a wide range of sizes and shapes. Several commercial subdivisions, including Brentwood Crossing, Wiltham Place and Willow Brook are large subdivisions with several individual parcels ranging from approximately 5,000 square feet to more than 13 acres in size. These very large buildings contain several individual stores/shops that are frequently identified as separate parcels of record that extend beyond the building and include similar sized portions of the parking lot. Additionally, the smaller "commercial pad" lots containing fast food restaurants or other businesses that front the 84<sup>th</sup> Street Corridor are separate lots of record, but ultimately owned by the same development company. For redevelopment of these outmoded shopping centers to occur, many of these individual parcels would need to be acquired to assemble lands of sufficient size to support modern retail centers. Remaining vacant, rural agricultural areas within the 84<sup>th</sup> Street Redevelopment Area are identified by Section, Township and Range land survey methods, or metes and bounds descriptions.

Large tracts of land were incrementally subdivided within these now outmoded shopping center areas. In many instances the underlying parcel boundaries no longer support current or future uses. In order for redevelopment of these functionally obsolete commercial properties to occur, the assemblage of multiple parcels, individual buildings and vacant storefronts will need to be acquired. This process inhibits the acquisition of property and makes redevelopment efforts difficult to occur solely within the private sector.

Although several platted subdivisions currently exist within the 84<sup>th</sup> Street Redevelopment Area, these subdivisions do not conform to the current municipal subdivision standards, or those of the City of La Vista. In order for the redevelopment of these commercial shopping areas to occur, large areas or even entire shopping centers will need to be acquired and redeveloped to modern commercial development standards.

**Conclusion.**

**A strong presence of improper subdivision or obsolete platting exists throughout the 84<sup>th</sup> Street Redevelopment Area.**

10) **The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.**

1. **Building Elements that are Combustible.**

There are wood-framed buildings and masonry buildings containing combustible elements and fixtures, located throughout the **84<sup>th</sup> Street Redevelopment Area**. Several of these buildings have been vacant for an extended length of time and not adequately maintained. These vacant structures will require extensive rehabilitation to be able to support new commercial tenants. **Approximately 10 buildings, or 17.8 percent of the total 56 buildings, have been determined to be deteriorating or dilapidated.**

2. **Lack of Adequate Utilities.**

The City of La Vista Public Works Staff estimated that the majority of water and sewer mains throughout the **84<sup>th</sup> Street Redevelopment Area**, with the exception of **84<sup>th</sup> Street**, are approximately 40+ years of age. Privately owned and maintained water, sewer and storm water drainage systems connect to Municipal or MUD mains beyond the large shopping center properties. As the privately owned utility systems continue to age, repeated maintenance and repair issues are anticipated to become more frequent. Updates and ongoing maintenance of these utility systems is imperative to the continued economic viability of the **84<sup>th</sup> Street Redevelopment Area**.

Specific data relating to the **84th Street Redevelopment Area** is discussed in the following paragraphs.

Approximately 14 (25 percent) of the total 56 structures in the **84<sup>th</sup> Street Redevelopment Area** were built prior to 1971, thus 40+ years of age. The average age of the residential structures is estimated to be 62 years. Wood frame buildings and masonry buildings containing combustible elements and fixtures are located throughout the **Redevelopment Area** and are in need of structural repair or fire protection.

Overall site conditions at properties throughout the 84<sup>th</sup> Street Redevelopment Area were generally found to be in "fair" condition. The field survey determined that 22 parcels, or 34.9 percent of the total 63 parcels were found to be in "fair" condition and an additional six parcels, or 9.5 percent, were determined to be in "poor" condition. This overall condition rating combines for a total of 44.4 percent of the parcels being in "fair" or "poor" condition. Generally, conditions combining for this determination included the evaluation of the general condition of structures, site improvements and adjacent right-of-way conditions.

### **Conclusion.**

The conditions which endanger life or property by fire and other causes are a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area.



*Located at 7405 S. 85<sup>th</sup> St.*

*Located along the south side of the telephone building parking lot.*

## **(11) Other Environmental and Blighting Factors.**

The Nebraska Community Development Law includes in its statement of purpose an additional criterion for identifying blight, *viz.*, "economically or socially undesirable land uses." Conditions which are considered to be economically and/or socially undesirable include: (a) incompatible uses or mixed-use relationships, (b) economic obsolescence, and c) functional obsolescence. For purpose of this analysis, functional obsolescence relates to the physical utility of a structure and economic obsolescence relates to a property's ability to compete in the market place. These two definitions are interrelated and complement each other.

