



PROCLAMATION

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, less than two percent of all Scouts actually achieve this goal; and

WHEREAS, as his Eagle Service Project, Steven Warner completed a landscape project at La Vista Falls Golf Course; and

WHEREAS, the City of La Vista wishes to recognize this noteworthy achievement of Steven Warner.

NOW, THEREFORE, I, Douglas Kindig Mayor of the City of La Vista, do hereby congratulate Steven Warner on his endeavors to attain the rank of Eagle Scout and commend him for his unwavering commitment to the Boy Scouts of America.

DATED THIS 2ND DAY OF NOVEMBER, 2010 .

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING October 19, 2010

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 October 19, 2010. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Assistant Public Works Director/City Engineer Kottmann, Community Development Director Birch, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on October 7, 2010. 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

PROCLAMATION – EAGLE SCOUT AWARD – DEREK RUFFNER

Mayor Kindig presented Derek Ruffner with a proclamation for his Eagle Scout award.

COMMENDATION - ROBERTO VILLEGAS-GONZALES

Mr. Villegas-Gonzales was not able to accept his commendation.

SERVICE AWARD – SHEILA LINDBERG – 10 YEARS

Mayor Kindig recognized Sheila Lindberg for 10 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM OCTOBER 5, 2010
3. MONTHLY FINANCIAL REPORT – SEPTEMBER 2010
4. REQUEST FOR PAYMENT – INTERSTATE POWER SYSTEMS – REPAIR SERVICES - \$28,981.93
5. REQUEST FOR PAYMENT – KISSEL/E&S ASSOCIATES, LLC – PROFESSIONAL SERVICES - \$6,595.04
6. REQUEST FOR PAYMENT – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES - \$6,732.00
7. REQUEST FOR PAYMENT – OMAHA PUBLIC POWER DISTRICT – INSTALLATION SERVICES - \$2,453.27
8. REQUEST FOR PAYMENT – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES - \$73.09
9. APPROVAL OF CLAIMS

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

3CMA MEMBERSHIP, dues	\$375.00
ABE'S PORTABLES, rentals	\$125.00
ACTION BATTERIES, vehicle supplies	\$8.32
AMERICAN FENCE, bldg & grnds	\$338.00
ARAMARK, Services	\$468.97
ASSOCIATED FIRE, Services	\$360.00
BAKER & TAYLOR BOOKS, books	\$967.37

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BARCAL, D.J., mileage/meals	\$250.00
BCDM, services	\$166.25
BENNINGTON EQUIP, supplies/equip/repair	\$617.96
BKD, services	\$2,100.00
BOB'S RADIATOR REPAIR, motor vehicle maint	\$877.00
BRAND, STEVEN, mileage/meals	\$45.00
BUETHE, PAM, phone	\$20.00
BUILDERS SUPPLY, bldg & grnds	\$41.99
CALENTINE, JEFFREY, phone	\$30.00
ELAN, training/phone/lv50	\$5,854.45
CAVLOVIC, PAT, mileage	\$45.00
CHERECK, TINA, refund	\$60.00
CITY OF OMAHA, services	\$43,974.71
CJ'S HOME CENTER, bld & grnds/vehicle maint	\$621.65
COLOMBO/PHELPS, concessions	\$306.97
COMP CHOICE, services	\$97.50
CONTROL MASTERS, equip.	\$155.00
CORNHUSKER INTL, vehicle maint	\$121.89
COX COMMUNICATIONS, phone	\$79.15
D & B SALVAGE, services	\$796.00
D & D COMMUNICATIONS, equip repair	\$320.00
DAYSpring PRINTING, printing	\$825.00
DECOSTA SPORTING GOODS, supplies	\$135.00
DEMCO, supplies	\$767.24
DIAMOND VOGEL PAINTS, bldg & grnds	\$79.80
DRAPER, DARREL, LV50	\$135.00
EBSCO SUBSCRIPTION SERVICES, books	\$3,249.07
EDGEWEAR SCREEN PRINTING, wearing apparel	\$310.50
EZRA, GAYLA, refund	\$130.00
FAGIN, KAREN, trianing/travel	\$294.00
FARQUHAR, MIKE, vehicle allowance	\$100.00
FILTER CARE, vehicle maint.	\$40.30
FITZGERALD SCHORR BARMETTLER, services	\$26,999.99
FORT DEARBORN LIFE	\$1,319.50
FOSTER, TERRY, mileage	\$45.00
FROEHLICH, RORY, vehicle allowance	\$100.00
GALE, books	\$125.53
GCR OMAHA TRUCK TIRE, vehicle maint	\$478.29
GENUINE PARTS COMPANY, vehicle maint.	\$1,460.62
GEORGE, ROBERT, mileage	\$240.00
GOLDMAN, JOHN G, mileage	\$130.00
GUNN, BRENDA, training	\$321.00
GUNN, BRENDA, phone	\$45.00
H & H CHEVROLET, vehicle maint	\$255.05
HANEY SHOE STORE, wearing apparel	\$217.90
HEIMES CORP, street maint	\$122.64
HERITAGE CRYSTAL CLEAN, services	\$185.50
HIGHSMITH, supplies	\$190.20
HOBBY LOBBY STORES, LV 50	\$69.17
HOLMES, MARY, refund	\$85.00
HUNDEN STRATEGIC PARTNERS, services	\$24,420.00
HUNTEL COMMUNICATIONS, services	\$125.00
INLAND TRUCK PARTS, vehicle maint	\$42.66
J Q OFFICE EQUIPMENT, services/rentals	\$376.34
KINDIG, DOUGLAS, phone	\$80.00
KLINKER, MARK, services	\$200.00

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KOTTMANN, JOHN, training/phone/services	\$327.50
KRAFT, TIFFANY, refund	\$95.00
KRIHA FLUID POWER, vehicle maint	\$120.28
LAKELAND ENGINEERING EQUIP, bldg & grnds	\$27.00
LARSEN SUPPLY CO, supplies	\$188.00
LAUGHLIN, KATHLEEN A, TRUSTEE	\$648.00
LAUGHLIN, KATHLEEN A, TRUSTEE	\$648.00
LAUSTEN, ROBERT, training	\$250.00
LEAGUE ASSN OF RISK MGMT, insurance	\$440,465.00
LEAGUE OF NEBRASKA MUNICIPAL, dues	\$100.00
LIBRARY ADVANTAGE, supplies	\$380.00
LINCOLN NATIONAL LIFE	\$7,586.06
LINWELD, supplies	\$74.16
LOGAN CONTRACTORS, street maint.	\$1,221.55
LOU'S SPORTING GOODS, equip.	\$116.83
LUKASIEWICZ, BRIAN, phone	\$65.00
MARTIN, ALEX, training	\$264.83
MEADOWBROOK, insurance	\$708.64
METRO AREA TRANSIT, services	\$1,236.00
MIDLANDS COMMUNITY HOSPITAL, publication	\$150.00
MIDLANDS LIGHTING & ELECTRIC, bldg & grnds	\$89.85
MIDWEST FENCE CO, street maint.	\$1,057.64
MIDWEST RIGHT OF WAY, services	\$9,308.00
MILLER, KELLY, refund	\$85.00
MOIS, LISA, refund	\$15.00
MOORE, WAYNE, refund	\$54.00
NEBRASKA CHAPTER APWA training	\$160.00
NEBRASKA CODE OFFICIALS, training	\$100.00
NEBRASKA IOWA SUPPLY, vehicle supplies	\$3,569.37
NEBRASKA LTAP TRAINING, training	\$60.00
NEBRASKA MIDGET FOOTBALL, fees	\$990.00
NEBRASKA NATIONAL BANK, rental	\$1,163.43
NEBRASKA TITLE COMPANY, acquisition	\$95,199.62
NEBRASKA TITLE COMPANY, acquisition	\$94,207.82
NEBRASKA TITLE COMPANY, acquisition	\$93,672.94
NEBRASKA TITLE COMPANY, acquisition	\$77,127.93
NEBRASKA TURF PRODUCTS, supplies	\$369.00
NEUMAN EQUIPMENT, bldg & grnds/veh maint.	\$93.00
NOVA HEALTH EQUIP, equip	\$5,995.00
NWEA, training	\$600.00
OCLC, services	\$27.51
OFFICE DEPOT, supplies	\$337.83
OMAHA WINDUSTRIAL, bldg & grnds	\$21.09
OMAHA WINNELSON, bldg & grnds	\$181.15
PAPILLION SANITATION, services	\$304.11
PAPILLION TIRE INC, vehicle maint	\$81.15
PAPILLION WELDING, equip rep.	\$225.00
PARAMOUNT LINEN & UNIFORM, wearing apparel	\$409.76
PETTY CASH-PAM BUETHE, bldg & grnds	\$23.62
PLUTA, DON, training	\$45.00
PRECISION INDUSTRIES, vehicle maint	\$423.54
QUALITY BRANDS OF OMAHA, concessions	\$240.65
RAINBOW GLASS & SUPPLY, supplies	\$56.00
RAMIREZ, RITA, phone	\$43.00
READY MIXED CONCRETE CO, street maint.	\$2,668.52
ROGERS, AMY, refund	\$95.00

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RUFFNER, JAMES, training	\$46.00
RUSTY ECK FORD, vehicle maint.	\$127.32
SAM'S CLUB, supplies	\$867.38
SAPP BROS TRUCK STOPS, vehicle supplies	\$224.00
SARPY COUNTY COURTHOUSE, services	\$3,495.03
SARPY COUNTY FISCAL ADMIN, services	\$11,693.00
SARPY COUNTY LANDFILL, rep & maint	\$234.64
SARPY COUNTY REGISTER OF DEEDS, fees	\$31.00
SARPY COUNTY TREASURER, services	\$9,187.50
SARPY COUNTY TREASURER, services	\$16,167.18
SARPY COUNTY TREASURER, services	\$30,910.00
SCARPA, DAN, training	\$45.00
SEVENER, DUTCH, services	\$31.00
SID 195 - MAYFAIR, fees	\$2,640.00
SINNETT, JEFF, training	\$306.00
SMITHERS INC, supplies	\$90.00
SOUCIE, JOE, phone/travel	\$105.00
STERIL MANUFACTURING, rep & maint	\$75.00
STOPAK, SCOTT, training	\$396.00
STOPAK, SCOTT, phone	\$50.00
STRATEGIC INSIGHTS, services	\$675.00
SUBURBAN NEWSPAPERS, subscription	\$39.50
SUPERIOR VISION SVCS	\$327.28
TED'S MOWER SALES & SERVICE, bldg & grnds	\$394.00
THOMAS, SCOTT AND MELANIE, expenses	\$300.00
THOMAS, SCOTT AND MELANIE, expenses	\$1,000.00
THOMPSON DREESSEN & DORNER, services	\$3,165.81
TIEHEN, JAMES, vehicle allowance	\$100.00
TURF CARS LTD, repair	\$85.95
USPS, postage	\$1,426.34
UNIVERSAL STEERING HYDRAULIC, vehicle maint	\$250.00
VAIL, ADAM, vehicle allowance	\$100.00
VALDES, JUAN, refund	\$95.00
WICK'S STERLING TRUCKS, vehicle maint.	\$847.03

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council that another predator was caught last week. He also stated that Sergeant Waugh completed EVAC training and will be teaching it to officers and employees who work for the City.

