

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING May 15, 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 May 15, 2012. Present were Councilmembers: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, Deputy City Clerk Garrod, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Community Development Director Birch, Finance Director Lindberg, Recreation Director Stopak, Public Building and Grounds Director Archibald, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on May 2, 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.

### SERVICE AWARD – STACY BRAGG – 5 YEARS

Mayor Kindig recognized Stacy Bragg for 5 years of service to the City.

### PROCLAMATIONS – NATIONAL PUBLIC SAFETY WEEK; EMERGENCY MEDICAL SERVICES WEEK

Mayor Kindig read proclamations for National Public Safety Week and Emergency Medical Services Week.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 1, 2012
3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM MARCH 8, 2012
4. APPROVAL OF PLANNING COMMISSION MINUTES FROM APRIL 19, 2012
5. MONTHLY FINANCIAL REPORT APRIL 2012
6. PAY REQUEST - THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – APPLEWOOD CREEK IMPROVEMENT PROJECT - \$4890.77
7. PAY REQUEST NO. 5 - MELVIN SUDBECK HOMES, INC. – APPLEWOOD CREEK IMPROVEMENTS PROJECT - \$43,761.89
8. APPROVAL OF CLAIMS

3CMA MEMBERSHIP, dues	550.00
4 SEASONS AWARDS, services	30.00
911 CUSTOM, supplies	155.99
AAT INC, supplies	3700.00
ADT SECURITY, services	274.63
ALADDIN SCREEN PRINTING, services	208.00
ALAMAR, apparel	844.16
ANN TROE, printing	2240.00
ARAMARK, apparel	153.25
AVI SYSTEMS, supplies	139.00
BAKER & TAYLOR, books	516.09
BANKERS TRUST, fees	500.00
BARONE SECURITY SYSTEMS, bld&grnds	240.38
BCDM-BERINGER CIACCIO DENNELL, services	1496.25

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BEAUMONT, M., travel	201.20
BIRCH, A. travel	416.00
BLACK HILLS ENERGY, utilities	26.44
BUILDERS SUPPLY, bld&grnds	6295.00
CARDMEMBER SERVICE-ELAN	13840.10
CARLISLE, B., travel	58.83
CENTURY LINK, phone	48.87
CENTURY LINK BUSN SVCS, phone	37.50
CITY OF OMAHA, services	614.00
OMAHA SHOW MOBILE, rental	1160.00
OMAHA-CLIMBING WALL, rental	487.50
CJ'S HOME CENTER, supplies	1133.03
CLIA LABORATORY, supplies	150.00
COMMERCIAL TURF, maint.	1015.00
CONSOLIDATED MANAGEMENT, training	13.75
CONTROL MASTERS, bld& grnds	448.21
COX, phone	207.30
DIAMOND VOGEL, supplies	149.71
DIGITAL ALLY, maint.	394.00
DOUGLAS COUNTY SHERIFF, services	100.00
DREWEL, R., services	250.00
DULTMEIER, maint.	403.19
EASTERN LIBRARY SYSTEM, training	10.00
EBSCO SUBSCRIPTION, books	18.69
EDGEWEAR SCREEN PRINTING, apparel	28.50
ELKHORN FENCE, services	5296.00
FASTENAL COMPANY, bld&grnds	249.46
FELD FIRE, equip.	596.00
FELSBURG HOLT & ULLEVIG, services	157.50
FIREGUARD, equip.	1301.82
FOCUS PRINTING, services	142.50
FRED PRYOR SEMINARS, training	199.00
G I CLEANER & TAILORS, services	134.75
GALE, books	445.75
GARROD, M., travel	128.32
GCR TIRE CENTERS, supplies	617.07
GENUINE PARTS, maint.	1343.74
GRAINGER, apparel	22.74
GREAT PLAINS WELL, bld& grnds	7230.00
GREENKEEPER, supply	1410.00
GRENZEBECK, M., services	25.00
GUNN, B., travel	416.00
HAMILTON COLOR LAB, services	793.60
HANEY SHOE STORE, apparel	240.00
HARM'S CONCRETE, services	78.00
HEARTLAND TIRES AND TREADS, supplies	1243.80
HELGET GAS, supplies	140.00
HERITAGE CRYSTAL CLEAN, services	359.41
HOBBY LOBBY, supplies	29.46
HOLIDAY INN, travel	637.00
HOME DEPOT, supplies	599.00
HOPE HEALTH, dues	173.40
HOSE & HANDLING, maint.	277.47
INDUSTRIAL SALES, bld&grnds	30.43
INLAND TRUCK PARTS, maint.	63.23
IOWA SPORTS TURF MGRS, training	250.00
J Q OFFICE, services	76.37
KENNY'S SERVICES, bld&grnds	3095.00
KINDIG, D., travel	183.00
KRIHA FLUID POWER, maint.	544.84

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LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LINCOLN NATIONAL LIFE INS CO	10632.02
LINDBERG, S., travel	416.00
LOU'S SPORTING GOODS, supplies	380.92
LOVELAND GRASS PAD, maint.	11.96
MARTIN, A., travel	11.75
MATHESON TRI-GAS, maint.	254.03
MELVIN SUDBECK HOMES, services	48818.76
MAT, services	612.00
MCC, utilities	13198.00
MID CON SYSTEMS, maint.	127.75
MID CONTINENT SAFETY, equip.	703.00
MID-CONTINENT IRRIGATION, maint.	63.30
MIDWEST TURF & IRRIGATION, bld&grnds	87.26
MPH INDUSTRIES INC., maint.	68.37
NATIONAL PAPER COMPANY, supplies	312.28
NE DEPT OF LABOR-WORKFORCE DEV	100.00
NE IA INDL FASTENERS, bld&grnds	81.88
NE LIBRARY, books	466.00
NE LIFE MAGAZINE, books	460.00
NE WELDING, bld&grnds	133.66
NINTENDO POWER, books	19.95
NLA, training	15.00
NOBBIES, supplies	139.96
NPZA, training	405.00
ODB COMPANY, maint.	593.38
OFFICE DEPOT, supplies	988.32
OPPD, utilities	43983.21
OMAHA TACTICAL, apparel	39.00
OMAHA WINNELSON, maint.	497.09
OMNIGRAPHICS, maint.	81.85
O'REILLY AUTO, maint.	1750.36
PAPILLION SANITATION, services	304.11
PAPIO-MO RVR NRD, services	5000.00
PARAMOUNT, apparel	328.91
PATTERN RESEARCH, training	500.00
PAYLESS OFFICE, supplies	263.63
PERFORMANCE CHRYSLER JEEP, maint.	2144.36
PERFORMANCE FORD, maint.	113.37
PETTY CASH	176.79
PETTY CASH	300.00
PLAINS EQUIPMENT GROUP, maint.	499.03
PREMIER-MIDWEST BEV., supplies	1109.20
PROJECT HARMONY, services	150.00
PAPILLION RECREATION, services	1140.00
QUALITY BRANDS, supplies	1198.90
R T MOORE, supplies	45.00
RAMIREZ, R., travel	416.00
RAPPLEY, M., travel	25.00
RAY ALLEN, supplies	183.90
READY MIXED, bld&grnds	544.10
RECLAIM YOUR SPACE, services	75.00
RETRIEVEX, services	522.08
RUFFNER, J., services	31.00
S & W HEALTHCARE, supplies	84.14
SAM'S CLUB, supplies	969.82
SAPP BROS PETROLEUM, supplies	13829.87
SARPY COUNTY CHAMBER, training	15.00
SARPY COUNTY TREASURER, services	26974.61
SIGN IT, services	5.25

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SNITILY CARR, services	1125.00
SOLBERG, C., travel	368.21
STERIL MANUFACTURING, maint.	74.97
STOLTENBERG NURSERIES, supplies	225.00
STOPAK, S., travel	416.00
TED'S MOWER, equip.	990.55
TELIN TRANSPORT., maint.	402.38
THOMPSON DREESSEN & DORNER, services	3184.90
TOMSU, L., travel	88.80
TRI-TECH INC., supplies	285.32
VAN-WALL EQUIP., maint.	1077.58
VERNON, services	434.40
WASTE MANAGEMENT NE., services	1095.07
WICK'S STERLING TRUCKS, maint.	35.11
WORLD BOOK, books	1396.00
ZIMCO SUPPLY COMPANY, supplies	3531.70

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported that it was Police Memorial Week and Officers were wearing black bands over their badges in honor of those who had lost their lives in the line of duty.

Library Director Barcal reported that a tree had been planted for Arbor Day and that the children who attended enjoyed the book read by Council Member Gowan. Barcal also reported that the Summer Reading Program kicks off on May 30<sup>th</sup> 2012, and that the completion of the mural designed by the Ideal school students would be celebrated on May 18<sup>th</sup>, 2012.

## B. CALL FOR REDEMPTION OF BONDS AND GO REFUNDING SERIES 2012 BOND ISSUE

Dan Smith with DA Davidson addressed the Council regarding the three resolutions being presented to call for the redemption of bonds. Smith stated that by redeeming these bonds the current present savings value would be 13% and would not exceed 9.5 million dollars. Councilmember Sheehan asked why this was not in the budget. Smith responded that you can not anticipate the market in order to allow for budgeting.

### 1. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-052; BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. The following obligations of the City of La Vista, Nebraska in accordance with their option provisions are hereby authorized to be called for redemption on October 1, 2012, (the "Call Date") as determined in the Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Bonds, Series 2007, date of original issue – October 1, 2007, originally issued by Sanitary and Improvement District No. 239 of Sarpy County, Nebraska ("SID 239"), in the principal amount of One Million Four Hundred Eighty-five Thousand Dollars (\$1,485,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date:</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$ 45,000	2013	4.650%	80377E AF3
45,000	2014	4.700	80377E AG1
50,000	2015	4.750	80377E AH9
50,000	2016	4.800	80377E AJ5
55,000	2017	4.900	80377E AK2

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55,000	2018	4.950	80377E AL0
60,000	2019	5.000	80377E AM8
65,000	2020	5.050	80377E AN6
65,000	2021	5.100	80377E AP1
70,000	2022	5.150	80377E AQ9
70,000	2023	5.150	80377E AR7
75,000	2024	5.200	80377E AS5
80,000	2025	5.200	80377E AT3
85,000	2026	5.250	80377E AU0
90,000	2027	5.250	80377E AV8
95,000	2028	5.300	80377E AW6
100,000	2029	5.350	80377E AX4
105,000	2030	5.400	80377E AY2
110,000	2031	5.450	80377E AZ9
115,000	2032	5.450	80377E BA3

Said bonds are hereinafter referred to as the "SID 239 Refunded Bonds."

The SID 239 Refunded Bonds are subject to redemption at any time on or after October 1, 2012, at par and accrued interest, and said interest is payable semiannually. The proceeds of the SID 239 Refunded Bonds were used for the purpose of redeeming \$1,484,186.07 of outstanding principal amount of the District's construction fund warrants previously issued by SID 239 in connection with the installation of public improvements in the District.

Section 2. The SID 239 Refunded Bonds are to be paid at the principal corporate trust in office of Bankers Trust Company, in Des Moines, Iowa, successor to Teambank N.A., in Bellevue, Nebraska, as Paying Agent and Registrar (the "Paying Agent").

Section 3. The Mayor or Clerk of the City (each, an "Authorized Officer") are each individually hereby authorized at any time prior to November 1, 2012, to call said Bonds for redemption on the Call Date on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and Council of the City. After such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of the Direction for Call shall be filed at least thirty days prior to the Call Date with the Paying Agent for the SID 239 Refunded Bonds, and the Paying Agent is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the SID 239 Refunded Bonds.

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

## 2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-053; BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. The following obligations of the City of La Vista, Nebraska (the "City") in accordance with their option provisions are hereby authorized to be called for redemption on July 15, 2013, (the "Call Date") as determined in the Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Various Purpose Refunding Bonds, Series 2008, date of original issue – July 15, 2008, in the principal amount of Four Million Ninety-five Thousand Dollars (\$4,095,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date:</u> October 15	<u>Interest Rate</u>	<u>CUSIP</u>
\$610,000	2014	3.750%	505318 LS2
650,000	2015	3.750	505318 LT0
425,000	2016	3.750	505318 LU7
450,000	2017	3.650	505318 LV5

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465,000	2018	3.750	505318 LW3
480,000	2019	3.875	505318 LX1
500,000	2020	4.000	505318 LY9
515,000	2021	4.125	505318 LZ6

Said bonds are hereinafter referred to as the "2008 Refunded Bonds."