Public improvements in the **84<sup>th</sup> Street Redevelopment Area** have generally been concentrated on maintenance and resurfacing municipal owned street systems. However, privately owned water and sewer mains, street and parking lots are in substandard condition throughout the Redevelopment Area. Privately owned access streets within Brentwood Village have deteriorated to the point where vehicles are avoiding the businesses adjacent these access streets. Lastly, functional and economic obsolescence is apparent in several commercial buildings within the **84<sup>th</sup> Street Redevelopment Area**. Many of these buildings have been vacant for an extended length of time, while not being adequately maintained.

Although some publically owned infrastructure improvements have occurred throughout the **84<sup>th</sup> Street Redevelopment Area**, additional efforts are needed. Numerous problems or obstacles exist for comprehensive redevelopment efforts by the private sector; problems that only public assistance programs can remedy. These include removal of substantially dilapidated structures and socially undesirable land uses, the improvement to publicly and privately owned water and sewer systems that are outdated and undersized, and the need for resurfacing of frontage/access roads, driveways and parking areas.

### **Conclusion.**

**Other Environmental, Blighted Factors** are a strong presence throughout the **84<sup>th</sup> Street Redevelopment Area**, containing a significant amount of functionally and economically obsolete commercial properties and a variety of undevelopable narrow width lots.



Former Walmart



Former Baker's  
La Vista, Nebraska  
Blight & Substandard Determination Study  
84<sup>th</sup> Street Redevelopment Area



Former Discount Store

**(12) Additional Blighting Conditions.**

According to the definition set forth in the Nebraska Community Development Law, Section 18-2102, in order for an area to be determined "blighted" it must (1) meet the eleven criteria by reason of presence and (2) contain at least one of the five conditions identified below:

1. Unemployment in the designated blighted and substandard area is at least one hundred twenty percent of the state or national average;
2. The average age of the residential or commercial units in the area is at least forty years;
3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for forty years and has remained unimproved during that time;
4. The per capita income of the designated blighted and substandard area is lower than the average per capita income of the Village or City in which the area is designated; or
5. The area has had either stable or decreasing population based on the last two decennial censuses.

**One of the aforementioned criteria is prevalent throughout the designated blighted areas.**

**The average age of the residential or commercial units in the area is at least forty (40) years.**

The estimated average age of the residential structures in the 84<sup>th</sup> Street Redevelopment Area is 62 years. Approximately 25 percent, or 14 of the total 56 structures throughout the 84<sup>th</sup> Street Redevelopment Area are at least 40+ years of age.

**Conclusion.**

**The criteria of average age of residential units is over 40 years of age as one of five additional blighting conditions is a strong presence throughout the 84<sup>th</sup> Street Redevelopment Area.**

## ***DETERMINATION OF REDEVELOPMENT AREA ELIGIBILITY***

The 84<sup>th</sup> Street Redevelopment Area meets the requirements of the Nebraska Community Development Law for designation as both a "Blighted and Substandard Area." There is at least a reasonable presence of all four Factors that constitute the Area as substandard. Of the 12 possible Factors that can constitute the Area blighted, 10 are at least a reasonable presence in the 84<sup>th</sup> Street Redevelopment Area. Factors present in each of the criteria are identified below.

### **Substandard Factors**

1. Dilapidated/deterioration.
2. Age or obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation or open spaces.
4. Existence of conditions which endanger life or property by fire and other causes.

### **Blight Factors**

1. A substantial number of deteriorated or dilapidated structures.
2. Existence of defective or inadequate street layout.
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness.
4. Unsanitary or unsafe conditions.
5. Deterioration of site or other improvements.
6. Diversity of Ownership
7. Improper subdivision or obsolete platting.
8. The existence of conditions which endanger life or property by fire or other causes.
9. Other environmental and blighting factors.
10. One of the other five conditions.

Although all of the previously listed Factors are at least reasonably present throughout the 84<sup>th</sup> Street Redevelopment Area, the conclusion is that the average age of the structures, insanitary and unsafe conditions, deterioration of site or other improvements and the existence of conditions which endanger life or property by fire or other causes are a sufficient basis for designation of the 84<sup>th</sup> Street Redevelopment Area as blighted and substandard.