Assistant Public Works Director/City Engineer Kottmann reported to Council that leaf day is on November 6 at the Public Works facility. The 108th and Chandler Road project is substantially complete and the Giles Road project is scheduled to be done in 3 weeks.

Recreation Director Stopak reminded Council that Halloween Safe Night is on October 31 from 5:30 to 7:00.

Library Director Barcal informed Council that the community has donated 9,900 items in the last year.

B. THOMPSON CREEK HAZARD MITIGATION PROJECT – PURCHASE OF REAL PROPERTY

1. PUBLIC HEARING

At 7:14 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Thompson Creek hazard mitigation project – purchase of real property.

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At 7:15 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-124; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF ONE HOME FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THIS SITE

WHEREAS, the owners of the home located at 7209 Park View Boulevard (referred to herein as "Site"), desire to sell the Site to the City, and the City desires to purchase the Site from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Site; and.
- (iii) Proposed purchase agreements for the Site have been presented to the City Administrator by the owners of the Site in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price equal to the appraised value or a price within the amounts authorized by the Council for the City Administrator to negotiate, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Site or is otherwise acceptable, in addition to other terms and conditions; and
- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Site, to be held during the regular City Council meeting on October 19, 2010; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Site from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Site as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

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

C. RESOLUTION – APPROVE RELOCATION AMOUNTS – THOMPSON CREEK HAZARD MITIGATION PROJECT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-125; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO APPROVE RELOCATION COSTS FOR QUALIFYING TENANTS OF PROPERTIES

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ASSOCIATED WITH THE THOMPSON CREEK HAZARD MITIGATION PROJECT IN AN AMOUNT NOT TO EXCEED \$5,250.00 PLUS MOVING EXPENSES NOT TO EXCEED \$2,500.00 PER QUALIFYING TENANT

WHEREAS, the qualifying tenants of the homes located in the Thompson Creek Hazard Mitigation project area are eligible for relocation costs and moving expenses; and

WHEREAS, the owners of the properties in which qualifying tenants live have sold their properties to the City of La Vista thus forcing the tenants to relocate; and

WHEREAS, the grant requires payment of these costs and expenses to the tenants who have been interviewed and it is determined they qualify under this program;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council approve and authorize relocation costs for qualifying tenants of properties associated with the Thompson Creek Hazard Mitigation Project in an amount not to exceed \$5,250.00 plus moving expenses not to exceed \$2,500.00 per qualifying tenant in a form satisfactory to the City Administrator.

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

D. RESOLUTION – HAZARDOUS MATERIALS INSPECTION SERVICES – THOMPSON CREEK HAZARD MITIGATION PROJECT

Councilmember Gowan introduced and moved for the adoption of Resolution No. 10-126; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ACCEPT THE PROPOSAL SUBMITTED BY AQS ENVIRONMENTAL FOR HAZARDOUS MATERIALS INSPECTION SERVICES ASSOCIATED WITH THE THOMPSON CREEK GRANT PROJECT IN AN AMOUNT NOT TO EXCEED \$9,900.00 FOR UP TO 22 HOMES

WHEREAS, the City Council of the City of La Vista has determined that said acquisition and relocation services are necessary as part of the FEMA requirements for the acquisition of 24 homes along Thompson Creek; and

WHEREAS, the FY 2010/11 Budget includes funding for this project; and

WHEREAS, the City council accepted a FEMA grant award of \$2,040,930.00 to facilitate the acquisition of 24 homes along Thompson Creek; and

WHEREAS, the City Engineer has reviewed the proposals and has recommended AQS Environmental as the most responsible bidder; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, to accept the proposal submitted by AQS Environmental for hazardous materials inspection services associated with the Thompson Creek Grant Project in an amount not to exceed \$9,900.00 for up to 22 homes.

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

E. RESOLUTION – REQUEST TO AMEND CONDITIONAL USE PERMIT – LOT 380, CIMARRON WOODS

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 10-127; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR PEDCOR INVESTMENTS – 2008-CXVIII, L.P. FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT GENERALLY LOCATED SOUTHWEST OF 96TH AND HARRISON STREET

WHEREAS, Pedcor Investments, LLC, on behalf of the property owner, Torco Development, Inc., applied for a conditional use permit for the purpose of having a multi-family residential development; and

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WHEREAS, on March 16, 2010, the City Council approved Resolution No. 10-026 for this purpose; and

WHEREAS, since that time, the applicant has proposed several revisions to the conditional use permit which require approval by the City Council; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a revised conditional use permit.

NOW THEREFORE, BE IT RESOLVED, that the Conditional Use Permit presented at the October 19, 2010 City Council meeting for Pedcor Investments – 2008-CXVIII, L.P. be, and hereby is approved and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

Seconded by Councilmember Gowan. Thomas G. Crowe, Executive Vice President, Michael Smith, Vice President and Larry Jobeun, Attorney, representing Pedcor Companies were present to answer any questions. Councilmember Crawford inquired as to why this was not sent back to the Planning Commission for a recommendation. Attorney McKeon stated that this is not an amendment of the conditional use permit. A conditional use permit has not been issued in this case. The Council earlier approved a form of permit that included redlined changes and the developer subsequently requested additional revisions before finalizing and issuing the permit. Unlike the resolution approving the subdivision agreement, which contained language authorizing the City Administrator and City Attorney to make additional modifications before the City executed it, the resolution approving the conditional use permit did not authorize the City Administrator or City Attorney to make further changes before issuing the permit. Consequently, staff felt it needed to bring the permit back to Council for approval of the additional revisions before issuing the permit. The changes primarily deal with refinement of the structure of the transaction, which structure the City Attorney verified with NIFA is consistent with the way developments such as this that use tax credit financing are structured. Further, many of the changes were necessary to reflect the changes made to corresponding provisions of the subdivision agreement. The substance of the development itself, such as layout, dimensions, design, number of apartments, etc. as earlier presented has not changed. Councilmember Sheehan asked about the timing for completion of phase 2 once development of that phase begins. He wanted to ensure that development of phase 2 would be started and completed in a reasonable timeframe and not in a piecemeal fashion. Mr. Jobeun assured the Council that this was the developer's intention, as well. Attorney McKeon added that the developer would need to come back to the Council for a conditional use permit for phase 2 on lot 2 and in that process Council could consider the proposed timeframe for build out of phase 2, to which comment Mr. Jobeun agreed. Councilmember Sheehan also asked if only lot 1 would be graded at this time, with grading of lot 2 to occur when the developer is ready to proceed with phase 2; which Mr. Jobeun confirmed. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

F. RESOLUTION – SUPPORT LB 1018

Councilmember Crawford introduced and moved for the adoption of Resolution No. 10-128 A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO SUPPORT THE LB 1018 INITIATIVE ON THE NOVEMBER 2, 2010 BALLOT.

WHEREAS, the Mayor and City Council have recognized the need for additional economic development tools; and

WHEREAS, the Nebraska Legislature unanimously passed LB 1018 creating the Nebraska Advantage Transformational Tourism and Redevelopment Act (NATTRA) during the 2010 Legislative Session; and

WHEREAS, LB 1018 authority would allow the City to designate an area for redevelopment or tourism development, and as incentive rebate all or a portion of the 1.5% local option sales tax in said area for a period of 10 years; and

WHEREAS, a qualifying project must be transformational in nature and meet minimum investment thresholds of \$10 million for redevelopment and \$50 million for tourism development projects; and

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WHEREAS, LB 1018 authority will allow the City to provide incentives for otherwise non-feasible development or redevelopment projects in under-utilized areas with the possibility of triggering development in surrounding areas well; and

WHEREAS, the Act requires that prior to the City utilizing the authority to redirect sales tax as granted by the Act, voters in the City must give their approval; and

WHEREAS, the La Vista City Council did unanimously approve placing the issue on the November 2, 2010 general election ballot.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby expresses its support for the LB 1018 initiative that will be on the November 2, 2010 ballot.

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

G. RESOLUTION – ACCEPTANCE OF U.S. DEPARTMENT OF JUSTICE COPS GRANT

Councilmember Sell introduced and moved for the adoption of Resolution No. 10-129; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING A GRANT AWARD FROM THE US DEPARTMENT OF JUSTICE COPS GRANT PROGRAM.

WHEREAS, the City has received notification that it has been awarded a COPS Hiring Program (CHP) grant in the amount of \$231,739 to fund a police officer position for three years; and

WHEREAS, the grant was requested to help fund police officer positions that will need to be created in order to meet the demands of annexation; and

WHEREAS, the City is obligated to retain all sworn officer positions awarded under the CHP grant for a minimum of 12 months following the 36-month federal funding period; and

WHEREAS, it is proposed that the City accept the grant

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor and Police Chief to execute the necessary documents for acceptance of the COPS Grant.