The 2008 Refunded Bonds are currently subject to redemption at any time on or after July 15, 2013, at par and accrued interest, and said interest is payable semiannually. The proceeds of the 2008 Refunded Bonds were used for the purpose of paying the costs of refunding a portion of the City's Various Purpose Bonds, Series 2001 and Various Purpose Bonds, Series 2002, and the General Obligation Bonds, 2001 Series, of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska and the General Obligation Bonds, Series 2002, of Sanitary Improvement District No. 200 of Sarpy County, Nebraska, which Sanitary and Improvement Districts have been annexed by the City.

Section 2. The 2008 Refunded Bonds are to be paid at the office of the City Treasurer of the City of La Vista, Nebraska, as Paying Agent and Registrar (the "Paying Agent").

Section 3. The Mayor or Clerk of the City (each, an "Authorized Officer") are each individually hereby authorized at any time prior to November 1, 2012, to call said Bonds for redemption on the Call Date on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and Council of the City. After such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of the Direction for Call shall be filed at least thirty days prior to the Call Date with the City Treasurer of the City of La Vista, Nebraska as Paying Agent for the 2008 Refunded Bonds, and the Paying Agent is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the 2008 Refunded Bonds.

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

### 3. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 12-054; BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. The following obligations of the City of La Vista, Nebraska (the "City") in accordance with their option provisions are hereby authorized to be called for redemption on September 19, 2013, (the "Call Date") as determined in the Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Refunding Bonds, Series 2008A, date of original issue – September 19, 2008, in the principal amount of Two Million Eight Hundred Ninety-five Thousand Dollars (\$2,895,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date:</u> November 15.	<u>Interest Rate</u>	<u>CUSIP</u>
\$ 140,000	2014	4.000%	505318 MF9
145,000	2015	4.125	505318 MG7
150,000	2016	4.375	505318 MH5
155,000	2017	4.500	505318 MJ1
165,000	2018	4.500	505318 MK8
170,000	2019	4.625	505318 ML6
180,000	2020	4.500	505318 MM4
190,000	2021	4.600	505318 MN2
195,000	2022	4.700	505318 MP7
205,000	2023	4.750	505318 MQ5
1,200,000*	2028	5.000	505318 MR3

\*Term Bond.

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Said bonds are hereinafter referred to as the "2008A Refunded Bonds."

The 2008A Refunded Bonds are subject to redemption at any time on or after September 19, 2013, at par and accrued interest, and said interest is payable semiannually. The proceeds of the 2008A Refunded Bonds were used for the purpose of paying off warrant indebtedness which became a legal liability of the City upon the annexation by the City of Sanitary and Improvement District No. 253 of Sarpy County, Nebraska.

Section 2. The 2008A Refunded Bonds are to be paid at the office of the City Treasurer of the City of La Vista, Nebraska, as Paying Agent and Registrar (the "Paying Agent").

Section 3. The Mayor or Clerk of the City (each, an "Authorized Officer") are each individually hereby authorized at any time prior to November 1, 2012, to call said Bonds for redemption on the Call Date on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and Council of the City. After such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of the Direction for Call shall be filed at least thirty days prior to the Call Date with the City Treasurer of the City of La Vista, Nebraska, as Paying Agent for the 2008A Refunded Bonds, and the Paying Agent is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the 2008A Refunded Bonds.

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

## 4. ORDINANCE – AUTHORIZING REFUNDING OF BONDS

Councilmember Carlisle introduced and moved for adoption of Ordinance 1174 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012, OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000) FOR THE PURPOSE OF PROVIDING FUNDS WHICH WILL PAY AND REDEEM A PORTION OF THE GENERAL OBLIGATION BONDS, SERIES 2007, ISSUED BY SANITARY AND IMPROVEMENT DISTRICT NO. 239 OF SARPY COUNTY, NEBRASKA, GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2008, OF THE CITY, AND GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008A, OF THE CITY; AUTHORIZING THE OFFICERS OF THE CITY TO APPROVE FINAL TERMS OF THE BONDS; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Ellerbeck 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, Sheehan, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Quick and Gowan. 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 Ellerbeck. The Mayor then stated the question, "Shall Ordinance No. 1174 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Quick and Gowan. 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 Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

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## C. APPLICATION FOR REPLAT AND SUBDIVISION AGREEMENT APPROVAL – LOT 1-3 MAYFAIR, 2<sup>ND</sup> ADDITION, REPLAT 5 (NW OF 96<sup>TH</sup> AND GILES)

### 1. PUBLIC HEARING

At 7:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Replat and Subdivision Agreement Approval – Lot 1-3 Mayfair, 2<sup>nd</sup> Addition, Replat 5 (NW of 96<sup>th</sup> and Giles).

Councilmember Carlisle made a motion to continue the public hearing until June 5<sup>th</sup>, 2012. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

## D. RESOLUTION – THOMPSON CREEK, PHASE 2 – CONSULTANT SERVICES

Councilmember Crawford introduced and moved for the adoption of Resolution No. 12-055; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING SUPPLEMENTAL SERVICES TO THE CIVIC CENTER PARK MASTER PLAN CONTRACT WITH RDG PLANNING AND DESIGN OMAHA, NEBRASKA, FOR WORK ASSOCIATED WITH PART 2, PHASE VI OF THE THOMPSON CREEK PROJECT IN AN AMOUNT NOT TO EXCEED \$47,500.00.

WHEREAS, the City Council of the City of La Vista has determined that the preparation of grant applications to the Nebraska Department of Environmental Quality and the Nebraska Environmental Trust Fund are necessary for the next phase of the Thompson Creek Project; and

WHEREAS, the FY 2011/12 Capital Improvement Program contains funding for this project; and

WHEREAS, the City and RDG Planning & Design entered into a contract on November 1, 2011, for the Civic Center Park Master Plan; and

WHEREAS, Section 6.4 of the contract provides that the agreement may be amended by a written instrument signed by both parties; and

WHEREAS, a Scope of Work has been prepared which includes completion of grant application forms, including conceptual plans and cost estimates for the channel improvements, methods to improve watershed management and water quality, and techniques for public education and involvement; 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 supplemental services to the Civic Center Park Master Plan contract with RDG Planning & Design, Omaha, Nebraska in a form satisfactory to the City Administrator and City Attorney, for work associated with Part 2, Phase VI of the Thompson Creek project in an amount not to exceed \$47,500.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

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

## E. RESOLUTION – AUTHORIZE CONTRACT FOR TIME AND LABOR

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-056; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TIME AND ATTENDANCE CLOCKS AND CONTRACT FOR THE INTERFACE BETWEEN THIS SYSTEM AND THE CITY'S PAYROLL SYSTEM FROM PAYROLL MAXX, OMAHA NE.

WHEREAS, the City Council of the City of La Vista has determined that the purchase time and attendance clocks for city departments to make this process more efficient is necessary; and

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WHEREAS, the City Council has also determined that a contract is necessary for the interface between the city's payroll system and the time and labor system along with the implementation fee and monthly service fee; 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 time and attendance clocks and contract for the interface between this system and the city's payroll system from Payroll Maxx, Omaha NE.

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked how secure the system would be and if someone from outside the City could manipulate the date. Finance Director Lindberg stated that the system was secure and a confidentiality agreement would be addressed as well as that the vendor would not be entering the hours worked. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

## F. RESOLUTION – APPROVE CHANGE ORDER – APPLEWOOD CREEK IMPROVEMENTS – CHANGE ORDER 2

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-057; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MELVIN SUDBECK HOMES, INC., OMAHA, NEBRASKA, TO INCREASE THE CONTRACT PRICE TO \$322,728.43.

WHEREAS, the City has determined it is necessary to increase the site clearing work; and

WHEREAS, this change is necessary to allow access for removal of debris from the creek that would block drainage at the culvert under Giles Road; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Melvin Sudbeck Homes, Inc., Omaha, Nebraska, for an increase in the site clearing work for an increase in the original contract price from \$311,241.48 to \$322,728.43.

Seconded by Councilmember Ellerbeck. Councilmember Crawford asked why these changes weren't included in the original bid and City Engineer Kottmann stated that these were wants that had turned into needs to complete the project. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

## G. RESOLUTION – CAPITAL IMPROVEMENT PROJECT - RADIOS

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 12-058; 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 PURCHASE OF MOTOROLA 800 MHZ P25 DIGITAL RADIOS.

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

WHEREAS, said purchase of Motorola 800 MHz P25 digital radios is in the best interest of the citizens of La Vista.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, accept the proposal submitted by D & D Communications Omaha, NE for the purchasing of the Motorola 800 MHz P25 digital radios in an amount not to exceed \$80,827.41.

# MINUTE RECORD

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

May 15, 2012

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

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

## COMMENTS FROM THE FLOOR

No Comments from the Floor.

## H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION; PERSONNEL

At 7:29 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and negotiating guidance regarding land acquisition and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:10 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan congratulated Councilmember Carlisle on her lead in that night's election for the Sarpy County Board seat.

At 8:12 p.m. Councilmember Ellerbeck made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.

CITY OF LA VISTA

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

ATTEST:

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

FINAL PAYMENT RECOMMENDATION ON CONTACT FOR: Applewood Creek Improvements

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

CONTRACTOR: Melvin Sudbeck Homes, Inc  
16255 Woodland Drive  
Omaha, NE 68136

ORIGINAL CONTRACT AMOUNT: \$ 311,241.48  
REVISED CONTRACT AMOUNT: \$ 322,728.43  
AMOUNT OF PREVIOUS PAYMENT RECOMMENDATIONS: \$ 220,865.88

Item	Description	In Place Quantities	Unit Price	Amount Due
1	Clearing and Grubbing (Including Trees less than 9" Diameter)	1 L.S.	\$ 16,500.00	\$ 16,500.00
2	Clearing and Grubbing Trees Over 9" to 18" Diameter	38 EA.	\$ 250.00	\$ 9,500.00
3	Clearing and Grubbling Trees Over 18" to 27" Diameter	6 EA.	\$ 450.00	\$ 2,700.00
4	Clearing and Grubbing Trees Over 27" to 36" Diameter	2 EA.	\$ 575.00	\$ 1,150.00
5	Stabilized Construction Entrance, In Place	3 EA.	\$ 2,340.00	\$ 7,020.00
6	Temporary Channel Crossing, In Place	1 EA.	\$ 12,496.00	\$ 12,496.00
7	Common Earth Excavation	2,000 C.Y.	\$ 10.00	\$ 20,000.00
8	Remove and Dispose Existing 36" RCP	32 L.F.	\$ 32.59	\$ 1,042.88
9	Construct 36" Concrete Collar, In Place	1 EA.	\$ 560.00	\$ 560.00
10	Construct Pile Bent Structure, In Place	1 EA.	\$ 3,238.00	\$ 3,238.00
11	36" CMP, In Place	24 L.F.	\$ 70.00	\$ 1,680.00
12	8 x 36 H-Pile, In Place	280 V.F.	\$ 90.00	\$ 25,200.00
13	Galvanized Wire Mesh or Stock Panels, In Place	480 S.F.	\$ 2.65	\$ 1,272.00
14	Type "A" Rip Rap, In Place	152.41 TONS	\$ 33.00	\$ 5,029.53
15	Type "C" Rip Rap, In Place	1620.46 TONS	\$ 37.00	\$ 59,957.02
16	Type "C" Rip Rap, Grouted In Place	410 TONS	\$ 45.68	\$ 18,728.80
17	Vegetated Geoweb Retaining Wall, In Place	1,125 S.F.	\$ 16.00	\$ 18,000.00
18	Vegetated Reinforced Earth Section, In Place	926 S.F.	\$ 9.80	\$ 9,074.80
19	Root Wads With Anchor System, In Place	60 EA.	\$ 485.00	\$ 29,100.00
20	Turf Reinforcement Mat NAG SC250, In Place	800.87 S.Y.	\$ 4.85	\$ 3,884.22
21	United Seed "Super Shade" Grass Seed, In Place	1,456 S.Y.	\$ 2.00	\$ 2,912.00
22	Straw Wattle, In place	736.7 L.F.	\$ 4.20	\$ 3,094.14
23	Fabric Silt Fence, In Place	825.6 L.F.	\$ 2.50	\$ 2,064.00
24	Remove Fabric Silt Fence	825.6 L.F.	\$ 1.50	\$ 1,238.40
25	Remove Stabilized Construction Entrance	3 EA.	\$ 1,000.00	\$ 3,000.00
26	3" Caliper Replacement Trees, In Place	222 EA.	\$ 129.00	\$ 28,638.00
27	Water Management	1.0 L.S.	\$ 15,000.00	\$ 15,000.00
28	Temporary Seed	1494.09 S.Y.	\$ 0.25	\$ 373.52
29	Temporary Erosion Control Blanket N.A.G. S75	1494.09 S.Y.	\$ 1.50	\$ 2,241.14
30	CAT 225 Backhoe or Equivalent	HR	\$ 115.00	\$ -
31	CAT 977 Loader or Equivalent	HR	\$ 100.00	\$ -
32	CAT D6 Dozer or Equivalent	HR	\$ 110.00	\$ -
33	Tandem Dump Truck	HR	\$ 65.00	\$ -
CONTRACT SUBTOTAL				\$ 304,694.45