The extent of Blight and Substandard Factors in the 84<sup>th</sup> Street Redevelopment Area, addressed in this document, is presented in Tables 1 and 2, located on Pages 8 and 10 respectively. The eligibility findings indicate the 84<sup>th</sup> Street Redevelopment Area is in need of revitalization and strengthening to ensure it will contribute to the physical, economic and social well-being of the City of La Vista and support any value added developments. Indications are that the Area, on the whole, has not been subject to comprehensive, sufficient growth and development through investment by the private sector nor would the areas be reasonably anticipated to be developed without public action or public intervention.



*The Municipal Pool and Kelly McMahon Park are located approximately 20 feet below the elevation of the 84<sup>th</sup> Street public sidewalk and the adjacent Shadow Ridge Apartments.*

**Structural/Site Conditions  
Survey Form**

Parcel # \_\_\_\_\_  
Address: \_\_\_\_\_

**Section I:**

1. Type of Units:  SF  MF  Mixed Use  Duplex  No. of Units
2. Units:  Under construction/rehab  For Sale  Both
3. Vacant Units:  Inhabitable  Uninhabitable
4. Vacant Parcel:  Developable  Undevelopable
5. Non-residential Use:  Commercial  Industrial  Public  
Other/Specify: \_\_\_\_\_

**Section II: Structural Components**

	<b>Primary Components</b>	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
1	Roof					
2	Wall Foundation					
3	Foundation					
	Concrete <input type="checkbox"/> Stone <input type="checkbox"/> Rolled Asphalt <input type="checkbox"/> Brick <input type="checkbox"/> Other					
	<b>Secondary Components</b>	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
4	Roof					
	Asphalt Shingles <input type="checkbox"/> Rolled Asphalt <input type="checkbox"/> Cedar <input type="checkbox"/> Combination <input type="checkbox"/> Other					
5	Chimney					
6	Gutters, Downspouts					
7	Wall Surface					
	Frame <input type="checkbox"/> Masonry <input type="checkbox"/> Siding <input type="checkbox"/> Combination <input type="checkbox"/> Stucco <input type="checkbox"/> Other					
8	Paint					
9	Doors					
10	Windows					
11	Porches, Steps, Fire Escape					
12	Driveways, Side Condition					

**Final Rating:**

Sound	Deficient-Minor	Deteriorating	Dilapidated
Built Within:	1 year	1-5 years	5-10 years
10-20 years	20-40 years	40-100 years	100+ years

**Section III: Revitalization Area**

1. Adjacent Land Usage: \_\_\_\_\_
2. Street Surface Type: \_\_\_\_\_
3. Street Condition:  E  G  F  P
4. Sidewalk Condition:  N  E  G  F  P
5. Parking (Off-Street):  N # of Spaces \_\_\_\_\_
6. Railroad Track/Right-of Way Composition:  N  E  G  F  P
7. Existence of Debris:  MA  MI  N
8. Existence of Vagrants:  MA  MI  N
9. Overall Site Condition:  E  G  F  P

**84TH STREET REDEVELOPMENT AREA**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
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**AGE OF STRUCTURE**

1-5 Years	1	1.8%	0	1	0	N/A	0
5-10 Years	0	0.0%	0	0	0	N/A	0
10-20 Years	16	28.6%	0	16	0	N/A	0
20-40 Years	25	44.6%	0	22	0	N/A	3
40-100 Years	14	25.0%	7	7	0	N/A	0
100+ Years	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**FINAL STRUCTURAL RATING**

Sound	28	50.0%	0	27	0	N/A	1
Deteriorating-Minor	18	32.1%	0	16	0	N/A	2
Deteriorating-Major	5	8.9%	3	2	0	N/A	0
Dilapidated	5	8.9%	4	1	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**STREET CONDITION**

None	0	0.0%	0	0	0	0	0
Excellent	24	38.1%	0	19	0	2	3
Good	28	44.4%	7	18	0	1	2
Fair	11	17.5%	0	10	0	1	0
Poor	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>63</b>	<b>100.0%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>4</b>	<b>5</b>

**SIDEWALK CONDITION**

None	5	7.9%	0	2	0	3	0
Excellent	1	1.6%	0	1	0	0	0
Good	52	82.5%	2	44	0	1	5
Fair	5	7.9%	5	0	0	0	0
Poor	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>63</b>	<b>100.0%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>4</b>	<b>5</b>

**DEBRIS**

None	61	96.8%	6	47	0	4	4
Major	1	1.6%	0	0	0	0	1
Minor	1	1.6%	1	0	0	0	0
<b>TOTAL</b>	<b>63</b>	<b>100.0%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>4</b>	<b>5</b>