Seconded by Councilmember Carlisle. Councilmember Sell asked if this grant award could be rescinded. Police Chief Lausten said that once the award is made it cannot be rescinded and will pay for the full 3 years. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

H. RESOLUTION – AGREEMENT WITH NEBRASKA DEPARTMENT OF ROADS - NATIONAL BRIDGE INSPECTION STANDARDS NEBRASKA BRIDGE INSPECTION PROGRAM

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-130; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEBRASKA, DEPARTMENT OF ROADS REGARDING THE NATIONAL BRIDGE INSPECTION STANDARDS RESPONSIBILITIES.

WHEREAS, the City has determined that it is desirable to enter into an agreement with the State of Nebraska Department of Roads regarding the National Bridge Inspection Standards; and

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WHEREAS, the NDOR has prepared a manual of standard methods and procedures to be followed by local public agencies for inspection and evaluation of all bridges on streets and roadways within their jurisdictions as required by the Federal Highway Administration; and

WHEREAS, the agreement which will allow NDOR to arrange for the inspection and load rating of all fracture critical bridges; and

WHEREAS, NDOR will also continue to coordinate the underwater inspection of bridges as necessary; and

WHEREAS, this resolution will be marked Exhibit "A" and a copy attached to each original agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to execute said agreement on behalf of the City of La Vista, and the City Clerk is authorized to attest said execution.

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

I. RESOLUTION – AWARD CONTRACT - HARRISON & PARK CREST STORM SEWER REHABILITATION

Councilmember Crawford introduced and moved for the adoption of Resolution No. 10-131; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MIDLANDS CONTRACTING, INC., KEARNEY NE FOR FURNISHING AND INSTALLING A LINER IN THE EXISTING STORM SEWER UNDER HARRISON STREET AT PARK CREST DRIVE IN AN AMOUNT NOT TO EXCEED \$31,740.00.

WHEREAS, the City Council of the City of La Vista has determined that the installation of a liner in the existing storm sewer under Harrison Street at Park Crest Drive is necessary; and

WHEREAS, the FY 2010/11 Capital Improvement Program provides funds for the project; and

WHEREAS, the City Council authorized the solicitation of bids for said project on September 21, 2010, and

WHEREAS, Midlands Contracting, Inc., Kearney Nebraska, has 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 designate Midlands Contracting, Inc., Kearney Nebraska as the low qualified bid for the installation of a liner in the existing storm sewer under Harrison Street at Park Crest Drive in an amount not to exceed \$31,740.00.

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

J. RESOLUTION – PURCHASE OF TURBINE BLOWER

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-132; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2010 BUFFALO CKB3 TURBINE BLOWER FROM VAN WALL TURF & IRRIGATION, OMAHA, NEBRASKA, FOR AN AMOUNT NOT TO EXCEED \$5,932.10.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of the Buffalo CKB3 Turbine Blower is necessary; and

MINUTE RECORD

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

October 19, 2010

WHEREAS, the FY 10/11 Golf Maintenance budget includes funding for the proposed purchase; and

WHEREAS, Van Wall Turf & Irrigation was the low-compliant bidder; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of one (1) 2010 Buffalo CKB3 Turbine Blower from Van Wall Turf & Irrigation in an amount not to exceed \$5,932.10.

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

K. CORPORATE MANAGER APPLICATION – CLASS CK LIQUOR LICENSE - THE RENDEZVOUS COMPANY DBA HOUSTON'S LOUNGE

Councilmember Ellerbeck moved to approve the Corporate Manager Application for the Class CK Liquor License for the Rendezvous Company dba Houston's Lounge. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

None

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council about the Veteran's Day Dinner on November 11 beginning at 6:00 p.m.

Mayor Kindig stated that there would be more fundraising events coming up to support Randy Cahill who has served on boards and been a recreational coach for the City.

Councilmember Gowan stated that the diamond grinding turned out very smooth on Giles Rd.

At 7:38 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2010

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Meeting of Board of Directors

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

MINUTES OF MEETING

August 9, 2010
4:00 p.m.

Members Present: Pat Archibald Rose Barcal Ingrid Berlin
Brenda Gunn Rich Hanneman Dave Koebel

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

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

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

Notice of Meeting was published by the City and College in the Times and the Omaha World-Herald. Moved by Gunn and seconded by Koebel to approve. Ayes: all. Nays: none. Motion approved.

Agenda Item #3: Approval of the Minutes From May 3, 2010 Meeting.

Moved by Gunn and seconded by Hanneman to approve the May 3, 2010 meeting minutes with the correction under Item #6: "bought" be changed to "brought". Ayes: all. Nays: none. Motion approved.

Agenda Item #4: City of La Vista 50th Anniversary Celebration.

Information about continuing 50th anniversary family oriented events scheduled at the Sarpy Center was reviewed.

Agenda Item #5: 2011 Budget Proposal.

The City's budget for FY2010-2011 has been submitted.

Agenda Item #6: Parking.

A plan for new bike racks and 12 parking stalls for carpool drivers was distributed.

Agenda Item #7: Pigeon Control.

A question was brought up concerning the possibilities for netting or fake owls posted on the building. The City is checking with Public Works concerning other possibilities and will communicate those with Tom Dickerson at Sarpy MCC.

Agenda Item #8: Insurance Renewal.

Insurance has been renewed for the year. Cost went up approximately \$200.

Agenda Item #9: Other Business.

There was no other business.

Agenda Item #10: Executive Session.

At 4:20 p.m. Gunn made a motion to go into executive session for protection of the public interest for a strategy/negotiating guidance - OPPD geothermal loop heating exchanger. Seconded by Hanneman. Ayes: all. Nays: none. Motion approved. Barcal stated the executive session would be limited to the subject matter contained in the motion and repeated the motion.

At 4:40 p.m. the Board came out of executive session. Gunn made a motion to reconvene in open and public session. Seconded by Archibald. Barcal stated the discussion in executive session was limited to the subject matter contained in the motion. Ayes: all. Nays: none. Motion approved.

The next Board of Directors' Meeting is on Monday, November 8, 2010 at 4:00 p.m. La Vista/MCC Sarpy Center Conference Room #142.

It was moved by Gunn and seconded by Hanneman to adjourn the meeting at 4:42 p.m.

Minutes respectfully submitted by Rose Barcal

ZOLL

ZOLL Medical Corporation
 Worldwide Headquarters
 269 Mill Road
 Chelmsford, MA 01824-4105
 U.S.A.
 978-421-9655
 800-348-9011

OCT 12 2010

REMIT TO:

ZOLL Medical Corporation GPO
 PO Box 27028
 NEW YORK NY 10087-7028

BILL TO: Attn: Accounts Payable
 LA VISTA VOL FIRE & RESCUE DEPT NE
 8110 PARKVIEW BLVD
 LA VISTA NE 68128

SHIP TO:

LA VISTA VOL FIRE & RESCUE DEPT NE
 8110 PARKVIEW BLVD
 LA VISTA NE 68128

Invoice
 NUMBER 90006415
 DATE 01-OCT-10 PAGE 1 of 1
 PURCHASE ORDER NUMBER CHIEF RICH UHL

SALES ORDER NUMBER 107147
 CUSTOMER NUMBER 101260 LOCATION NUMBER 28113

PAYMENT TERMS NET 30 DAYS **DUE DATE** 31-OCT-10 **SALES PERSON** TAYLOR, ZACHARY M.

SHIP DATE SHIP VIA

SHIPPING REFERENCE

LINE NO.	DESCRIPTION	PART NUMBER
1	1 YEAR, 2 PREVENTIVE MAINTENANCE	8889-1992
2	1 YEAR EXTENDED WARRANTY	8889-0001

QUANTITY

ORDERED	BACK ORDERED	SHIPPED	TAX	UNIT PRICE	EXTENDED AMOUNT
1		1		1,710.00	1,710.00
		1		4,351.00	4,351.00

COMMENTS

SUBTOTAL	TAX	SHIPPING & HANDLING	TOTAL
6,061.00	0.00	0.00	6,061.00
Currency: USD			

TAX REGISTRATION NUMBER
04-2711626

All discounts off list price are contingent upon payment within agreed upon terms.

Mastercard, Visa and American Express gladly accepted.

Consent
 Agenda
 01/17/03
 01/28/03

ZOLL**EXTENDED WARRANTY CONTRACT**

P.O.# _____

ZOLL Medical Corporation
 269 Mill Road
 Chelmsford, Massachusetts 01824-4105
www.zoll.com
 (978) 421-9655
 (800) 348-9011
 (978) 421-0022 Fax

CUST#: 101260
 NAME: La Vista Volunteer Fire and Rescue Dept.
 8110 Parkview Blvd.
 La Vista, NE 68128

DATE: 5/14/2010
 ATTN: Rob Witt
 TEL#: (402) 658-1766 cell
 EMAIL: robwitt1@cox.net

<u>PART NUMBER</u>	<u>DESCRIPTION</u>	<u>QTY</u>	<u>LIST PRICE</u>	<u>DISCOUNTED PRICE</u>	<u>EXTENDED PRICE</u>
8889-0001	ONE (1) Year Extended Warranty ZOLL Defibrillator.	4	\$1,145.00	\$1,087.75	\$4,351.00
8889-1992	Preventive Maintenance (PM) 2 PM's per unit per year.	4	\$450.00	\$427.50	\$1,710.00

Serial Numbers: AB09I011986, AB09I011987,
AB09I012228, and AB09I012231

CONTRACT DATES:

October 1, 2010 to September 30, 2011

TOTAL \$6,061.00ONE (1) YEAR EXTENDED WARRANTY INCLUDES:

- * 5% Multi Unit Discount.
- * 5% Discount on Preventive Maintenance when purchased with extended warranty.
- * 20% Discount on New Cables and Paddles.
- * 25% Discount on Lithium SurePower Batteries.
- * 25% Discount on "XL Smart Ready" Batteries.
- * 50% Discount on Sealed Lead Acid Batteries.
- * The use and shipping of a Service Loaner at no cost during repairs.
- * No charge for shipping of unit being repaired.