Reductions:

26	Change Order No. 1 Replacement Trees Per Plant Schedule	222 EA.	\$ 129.00	\$ (28,638.00)
	TOTAL REDUCTIONS			\$ (28,638.00)

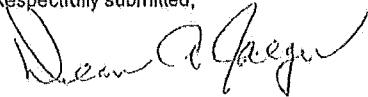
FINAL PAYMENT RECOMMENDATION ON CONTACT FOR: Applewood Creek Improvements

Additions:

Change Order No. 1				
26A	Overstory Trees Per Plant Schedule, in place	88 EA.	\$ 153.01	\$ 13,464.88
26B	Understory Trees Per Plant Schedule, in place	72 EA.	\$ 164.65	\$ 11,854.80
Change Order No. 2				
C2.1	Labor	61.5 HR	\$35.00	\$ 2,152.50
C2.2	Side Dump Truck	47 HR	\$75.00	\$ 4,465.00
C2.3	T190 Bobcat	66.5 HR	\$110.00	\$ 4,968.75
C2.4	953 CAT	2 HR	\$110.00	\$ 220.00
C2.5	270 Backhoe	23.5 HR	\$115.00	\$ 2,702.50
C2.6	CASE Loader	22.5 HR	\$100.00	\$ 2,250.00
TOTAL ADDITIONS				\$ 42,078.43
TOTAL				\$ 318,134.88
Less Previous Payments				\$ 220,865.88
AMOUNT DUE CONTRACTOR				\$ 97,269.00

We recommend that payment in the amount of \$ 97,269.00 be made to Melvin Sudbeck Homes, Inc

Respectfully submitted,



Dean A. Jaeger, P.E.  
THOMPSON, DREESSEN & DORNER, INC.

DAJ/bam

cc: Melvin Sudbeck Homes, Inc

O.K. to pay  
05.21.0845.03

efMK  
5/29/2012

Consent agenda

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1 Bank of Nebraska (600-873)									
46176				36176	Payroll Check				
46177				36177	Gap in Checks				
Thru	107528								
107529	5/16/2012	1426	MELVIN SUDBECK HOMES INC			43,761.89			**MANUAL**
107530	5/16/2012	143	THOMPSON DREESSEN & DORNER			4,890.77			**MANUAL**
107531	5/24/2012	3702	LAUGHLIN, KATHLEEN A, TRUSTEE			474.00			**MANUAL**
107532	5/24/2012	1821	PETTY CASH-PAM BUETHE			230.00			**MANUAL**
107533	5/30/2012	1270	PREMIER-MIDWEST BEVERAGE CO			525.00			**MANUAL**
107534	5/30/2012	3502	SID DILLON COMMERCIAL/FLEET			18,031.00			**MANUAL**
107535	6/05/2012	804	3E-ELECTRICAL ENGINEERING			424.53			
107536	6/05/2012	4298	AAT (US) INC			454.28			
107537	6/05/2012	459	ABANTE MARKETING			1,950.31			
107538	6/05/2012	3983	ABE'S PORTABLES INC			170.00			
107539	6/05/2012	886	ACCURATE TESTING INC			580.00			
107540	6/05/2012	762	ACTION BATTERIES UNLTD INC			387.80			
107541	6/05/2012	4336	AIR CLEANING TECHNOLOGIES INC			298.37			
107542	6/05/2012	2723	AKSARBEN GARAGE DOOR SVCS INC			85.00			
107543	6/05/2012	571	ALAMAR UNIFORMS			142.98			
107544	6/05/2012	536	ARAMARK UNIFORM SERVICES INC			891.16			
107545	6/05/2012	935	AUTO BRAKE & CLUTCH CO INC			123.00			
107546	6/05/2012	2945	AVI SYSTEMS INC			260.00			
107547	6/05/2012	201	BAKER & TAYLOR BOOKS			1,806.55			
107548	6/05/2012	849	BARONE SECURITY SYSTEMS			660.00			
107549	6/05/2012	929	BEACON BUILDING SERVICES			6,712.00			
107550	6/05/2012	410	BETTER BUSINESS EQUIPMENT			59.09			
107551	6/05/2012	196	BLACK HILLS ENERGY			2,277.11			
107552	6/05/2012	2757	BOBCAT OF OMAHA			1,047.25			
107553	6/05/2012	4711	BOMA/OMAHA			610.00			
107554	6/05/2012	2209	BOUND TREE MEDICAL LLC			592.78			
107555	6/05/2012	4454	BRAKE, AUSTIN			100.00			
107556	6/05/2012	1242	BRENTWOOD AUTO WASH			70.00			
107557	6/05/2012	4647	BREWER, WILLIAM ANDREW			100.00			
107558	6/05/2012	117	BRODART			90.27			
107559	6/05/2012	76	BUILDERS SUPPLY CO INC			169.66			
107560	6/05/2012	92	CARL JARL LOCKSMITHS			5.55			
107561	6/05/2012	2285	CENTER POINT PUBLISHING			214.50			
107562	6/05/2012	219	CENTURY LINK			1,172.22			
107563	6/05/2012	2540	CENTURY LINK BUSN SVCS			2.89			
107564	6/05/2012	3124	CHIEF SCHOOL BUS SERVICE, INC			193.00			
107565	6/05/2012	3450	CITY OF BELLEVUE			200.00			
107566	6/05/2012	152	CITY OF OMAHA			86,317.54			
107567	6/05/2012	3176	COMP CHOICE INC			420.00			
107568	6/05/2012	836	CORNHUSKER INTL TRUCKS INC			865.60			
107569	6/05/2012	2158	COX COMMUNICATIONS			122.24			
107570	6/05/2012	4719	CROUCH, JAMIE			10.00			
107571	6/05/2012	3136	D & D COMMUNICATIONS			1,054.00			
107572	6/05/2012	3793	DEIML, KEITH			660.00			

BANK NO	BANK NAME						
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107573	6/05/2012	77	DIAMOND VOGEL PAINTS	359.20			
107574	6/05/2012	4076	DIGITAL ALLY INCORPORATED	279.00			
107575	6/05/2012	2149	DOUGLAS COUNTY SHERIFF'S OFC	725.00			
107576	6/05/2012	364	DULTMEIER SALES & SERVICE	5.30			
107577	6/05/2012	632	EASTERN LIBRARY SYSTEM	50.00			
107578	6/05/2012	3334	EDGEWEAR SCREEN PRINTING	1,129.25			
107579	6/05/2012	4716	EDWARDS, JON	40.00			
107580	6/05/2012	475	ELLIOTT EQUIPMENT COMPANY	709.70			
107581	6/05/2012	4682	ENVY	700.00			
107582	6/05/2012	2388	EXCHANGE BANK	695.00			
107583	6/05/2012	3460	FEDEX	8.71			
107584	6/05/2012	1042	FELD FIRE	3,107.00			
107585	6/05/2012	1201	FERRELLGAS	361.14			
107586	6/05/2012	439	FIREGUARD INC	284.69			
107587	6/05/2012	3415	FOCUS PRINTING	.00	**CLEARED**	**VOIDED**	
107588	6/05/2012	3415	FOCUS PRINTING	.00	**CLEARED**	**VOIDED**	
107589	6/05/2012	3415	FOCUS PRINTING	.00	**CLEARED**	**VOIDED**	
107590	6/05/2012	3415	FOCUS PRINTING	7,301.01			
107591	6/05/2012	3132	FORT DEARBORN LIFE INSURANCE	1,337.50			
107592	6/05/2012	4724	FRANCE PUBLICATIONS INC	2,000.00			
107593	6/05/2012	4050	FROEHLICH, RORY	100.00			
107594	6/05/2012	1344	GALE	447.85			
107595	6/05/2012	1161	GALLS, AN ARAMARK COMPANY	297.68			
107596	6/05/2012	53	GCR TIRE CENTERS	391.74			
107597	6/05/2012	1660	GODFATHER'S PIZZA	51.94			
107598	6/05/2012	164	GRAINGER	23.94			
107599	6/05/2012	285	GRAYBAR ELECTRIC COMPANY INC	287.83			
107600	6/05/2012	385	GREAT PLAINS ONE-CALL SVC INC	393.72			
107601	6/05/2012	71	GREENKEEPER COMPANY INC	161.00			
107602	6/05/2012	623	HAMILTON EQUIPMENT COMPANY	2,800.00			
107603	6/05/2012	387	HARM'S CONCRETE INC	125.00			
107604	6/05/2012	3681	HEARTLAND TIRES AND TREADS	525.12			
107605	6/05/2012	1403	HELGET GAS PRODUCTS INC	102.00			
107606	6/05/2012	4715	HOLDREN, ROBERT	50.00			
107607	6/05/2012	3146	HORNUNG'S GOLF PRODUCTS INC	60.93			
107608	6/05/2012	526	HOST COFFEE SERVICE INC	47.80			
107609	6/05/2012	218	HOTSY EQUIPMENT COMPANY	310.53			
107610	6/05/2012	4722	IN EXTREMIS TACTICAL GROUP LLC	185.00			
107611	6/05/2012	1498	INDUSTRIAL SALES COMPANY INC	455.24			
107612	6/05/2012	2307	INFOGROUP	1,250.00			
107613	6/05/2012	3050	INSIGHT PUBLIC SECTOR	164.99			
107614	6/05/2012	835	IVERSON, DENNIS	687.56			
107615	6/05/2012	1896	J Q OFFICE EQUIPMENT INC	1,221.59			
107616	6/05/2012	3561	JNFS ENGINEERING COMPANY	234.00			
107617	6/05/2012	2653	JONES AUTOMOTIVE INC	2,758.84			
107618	6/05/2012	227	KENNY'S SERVICES INCORPORATED	495.00			
107619	6/05/2012	3047	KEY MASTERS OF GREATER OMAHA	24.00			
107620	6/05/2012	1664	KEYSTONE GLASS COMPANY	272.00			
107621	6/05/2012	1054	KLINKER, MARK A	200.00			
107622	6/05/2012	274	KOSISKI AUTO PARTS INC	65.00			
107623	6/05/2012	2394	KRIHA FLUID POWER CO INC	175.76			
107624	6/05/2012	2057	LA VISTA COMMUNITY FOUNDATION	50.00			
107625	6/05/2012	4425	LANDPORT SYSTEMS INC	125.00			