**OVERALL SITE CONDITION**

Excellent	9	14.3%	0	7	0	0	2
Good	26	41.3%	0	23	0	3	0
Fair	22	34.9%	2	16	0	1	3
Poor	6	9.5%	5	1	0	0	0
<b>TOTAL</b>	<b>63</b>	<b>100.0%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>4</b>	<b>5</b>

**PARKING SPACES**

Ranges	0-300	0.0%	1-2	1-300	0-0	N/A	1-50
None	5	8.6%	0	0	0	4	1
Hard Surfaced	58	100.0%	7	47	0	0	4
Unimproved	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>58</b>	<b>100.0%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>0</b>	<b>4</b>

**84TH STREET REDEVELOPMENT AREA**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
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**DOORS**

None	1	1.8%	0	1	0	N/A	0
Sound	48	85.7%	1	44	0	N/A	3
Minor	2	3.6%	1	1	0	N/A	0
Substandard	5	8.9%	5	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**WINDOWS**

None	5	8.9%	3	2	0	N/A	0
Sound	46	82.1%	1	42	0	N/A	3
Minor	4	7.1%	2	2	0	N/A	0
Substandard	0	0.0%	0		0	N/A	0
Critical	1	1.8%	1	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**STREET TYPE**

None	0	0.0%	0	0	0	0	0
Concrete	21	33.3%	0	16	0	2	3
Asphalt	41	65.1%	7	30	0	2	2
Gravel	1	1.6%	0	1	0	0	0
Dirt	0	0.0%	0	0	0	0	0
Brick	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>63</b>	<b>100.0%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>4</b>	<b>5</b>

**PORCHES...**

None	0	0.0%	0	0	0	N/A	0
Sound	28	50.0%	0	26	0	N/A	2
Minor	24	42.9%	3	20	0	N/A	1
Substandard	4	7.1%	4	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**PAINT**

None	0	0.0%	0	0	0	N/A	0
Sound	33	58.9%	0	31	0	N/A	2
Minor	18	32.1%	3	14	0	N/A	1
Substandard	5	8.9%	4	1	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**DRIVEWAY**

None	1	1.8%	0	1	0	N/A	0
Sound	16	28.6%	0	15	0	N/A	1
Minor	24	42.9%	3	19	0	N/A	2
Substandard	15	26.8%	4	11	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100.0%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**84TH STREET REDEVELOPMENT AREA**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
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**ROOF STRUCTURE**

None	0	0%	0	0	0	N/A	0
Sound	32	57%	0	31	0	N/A	1
Minor	21	38%	6	13	0	N/A	2
Substandard	3	5%	1	2	0	N/A	0
Critical	0	0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**WALL FOUNDATION**

None	0	0%	0	0	0	N/A	0
Sound	35	63%	0	35	0	N/A	0
Minor	18	32%	6	11	0	N/A	1
Substandard	3	5%	1	0	0	N/A	2
Critical	0	0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**FOUNDATION**

None	0	0%	0	0	0	N/A	0
Sound	47	84%	1	44	0	N/A	2
Minor	7	13%	6	0	0	N/A	1
Substandard	1	2%	0	1	0	N/A	0
Critical	1	2%	0	1	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**FOUNDATION TYPE**

Concrete	54	96%	7	44	0	N/A	3
Stone	0	0%	0	0	0	N/A	0
Rolled Asphalt	0	0%	0	0	0	N/A	0
Brick	1	2%	0	1	0	N/A	0
Other/None	1	2%	0	1	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**ROOF SURFACE**

None	1	2%	0	1	0	N/A	0
Sound	22	39%	0	21	0	N/A	1
Minor	30	54%	5	23	0	N/A	2
Substandard	2	4%	2	0	0	N/A	0
Critical	1	2%	0	1	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**ROOF TYPE**

Asphalt Shingles	13	23%	7	5	0	N/A	1
Rolled Asphalt	39	70%	0	38	0	N/A	1
Cedar	1	2%	0	0	0	N/A	1
Combination	2	4%	0	2	0	N/A	0
Other	1	2%	0	1	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**84TH STREET REDEVELOPMENT AREA**

**TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER**

**CHIMNEY**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
None	55	98%	7	45	0	N/A	3
Sound	0	0%	0	0	0	N/A	0
Minor	1	2%	0	1	0	N/A	0
Substandard	0	0%	0	0	0	N/A	0
Critical	0	0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**GUTTER, DOWNSPOUTS**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
None	3	5%	1	2	0	N/A	0
Sound	42	75%	1	39	0	N/A	2
Minor	11	20%	5	5	0	N/A	1
Substandard	0	0%	0	0	0	N/A	0
Critical	0	0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**WALL SURFACE**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
None	0	0%	0	0	0	N/A	0
Sound	37	66%	1	33	0	N/A	3
Minor	15	27%	2	13	0	N/A	0
Substandard	3	5%	3	0	0	N/A	0
Critical	1	2%	1	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**WALL SURFACE TYPE**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
Frame	4	7%	2	1	0	N/A	1
Masonry	16	29%	0	14	0	N/A	2
Siding	8	14%	5	3	0	N/A	0
Combination	25	45%	0	25	0	N/A	0
Stucco	3	5%	0	3	0	N/A	0
Other	0	0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>56</b>	<b>100%</b>	<b>7</b>	<b>46</b>	<b>0</b>	<b>N/A</b>	<b>3</b>

**PARKING SURFACE**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
None	1	2%	0	0	0	N/A	1
Concrete	15	26%	6	9	0	N/A	0
Asphalt	42	72%	1	38	0	N/A	3
Gravel	0	0%	0	0	0	N/A	0
Dirt	0	0%	0	0	0	N/A	0
Brick	0	0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>58</b>	<b>100%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>N/A</b>	<b>4</b>

**PARKING SPACES**

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
None	1	2%	0	0	0	N/A	1
1 to 2	9	16%	7	2	0	N/A	0
3 to 5	0	0%	0	0	0	N/A	0
6 to 10	3	5%	0	3	0	N/A	0
11 to 20	2	3%	0	2	0	N/A	0
21 or More	43	74%	0	40	0	N/A	3
<b>TOTAL</b>	<b>58</b>	<b>100%</b>	<b>7</b>	<b>47</b>	<b>0</b>	<b>N/A</b>	<b>4</b>

La Vista, Nebraska  
 Blight & Substandard Determination Study  
 84th Street Redevelopment Area

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 7, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ORDINANCE CREATING AND DESIGNATING CITY COUNCIL AS THE COMMUNITY DEVELOPMENT AGENCY	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

An ordinance has been prepared to create a “Community Development Agency” (CDA) and designating City Council as the CDA of the City.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

If the 84<sup>th</sup> Street Redevelopment Area is declared a blighted and substandard area in need of redevelopment, Council will consider an ordinance creating and designating City Council as the “Community Development Agency” of the City.

The Community Development Law provides CDAs a number of powers. Some of the most important of these powers include:

- the ability to borrow money and accept loans and grants (including federal grants) for community development purposes (This section of the law authorizes communities to utilize such funding sources as the federal Community Development Block Grant program.)
- the ability to prepare and recommend redevelopment plans to the governing body of the city and to undertake and carry out redevelopment projects
- the ability to certify, on or before September 20 of each year, to the governing body of the city a tax levy for the succeeding fiscal year, not to exceed 2.6¢ on each \$100 of taxable property in the city, for redevelopment purposes, subject to allocation under Neb. Rev. Stat. Section 77-3443
- the ability to acquire land for redevelopment purposes, along with the ability to convey that property to private developers; and
- the ability to use tax increment financing for redevelopment projects.

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

AN ORDINANCE PROVIDING FOR THE CREATION OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF LA VISTA, NEBRASKA UNDER SECTION 32.08 OF THE LA VISTA MUNICIPAL CODE; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND PROVIDING FOR SEVERABILITY, PUBLICATION, AND EFFECTIVE DATE OF THIS ORDINANCE

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

**I. ADOPTION OF SECTION 32.08.** The La Vista Community Development Agency is hereby created and codified as Section 32.08 of the La Vista Municipal Code.

**SECTION 32.08 COMMUNITY DEVELOPMENT AGENCY**

(A) *Creation of Agency.* A Community Development Agency is hereby created pursuant to Neb. Rev. Stat. Section 18-2101.01 & 18-2103. The Agency shall consist of, and be governed by, the Mayor and City Council of the City of La Vista.