NOTES:

- * Extended Warranty is a continuation of the Standard Factory Warranty.
- * List prices quoted are firm for 60 days.
- * Terms are Net 30 Days.
- * Customer is responsible for all applicable taxes.

CANCELLATION POLICY:

The request to cancel an Extended Warranty must be sent in writing to the Service Contracts Department.
 The Extended Warranty Contract will be terminated 60 Days after receipt of request to cancel.

Chief Bush Mcl 5/17/10
 Authorized signature / Date

Peggy Cole
 Peggy Cole
 Service Contracts Administrator

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1 Bank of Nebraska (600-873)									
101714	10/20/2010	4424	THOMAS, SCOTT AND MELANIE	3,950.00					**MANUAL**
101715	10/20/2010	675	INTERSTATE POWER SYSTEMS INC	28,981.93					**MANUAL**
101716	10/20/2010	4018	KISSEL/E & S ASSOCIATES	6,595.04					**MANUAL**
101717	10/20/2010	4326	MIDWEST RIGHT OF WAY SVCS INC	6,732.00					**MANUAL**
101718	10/20/2010	195	OMAHA PUBLIC POWER DISTRICT	2,453.27					**MANUAL**
101719	10/20/2010	3739	FELSBURG HOLT & ULLEVIK	73.09					**MANUAL**
101720	10/20/2010	480	UNITED STATES POSTAL SERVICE	1,426.34					**MANUAL**
101721	10/27/2010	944	NE DEPT OF REVENUE-LOTT/51	87,571.32					**MANUAL**
101722	10/27/2010	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	648.00					**MANUAL**
101723	11/02/2010	1657	A & D TECHNICAL SUPPLY COMPANY	63.72					
101724	11/02/2010	762	ACTION BATTERIES UNLTD INC	313.93					
101725	11/02/2010	4314	AFTERNOONER'S	26.09					
101726	11/02/2010	1524	AMERICAN MARKING CORPORATION	154.76					
101727	11/02/2010	1271	AMERICAN PLANNING ASSOCIATION	450.00					
101728	11/02/2010	3731	APPLIED CONTROLS EQUIPMENT	217.11					
101729	11/02/2010	536	ARAMARK UNIFORM SERVICES INC	134.00					
101730	11/02/2010	188	ASPHALT & CONCRETE MATERIALS	149.73					
101731	11/02/2010	201	BAKER & TAYLOR BOOKS	1,455.69					
101732	11/02/2010	2554	BARCAL, ROSE	136.88					
101733	11/02/2010	929	BEACON BUILDING SERVICES	6,712.00					
101734	11/02/2010	1784	BENNINGTON EQUIPMENT INC	667.00					
101735	11/02/2010	3774	BENSON RECORDS MANAGEMENT CTR	23.88					
101736	11/02/2010	410	BETTER BUSINESS EQUIPMENT	47.92					
101737	11/02/2010	196	BLACK HILLS ENERGY	582.31					
101738	11/02/2010	4229	BLACKHAWK	38.61					
101739	11/02/2010	1242	BRENTWOOD AUTO WASH	63.00					
101740	11/02/2010	3760	BUETHE, PAM	20.00					
101741	11/02/2010	3592	BUILDERADIUS INC	2,000.00					
101742	11/02/2010	4024	CALENTINE, JEFFREY	30.00					
101743	11/02/2010	2285	CENTER POINT PUBLISHING	242.64					
101744	11/02/2010	2158	COX COMMUNICATIONS	199.73					
101745	11/02/2010	23	CUMMINS CENTRAL POWER LLC #410	631.03					
101746	11/02/2010	2374	DAYSPRING PRINTING	695.00					
101747	11/02/2010	59	DITCH WITCH OF OMAHA	171.04					
101748	11/02/2010	2149	DOUGLAS COUNTY SHERIFF'S OFC	112.50					
101749	11/02/2010	632	EASTERN LIBRARY SYSTEM	30.00					
101750	11/02/2010	3776	ELECTRIC SPECIALTIES CO INC	120.00					
101751	11/02/2010	3463	FARQUHAR, MIKE	100.00					
101752	11/02/2010	2061	FERGUSON ENTERPRISES INC #226	18.59					
101753	11/02/2010	2657	FERGUSON WATERWORKS	200.95					
101754	11/02/2010	439	FIREGUARD INC	81.13					
101755	11/02/2010	3834	FLEET US LLC	1,127.00					
101756	11/02/2010	4050	FROEHLICH, RORY	100.00					
101757	11/02/2010	3984	G I CLEANER & TAILORS	182.00					
101758	11/02/2010	1344	GALE	289.91					
101759	11/02/2010	35	GOLDMAN, JOHN G	85.00					
101760	11/02/2010	164	GRAINGER	36.26					
101761	11/02/2010	285	GRAYBAR ELECTRIC COMPANY INC	457.06					
101762	11/02/2010	2224	FRED PETERSON	75.00					
101763	11/02/2010	1624	GUNN, BRENDA	45.00					
101764	11/02/2010	4422	HAWKEYE TRUCK EQUIPMENT	106.15					

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101765	11/02/2010	2407 HEIMES CORPORATION	66,335.12
101766	11/02/2010	1403 HELGET GAS PRODUCTS INC	78.00
101767	11/02/2010	1705 HENRY, MARK A	18.00
101768	11/02/2010	526 HOST COFFEE SERVICE INC	21.50
101769	11/02/2010	3646 INTERNATIONAL CODE COUNCIL INC	49.25
101770	11/02/2010	1896 J Q OFFICE EQUIPMENT INC	182.61
101771	11/02/2010	831 JOHN DEERE LANDSCAPES/LESCO	371.88
101772	11/02/2010	788 KINDIG, DOUGLAS	80.00
101773	11/02/2010	1054 KLINKER, MARK A	200.00
101774	11/02/2010	4328 KOTTMANN, JOHN	65.00
101775	11/02/2010	2394 KRIHA FLUID POWER CO INC	219.06
101776	11/02/2010	2057 LA VISTA COMMUNITY FOUNDATION	75.00
101777	11/02/2010	231 LEAGUE OF NEBRASKA MUNICIPAL	472.00
101778	11/02/2010	4342 LENTZ, JEFFERY K	300.00
101779	11/02/2010	3909 LEO A DALY COMPANY	450.90
101780	11/02/2010	1573 LOGAN CONTRACTORS SUPPLY	210.95
101781	11/02/2010	2124 LUKASIEWICZ, BRIAN	65.00
101782	11/02/2010	1464 LUMBERMEN'S	259.00
101783	11/02/2010	3641 M B WILDER CO INC	84.00
101784	11/02/2010	94 MCCANN PLUMBING SERVICE INC	31.00
101785	11/02/2010	553 METROPOLITAN UTILITIES DIST.	.00
101786	11/02/2010	553 METROPOLITAN UTILITIES DIST.	3,307.78
101787	11/02/2010	2497 MID AMERICA PAY PHONES	50.00
101788	11/02/2010	184 MID CON SYSTEMS INCORPORATED	220.64
101789	11/02/2010	3921 MID-STATES UTILITY TRAILER	529.62
101790	11/02/2010	2299 MIDWEST TAPE	156.16
101791	11/02/2010	1046 MIDWEST TURF & IRRIGATION	283.00
101792	11/02/2010	288 MOTOROLA INC	1,215.00
101793	11/02/2010	1120 NAPE-NE ASSN PROPERTY/EVIDENCE	25.00
101794	11/02/2010	488 NATIONAL SAFETY COUNCIL	399.00
101795	11/02/2010	479 NEBRASKA LIBRARY COMMISSION	1,664.30
101796	11/02/2010	2388 NEBRASKA NATIONAL BANK	1,163.43
101797	11/02/2010	4418 NEBRASKA REPTILE RANCH	125.00
101798	11/02/2010	2631 NEXTEL COMMUNICATIONS	530.19
101799	11/02/2010	2631 NEXTEL COMMUNICATIONS	204.19
101800	11/02/2010	440 NMC EXCHANGE LLC	28.03
101801	11/02/2010	1831 O'REILLY AUTOMOTIVE INC	256.55
101802	11/02/2010	1808 OCLC INC	21.31
101803	11/02/2010	1014 OFFICE DEPOT INC-CINCINNATI	.00
101804	11/02/2010	1014 OFFICE DEPOT INC-CINCINNATI	507.16
101805	11/02/2010	79 OMAHA COMPOUND COMPANY	154.30
101806	11/02/2010	195 OMAHA PUBLIC POWER DISTRICT	.00
101807	11/02/2010	195 OMAHA PUBLIC POWER DISTRICT	.00
101808	11/02/2010	195 OMAHA PUBLIC POWER DISTRICT	46,112.56
101809	11/02/2010	319 OMAHA WINNELSON	281.05
101810	11/02/2010	46 OMAHA WORLD HERALD COMPANY	781.09
101811	11/02/2010	3935 ORIENTAL TRADING COMPANY	47.04
101812	11/02/2010	2686 PARAMOUNT LINEN & UNIFORM	364.76
101813	11/02/2010	4427 PATZNER, TANYA	3.99
101814	11/02/2010	1769 PAYLESS OFFICE PRODUCTS INC	397.24
101815	11/02/2010	3058 PERFORMANCE CHRYSLER JEEP	138.26
101816	11/02/2010	74 PITNEY BOWES INC-PA	.00
101817	11/02/2010	74 PITNEY BOWES INC-PA	221.00