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
107626	381 LANDS' END BUSINESS OUTFITTERS	6/05/2012		924.90					
107627	4330 LARSEN SUPPLY COMPANY	6/05/2012		626.60					
107628	231 LEAGUE OF NEBRASKA MUNICIPAL	6/05/2012		274.00					
107629	1288 LIFE ASSIST	6/05/2012		974.58					
107630	3370 LIFEGUARD STORE INC	6/05/2012		402.74					
107631	4254 LINCOLN NATIONAL LIFE INS CO	6/05/2012		.00	**CLEARED** **VOIDED**				
107632	4254 LINCOLN NATIONAL LIFE INS CO	6/05/2012		10,657.28					
107633	2297 LINDBERG, SHEILA	6/05/2012		249.00					
107634	4626 LINHART, JODI	6/05/2012		218.79					
107635	1573 LOGAN CONTRACTORS SUPPLY	6/05/2012		241.69					
107636	4516 LOGO LOGIX EMBROIDERY & SCREEN	6/05/2012		80.00					
107637	263 LOVELAND GRASS PAD	6/05/2012		395.86					
107638	3833 LUEDERS LOCK & KEY INC	6/05/2012		80.00					
107639	306 MANGELSEN'S INCORPORATED	6/05/2012		16.61					
107640	877 MATHESON TRI-GAS INC	6/05/2012		64.29					
107641	4461 MED ALLIANCE GROUP INC	6/05/2012		205.42					
107642	872 METROPOLITAN COMMUNITY COLLEGE	6/05/2012		7,800.00					
107643	553 METROPOLITAN UTILITIES DIST.	6/05/2012		.00	**CLEARED** **VOIDED**				
107644	553 METROPOLITAN UTILITIES DIST.	6/05/2012		1,961.85					
107645	2497 MID AMERICA PAY PHONES	6/05/2012		150.00					
107646	4664 MIDWEST FIRE TRAINING GROUP	6/05/2012		750.00					
107647	1046 MIDWEST TURF & IRRIGATION	6/05/2012		62.73					
107648	2683 MLB LOGISTICS	6/05/2012		788.74					
107649	4364 NACR INCORPORATED	6/05/2012		690.41					
107650	3574 NATIONAL PATENT ANALYTICAL	6/05/2012		109.20					
107651	2631 NEXTEL SPRINT COMMUNICATIONS	6/05/2012		2.50					
107652	2631 NEXTEL SPRINT COMMUNICATIONS	6/05/2012		206.18					
107653	440 NMC EXCHANGE LLC	6/05/2012		2,845.76					
107654	408 NOBBIES INC	6/05/2012		42.32					
107655	2530 NOVA HEALTH EQUIPMENT	6/05/2012		5,844.24					
107656	1808 OCLC INC	6/05/2012		28.40					
107657	1014 OFFICE DEPOT INC	6/05/2012		.00	**CLEARED** **VOIDED**				
107658	1014 OFFICE DEPOT INC	6/05/2012		914.46					
107659	4713 OMAHA PNEUMATIC EQUIPMENT CO	6/05/2012		134.40					
107660	195 OMAHA PUBLIC POWER DISTRICT	6/05/2012		1,185.05					
107661	4349 OMAHA TACTICAL LLC	6/05/2012		125.00					
107662	319 OMAHA WINNELSON	6/05/2012		194.00					
107663	46 OMAHA WORLD HERALD COMPANY	6/05/2012		548.53					
107664	4643 OMB GUNS	6/05/2012		324.69					
107665	167 OMNI	6/05/2012		1,540.51					
107666	3935 ORIENTAL TRADING COMPANY	6/05/2012		174.25					
107667	3477 ORIZON CPAS LLC	6/05/2012		2,300.00					
107668	976 PAPILLION TIRE INCORPORATED	6/05/2012		111.60					
107669	2686 PARAMOUNT LINEN & UNIFORM	6/05/2012		474.49					
107670	3282 PATTERN RESEARCH INC	6/05/2012		2,005.32					
107671	4654 PAYFLEX SYSTEMS USA INC	6/05/2012		250.00					
107672	1769 PAYLESS OFFICE PRODUCTS INC	6/05/2012		191.94					
107673	3058 PERFORMANCE CHRYSLER JEEP	6/05/2012		307.20					
107674	4037 PERFORMANCE FORD	6/05/2012		78.75					
107675	4304 PHYSICIANS MUTUAL	6/05/2012		16.50					
107676	74 PITNEY BOWES INC-PA	6/05/2012		.00	**CLEARED** **VOIDED**				
107677	74 PITNEY BOWES INC-PA	6/05/2012		204.00					
107678	1784 PLAINS EQUIPMENT GROUP	6/05/2012		1,243.80					

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

107679	6/05/2012	1910 PRESTIGE FLAG		274.37			
107680	6/05/2012	1713 QUALITY AUTO REPAIR & TOWING		83.00			
107681	6/05/2012	3139 RECORDED BOOKS, LLC		1,167.15			
107682	6/05/2012	2764 RINKER MATERIALS CORP		184.04			
107683	6/05/2012	4192 S & W HEALTHCARE CORP		244.00			
107684	6/05/2012	2240 SARPY COUNTY COURTHOUSE		3,479.89			
107685	6/05/2012	168 SARPY COUNTY LANDFILL		50.74			
107686	6/05/2012	1652 SCHOLASTIC BOOK FAIRS		579.56			
107687	6/05/2012	503 SCHOLASTIC LIBRARY PUBLISHING		505.00			
107688	6/05/2012	4641 SHRED-SAFE LLC 2011-2012		30.00			
107689	6/05/2012	738 SIGN IT		740.00			
107690	6/05/2012	1864 SINNETT, JEFF		53.48			
107691	6/05/2012	2704 SMOOTH CUT ENTERPRISES INC		990.00			
107692	6/05/2012	3838 SPRINT		62.25			
107693	6/05/2012	3838 SPRINT		119.97			
107694	6/05/2012	4335 STOLTENBERG NURSERIES		122.00			
107695	6/05/2012	4276 SUPERIOR VISION SVCS INC		424.80			
107696	6/05/2012	913 TARGET BANK		13.02			
107697	6/05/2012	264 TED'S MOWER SALES & SERVICE		153.52			
107698	6/05/2012	4554 TELIN TRANSPORTATION GROUP LLC		34.35			
107699	6/05/2012	4507 TERRY'S SMALL ENGINE		15.97			
107700	6/05/2012	822 THERMO KING CHRISTENSEN		495.70			
107701	6/05/2012	143 THOMPSON DREESSEN & DORNER		500.00			
107702	6/05/2012	4231 TORNADO WASH LLC		135.00			
107703	6/05/2012	3543 TRAFFIC SENSOR CORPORATION		198.68			
107704	6/05/2012	3349 TRI-TECH INCORPORATED		29.40			
107705	6/05/2012	2426 UNITED PARCEL SERVICE		.50			
107706	6/05/2012	2737 UNIVERSAL STEERING HYDRAULIC		497.00			
107707	6/05/2012	2720 USI EDUCATION/GOV'T SALES		286.19			
107708	6/05/2012	300 UTILITY EQUIPMENT COMPANY		21.88			
107709	6/05/2012	4223 VAIL, ADAM		100.00			
107710	6/05/2012	809 VERIZON WIRELESS		573.68			
107711	6/05/2012	3413 VERNON COMPANY		911.59			
107712	6/05/2012	4708 VIDACARE CORPORATION		228.70			
107713	6/05/2012	1174 WAL-MART COMMUNITY BRC		.00	**CLEARED**	**VOIDED**	
107714	6/05/2012	1174 WAL-MART COMMUNITY BRC		918.68			
107715	6/05/2012	78 WASTE MANAGEMENT NEBRASKA		4,076.20			

BANK TOTAL	280,164.79
OUTSTANDING	280,164.79
CLEARED	.00
VOIDED	.00

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	123,407.18	123,407.18	.00	.00
02 SEWER FUND	92,074.88	92,074.88	.00	.00
05 CONSTRUCTION	49,386.66	49,386.66	.00	.00
08 LOTTERY FUND	9,249.46	9,249.46	.00	.00
09 GOLF COURSE FUND	4,940.09	4,940.09	.00	.00
15 OFF-STREET PARKING	1,106.52	1,106.52	.00	.00

APCHCKRP  
09.29.11

Fri Jun 1, 2012 9:05 AM

\*\*\*\*  
City of LaVista  
ACCOUNTS PAYABLE CHECK REGISTER

OPER: AKH

PAGE 5

BANK NO BANK NAME

CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
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REPORT TOTAL	280,164.79
OUTSTANDING	280,164.79
CLEARED	.00
VOIDED	.00
+ Gross Payroll 5/25/12	<u>234,034.33</u>
GRAND TOTAL	<u><u>\$514,199.12</u></u>

APPROVED BY COUNCIL MEMBERS 6/5/12

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ADVERTISEMENT OF BIDS – EASTPORT PARKWAY PAVEMENT MARKINGS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the advertisement of bids for furnishing and installing preformed pavement markings on Eastport Parkway from Giles Road to Harrison Street. The work is necessary to be compliant with MUTCD recommendations for a collector class street.

**FISCAL IMPACT**

The FY 2011/12 Capital Improvement Program provides funding for this project.

**RECOMMENDATION**

Approval

**BACKGROUND**

The City Engineer has prepared plans and specifications for the Eastport Parkway Pavement Markings. The Engineer's Estimate is \$32,000.00 for the proposed construction work. The following schedule is suggested:

Publish Notice to Contractors	June 14, 2012 and June 21, 2012
Open Bids	July 6, 2012
City Council Award Contract	July 17, 2012

The specifications allow 10 working days to complete all work after a Notice to Proceed is issued.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR FURNISHING AND INSTALLING PREFORMED PAVEMENT MARKING ON EASTPORT PARKWAY FROM GILES ROAD TO HARRISON STREET.

WHEREAS, the City Council has determined that furnishing and installing preformed pavement markings on Eastport Parkway from Giles Road to Harrison Street is necessary, and

WHEREAS, the FY 2011/2012 Capital Improvement Program provides funding for this project, and

WHEREAS, the City Engineer has prepared plans and specifications for the proposed project,

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for furnishing and installing preformed pavement markings on Eastport Parkway from Giles Road to Harrison Street in accordance with plans and specifications prepared by the City Engineer..

Publish Notice to Contractors	June 14, 2012 and June 21, 2012
Open Bids	July 6, 2012
City Council Award Contract	July 17, 2012

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

## NOTICE TO CONTRACTORS

City of La Vista  
La Vista, Nebraska

### EASTPORT PARKWAY PAVEMENT MARKINGS

Sealed proposals will be received by Pamela Buethe, Clerk of said City, at the City of La Vista, City Hall, 8116 Parkview Boulevard, La Vista, NE 68128, until 10:00 AM on the 6th day of July, 2012, for the furnishing of all labor, materials, use of Contractor's equipment, plant and all else necessary to construct properly all of the improvements for EASTPORT PARKWAY PAVEMENT MARKINGS.

At such hour, or as soon as practicable thereafter, the City of La Vista will proceed to publicly open in the presence of all bidders and consider the bids received for the furnishing of such labor, materials, and equipment necessary for the proper construction of such improvements.

The extent of the work consists of the construction or other effectuation of the items listed below and other related preparatory and subsidiary work from issuance of the Notice to Proceed:

Item	Description	Estimated Quantities
1	4" White Wet Reflective Preformed Pavement Marking, Type 4, Grooved	220 L.F.
2	12" White Wet Reflective Preformed Pavement Marking, Type 4, Grooved	25 L.F.
3	24" White Wet Reflective Preformed Pavement Marking, Type 4, Grooved	56 L.F.
4	4" Yellow Wet Reflective Preformed Pavement Marking, Type 4, Grooved	9,900 L.F.
5	Thru Arrow, Wet Reflective Preformed Pavement Marking, Type 4, Grooved (If Required)	1 EA.
6	Left Arrow, Wet Reflective Preformed Pavement Marking, Type 4, Grooved	12 EA.
7	Left/Thru Arrow, Wet Reflective Preformed Pavement Marking, Type 4, Grooved (If Required)	1 EA.
8	ONLY, Wet Reflective Preformed Pavement Marking, Type 4, Grooved (If Required)	1 EA.
9	Furnish & Install 2-Way Left Turn Only Sign, R3-9b, 24" by 36", Post Mounted	6 EA

All work called for in the drawings and specifications shall be furnished in strict accordance with the drawings and specifications prepared by the City of La Vista, and now on file with the City Clerk. **All bidders must obtain a set of plans from the City Public Works Department and submit their bid on the Proposal Form included with the contract documents. Only those bids received from registered plan holders, as recorded at the office of the La Vista Public Works Department, will be considered for award.**

Each bid shall be accompanied in a SEPARATE SEALED ENVELOPE by a certified check or bid bond in an amount of not less than five percent of the amount bid and such certified check or bid bond shall be payable to the Treasurer of the City of La Vista, Nebraska as security that the bidder to whom the contract may be awarded will enter into a contract to build the improvement in accordance with this Notice to Contractors and will give a contract and maintenance bond in the amount of 100% of the contract price. No bidder may withdraw his proposal for a period of sixty (60) days after the date set for the opening of bids.

Drawings, Specifications and Contract Documents may be examined and procured at the office of the La Vista Public Works Department, 9900 Portal Road, La Vista, Nebraska 68128.

The City reserves the right to waive informalities and to reject all or any bids.

CITY OF LA VISTA, NEBRASKA

Pamela Buethe, Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR REPLAT AND SUBDIVISION AGREEMENT APPROVAL— LOTS 1 - 3, MAYFAIR 2 <sup>ND</sup> ADD. REPLAT FIVE (NW OF 96 <sup>TH</sup> & GILES)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

Resolutions have been prepared to approve a replat application and subdivision agreement for Lots 1 thru 3, Mayfair 2<sup>nd</sup> Addition Replat Five (a replat of Lot 1, Mayfair 2<sup>nd</sup> Addition Replat Three), generally located northwest of 96<sup>th</sup> Street and Giles Road. *Staff is requesting the public hearing be continued to the June 19, 2012 Council meeting.*

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Continue public hearing to June 19, 2012 City Council Meeting.