(B) *Powers of Agency.* The Community Development Agency shall function in the manner prescribed herein or otherwise by ordinance and have all powers and authority granted by applicable law, including, but not limited to, the power and authority (i) granted to an authority or community redevelopment authority in Neb. Rev. Stat. Sections 18-2101 through 18-2144, (ii) to do all community development activities (iii) to cooperate with the federal government in all matters relating to community development program activities, (iv) to levy taxes and issue bonds, notes or other financing, and (v) to exercise all other powers and authorities granted under Nebraska Statutes, including, but not limited to, Neb. Rev. Stat. Sections 18-2145 through 18-2154.

(C) *Agency Actions.* Actions of the Mayor and Council on behalf of the Agency shall be taken and approved in accordance with the requirements applicable to actions of the Mayor and City Council as the governing body of the City. Provided, however, any action of the Agency may be taken or approved at any regular, special or emergency meeting of the City Council of the City of La Vista conducted in accordance with the Nebraska Open Meetings Act.

**II. REPEAL OF CONFLICTING PROVISIONS.** Any conflicting provision of any previously enacted ordinance is hereby repealed.

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

**IV. PUBLICATION AND EFFECTIVE DATE.** This Ordinance shall be published in full and shall be in force and take effect from and after its passage and approval as provided by law.

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Pamela A. Buethe, CMC  
City Clerk

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**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**FEBRUARY 7, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION FOR THE PREPARATION OF A REDEVELOPMENT PLAN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the development of a Redevelopment Plan in an amount not to exceed \$6,000.00.

**FISCAL IMPACT**

The FY 11/12 Capital Improvement Program contains funding for this project.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On April 19, 2011, the City Council approved Resolution No. 11-048 authorizing the selection of the firm Hanna:Keelan Associates, P.C., from Lincoln, Nebraska, based on their experience with similar studies – 146 blight and substandard studies were identified in their proposal, and three of those projects were reviewed in detail. Their proposal also included an option for the preparation of a redevelopment plan if the area was designated blighted and substandard. Nebraska Community Development Law requires this second step.

This second phase of services was listed as an alternate in the contract. If the resolution to accept the contract alternate is approved, Hanna:Keelan Associates, P.C. will develop a proposed Redevelopment Plan in accordance with Nebraska Community Development Law. The Mayor or his designee then submits the proposed Redevelopment Plan to the Planning Commission for review and recommendations as to conformity with the City of La Vista Comprehensive Plan. The recommendation will then be forwarded to City Council for public hearing and approval.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, AUTHORIZING THE MAYOR, ON BEHALF OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, TO CONTRACT FOR OR OTHERWISE CAUSE A REDEVELOPMENT PLAN FOR THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA TO BE PREPARED AND SUBMITTED FOR REVIEWS, HEARINGS, RECOMMENDATIONS AND APPROVALS IN ACCORDANCE WITH APPLICABLE NEBRASKA LAW, INCLUDING BUT NOT LIMITED TO NEBRASKA STATUTES, SECTIONS 18-1201 THROUGH 18-2154.

WHEREAS, the Community Development Agency (Agency) comprised and governed by the Mayor and City Council of the City of La Vista has been created; and

WHEREAS, the City Council acting as the La Vista Community Development Agency has determined that preparation of a Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area is necessary;

NOW THEREFORE, BE IT RESOLVED the City Council acting as the La Vista Community Development Agency hereby authorizes the Mayor, on behalf of the Agency, to contract with Hanna:Keelan Associates, P.C. for or otherwise cause a redevelopment plan for the 84<sup>th</sup> Street Redevelopment Area to be prepared, at a cost not to exceed \$6,000, and submitted for reviews, hearings, recommendations and approvals in accordance with applicable Nebraska law, including but not limited to NRS Sections 18-1201 through 18-2154.

BE IT FURTHER RESOLVED, that the Mayor is authorized to delegate such duties and take such further actions as he determines necessary or advisable to carry out the actions approved herein.

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY, 2012.

**CITY OF LA VISTA**

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

ITEM C

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 7, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE SMITH PRESS, BENCH AND WEIGHTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) Cybex Smith Press, Bench and Weights from Nova Health Equipment Omaha, NE, in an amount not to exceed \$5,844.24.