CLEARED **VOIDED**

BANK NO BANK NAME

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101818	11/02/2010	159 PRECISION INDUSTRIES	80.57	APPROVED BY COUNCIL MEMBERS		
101819	11/02/2010	1921 PRINCIPAL LIFE-FLEX SPENDING	236.25	<u>11/02/10</u>		
101820	11/02/2010	1713 QUALITY AUTO REPAIR & TOWING	75.00			
101821	11/02/2010	219 QWEST	1,173.62			
101822	11/02/2010	58 RAINBOW GLASS & SUPPLY	159.00			
101823	11/02/2010	3469 RAMIREZ, JOHN	18.00			
101824	11/02/2010	427 RAMIREZ, RITA M	43.00			
101825	11/02/2010	191 READY MIXED CONCRETE COMPANY	4,091.70			
101826	11/02/2010	3139 RECORDED BOOKS, LLC	499.23	COUNCIL MEMBER		
101827	11/02/2010	3889 REED, JASON	60.00			
101828	11/02/2010	4411 SAFARILAND LLC	67.63			
101829	11/02/2010	1335 SARPY COUNTY CHAMBER OF	150.00			
101830	11/02/2010	2240 SARPY COUNTY COURTHOUSE	3,588.49			
101831	11/02/2010	395 SHAMROCK CONCRETE COMPANY	665.55			
101832	11/02/2010	2704 SMOOTHER CUT ENTERPRISES INC	1,320.00			
101833	11/02/2010	533 SOUCIE, JOSEPH H JR	60.00	COUNCIL MEMBER		
101834	11/02/2010	3838 SPRINT	119.80			
101835	11/02/2010	3069 STATE STEEL OF OMAHA	58.35			
101836	11/02/2010	3577 STATE TROOPERS ASSN OF NEBR	150.00			
101837	11/02/2010	871 STOPAK, SCOTT	50.00			
101838	11/02/2010	4276 SUPERIOR VISION SVCS INC	359.60			
101839	11/02/2010	822 THERMO KING CHRISTENSEN	115.12			
101840	11/02/2010	4224 TIEHEN, JAMES	100.00	COUNCIL MEMBER		
101841	11/02/2010	4150 TOMSU, LINDSEY	213.52			
101842	11/02/2010	4231 TORNADO WASH LLC	110.00			
101843	11/02/2010	167 U S ASPHALT COMPANY	.00	**CLEARED** **VOIDED**		
101844	11/02/2010	167 U S ASPHALT COMPANY	1,574.60			
101845	11/02/2010	4223 VAIL, ADAM	100.00			
101846	11/02/2010	809 VERIZON WIRELESS	198.80			
101847	11/02/2010	4423 VIDEO BREAD	164.00			
101848	11/02/2010	1174 WAL-MART COMMUNITY BRC	652.47			
101849	11/02/2010	78 WASTE MANAGEMENT NEBRASKA	1,232.19			
101850	11/02/2010	3497 WITMER PUBLIC SAFETY GROUP INC	56.49			
101851	11/02/2010	4417 WOLFSBAUER, KELLY	8.99	COUNCIL MEMBER		

BANK TOTAL	303,131.50
OUTSTANDING	303,131.50
CLEARED	.00
VOIDED	.00

FUND	TOTAL	OUTSTANDING	COUNCIL MEMBER	CLEARED	VOIDED
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01	GENERAL FUND	128,035.39	128,035.39	.00	.00
02	SEWER FUND	2,187.81	2,187.81	.00	.00
05	CONSTRUCTION	13,307.78	13,307.78	.00	.00
08	LOTTERY FUND	154,294.42	154,294.42	.00	.00
09	GOLF COURSE FUND	3,568.59	3,568.59	.00	.00
15	OFF-STREET PARKING	1,737.51	1,737.51	.00	.00

REPORT TOTAL	303,131.50
OUTSTANDING	303,131.50
CLEARED	.00
VOIDED	.00

+ Gross Payroll 10/29/10	<u>234,035.98</u>
GRAND TOTAL	<u>\$537,167.48</u>

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA

Subject:	Type:	Submitted By:
LAND ACQUISITION - THOMPSON CREEK GRANT PROJECT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A public hearing has been scheduled to hear comments, support, opposition or criticism with respect to the proposed purchase of properties located at 7229 Park View Blvd., 7417 Park View Blvd, and 7604 Valley Road. A resolution has been prepared to approve the purchase of the sites and to authorize and approve the execution of documents for the purchase of these sites located in the Thompson Creek grant project area.

FISCAL IMPACT

The FY 10/11 Budget contains funding for this project. Costs to acquire these three properties will be reimbursed as part of the federal Thompson Creek Hazard Mitigation Grant.

RECOMMENDATION

Approval.

BACKGROUND

At the February 2, 2010 City Council meeting the Council accepted a FEMA grant award of \$2,040,930.00 to facilitate the acquisition of up to 24 homes along Thompson Creek. In March and April agreements were approved for the appraisal, review appraisal, and acquisition services.

Upon completion of the appraisals the City Council designated the City Administrator to negotiate the purchase of the homes in the project area.

Currently there are three property owners that have accepted and are ready to sell their properties.

Pursuant to state statute, before purchasing an interest in real property, the acquisition must be authorized by City Council action at a public meeting after notice and public hearing which requirements will be satisfied at or before the meeting.

Additional offers have been accepted and will come before Council at a future meeting.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF THREE HOMES FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THESE SITES

WHEREAS, the owners of the homes located at 7229 Park View Blvd., 7417 Park View Blvd., and 7604 Valley Road (together the homes are referred to herein as "Sites"), desire to sell the Sites to the City, and the City desires to purchase the Sites from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Sites; and.
- (iii) Proposed purchase agreements for the Sites have been presented to the City Administrator by the owners of the Sites in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price approved by the City Administrator, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Sites or is otherwise acceptable, in addition to other terms and conditions; and
- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Sites, to be held during the regular City Council meeting on October 28, 2010; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Sites from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Sites as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER 2010.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA

Subject:	Type:	Submitted By:
AMEND TRAFFIC CODE; PARKING VIOLATIONS BUREAU, ADMINISTRATIVE FEES	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

An ordinance has been prepared to amend section 72, Traffic Code, of the La Vista Municipal Code to provide specific provisions for the parking violations bureau and administrative fees.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

A review of the Traffic Code revealed changes that need to be made to improve the police department's ability to enforce parking regulations in the City. Specific recommendations include:

Section §72.58, Parking Violations Bureau, deletes the specific parking violation penalty and refers the penalty to what is set forth in the Master Fee Ordinance. Additionally, proposed changes allow for a petition procedure for contesting a parking violation.

Section §72.59, Administrative Fees, removes the specific parking violation penalty and refers the penalty to what is set forth in the Master Fee Ordinance.

The City Attorney has reviewed the proposed changes to the Municipal Code.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 72.58 AND 72.59; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Section 72.58 of the La Vista Municipal Code is amended to read as follows:

§ 72.58 Violations Bureau.

(A) *Establishment.* There is hereby established the Violations Bureau which shall function as a part of the office of the City Clerk, under the direction of the City Clerk of the City Clerk's lawful designee.

(B) *Duties.* The Violations Bureau shall collect and account for all moneys paid in accordance with the provisions of this section, issue receipts therefore and keep records of all payments, showing the names, time and date of payment; as well as receive, review and make determinations and recommendations on disputed violations pursuant to subsection (F) below. It shall be the duty of the City Clerk to credit to the city such amounts as shall be collected for the payment of administrative costs. The City Clerk shall fix the days and the hours during which the office of the Violations Bureau shall be open to the public for the transaction of business coming under the provisions of this section.

(C) *Waiver of appearance; penalties and costs.* Whenever any person is alleged to have violated any of the provisions of this title, such person may, under such conditions as are herein prescribed, execute a waiver of appearance, enter a plea of guilty and make payment of penalty and administrative fees as follows:

(1) If paid within seven days of the date of the violation, a penalty in the sum of \$5 as set forth by the Master Fee Ordinance, plus administrative fees;

(2) If paid after seven days of the date of the violation, but within 30 days a penalty in the sum of \$10 as set forth by the Master Fee Ordinance, plus administrative fees;

(3) If paid after 30 days of the date of the violation, but prior to the filing of a complaint, a penalty in the sum of \$20 as set forth by the Master Fee Ordinance, plus administrative fees; or

(4) If a complaint has been filed, a penalty in the sum of \$20 as set forth by the Master Fee Ordinance and such other penalty as the court, in its discretion, may impose pursuant to the penalty provisions of §§ 72.43 or 70.999, plus court costs.

(D) *Issuance of warrant and complaint.* Whenever any person refuses, neglects or fails to pay any such penalty and administrative fees within 30 days of the date of the violation or otherwise refuses, neglects or fails to comply with any of the provisions of this section, a complaint charging such violation shall may be filed in Sarpy County court and a warrant issued for the arrest of such person; provided, however, that the complaint for a handicapped parking infraction must be issued and filed at least 24 hours before the time set for the appearance of the cited person or such person shall be released from the obligation to appear as specified.

(E) *Notice.* At the time of issuance of a citation for the alleged violation coming under the provisions of this section, the accused shall be served with a printed notice advising the accused:

(1) That a waiver of appearance may be executed, a plea of guilty entered and the payment of such penalty and administrative fees made as provided by this section;

(2) That upon the neglect, refusal or failure of the accused to pay such penalty and administrative fees as provided by this section or upon the failure, refusal or neglect of the accused to otherwise comply with the provisions of this section, a complaint be filed and a warrant issued for the arrest of the accused;

(3) Of the violation or violations charged as defined by this section;

(4) Of the form of waiver which the accused shall be required to execute and present to the Parking Violations Bureau in order to comply with this section;

(5) Of the amount of penalty and administrative fees which the accused shall be required to pay in order to comply with this section.