**BACKGROUND**

Resolutions have been prepared to approve a replat application and subdivision agreement for Lots 1 thru 3, Mayfair 2<sup>nd</sup> Addition Replat Five, generally located northwest of 96<sup>th</sup> Street and Giles Road. The application was submitted by Buland Group Construction on behalf of the property owner, L&B Properties, LLC. The property is currently zoned C-1, Shopping Center Commercial, with the Gateway Corridor Overlay District. The property is currently vacant; proposed Lot 2 is anticipated to be developed as a child care center.

A subdivision agreement has been prepared and details the responsibilities of the parties including access to the development, construction of sanitary sewers, sidewalks and other improvements. This document is currently under review and will be addressed prior to the City Council meeting.

Staff is requesting a continuance of the public hearing to the June 5, 2012 Council meeting so that the applicant may complete the required revisions to the documents.

On April 19, 2012, the Planning Commission unanimously recommended approval of the proposed replat to Council subject to the conditions as noted in the staff report.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR REZONING, FINAL PUD, CUP, REPLAT, WAIVER & SUBDIVISION AGREEMENT – LOT 2, BELLA LA VISTA (E OF 132 <sup>ND</sup> & CHANDLER)	◆ RESOLUTION (3) ◆ ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and resolutions and ordinances have been prepared to approve the rezoning, final planned unit development (PUD), conditional use permit (CUP), replat, waiver and subdivision agreement for approximately 36 acres located east of 132<sup>nd</sup> & Chandler Road.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider the rezoning from R-3 to R-3 PUD, final planned unit development plan, conditional use permit, replat, waiver and subdivision agreement application by Bella La Vista Housing Partners, LP, on approximately 36 acres currently platted as Lot 2, Bella La Vista, generally located east of 132<sup>nd</sup> and Chandler Road.

The property is currently zoned R-3 with the Gateway Corridor Overlay District. The rezoning of the property occurred in 2006 however did not include submittal of a detailed site plan as part of a PUD or Conditional Use Permit approval. On March 6, 2012, the City Council approved the preliminary PUD plan contingent on the removal of the proposed Phase 2 and removal of the connection of 130<sup>th</sup> Street to the development.

The final plans identify two lots, one for multi-family development and an outlot for future development. Phase 1 on proposed Lot 1 consists of 60 units in three buildings, with 30 garages and 112 surface parking stalls. Phase 1 will include access from 132<sup>nd</sup> Street with a new intersection at Chandler Road. Based on the Council's recommendation, an additional access via a connection to 130<sup>th</sup> Street is not proposed. A waiver has been requested to allow this street to remain a dead end at the southern boundary of the Millard Highlands South subdivision. Phase 2, or any further development of the balance of the property, will require submittal of additional plans. A detailed review of the application is contained in the attached staff report.

The Planning Commission held a public hearing on April 19, 2012, and recommended approval of the rezoning, final planned unit development plan, conditional use permit and replat for Lot 2, Bella La Vista subject to satisfactory resolution of items as identified in the staff report.

K:\APPS\City Hall\CNCLRPT\12file\12 Bella La Vista Rezon, Final PUD, CUP, Replat & Sub Agrmnt.Doc

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

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE.

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

Section 1. In accordance with Section 5.15 of the La Vista Zoning Ordinance, the R-3 (Zoning District) zoning on the following described real estate, to wit:

LOT 2, BELLA LA VISTA, A SUBDIVISION LOCATED IN THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA, GENERALLY LOCATED E OF 132<sup>ND</sup> STREET AND CHANDLER ROAD

is hereby overlaid with a PUD (Planned Unit Development) zone as indicated in the plan previously approved by the La Vista Planning Commission, concerning such described real estate. Said overlay does not change the underlying R-3 zoning on said real estate as authorized in the PUD plan. The Final PUD development plan as submitted by the owner(s), comprised of the Final Plat and Subdivision Agreement is hereby approved and shall be filed in the office of the City Clerk.

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS 5<sup>TH</sup> DAY OF JUNE 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR BELLA LA VISTA HOUSING PARTNERS, L.P., FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT GENERALLY LOCATED EAST OF 132<sup>ND</sup> STREET AND CHANDLER ROAD

WHEREAS, Bella La Vista Housing Partners, L.P., applied for a conditional use permit for the purpose of a multi-family residential development on Lot 2, Bella La Vista; and

WHEREAS, on April 19, 2012, the Planning Commission held a public hearing and recommended approval of the conditional use permit for this purpose; and

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting for Lot 2, Bella La Vista, subject to the satisfactory approval by the City's Design Review Architect, for Bella La Vista Housing Partners, 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.

PASSED AND APPROVED THIS 5<sup>TH</sup> DAY OF JUNE 2012.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE REPLAT FOR LOT 2, BELLA LA VISTA, TO BE REPLATTED AS LOT 1 AND OUTLOT "A", BELLA LA VISTA REPLAT 1, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a Replat for Lot 2, Bella La Vista, to be replatted as Lot 1 and Outlot "A", Bella La Vista Replat 1; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on April 19, 2012, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to resolution of items identified by the city engineer and staff.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 2, Bella La Vista, to be replatted as Lot 1 and Outlot "A", Bella La Vista Replat 1, a subdivision located in the Southwest  $\frac{1}{4}$  of Section 18, Township 14 North, Range 12 East 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 resolution of the following item identified by the City Engineer and staff:

1. Approval of a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets.

PASSED AND APPROVED THIS 5<sup>TH</sup> DAY OF JUNE 2012.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOT 1 AND OUTLOT "A", BELLA LA VISTA REPLAT 1 SUBDIVISION IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City Council did on June 5, 2012, approve the replat for Lot 1 and Outlot "A", Bella La Vista Replat 1 Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, Bella La Vista Housing Partners, L.P., has agreed to execute a Subdivision Agreement satisfactory in form to the City Attorney and City Administrator; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the June 5, 2012, City Council meeting for the Bella La Vista Replat 1 Subdivision 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.

PASSED AND APPROVED THIS 5<sup>TH</sup> DAY OF JUNE 2012.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA  
PLANNING DIVISION**

CASE NUMBER: 2012-PUD-01; 2012-CUP-02; 2012-SUP-02 FOR HEARING OF:  
June 5, 2012  
Report Prepared on: May 30, 2012

## I. GENERAL INFORMATION

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**A. APPLICANT:**

Bella La Vista Housing Partners, LP  
416 East Third Street  
Kansas City, MO 64106

**B. PROPERTY OWNER:**

Bella La Vista Housing Partners, LP  
416 East Third Street  
Kansas City, MO 64106

C. **LOCATION:** East of Chandler Road and 132<sup>nd</sup> Street

**D.     LEGAL DESCRIPTION:** Lot 2, Bella La Vista

**E. REQUESTED ACTION(S):** Rezoning from R-3 to R-3 PUD, Final PUD Plan, Conditional Use Permit (CUP), and Replat of Lot 2, Bella La Vista

**F. EXISTING ZONING AND LAND USE: R-3 – High Density Residential with the Gateway Corridor Overlay District, Vacant/Agricultural**

**G. PURPOSE OF REQUEST:** Approval of a rezoning to R-3 PUD, Final PUD Plan, Conditional Use Permit (CUP), Replat, Subdivision Agreement, and Waiver of Section 4.02 of the Subdivision Regulations, to allow for a multi-family residential development.

#### **H. SIZE OF SITE: 36.21 Acres**

## II. BACKGROUND INFORMATION

**A. EXISTING CONDITION OF SITE:** Existing Lot 2, Bella La Vista, is rolling terrain, sloping downward towards the south.

## B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** R-1 Single-Family Residential; Millard Highlands South
2. **East:** C-3 Highway Commercial/Office Park; Southport West
3. **South:** C-3 Highway Commercial/Office Park; Bella Vista Lot 1

4. **West:** I-1 Light Industrial; Centech Business Park

**C. RELEVANT CASE HISTORY:**

1. Rezoning of the property from TA – Transitional Agriculture to R-3 – High Density Residential was approved May 16, 2006.
2. At their March 6, 2012 meeting, the City Council approved of the preliminary PUD contingent on the removal of the proposed Phase 2 and removal of the connection of 130<sup>th</sup> Street to the development.

**D. APPLICABLE REGULATIONS:**

1. Section 5.08 of the Zoning Regulations – R-3 High Density Residential
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development (Overlay District)
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
4. Article 6 of the Zoning Regulations – CUP – Conditional Use Permit
5. Section 3.08 of the Subdivision Regulations – Replats
6. Section 3.05.28 of the Subdivision Regulations – Subdivision Agreement
7. Section 4.02 of the Subdivision Regulations – Design Standards for Streets
8. Section 8.01 of the Subdivision Regulations – Granting of Waivers

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates the area for high-density residential development.

**B. OTHER PLANS:** Not applicable.

**C. TRAFFIC AND ACCESS:**

1. The main access for the property will be the intersection of 132<sup>nd</sup> Street and Chandler Road.
2. The existing traffic study does not address the future traffic generation of the proposed Outlot A. The designation as an outlot will prevent building permits until the traffic impact of development on Outlot A, as well as other issues, are addressed when proposed development plans on this parcel are determined.

**D. UTILITIES:**

1. The property has access to water, sanitary sewer, gas, power and communication utilities along 132<sup>nd</sup> Street.

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

1. With approval of the Final PUD, the applicant will also need to have the Replat, Subdivision Agreement and Conditional Use Permit approved in order to commence development.
2. The proposed architectural design has been reviewed and approved. Only one item remains on the design review, the photometric plan and adjustments to lighting based on the plan. This will be completed prior to building permit approval.
3. The landscape plan complies with the Gateway Corridor District regulations, a requirement within the Conditional Use Permit. However, screening of the utility boxes that are mounted on the side of each building as well as any above grade utility boxes/meters will need to be approved through design review prior to building permit approval.
4. In order to develop in accordance with the Preliminary PUD Plan approved by City Council, a waiver of Section 4.02 of the Subdivision Regulations is needed which requires an extension of existing streets that abut the plat, with regard to the 130<sup>th</sup> Street dead end.
5. Due to the size of the parcel involved, staff has accepted the scale of the PUD site plan, though Section 5.15.10 of the Zoning Ordinance requires the plat to be drawn at least to 100 scale.
6. Chapter 154 of the Municipal Code requires a Post Construction Storm Water Management Plan (PCWSMP). A permit will be required through the Permix website that is utilized by all Papillion Creek Watershed Partnership communities. A PCWSMP and a draft Maintenance Agreement has been provided in the Subdivision Agreement. The PCWSMP will be reviewed in detail as part of the review process through the Permix web site, but the concept of using an extended detention basin to serve both lots is acceptable.

#### **V. PLANNING COMMISSION RECOMMENDATION - Rezoning from R-3 to R-3 PUD and Final PUD:**

Approval of Rezoning from R-3 to R-3 PUD and Final PUD Plan for Lot 2, Bella La Vista, subject to the satisfactory resolution of the following issues prior to City Council review:

1. Finalization of the landscape plan will need to be completed prior to the publication due date for the upcoming City Council meeting. (RESOLVED)

**STAFF RECOMMENDATION:**

Approval of Rezoning from R-3 to R-3 PUD and Final PUD Plan for Lot 2, Bella La Vista, subject to the satisfactory resolution of the following issues:

1. Screening of the utility boxes that are mounted on the side of each building as well as any above grade utility boxes/meters will need to be approved through design review prior to building permit approval

**VI. PLANNING COMMISSION RECOMMENDATION – Conditional Use Permit:**

Approval of a Conditional Use Permit for Lot 2, Bella La Vista, subject to the satisfactory resolution of the following issues prior to City Council review:

1. Finalization of the design review will need to be completed prior to the publication due date for the upcoming City Council meeting. **(RESOLVED)**

**STAFF RECOMMENDATION:**

Approval of a Conditional Use Permit for Lot 2, Bella La Vista, subject to the satisfactory resolution of the following issues:

1. Approval of photometric plan and related light fixture modifications will need to be completed prior to building permit approval.

**VII. PLANNING COMMISSION RECOMMENDATION - Replat:**

Approval of Replat for Lot 2, Bella La Vista, subject to the satisfactory resolution of the following issues prior to City Council review:

1. Satisfactory resolution of the issues regarding the Drainage Study discussed in Section IV(7) above as approved by the City Engineer. **(RESOLVED)**
2. Satisfactory final draft of the Subdivision Agreement including issues regarding the PCSMP in Section IV(6) above as approved by the City Attorney. **(RESOVED)**
3. Approval of a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets.