**FISCAL IMPACT**

The FY 11/12 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The proposed equipment request will be an addition to the existing equipment.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) CYBEX SMITH PRESS, BENCH AND WEIGHTS FROM NOVA HEALTH EQUIPMENT, OMAHA NE, IN AN AMOUNT NOT TO EXCEED \$5,844.24.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Cybex Smith Press, Bench and Weights is necessary; and

WHEREAS, the FY 2011/12 General Fund Budget provides funding for the purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of one (1) Cybex Smith Press, Bench and Weights from Nova Health Equipment, Omaha NE, in an amount not to exceed \$5,844.24

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

Nova Fitness Equipment  
4511 South 119th Circle  
Omaha, NE 68137

# ESTIMATE

DATE	EST. NUMBER
1/5/2012	111673

**BILL TO**

City of LaVista Parks & Recreation  
Attn: Accounts Payable  
8116 Park View Boulevard  
LaVista, NE 68128

**SHIP TO**

City of LaVista Parks & Recreation  
8116 Park View Bl.  
LaVista, NE 68128  
Attn: Rich Carstensen/Scott Stopak  
331-3455, Fax 331-0299

P.O. NUMBER	REP	EXP. DATE
	DK	2/30/11

ITEM	DESCRIPTION	QTY	COST	TOTAL
16120	CYBEX PLATE LOADED SMITH PRESS*	1	3,985.00	3,985.00
16000	CYBEX ADJUSTABLE -10 TO 80 BENCH*	1	795.00	795.00
COLOR	FRAME COLOR: Platinum Silver. Upholstery: Black	2	0.00	0.00
GO-2.5VR	TROY VTX 2 1/2 LB RUBBER OLYMPIC GRIP PLATE*	2	3.71	7.42
GO-5VR	TROY VTX 5 LB RUBBER OLYMPIC GRIP PLATE*	4	7.42	29.68
GO-10VR	TROY VTX 10 LB RUBBER OLYMPIC GRIP PLATE*	4	14.83	59.32
GO-25VR	TROY VTX 25 LB RUBBER OLYMPIC GRIP PLATE*	4	37.08	148.32
GO-45VR	TROY VTX 45 LB RUBBER OLYMPIC GRIP PLATE*	6	66.75	400.50
A-MAT	4' X 6' X 1/2" COMMERCIAL GRADE MAT	2	69.00	138.00
FREIGHT	FREIGHT	1	183.00	183.00
INSTALLATION	DELIVERY & INSTALLATION	1	98.00	98.00

Thank You,  
David King, Nova Fitness Equipment

TO PLACE ORDER, PLEASE SIGN AND FAX QUOTE TO NOVA FITNESS EQUIPMENT AT (402) 343-0562. THANK YOU!		<b>SUBTOTAL</b>	\$5,844.24
Signature (Print Name Below): _____		<b>SALES TAX (0.0%)</b>	\$0.00
P.O. # _____		<b>TOTAL</b>	\$5,844.24

Phone #	Fax #
402-343-0552	402-343-0562

D

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT AN EASTER SEALS SOCIETY OF NEBRASKA INC FUNDRAISING EVENT AT THE LA VISTA CONFERENCE CENTER ON MARCH 3, 2012.

WHEREAS, the La Vista Conference Center is located within the City of La Vista; and

WHEREAS, Easter Seals Society of Nebraska has requested approval of a Special Designated Permit to serve alcohol at a fundraising event at the Conference Center on March 3, 2012 from 5:00 p.m. to 10:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Easter Seals Society of Nebraska to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell serve alcohol at the La Vista Conference Center, in conjunction with a fundraising event.

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

## APPLICATION FOR SPECIAL DESIGNATED LICENSE

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/](http://www.lcc.ne.gov/)

### RETAIL LICENSE HOLDERS

NON PROFIT APPLICANTS  Non Profit Status (check one that best applies)  
Municipal  Political  Fine Arts  Fraternal  Religious  Charitable  Public Service

### 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)  
(If you're a nonprofit organization leave blank)

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Easter Seals Society of Nebraska dba Easter Seals Nebraska

ADDRESS: 638 N. 109th Plaza

CITY Omaha, NE

ZIP 68154-1722

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

BUILDING NAME Embassy Suites - La Vista

ADDRESS: 12520 West Parkway

CITY La Vista, NE

ZIP 68128

COUNTY and COUNTY # Sarpy (#59)

- a. Is this location within the city/village limits?
- b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans their wives?
- c. Is this location within 300' of any university or college campus?

YES  NO

YES  NO

YES  NO

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

Date <u>3/3/12</u>	Date _____				
Hours _____	Hours _____	Hours _____	Hours _____	Hours _____	Hours _____
From <u>5PM</u>	From _____				
To <u>To 10PM</u>	To _____				

a. Alternate date: n/a

b. Alternate location: n/a  
**(Alternate date or location must be specified in local approval)**

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 IN FEET 280' x 196'  
 Outdoor area dimensions of area to be covered IN FEET \_\_\_\_\_ x \_\_\_\_\_  
 (not square feet or acres)

**INCLUDE SKETCH IF OUTDOOR AREA**

If outdoor area, how will premises be enclosed?