(F) Petition procedure for parking violations. A person receiving notice of a parking violation may file an informal notice of dispute with the city within seven (7) days of the occurrence of the violation. Receipt of this notice of dispute within seven (7) days means that the fine indicated in Section 72.58(C)(1) above will apply for each violation that the defendant timely disputes and is not determined in defendant's favor, provided that payment is made within seven (7) days of the date of a notice to the defendant of the determination. For purposes of notice to the defendant, defendant will be deemed to have received notice upon hand delivery or two days after it is placed in the United States Mail, whichever occurs first. If full payment is not received within seven (7) days of the notice of determination, the fines shall increase as indicated in section § 72.58 (C) of the Code of Ordinances as thought the notice of dispute was never received. Notices of dispute must be written and filed with the La Vista City Clerk at 8110 Park View Blvd., La Vista, Nebraska.

Informal notices of dispute will be evaluated by the Violations Bureau and a decision will be made whether or not to recommend the City Attorney dismiss the violation. The parking violator shall be notified by United States Mail sent to his or her last known address as to the decision.

(F G) Administrative fees. The administrative fee, as provided in § 72.59, for each violation citation paid through the Violations Bureau shall be collected by the City Clerk in addition to the penalty provided herein and such administrative fee shall be deposited in the General Fund of the city. The administrative fee shall be uniform for all parking violations without regard to the amount of the penalty assessed and shall represent the cost to the city for the operation of the Parking Violations Bureau which may include the wages and fringe benefits of operating personnel; the cost of printing citations and forms; postage; office supplies; office equipment, maintenance and repair; and necessary overhead, including heating and air conditioning, lights, rents, telephone expense and data processing expenses.

(G H) Nonexclusive penalty. The penalties and administrative fees provided herein shall not preclude the assessment or collection of additional amounts. Such penalties and administrative fees shall be in addition to any other applicable fees, penalties, costs or towing charges.

('79 Code, § 5-719) (Ord. 513, passed 11-20-90; Am. Ord. 680, passed 7-1-97)

Statutory reference:

Prevention and abatement of nuisances, see Neb. RS 18-1720

SECTION 2. Section 72.59 of the La Vista Municipal Code is amended to read as follows:

§ 72.59 ADMINISTRATIVE FEES

An administrative fee is hereby established in an amount ~~of \$10 as set forth in the Master Fee Ordinance~~ which represents the actual cost to the city of the operation of the Violations Bureau and which shall be assessed pursuant to § 72.58. Such administrative fee shall be uniform for all citation without regard to the amount of penalty assessed and shall be collected by the city in addition to such penalty as provided in § 72.58 and in addition to any other applicable fees, costs or penalties.

('79 Code, § 5-720) (Ord. 513, passed 11-20-90; Am. Ord. 960, passed 9-16-97)

SECTION 3. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any parts hereof are hereby repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and

Ordinance No.

after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA

Subject:	Type:	Submitted By:
ADVERTISEMENT FOR BIDS HARLEY DAVIDSON POLICE MOTORCYCLE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared authorizing the advertisement of bids for a 2011 Harley Davidson Police Motorcycle – (FLHTP- Electra Glide) for the police department.

FISCAL IMPACT

The FY 2010/11 General Fund provides funding. The Nebraska Office of Highway Safety grant has been awarded for the equipment and will reimburse the General Fund.

RECOMMENDATION

Approval

BACKGROUND

The police department has received a grant from the Nebraska Office of Highway Safety for the continued implementation of a motorcycle patrol project. Funding from the Nebraska Office of Highway Safety will fund the purchase of one police motorcycle. With the increase in commercial and residential development in the city, on-going concerns about speed enforcement need to continue to be addressed.

Advertise for Bids	November 3, 2010
Open Bids	November 19, 2010
Award Bid	December 7, 2010

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF A HARLEY DAVIDSON POLICE MOTORCYCLE FOR THE POLICE DEPARTMENT.

WHEREAS, the City Council has determined that the purchase of a motorcycle to assist with the Police Department's speed enforcement efforts is desirable; and

WHEREAS, the FY 2010/11 General Fund provides funding. the Nebraska Office of Highway Safety grant has been awarded and will reimburse the General fund; and

WHEREAS, the Police Chief has prepared specifications for said motorcycle.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the purchase of a Harley Davidson police motorcycle for the Police Department in accordance with specifications prepared by the Police Chief, and said bids are to be opened and publicly read aloud on November 19, 2010 at 11:00 a.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska.

Advertise for Bids November 3, 2010

Open Bids November 19, 2010

Award Bid December 7, 2010

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA

Subject:	Type:	Submitted By:
NO PARKING ZONE MODIFICATION 7300 BLOCK SO. 81 ST STREET	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

SYNOPSIS

A resolution has been prepared modifying the type of "No Parking Zones" for the east side of the 7300 Block of South 81st Street (Park View Blvd. to Terry Drive) as recommended by the city engineer and authorizing the Public Works Department to install appropriate signs.

FISCAL IMPACT

The FY 10/11 General Fund provides funding for signage for the Public Works Department.

RECOMMENDATION

Approval

BACKGROUND

The resident at 7301 South 81st Street requested consideration to be allowed some on-street parking adjacent to their property. At present there is No Parking on both sides of this corner lot and the opposing sides of the streets. The restriction is due to the La Vista West Elementary School. Upon reviewing the situation it has been determined that the parking restriction on South 81st Street between Park View Blvd. and Terry Drive could be modified to during school hours only so that evening and weekend parking would be available to the resident. The following is a description of the modified No Parking Zone:

1. A No Parking Zone on the east side of South 81st Street from the centerline of Park View Blvd. to the centerline of Terry Drive. The No Parking Zone shall be posted and effective on School Days from ½-hour before to ½-hour after the start and end of the school day as determined from time to time by the Papillion-La Vista School District.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE MODIFICATION OF PARKING RESTRICTIONS ON SOUTH 81ST BETWEEN PARK VIEW BOULEVARD AND TERRY DRIVE TO RESTRICT PARKING DURING SCHOOL HOURS ONLY.

WHEREAS, the City Council of the City of La Vista has determined the parking restriction on south 81st Street between Park View Boulevard and Terry Drive could be modified to restrict parking during school hours only, and

WHEREAS, a No Parking Zone on the east side of South 81st Street from the centerline of Park View Boulevard to the centerline of Terry Drive. The No Parking Zone shall be posted and effective on School Days from ½-hour before to ½-hour after the start and end of the school day as determined from time to time by the Papillion-La Vista School District.

WHEREAS, the City Engineer recommends this modification to the No Parking Zone, and

WHEREAS, the Public Works Department possesses the necessary material for installation of the modified parking signs.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska approving the modification of parking restrictions on South 81st Street between Park View Boulevard and Terry Drive to restrict parking during school hours only.

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER 2010.

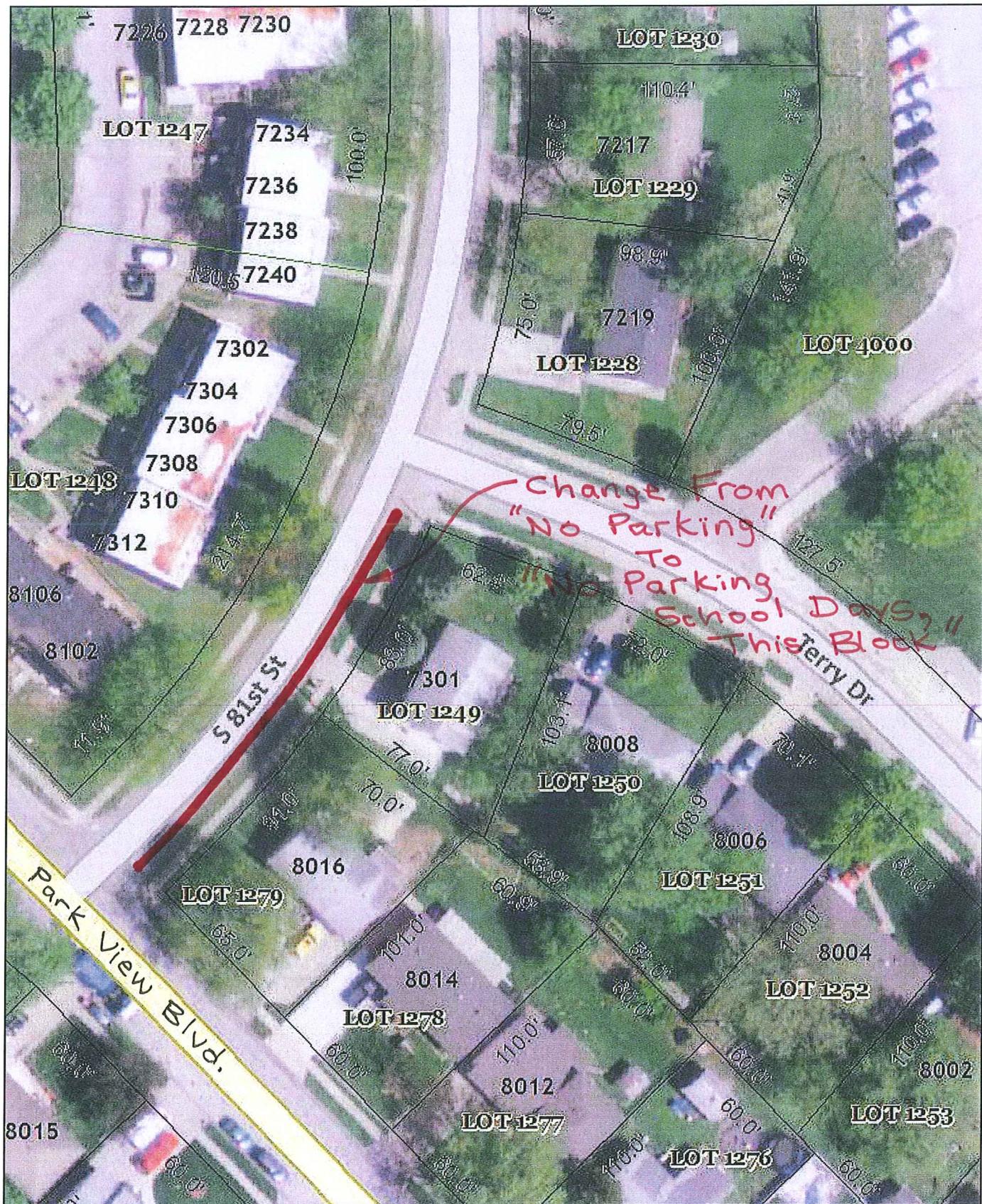
CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Sarpy County, Nebraska



Disclaimer: This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale
1 inch = 50 feet

10/20/2010

10/20/2010

7300 BLOCK SO. 81ST
NO PARKING MODIFICATION

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA

Subject:	Type:	Submitted By:
BID AWARD – BRIDGE JOINT REPAIRS HARRISON ST. BRIDGE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared to award a contract to Chas. Vrana & Son Construction Co., Omaha, Nebraska for repair of bridge deck joints on the Harrison Street bridge over Eastport Parkway in an amount not to exceed \$87,002.00.