**STAFF RECOMMENDATION:**

Approval of Replat for Lot 2, Bella La Vista subject to the satisfactory resolution of the following issue:

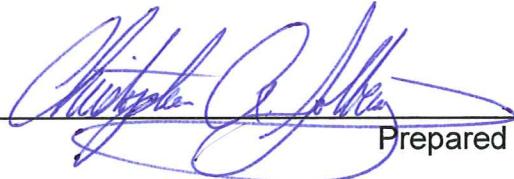
1. Approval of a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets.

**VI. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Waiver Request Letter
3. Subdivision Agreement
4. Conditional Use Permit

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

1. John Wygoski, Fauss-Wygo
2. Douglas S. Dreesen, P.E., Thompson, Dreesen, and Dorner
3. Patrick Sullivan, Adams & Sullivan, P.C.
4. Public Upon Request

 5/31/12  
Prepared by:

 5-31-12 Alan Bencz  
Community Development Director

Date



## Bella La Vista

### Final PUD, Rezoning to R-3 PUD, Conditional Use Permit, and Replat

April 12, 2012

CAS



March 27, 2012

Mr. Chris Solberg  
City of LaVista  
Planning Department  
8116 Park View Blvd.  
La Vista, NE 68128-2198



RE: Bella La Vista  
Waiver Requests  
TD2 File No. 1610-136.6

Mr. Solberg:

We are writing to request the following waivers:

Waiver of Article 4.02 of the Subdivision regulations requiring extension of existing streets that abut the plat for 130<sup>th</sup> Street. This is due to City Council request NOT to extend 130<sup>th</sup> Street into Bella La Vista.

Waiver of Article 5.15.10 of the Zoning Regulations requiring the plat to be drawn at least to 100 scale. This is due to the fact that the plat is legible at the scale presented.

Please contact the undersigned with any questions or if additional information is required.

Respectfully submitted,

THOMPSON, DREESSEN & DORNER, INC.

*Douglas S. Dreessen, P.E.*  
Douglas S. Dreessen, P.E.

DSD/bam

**DRAFT SUBDIVISION AGREEMENT**  
**Lots 1 and Outlot A, Bella La Vista Replat 1**  
**132<sup>nd</sup> and Chandler Streets**  
**R-3, High Density Residential PUD**  
**(Private Financing)**

THIS SUBDIVISION AGREEMENT is made this 5th day of June, 2012, by and between BELLA LA VISTA HOUSING PARTNERS L.P., a Nebraska limited partnership, (hereinafter referred to as "BLV Housing" or "Subdivider"), and the CITY OF LA VISTA, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City").

**WITNESSETH:**

WHEREAS, BLV Housing is the legal owner of Lot 2, Bella La Vista Subdivision, consisting of 39.34 acres, more or less ("Lot 2") which property is located outside of the corporate limits of the City but within the City's zoning and platting jurisdiction; and

WHEREAS, BLV Housing desires to develop a portion of Lot 2 in a unified, compatible manner as a multi-family housing development. BLV Housing shall be referred to herein as "Subdivider"; and

WHEREAS, Subdivider desires to subdivide Lot 2 into two lots, "Lot 1" and "Outlot A," as more particularly depicted on the plat titled "Bella La Vista Replat 1" (the "Plat") attached hereto as Exhibit "A-1" (herein the "Subdivision") and develop Lot 1 into multi-family housing, with BLV Housing to own, develop and operate Lot 1 as Phase 1 having 3 buildings, 60 units, 30 detached garages and a clubhouse, all as presented to the City Council with the Subdivider's request for said Plat and related PUD Plan and conditional use permit.

WHEREAS, Subdivider desires to reserve Outlot A for possible future development of multi-family housing. This Subdivision Agreement only encompasses improvements required for development of Lot 1. Any proposed development of Outlot A shall require further applications, fees, analyses, reviews and approvals to, of and by the City in accordance with all applicable laws, rules and regulations as existing at the time, including, but not limited to, additional drainage and traffic studies, replats, conditional use permits, and amendments to the PUD Plan and this Subdivision Agreement with respect to additional improvements, future development and their integration on, with and into Outlot A, Lot 1 and/or surrounding areas.

WHEREAS, Subdivider has agreed to meet all conditions of the development and other requirements of the City's platting, development and zoning regulations as set forth in the City's Zoning Ordinance, Subdivision Regulations, PUD Plan, Conditional Use Permit, Building Code and applicable terms of this Agreement; and

WHEREAS, in order to utilize the Subdivision in the way it wishes, Subdivider must grade, create, construct and maintain certain topographic and surface conditions and provide for surface water detention within the Subdivision in accordance with all applicable requirements; and

WHEREAS, Subdivider has requested the City to approve the Plat, and to approve a connection of said Subdivision to existing sanitary sewer and storm drainage systems; and

WHEREAS, Subdivider, being the owner of all lands within the boundaries of the Subdivision, proposes that the Subdivider, at its cost and as provided herein, will build in or for the benefit of the Subdivision (i) all public improvements in accordance with requirements applicable to public improvements, and (ii) private infrastructure improvements identified in Exhibit "K" in accordance with requirements applicable to public right of way improvements, which private infrastructure improvements automatically and without further action or consideration of or to any party shall be and become public right of way improvements dedicated for public use if and when connected to public right of way improvements pursuant to any approved replat of Outlot A, or any part thereof, upon recording of said replat with the Sarpy County Register of Deeds ("Contingent Public Improvements"); and

WHEREAS, Subdivider requests platting of the Subdivision under the following provisions of the City of La Vista Zoning Ordinance: Section 5.08 (pertaining to R-3 High Density Residential District), Section 5.15 (pertaining to PUD), and Section 5.17.06 (Gateway Corridor Overlay District), and has agreed to meet all conditions of development and other requirements of said zoning as determined by the City; and

WHEREAS, the parties wish to agree upon the manner and extent to which private infrastructure and public improvements shall be constructed at Subdivider's cost within the Subdivision or serving the Subdivision and other matters pertaining to the development of the Subdivision and health, safety and welfare of the City, their inhabitants and the public.

NOW, THEREFORE, IT IS AGREED as follows:

### 1. Definitions

Unless a contrary intent is clearly indicated herein, the following words and phrases shall have the following meanings, regardless of whether or not capitalized:

- A. "Agreement" or "this Agreement" or "Subdivision Agreement" shall mean this document entitled "Subdivision Agreement" and all Exhibits and Supplemental Agreements hereto (see Section 13 "Recitals/Exhibits/Supplemental Agreements Summary").
- B. "Conditional Use Permit" shall refer to that certain conditional use permit issued by the City on June 5, 2012, which is attached hereto as Exhibit "B".
- C. The "construction cost" of an improvement shall mean the amount paid to the contractor, utility or entity installing the improvement or performing the work, together with all other direct labor and material costs incorporated into the construction of the improvement, and net of refunds, reimbursements and offsets thereto.
- D. The "cost" or "entire cost" of a type of improvement shall be deemed to include all construction costs, engineering fees, attorneys' fees, testing expenses, publication costs, financing costs, and other costs of achieving completion, acceptance and financing of the project or work and miscellaneous costs.
- E. "Detention Basin" or "Storm Water Detention Basin" shall mean a permanent structure to serve as temporary water holding basin, whether above or below

ground, to be constructed at the locations shown on Exhibit "C" attached hereto, or such alternative or substitute locations and accompanying plans and specifications as the City may approve in advance in writing.

- F. "District" shall mean Sanitary and Improvement District No. 104 of Sarpy County, Nebraska.
- G. "Improvements" or "Infrastructure" shall mean, to the extent located within the Subdivision or required herein for development of the Subdivision, or pertaining to Subdivision entrances, any and all facilities constructed or otherwise implemented for the purpose of providing access or services of any type or description to or from the Subdivision or serving facilities or properties within or serving the Subdivision, including but not limited to, ingress and egress to and from the Subdivision, and construction of paving, enhancements or reconstruction of existing paving and traffic signalization in conjunction therewith, and construction of storm sewers, sanitary sewers, including outfall sewer, and access thereto, drainage and drainage retention, culverting, street lighting, and any other item of infrastructure, together with utility systems and easements for any improvements where required.
- H. "Land Utilization and Preparation Costs." "Land Utilization and Preparation Costs" shall include, but not be limited to, all costs pertaining to, or arising out of, determination of feasibility, acquisition, reclamation, preparation, enhancement and/or utilization of land, and all engineering, legal, financing and contracted or other services related thereto or to the following:
  - (1) Soil and water tests, topographic surveys, geotechnical investigation and environmental studies and drainage studies, water drainageways and surface water retention and/or detention basins or facilities, surveying, staking and testing;
  - (2) Platting (preliminary and final), and including replattings;
  - (3) Excavation, filling, compaction, stabilization and testing thereof;
  - (4) Grading;
  - (5) Erosion and silt control, including installation and removal thereof;
  - (6) Environmental studies and permits required by Corps of Engineers or other governmental agencies having jurisdiction in the matter and costs of compliance with the terms of such permits and requirements thereof;
  - (7) Buffer zones and areas to be landscaped or beautified, including trees and other plantings therein or therefor;
  - (8) Traffic and other required studies;
  - (9) Such other costs incurred to utilize and/or prepare land to a City approved final grade, elevation, drainage control and soil condition ready for installation or construction of the public improvements authorized by this Agreement or to improve, enhance or beautify land.
- I. "Plat" or "the Plat," unless a contrary intent is indicated, shall mean the plat approved by the City Council, a copy of which is attached as Exhibit "A-1".

J. "Contingent Public Improvements" shall mean the private infrastructure improvements identified in Exhibit "K", which private infrastructure improvements shall be designed, acquired and constructed in accordance with requirements applicable to public right of way improvements, and without further action or cost of or to any party automatically shall be and become public right of way improvements dedicated for public use if and when connected to public right of way improvements pursuant to any approved replat of Outlot A, or any part thereof, upon recording of said replat with the Sarpy County Register of Deeds. Subdivider agrees to take any further action the City determines necessary or appropriate to dedicate any such improvements as public right of way improvements for public use.

K. "PUD Plan" shall mean the Planned Unit Development Plan for the Subdivision, including, but not limited to, the Planned Unit Development Site Plan and Planned Unit Development Landscape Plan attached as Exhibits "A" and "I".

L. "Subdivider's Engineer" shall mean Thompson, Dreessen & Dorner, Inc., Subdivider's engineer, which shall be the principal contact entity with the City in engineering matters.

M "Subdivision" shall mean the 39.34 acres of land described in Exhibit "A-1" hereto.

N "Subdivider" shall mean BLV Housing.

2. Construction/Installation of Improvements Authorized.

Subdivider and City agree (i) that the Subdivider, at its sole cost and in order to serve and enhance the value and utilization of Subdivider's lots, may (and shall, as a condition of approval and delivery of the Plat by the City and development of Lot 1) construct or install, or cause to be constructed or installed, the following types of improvements upon the property located within or immediately adjacent to the boundaries of the Subdivision and necessary water, sanitary sewer, and surface water drainage to or from existing or planned facilities as follows, and (ii) that no funds, assets, other resources or credit of the District shall be expended, loaned, applied or otherwise used by or for the benefit of the Subdivision or any such improvements, or any fee, cost or expense described or related to any matter described in this Agreement, except as otherwise may be expressly authorized in this Agreement, and Subdivider agrees not to seek or allow any involvement of the District in or with respect to the Subdivision or improvements in or for the benefit of the Subdivision without the prior written approval of the City:

A. Property Entrances/Exits Between Paving Line and Property Line, and Paving. Entrances/exits serving private property and paving shown in Exhibit "D" shall be installed at Subdivider expense.

B. Signalization and 132<sup>nd</sup> Street Improvements. Subdivider agrees that 132<sup>nd</sup> Street widening, signalization and related improvements determined by the City Engineer to be necessary for proposed development of Outlot "A" or any

part thereof shall be acquired, constructed and installed by the Subdivider when warranted as determined by the City Engineer, at the sole cost of Subdivider or through an interlocal agreement with other benefited parties. Such interlocal agreement shall be subject to the prior approval of the City.