Fence  type of fence; snow fence  chain link  cattle panel  other \_\_\_\_\_  
 Tent   
 Other  explain \_\_\_\_\_

8. How many attendees do you expect at event? 400 \_\_\_\_\_

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

Tables are mainly corporately sponsored and tickets have "no one under 21" printed on them, but we also have an organized check-in process which ensures no one under 21 is allowed into the event.

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. Where will you be purchasing your alcohol? Wholesaler  Retailer  Both  BYO

12. Will there be any games of chance operating during the event? YES  NO   
 If so, describe activity A raffle for which we are also obtaining licensing

**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.

13. Any other information or requests for exemptions: No

14. 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.

Print name of Event Supervisor Ingra Winkler Anderson

Signature of Event Supervisor Ingra Winkler Anderson

Phone of Event Supervisor: Before 402.592.3272 During 402.250.6866

Consent of Authorized Representative/Applicant

15. 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 Karen Carlson Pres. & CEO 12.13.11  
Authorized Representative/Applicant Title Date

Karen C. Carlson

Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

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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.

**This page is required to be completed by Non Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Easter Seals Society of Nebraska, Inc. dba Easter Seals Nebraska

NAME OF CORPORATION

47-0457872

FEDERAL ID NUMBER

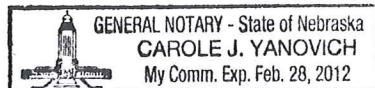
  
\_\_\_\_\_  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 12<sup>th</sup> DAY OF

January, 2012

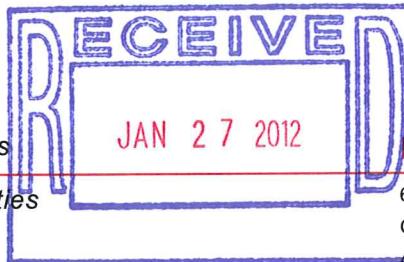
  
\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE & SEAL





*Creating solutions, changing lives*

*Helping Nebraskans with disabilities  
gain greater independence*



**Easter Seals Nebraska**

688 North 109<sup>th</sup> Plaza  
Omaha, NE 68154-1722  
402.345.2200 phone  
402.345.2500 fax  
800.650.9880 toll free  
[www.ne.easterseals.com](http://www.ne.easterseals.com)

**President & CEO:** January 27, 2012

**Karen Carlson**  
Easter Seals Nebraska

**Chairman of the Board:**  
**Shane Jacobsen**  
NP Dodge Insurance

**Past Board Chairman:**  
**Patrick Lacy**  
Frankel Zacharia, LLC

**Treasurer/Chairman Elect:**  
**Jason Tonjes**  
Bland & Associates, P.C.

**Secretary:**  
**Terry Peterson**  
Omaha Track Material

**Programs:**  
**Brett Wawers**  
Lamp, Rynearson & Associates

**Development:**  
**Russ Iwan**  
Metropolitan Utilities District

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Tenaska  
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Medical Center

**Rosalie McGregor**  
McGregor Interests, Inc.

**Steve Ritzman**  
American National Bank

**James Tews**  
Abrahams Kaslow & Cassman LLP

Pam Beuthe, Mayor Douglas Kindig &  
Members of the City Council  
City of La Vista  
8116 Parkview Blvd.  
La Vista, NE 68128

Dear Ms. Beuthe, Mayor Kindig & Council Members

Attached please find a completed application for Easter Seals Nebraska to please be provided a Special Designated License for Easter Seals Nebraska's Wine Event coming March 3, 2012 to Embassy Suites – La Vista. Michelle Porter at the Nebraska Liquor Control Commission has our credit card number ready to run once she receives your approval:

Nebraska Liquor Control Commission  
ATTN: Michelle Porter  
301 Centennial Mall South  
P.O. Box 95046  
Lincoln, NE 68509-5046

We appreciate all your efforts to help us maintain our good standing with the City of La Vista regarding this event. Please let me know if there are any questions or concerns relating to this document. I plan to attend the February 7<sup>th</sup> City Council meeting in case needed, and look forward to seeing you all then.

Sincerely,

Ingra Winkler Anderson  
Marketing, Public Relations &  
Resource Development Director  
Easter Seals Nebraska