FISCAL IMPACT

The F Y 2010/11 Capital Fund provides funding for the proposed improvements.

RECOMMENDATION

Approval

BACKGROUND

On September 21, 2010, the City Council approved a resolution which authorized the advertisement for bids for reconstruction of the bridge deck joints and an additive alternate to remove and replace expansion joints in the pavement adjacent to each end of the bridge. The plans and specifications were prepared by Thompson, Dreessen, & Dorner, Inc. Bids were initially received on October 12, 2010 at which time only one bid was received from JMN Construction, LLC. The bid contained errors. In the time period since October 12 we have contacted four contractors experienced in bridge construction and/or bridge repairs to request proposals to perform the repairs in the current construction season. Two proposals were submitted which included one from the original bidder. A detailed bid tabulation is attached.

The bidding results are summarized as follows:

Contractor	Base Bid	Alt. No. 1	Base Bid & Alt. No. 1
Chas. Vrana & Son Construction Co.	\$87,002.00	\$25,988.00	\$112,990.00
JMN Construction, LLC	\$88,052.80	\$26,620.00	\$114,572.80

The bridge joints in their present condition may require significant repairs by the Public Works Department over the winter depending on the severity of the winter. In order to try to perform the repairs before winter and remain within the allocated funds it is recommended to award a contract to Chas. Vrana & Son Construction Co. for their base bid of \$87,002.00. They are well qualified in this type of work and as part of the negotiated proposal will perform a majority of the work under single-lane closures during daytime hours.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO CHAS. VRANA & SON CONSTRUCTION CO., OMAHA NEBRASKA FOR REPAIR OF BRIDGE DECK JOINTS ON THE HARRISON STREET BRIDGE OVER EASTPORT PARKWAY IN AN AMOUNT NOT TO EXCEED \$87,002.00

WHEREAS, the City Council of the City of La Vista has determined that the repair of bridge deck joints on the Harrison Street Bridge over Eastport Parkway is necessary; and

WHEREAS, the FY 2010/11 Capital Fund provides funds for the project; and

WHEREAS, the City Council authorized the solicitation of bids for said project on September 21, 2010, and

WHEREAS Chas. Vrana & Son Construction Co., Omaha Nebraska, has 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 designate Chas. Vrana & Son Construction Co., Omaha Nebraska as the low qualified bid for the repair of bridge deck joints on the Harrison Street Bridge over Eastport Parkway in an amount not to exceed \$87,002.00

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

	SUBMITTED PROPOSALS & COSTS Date of Bid: October 28, 2010 Noon Client: City of La Vista Project: Bridge Joint Repairs Structure C002803005 Harrison St Over Eastport Pkwy TD ² File No.: 171-382	 2	Chas. Vrana & Son Construction Co. 4816 F Street Omaha NE	JMN Construction, LLC 1882 S 177th Ave Omaha NE 68130	Sheet 1 of 1		
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization	2	LS	\$3,000.00	\$6,000.00	\$12,500.00	\$25,000.00
2	Barricade, Type III	36	BDAY	\$5.00	\$180.00	\$3.25	\$117.00
3	Temporary Sign Day	24	EA.	\$2.00	\$48.00	\$1.20	\$28.80
4	Changeable Message Sign	13	DAY	\$84.00	\$1,092.00	\$41.00	\$533.00
5	Traffic Control Management	6	DAY	\$82.00	\$492.00	\$82.00	\$492.00
6	Remove Bridge Expansion Joint	136	L.F.	\$100.00	\$13,600.00	\$110.00	\$14,960.00
7	Remove Existing Abutment P.C.C.	2.34	C.Y.	\$9,000.00	\$21,060.00	\$1,500.00	\$3,510.00
8	Concrete Pavement, Class PR-3500	2.34	C.Y.	\$4,000.00	\$9,360.00	\$3,000.00	\$7,020.00
9	Install Wabo Elastoflex Bridge Series Expansion Joint	136	L.F.	\$210.00	\$28,560.00	\$250.00	\$34,000.00
10	Precompressed Polyurethane Foam Joint	50	L.F.	\$125.00	\$6,250.00	\$41.00	\$2,050.00
11	Flashing Arrow Panel	6	DAY	\$30.00	\$180.00	\$41.00	\$246.00
12	Barricade, Type II	120	BDAY	\$1.00	\$120.00	\$0.50	\$60.00
13	Sign Day	30	EA.	\$2.00	\$60.00	\$1.20	\$36.00
TOTAL BASE BID					\$87,002.00		\$88,052.80
Alternate No. 1							
14	Remove Pavement	169	SY	\$19.00	\$3,211.00	\$45.00	\$7,605.00
15	Sawing Pavement	136	L.F.	\$9.00	\$1,224.00	\$8.00	\$1,088.00
16	6" Concrete Class 47B-3000 Median Surfacing	17	S.Y.	\$93.00	\$1,581.00	\$75.00	\$1,275.00
17	9" Concrete Pavement, Class 47B-HE-3500	152	S.Y.	\$80.00	\$12,160.00	\$89.00	\$13,528.00
18	Remove and Salvage Guardrail	200	L.F.	\$3.50	\$700.00	\$2.00	\$400.00
19	Reset Guardrail	200	L.F.	\$4.50	\$900.00	\$4.00	\$600.00
20	Subgrade Preparation	169	S.Y.	\$20.00	\$3,380.00	\$8.00	\$1,352.00
21	Expansion Joint	236	L.F.	\$12.00	\$2,832.00	\$2.00	\$472.00
ALTERNATE NO. 1 TOTAL BID					\$25,988.00		\$26,620.00
TOTAL BASE BID + ALTERNATE BID					\$112,990.00		\$114,672.80
THOMPSON, DREESSEN & DORNER, INC. 10836 Old Mill Road, Omaha, NE 68154							

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA**

Subject:	Type:	Submitted By:
COUNCIL POLICY STATEMENT — CREDIT CARD PAYMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

SYNOPSIS

A resolution has been prepared for the approval of a Council Policy Statement pertaining to Credit Card Payments.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

The City would like to start accepting credit card payments at City Hall, the Recreation Department and the Library. The City currently accepts credit card payments at the La Vista Falls Golf Course. First National Merchant Solutions (FNMS) will be the processor for the credit card payments at City Hall, the Recreation Department and the Library. FNMS has the state bid for credit card processing.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO CREDIT CARD PAYMENTS TO THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, a recommendation by the Finance Director to the City Administrator, in consultation with staff, has been made regarding procedures pertaining to Credit Card Payments

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to Credit Card Payments to the City and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
COUNCIL POLICY STATEMENT**

ACCEPTING AND HANDLING CREDIT CARD PAYMENTS

Issued: November 2, 2010

Resolution No. xx-xxxx

The purpose of this document is to establish policies and procedures for the proper handling of credit card transactions processed through automated systems and/or manual procedures. It is intended for:

- Any individual that accepts, captures, stores, transmits and/or processes credit payments received for the purchase of City of La Vista products and services.
- Any individual who supports any City of La Vista effort to accept, capture, store, transmit and/or process credit card information, such as a technical support staff member whose role gives him or her access to computer hardware and software holding credit card information, individuals tasked with shredding credit card information, etc.

This policy and the accompanying standard operations policy are intended to ensure that credit card information is handled and disposed of in a manner that satisfies the City of La Vista's obligation to protect such information to the level that meets or exceeds that required by the Payment Card Industry. Since any unauthorized exposure of credit information could subject the City of La Vista to reputational damage and significant penalties, failure to comply with the policy contained within this document will be considered a serious matter.

The City of La Vista is committed to complying fully with the expectations specified by the Payment Card Industry in its Data Security Standard (PCI-DSS). Compliance by the City of La Vista requires that:

1. PCI-DSS compliance is mandatory for any department that accepts, captures, stores, transmits and/or processes credit card information.
2. Only authorized and properly trained individuals may accept and/or access credit card information.
3. Credit card payments may only be accepted by previously approved methods as outline in the Standard Operation Policy governing the accepting and handling of credit card payments.
4. Each person who has access to credit card information is responsible for protecting the information.
5. Credit card information must be destroyed as soon as it is no longer necessary.
6. Departments must maintain appropriate checks and balances in the handling of credit card information.

7. Each department that handles credit card information must have documented procedures for complying with this policy and PCI-DSS.
8. Suspected theft of credit card information must be reported immediately to the Department Head.

The City of La Vista's operating procedures in support of the above principles are outlined as a Standard Operation Policy.

Violations of this policy and/or the supporting Standard Operation Policy may result in the following for the Department and/or the employee involved: discontinuance of the practice of accepting credit cards, loss of computer or network access privileges, disciplinary action, suspension, termination of employment and/or legal action.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 2, 2010 AGENDA**

Subject:	Type:	Submitted By:
STANDARD OPERATION POLICY – CREDIT CARD PAYMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA A. LINDBERG FINANCE DIRECTOR

SYNOPSIS

A resolution has been prepared approving a Standard Operation Policy regarding credit card payments.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

The City would like to start accepting credit card payments at City Hall, the Recreation Department and the Library. The City currently accepts credit card payments at the La Vista Falls Golf Course. First National Merchant Solutions (FNMS) will be the processor for the credit card payments at City Hall, the Recreation Department and the Library. FNMS has the state bid for credit card processing.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A STANDARD OPERATION POLICY.