C. Storm Water Detention.

1) A drainage study for the Subdivision based on development of Lot 1 has been completed and is attached hereto as Exhibit "J(1)" ("Drainage Study"), the results of which include projections regarding storm water drainage from the Subdivision after it is developed, including construction of storm water detention facilities within the Subdivision ("Projected Post-Development Drainage"). Subdivider certifies that the Drainage Study is current, accurate and complete and that actual drainage from the Subdivision during and after development of the Subdivision will not exceed Projected Post-Development Drainage; provided, however, that Subdivider shall not be responsible for increased drainage from the Subdivision caused by improvements upstream of the Subdivision that are initiated and completed after the Drainage Study was completed, are beyond the control of Subdivider and materially increase the amount of storm water drainage flowing into the Subdivision. Subdivider, at its cost, agrees to construct no later than the date(s) specified in subsection 11(A)(1) the storm water detention basins and associated storm sewer piping and related improvements in accordance with the Storm Water Detention Plan attached hereto as Exhibit "C". Subdivider, subject to a written agreement of the District and Subdivider in form and content satisfactory to the City Engineer, shall have the right to connect to the District's existing storm water system. Storm water detention facilities and improvements are a Land Utilization and Preparation Cost within the meaning of Section 1 hereof and shall be constructed at Subdivider's expense. If actual drainage from the Subdivision during or after development exceeds Projected Post-Development Drainage, Subdivider, at its cost, shall take such additional actions within the Subdivision as are necessary or appropriate to reduce actual drainage from the Subdivision to the Projected Post-Development Drainage levels, to the satisfaction of the City Engineer. Provided, however, that Subdivider shall not be responsible for increased drainage from the Subdivision caused by improvements upstream of the Subdivision that are initiated and completed after the Drainage Study was completed, are beyond the control of Subdivider and materially increase the amount of storm water drainage flowing into the Subdivision. Prior to issuance of any building permit, Subdivider shall adopt a Post Construction Storm Water Management Plan governing perpetual operation, maintenance and repair of storm water detention basins and facilities in the Subdivision specified in Exhibit "C," which Post Construction Storm Water Management Plan shall be in form and content attached hereto in Exhibit "J(2)," subject to such modifications as required by the City Administrator in consultation with the City Engineer. Subdivider at its cost shall maintain and repair all storm water detention facilities and appurtenances within the Subdivision.

2) As a condition of this Agreement becoming effective, the following shall be provided to the City at or before the time the Subdivider executes this Agreement: The Subdivider will present to the City Administrator for the benefit of the City binding contracts in full force and effect between the

Subdivider and contractors requiring the timely and orderly work and improvements required of Subdivider by this subsection 2C, satisfactory to the City Administrator. Any modification of any such contract shall be subject to prior approval of the City Administrator. Provided, however, that Subdivider, in lieu of providing to City such binding contracts, and in addition to any other requirement of this Agreement, shall have the option to provide an irrevocable letter of credit to the City in the amount of \$ \_\_\_\_\_.00 and in form and content satisfactory to the City Administrator, which amount represents one hundred ten percent (110%) of the estimated cost for said work and improvements required herein to be completed by the Subdivider, including but not limited to, all financing and soft costs. In the event Subdivider provides the foregoing letter of credit, the City shall promptly release such letter of credit to the Subdivider at such time as the Subdivider's Engineer provides as-constructed records, certificates of completion of said work and improvements and other required documentation, to the satisfaction of the City Engineer.

3) All work and improvements required of Subdivider in this Subsection 2C, and related designs, contracts, plans and documents, shall be subject to prior review and approval of the City Engineer.

D. Storm Sewer. The Subdivider shall cause the public storm sewer system (shown on Exhibit "H"), including storm sewers, inlets, manholes, junction boxes, flared end sections and other related appurtenances to be constructed within street right-of-way of the Subdivision, or functioning as a transporter of storm water within public storm sewer easements to points within or outside the Subdivision, as shown on Exhibit "H", attached hereto.

E. Sanitary Sewer. The Subdivider, subject to written agreement of the District and Subdivider in form and content satisfactory to the City Engineer, shall have the right to connect to the existing sanitary sewer system, and all connection fees, if any, shall be paid by Subdivider at the time the building permit is issued at the rates in effect at the time. The Subdivider at its cost shall install all sanitary sewers in accordance with the Sanitary Sewer Plan and Profile attached hereto as Exhibit "G" without the use of District's credit.

F. Contingent Public Improvements. Subdivider, at its sole cost, shall construct or cause the construction of the Contingent Public Improvements specified on Exhibit "K", which improvements automatically and at no cost to the City or District shall become dedicated public right of way improvements upon recording with the Sarpy County Register of Deeds an instrument replatting some of all of Outlot A, subject to approval of the City Engineer; and Subdivider, at its sole cost and at no cost to the City or any other person, agrees to take any further action as the City Engineer determines necessary or appropriate to dedicate said improvements as public right of way improvements for use by the public.

The exact design, location and dimensions of and detailed plans and specifications for each of the aforescribed improvements, as well as any improvements in street right-of-way or public easement or identified in Exhibit "K" as Contingent Public Improvements, are subject to prior approval by the City in advance of award of contract for construction or acquisition.

3. Allocation of Cost of Improvements

Subdivider and City agree that the cost of all improvements constructed by the Subdivider within or serving the Subdivision as authorized by Section 2, supra, or elsewhere in this Agreement shall be defrayed as follows:

- A. Paving. The cost of property entrances/exits serving private property and paving and related expenses shall be defrayed as follows: One hundred percent (100%) of the cost of property entrances/exits serving private property and paving as shown on Exhibit "D" and related improvements shall be paid as a Subdivider cost.
- B. Signalization and 132<sup>nd</sup> Street Improvements. Subdivider agrees that all costs of 132<sup>nd</sup> Street widening and signalization and related improvements by the Subdivider for proposed development of Outlot "A" or any part thereof shall be paid by Subdivider or through an interlocal agreement with other benefited parties, and shall be subject to City being provided letters of credit at such time and in such amount, form and content as satisfactory to the City Administrator. Any interlocal agreement shall have the prior approval of the City.
- C. La Vista Special Sewer/Drainage Fee. The City of La Vista imposes a special sewer/drainage fee. The total estimated fee for Lot 1 of the Subdivision at current rates is \$51,480, computed as follows:

Lot 1— 60units @ \$858 per unit:	\$ 51,480
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Payment by Subdivider shall be made at the time the building permit is issued and at the rates in effect at the time.

- D. Land Utilization and Preparation Costs. Land utilization and preparation costs as defined in Section 1 hereof shall be paid solely by Subdivider and no funds or credit of the District may be used in conjunction therewith.
- E. Storm Sewer. One hundred percent (100%) of the cost of all storm sewers constructed within or serving the Subdivision, including manholes, inlets and other appurtenances, as shown on Exhibit "H" shall be paid solely by Subdivider.
- F. Sanitary Sewer. One hundred percent (100%) of the cost of all sanitary sewers constructed within or serving the Subdivision, including manholes and other appurtenances, as shown on Exhibit "G" shall be paid solely by Subdivider.
- G. Contingent Public Improvements. Subdivider, at its sole cost, shall construct or cause the construction of the Contingent Public Improvements specified in Exhibit "K", and at the proper time shall take any further action as is necessary or appropriate to dedicate\_said improvements as public right of way improvements for public use.
- H. Water and Electrical. All costs of causing the installation of water and electrical

distribution systems and the operation, maintenance and upkeep thereof within the Subdivision, including any contract charges, shall be paid by Subdivider.

- I. Other Improvements. All costs of all other work or improvements, including, but not limited to, grading, landscaping, wetlands mitigation, and extension, distribution or location of gas or other utilities, telephone or other communications or services to, on, in, over, under, within or with respect to the Subdivision, and the installation, construction, acquisition, operating or maintenance costs thereof, as applicable, shall be paid by Subdivider.
- J. Source of Funds. Attached hereto as Exhibit "F" is breakdown of the source and use of funds for the improvements described herein.

#### 4. General Covenants of Subdivider

Subdivider, with respect to work and improvements described in this Agreement, including, but not limited to, Contingent Public Improvements, covenants, warrants, and agrees that:

- A. Compliance with City Construction Requirements. Subdivider will abide by and incorporate into all contracts for public improvements, including Contingent Public Improvements, the provisions required by the regulations and standards of the City pertaining to construction of public improvements in Subdivisions or within street right-of-way, and testing procedures therefore. All plans, specifications and contracts for such proposed improvements and proposed maintenance agreements for said improvements shall be submitted to the City for review and approval prior to commencement of the work.
- B. Preconstruction Requirements. Prior to recording of the Plat, Subdivider will (i) present to the City Administrator for the benefit of the City binding letters of credit in an amount of 110% of the total estimated costs of improvements required by this Agreement, including, but not limited to, Contingent Public Improvements, in form and content satisfactory to the City Administrator, or (ii) complete said improvements and provide as-constructed records, certificates of completion and other required documentation, to the satisfaction of the City Engineer.
- C. Administration. As regards to this Agreement and its implementation:
  - (1) No separate administrative entity nor joint venture, among the parties, is deemed created by virtue of this Subdivision Agreement.
  - (2) The administration of this Agreement shall be through the offices of the undersigned officers for their respective entities.
- D. Remedies. In addition to whatever rights of enforcement of the terms hereof are herein granted to any party, each party may avail itself of all other remedies it may have to enforce the terms hereof at law or equity. By way of specification and not by way of limitation, each of the parties expressly reserves the right to specifically enforce full compliance of the terms and conditions of this Agreement by mandatory or prohibitory injunction.

E. Covenants, Etc. All covenants and agreements of Subdivider set forth in this Agreement shall constitute covenants running with the land and shall be binding on Subdivider and all successors and assigns of Subdivider. The City shall have the right, but not the obligation, to enforce any and all such covenants.

F. Non-Discrimination. In the performance of this contract, neither the Subdivider nor the City, shall discriminate against any parties or persons on account of race, national origin, sex, age, disability, political or religious affiliations in violation of federal and state laws or local ordinances. This requirement shall apply to, and be included in, all contracts and subcontracts of the Subdivider for work or improvements described in this Agreement.

G. In the event the Subdivider records the Plat and, before commencing any improvements within or for the benefit of the Subdivision, Subdivider decides not to develop the Subdivision, the City and Subdivider shall take all actions necessary to vacate the Plat, and the PUD Plan, Subdivision Agreement and Conditional Use Permit shall be null and void, and any letters of credit provided by Subdivider pursuant to this Agreement shall be promptly released by the City and returned to Subdivider upon vacation of the Plat.

H. The Subdivider agrees to cooperate and use all reasonable good faith efforts to complete any and all improvements and/or work required of it hereunder in a timely and orderly manner so as not to delay recording of the Plat, receipt of building permits, development of the Subdivision, or obtaining of certificates of occupancy.

## 5 Construction Standards and Procedures

Subdivider further agrees that, as to all improvements, including Contingent Public Improvements, constructed by or on behalf of Subdivider or under their control or direction, that:

A. City Approvals. All improvements will be constructed in strict accordance with contracts, plans and specifications and locations approved in advance in writing by City's Engineer and in strict accordance with the City's policies and minimum standards and requirements of construction and testing procedures therefore, and directions of City Engineer, and that upon completion of construction thereof, Subdivider shall furnish to City a certificate from its consulting engineer so certifying.

B. Testing. Subdivider shall cause appropriate testing of materials and work finished in respect to the construction of improvements and shall furnish City's engineers with copies of test results. City's engineers may order additional paving core tests, sewer televising or other tests, the cost of which shall be paid by Subdivider to the party performing the testing procedures, which additional testing costs shall also be a cost of the improvement. Neither the Subdivider nor any other party shall be entitled to rely upon any inspections made by the City for any purpose whatsoever. The sole responsibility for proper inspection and certification as to completion remains with the Subdivider and its engineers.

C. Construction Record Drawings. Subdivider shall cause "Construction Record

Drawings", in reproducible form, and specifications for all such improvements that Subdivider shall have heretofore or hereafter constructed within the area to be developed to be furnished to City, in triplicate, promptly and without cost to the City. All such plans shall be submitted on reproducible mylar, except where the City agrees otherwise. The engineering costs attributable to the production of said "Construction Record Drawings" shall be an engineering fee within the meaning of Subsection 1-D, supra. Subdivider shall, prior to the Subdivider's advertising for bids for any improvement within the area to be developed, require Subdivider's Engineers to file with the City said Engineers' separate written assurance and agreement that said "Construction Record Drawings" will be prepared and filed with the City upon the completion of each improvement.