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

WHEREAS, a Standard Operation Policy entitled Accepting and Handling Credit Card Payments has been reviewed and recommended.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Standard Operation Policy entitled Accepting and Handling Credit Card Payments, and do further hereby direct the distribution of said Standard Operation Policy to the appropriate City Departments.

PASSED AND APPROVED THIS 2ND DAY OF NOVEMBER 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

SUBJECT: Accepting and Handling Credit Card Payments**DATE ISSUED:** November 2, 2010**ISSUED BY:** Brenda Gunn, City Administrator

The following procedures are established for the proper handling of credit card transactions processed through automated systems and/or manual procedures.

1. Payment Card Industry Data Security Standard (PCI-DSS) Compliance

Any City of La Vista department that accepts, captures, stores, transmits and/or processes credit card information including accepting credit cards as payment for goods and/or services, must comply with PCI-DSS to ensure the security of cardholder information. Compliance with the requirements of this policy (as updated or amended) satisfies the elements of compliance with PCI-DSS.

2. Authorization and Training

Only authorized and properly trained individuals may accept and/or access credit card information. No individual is authorized to accept, access or support systems housing credit card information until the following requirements are satisfied:

- The individual must be authorized by their appropriate Department Head to do so.
- The individual must be trained in the proper handling of credit card information. Individuals who are new to the role must be trained prior to taking on their credit card handling duties. Individuals whose credit card handling responsibilities preceded the implementation of this policy should receive training as soon as possible. The content of the training program must be reviewed and approved by the City Administrator and/or his/her designee to ensure that City of La Vista objectives are met.
- The individual must acknowledge his or her understanding of this policy and must confirm his or her commitment to comply with all related City of La Vista policies and procedures before he or she assumes credit card handling duties. This requirement will be satisfied by the individual signing the "Credit Card Security and Ethics Agreement" in Appendix A of this document indicating his or her understanding and intent to comply with this policy.
- Only authorized individuals can access any lists, reports and/or storage areas where credit card information is stored in electronic, magnetic, optical and/or physical (e.g., paper) form, or support computer systems that store or process credit card information.

3. Acceptance Methods

Credit card payments may only be accepted by the following methods: in person, via telephone, via FAX, via physical mail (not e-mail).

4. Access to and Handling of Information

Individuals who have access to credit card information are responsible for properly safeguarding the data and must comply with all requirements of the City of La Vista to protect the integrity and privacy of such information.

The following pieces of information are considered "confidential" within the meaning of this policy and must be protected appropriately from initial capture through destruction

regardless of the storage mechanisms used (e.g., on computers, on electronic, magnetic or optical media, on paper, etc.):

- Credit card number
- Credit card expiration date
- Cardholder Verification Value (CVV2) – the 3- or 4-digit code number generally located on the back of the credit card.
- Cardholder's name, address and/or phone number when used in conjunction with the above fields.

Special note:

The use of Social Security Numbers in conjunction with credit card information is strictly prohibited. City of La Vista's use of Social Security Numbers is highly restricted and, as such, Social Security Numbers should never be used.

Point-of-sale devices must be configured to print only the last four characters of the credit card number on both the customer and the merchant receipts, and on any reports that may be produced by the device. Physical documents, such as customer receipts, merchant duplicate receipts, reports, etc., that contain credit card information should be retained only as long as there is a valid business reason to do so, and no longer than 90 days. While the documents are retained, they must be stored in locked cabinets in secured areas with access restricted to authorized individuals on a need-to-know basis. Keys that allow access to such containers must be immediately collected from any individual who leaves the City of La Vista or whose responsibilities no longer require him or her to access such documents. When combination locks are used, the combination must be changed when an individual who knows the combination leaves the City of La Vista or no longer requires access to perform assigned work. For any physical documents that contain credit card information, all but the last four digits of the credit card number will be physically cut out of the document. Overwriting the credit card number with a marker is not acceptable since the number can still be viewed in certain circumstances. The three- or four-digit credit card validation code (CVV2) must never be captured in any form. No lists should be maintained that include entire credit card numbers. Credit card information may be shared only with individuals who have been authorized to access such data by the appropriate Department Head.

All credit card information must be destroyed as soon as it is no longer necessary, and may not be retained for more than 90 days after the transaction is processed. All physical documents that are no longer necessary must be shredded using a commercially available shredding device.

Departments handling credit card transactions must segregate, to the extent possible, all duties related to data processing and storage of credit card information. A system of checks and balances as approved by the Finance Director shall be put in place in which tasks are performed by different individuals in order to assure adequate controls. For example, the same person should not process credit card transactions/refunds and perform the monthly credit card reconciliation. Where staffing permits, it is strongly recommended that the responsibility for processing transactions and refunds be segregated as well. The Finance Director or his/her designee should not handle or have access to credit card transactions. He or she will verify that the original supporting detail

records agree with deposits on the General Ledger. Terminal or web-based reports must not be the only supporting detail record.

5. Department Compliance Procedures

Each department that handles credit card information must have written procedures tailored to that department's operation, which are consistent with this policy and PCI-DSS. Departmental procedures should be reviewed, signed and dated by the Department Head indicating compliance with the City of La Vista's Credit Card Policy. These procedures also must be submitted to and approved by the Finance Director or his/her designee. These departmental procedures will include, but are not limited to, the following: Segregation of duties, Deposits, Reconciliation procedures, Physical security, Disposal, Cash register procedures (if applicable).

6. General Procedures

Bank card receipts should typically be treated with the same care as you would treat large sums of cash. The Department Head will be responsible for any losses due to poor internal or inadequate controls.

Sensitive cardholder data (i.e., full account number, type, expiration or other data) cannot be stored in any way on computers or networks.

Bank card numbers shall not be transmitted in an insecure manner, such as by email or inter-office mail. Bank card numbers may be faxed only to a fax machine in a secure location. Printed customer receipts that are distributed outside the Department must show only the last four digits of the bank card number.

All documentation containing card account numbers must be maintained in a "secure" environment limited to authorized staff. Secure environments include locked drawers, file cabinets in locked offices, and safes. Do not store bank card information in a customer database or electronic spreadsheet.

The City is required, in good faith, to maintain a fair policy for the exchange and return of merchandise and for resolving disputes over merchandise and/or services purchased with a bank card. If a transaction is non-returnable, non-refundable merchandise, that must be indicated in the appropriate area on the Department's web site with a link to your return policy.

A cash advance or withdrawal to a cardholder, or to an employee, is not authorized.

Proper credit for returns and adjustments must be done by performing the proper function as required by the bank card processor. Under no circumstances may a cardholder be paid in cash or check for any card refund or adjustment. If cash or a check is given as a refund and the cardholder files a dispute, the Department will bear the loss of income from the transaction.

The Department must provide, upon demand, any information, evidence, assignments or other assistance needed for any billing dispute with a cardholder or any dispute with a cardholder over the nature, quality or performance of the goods or services or in connection with any return or rejection of such goods or services. This request must be complied with in a timely manner.

No employee may disclose or acquire any information concerning a cardholder's account without the cardholder's consent. The City of La Vista or its employee(s) shall not sell, purchase, provide, disclose or exchange card account information or any other transaction information to any third person, unless ordered by applicable law or regulation.

Bank card regulations prohibit assigning a minimum or maximum purchase amount, or adding a surcharge to bank card transactions.

Bank card regulations prohibit listing the cardholder's personal information on the bank card draft/ticket. Such information includes, but is not limited to, phone number, driver's license or Social Security number.

7. Reporting Suspected Theft of Information

Any individual who suspects the loss or theft of any materials containing cardholder data must immediately notify their department head.

Violations of this policy and these procedures may result in the following for the Department and/or the employees involved: discontinuance of the practice of accepting bank cards, loss of computer or network access privileges, disciplinary action, suspension, termination of employment, and/or legal action.

Credit Card Security and Ethics Agreement

Applicable to any individual that accepts, captures, stores, transmits and/or processes credit card information.

Anyone who has access to credit card information must sign this form.

The City of La Vista accepts credit card information, such as credit card numbers, expiration dates and card verification codes, from donors, purchasers of City of La Vista publications, goods and services, etc. I recognize that this information is sensitive and valuable and that the City of La Vista is contractually obligated to protect this information against its unauthorized use or disclosure in the manner defined by the Payment Card Industry's Data Security Standard (PCI-DSS), and should such information be disclosed to an unauthorized individual, the City of La Vista could be subject to fines, increased credit card transaction fees and/or the suspension of our credit card privileges. As an individual whose role includes the acceptance, capture, storage, transmission and/or processing of credit card information, I agree with the following statements:

- I have read the requirements stated in the City of La Vista's Standard Operation Policy - Accepting and Handling Credit Card Payments ("Policy").
- I understand that I may only accept credit card payments using methods approved by the City of La Vista.
- I understand that as an employee who has access to credit card information I am responsible for protecting the information in the manner specified within the Policy. Further, I understand that I am also responsible for effectively protecting the credentials (IDs and passwords) and the computers that I may use to process credit card transactions.
- I understand that in cases where I suspect that a breach of credit card information has occurred, I must immediately report the breach to the Department Head.
- If I manage an area that handles credit card information, I understand that I must have appropriate checks and balances in the handling of credit card information, and that I am responsible for having documented procedures in place for complying with Policy.
- I commit to comply with the Policy and its documented procedure, and understand that failure to comply with the above requirements may result in the following for the Department and/or me as an employee: discontinuance of the practice of accepting credit cards, loss of computer or network access privileges, disciplinary action, suspension, termination of employment and/or legal action.

Signature: _____ Date: _____

Print Name: _____

Department Head Witness: _____