- D. Compliance With Law. All such improvements shall comply with all applicable federal and state laws and regulations in general and with all applicable ordinances and regulations of the City in reference to construction, use, operation and maintenance.
- E. Compliance with City Engineer Determinations. In the event that City's Engineers determine that there is anything in the construction, use, maintenance or operation of any such improvements which will, in the opinion of City's Engineers, be detrimental to any other improvement or utility constructed or to be constructed in the same street right-of-way or easement, Subdivider will, on notice thereof, promptly cause its engineers to jointly review and evaluate the problem with City's engineer and formulate a plan for corrective action acceptable to the City Engineer and Subdivider which shall be implemented by Subdivider at Subdivider's cost.
- F. Bonds. Subdivider shall require each contractor performing work on behalf of the Subdivider to furnish a performance and maintenance bond, and to warrant the work against any defects for a minimum of two years after completion, with Subdivider and City as joint and several obligees thereon, which bond and warranty shall be subject to the City approval as to surety, form and terms.
- G. Easements. Any easements required from Subdivider for public improvements hereunder by the City or its designee shall be provided at no cost to the City or its designee.
- H. Subdivider Improvements. Subdivider shall satisfy all requirements of this Section 5 with respect to any improvements required of Subdivider under this Subdivision Agreement; provided, however, to the extent permitted by applicable law, Subdivider shall not be required to provide performance and maintenance bonds pursuant to Subsection F above, though release of any letter of credit provided hereunder by Subdivider for public improvements shall be subject to completion of the improvements and submission of required documentation and project closeout satisfactory to the City Engineer, including documentation of full material and labor payment, lien waivers and warranties.

6. Sidewalks. Subdivider, at its sole cost and at no cost to the City, shall install or cause to be installed sidewalks along the east side of 132nd Street adjacent to Lot 1 within 3 years from the date of recording the Plat of the Subdivision. Such sidewalks shall be constructed at Subdivider's expense and the credit, and funds or other resources of the District shall not be used in conjunction therewith. All sidewalks, whenever installed, shall be constructed in accordance with the City sidewalk regulations and policies as they may from time to time exist, and shall be maintained at Subdivider's expense.

7. Maintenance of Improvements. Subdivider shall continuously and permanently maintain and keep in good repair, and reconstruct or replace if required of Subdivider herein or by applicable agreements, laws, rules or regulations, all improvements Subdivider constructs or makes or causes to be constructed or made with respect to development of the Subdivision, including, but not limited to, Contingent Public Improvements and landscaping. Not in limitation of any of the foregoing, all landscaping within the Subdivision shall be warranted by the landscape contractor for at least two growing seasons, and any replacement, repair or reconstruction shall be of equal or better maturity, type, quality and quantity, regardless whether or not the replacement, repair or reconstruction occurs within or after an applicable warranty period.

8. Sewer Connections. Before any connection from any premises to the sanitary sewer system of the District may be made, a permit shall be obtained for said premises and its connection from the proper department of the City, which permit shall be obtainable on the same terms, conditions, and requirements of the City applicable from time to time to permit property outside the City to connect to the sewer system of the City; it being expressly understood that the City reserves the right to collect all connection charges and fees as required by City ordinances or rules now or hereafter in force; all such connections shall comply with minimum standards prescribed by the City.

9. City Right of Disconnection. Notwithstanding any other provisions of this Agreement, City retains the right to disconnect the sanitary sewer of any industry, or other sewer user within the area to be developed, which is connected or discharging into the sanitary sewer system in violation of any applicable ordinances, statute, rule, or regulation.

10. Compliance With City Regulations, Etc. The Subdivider expressly agrees that it is and shall be:

- (1) Bound by and to any provisions of any ordinances, rules and regulations as existing or hereafter made and adopted by the City of La Vista applicable to sanitary and improvement districts whose sewers connect directly or indirectly with or into sewers or sewage systems of the City of La Vista; and
- (2) Bound by any terms and provisions which by ordinance, resolution, or rule exists or which the City of La Vista shall hereafter adopt or provide as being applicable to or required in contracts with sanitary and improvement districts or in order to permit or continue the discharge of any sewage from a sanitary and improvement district to flow into or through any part of the sewer or sewage system of the City of La Vista or sewer within its zoning or health jurisdiction.

11. Additional Special Covenants and Agreements. Subdivider further covenants and agrees as follows:

A. Storm Water Detention. In regards to storm water detention facilities:

- (1) Subdivider's construction of storm water detention basins and facilities

within the Subdivision shall be in accordance with Exhibit "C" attached hereto. Construction of storm water detention basins and facilities within Lot 1 shall be completed before a certificate of occupancy is issued for any building within Lot 1.

- (2) Any change of a location of a detention basin from that shown on Exhibit "C" shall require approval of the City Administrator, as will any relocation of the basin from its City approved location.
- (3) The detention basins shall be on private property. Subdivider at its cost shall be responsible for construction and continuous and permanent maintenance and repair of all detention basins and facilities located within the Subdivision.
- (4) Subdivider shall execute and deliver to City in form satisfactory to City an access easement to all detention basins authorizing the City, in its sole and absolute discretion to inspect such facilities and to require the Subdivider to clean, maintain and repair such facilities as may be needed. City's exercise of such rights or privileges shall be at City's absolute and sole discretion without liability to the City.
- (5) Any relocation of detention facilities will require release of an old easement and grant of a substitute easement in form satisfactory to City.

B. Annexation. Subdivider hereby agrees not to directly or indirectly fund or pursue, or encourage any other person to fund or pursue, any lawsuit or other action contesting annexation of the Subdivision, or any part thereof, by the City. Subdivider agrees that the City shall not be obligated to annex the Subdivision.

C. All publicly used roadways and driveways and other public improvements within the Plat, including Contingent Public Improvements, shall be constructed to City approved specifications. The City shall have access to, over and otherwise with respect to all such roadways, driveways and other improvements for any purpose it deems appropriate in the exercise of its general governmental powers, including, but not limited to, inspection, police, fire and rescue, and other public safety purposes, and for the exercise of all rights granted or reserved to City by this Subdivision Agreement.

D. Subdivider on a permanent and continuous basis shall provide for proper and continuous maintenance and upkeep within the Subdivision in accordance with ordinances, codes, rules and regulations from time to time adopted or amended by the City and setting forth requirements applicable to maintenance and upkeep of residential real property and related improvements, including, but not limited to, requirements applicable to multifamily housing, residential rental properties and landscaping. When replacement of landscaping is required, the replacement shall be of the same or better quality, maturity, type and quantity as the plants or materials originally required.

E. Before Subdivider directly or indirectly sells or otherwise transfers any interest in the property within the Subdivision, or any entity owning said property, such that after the sale or transfer Subdivider will not have exclusive ownership or control of all property within the Subdivision, Subdivider, before proceeding with such sale or

transfer, shall record a declaration of covenants, or other document having similar purpose and effect, running with all property within the Subdivision and in form and content satisfactory to the City, which document provides for ongoing coordinated, common maintenance, upkeep and repair of the property and structures and other improvements of the Subdivision, including, but not limited to common areas. This Subsection E shall not apply to the transfer of an interest pursuant to residential leases of individual units to tenants or initial transfer of a security interest in the property in conjunction with financing improvements of the Subdivision, though it would apply to any subsequent transfer incident to foreclosure of the security interest or otherwise.

- F. If Subdivider fails to timely and fully perform any responsibility set forth in Subsection D or E of this Section within thirty days after written notice from the City of such failure, the City, at its option, may itself take such curative or remedial action as it determines appropriate, or cause such action to be taken, and assess any cost thereof against the Subdivider or against the property of the Subdivision as a lien.
- G. Subdivider shall be responsible for ensuring compliance with requirements regarding erosion control when developing the Subdivision.
- H. Any City approval required under this Subdivision Agreement must be in writing to be effective.
- I. If any provision of this Agreement is determined unenforceable, the unenforceable provision shall be deemed stricken and the remainder of the Agreement shall be enforced.
- J. This Agreement shall be governed and construed in accordance with Nebraska law and the parties submit to the jurisdiction and venue of the District Court of Sarpy County to resolve any dispute hereunder, and agree not to challenge said jurisdiction or venue.
- K. Watershed Management Fees: The Subdivider shall pay City Watershed Management Fees with respect to development of Lot 1 of the Subdivision. This fee shall be computed as follows, based on the City's adopted fee rate that is in effect at the time the payment is made. At the rate in effect on the date of execution of this Agreement, the fee would be:

Lot 1, High-Density Multi-Family Residential Development	\$18,117.00
5.49± AC @ \$3,300/AC	

The aforesated fees are stated at the rates currently in effect and are subject to increase. The rates in effect at the time of issuance of the building permit, if greater than the aforesated rates, will be the rates to be paid. Payment must be made to City's Permits & Inspections Division before a building permit will be issued to construct improvements on Lot 1 and before the commencement of construction of any such improvements.

12. Agreements Herein Constitute Covenants Running with Land. This Subdivision Agreement and the agreements and understandings contained or incorporated herein constitute covenants running with the land and shall be binding upon the Subdivider and its successors, heirs, assigns, lenders, mortgagees and others gaining or claiming an interest or lien against any property within the Subdivision tract. This Agreement shall be subject to approval of the City Council and cannot be

changed without City Council approval and a written amendment executed by a proper City official.

13. Recitals/Exhibits/Supplemental Agreements Summary. The recitals set forth on pages 1 and 2 above are incorporated herein by reference and made a part of this Agreement. Except as otherwise noted, the following attached Exhibits were prepared by Thompson, Dreessen & Dorner, Inc. engineers for Subdivider. The Exhibits (Exhibits "A" thru "K") are attached hereto and made a part of this Subdivision Agreement and are incorporated herein by this reference as follows:

Exhibit "A":	Planned Unit Development Site Plan
Exhibit "A-1":	Plat
Exhibit "B":	Conditional Use Permit
Exhibit "C":	Storm Water Detention Plan
Exhibit "D":	Paving Plan
Exhibit "E":	Intentionally Omitted
Exhibit "F":	Sources and Uses
Exhibit "G":	Sanitary Sewer Plan and Profile
Exhibit "H":	Storm Sewer Plan and Profile
Exhibit "I":	Planned Unit Development Landscape Plan
Exhibit "J":	Schedule of Supplemental Agreements or Documents: (1) Drainage Study (2) Post Construction Storm Water Management Plan
Exhibit "K":	Contingent Public Improvements

IN WITNESS WHEREOF, we, the parties hereto, by our respective duly authorized agents, hereto affix our signatures the day and year first above written.

Owner:

Bella La Vista Housing Partners, L.P., a Nebraska limited partnership

By: Bella La Vista Housing Corporation, general partner

Garrison Hassenflu,  
President  
Date:

## ACKNOWLEDGMENT OF NOTARY

On this \_\_\_\_\_ day of June, 2012, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Garrison Hassenflu personally known by me to be the President of Bella La Vista Housing Corporation, general partner of Bell La Vista Housing Partners L.P., a Nebraska Limited Partnership, and the identical person whose name is affixed to the foregoing Subdivision Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said general partner and limited partnership.

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

---

Notary Public

ATTEST:

## CITY OF LA VISTA.

Pamela Buethe, City Clerk

Douglas Kindig, Mayor

## ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of June, 2012, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Douglas Kindig, personally known by me to be the Mayor of the City of La Vista and Pamela Buethe, to me personally known to be the City Clerk of the City of La Vista, the identical persons whose names are affixed to the foregoing Subdivision Agreement, and they acknowledged the execution thereof to be their voluntary act and deed.

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

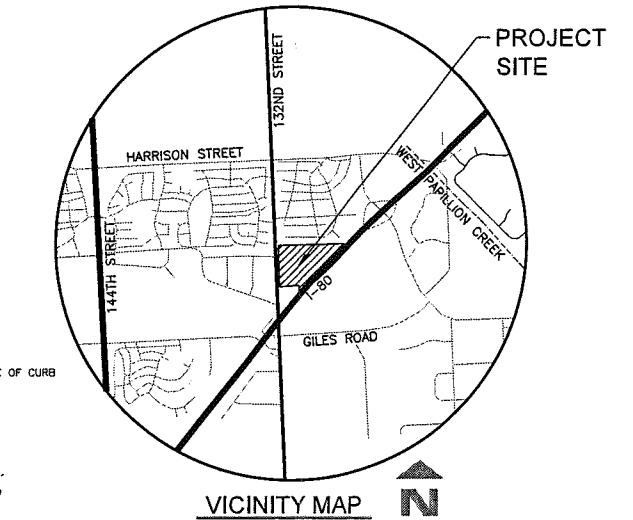
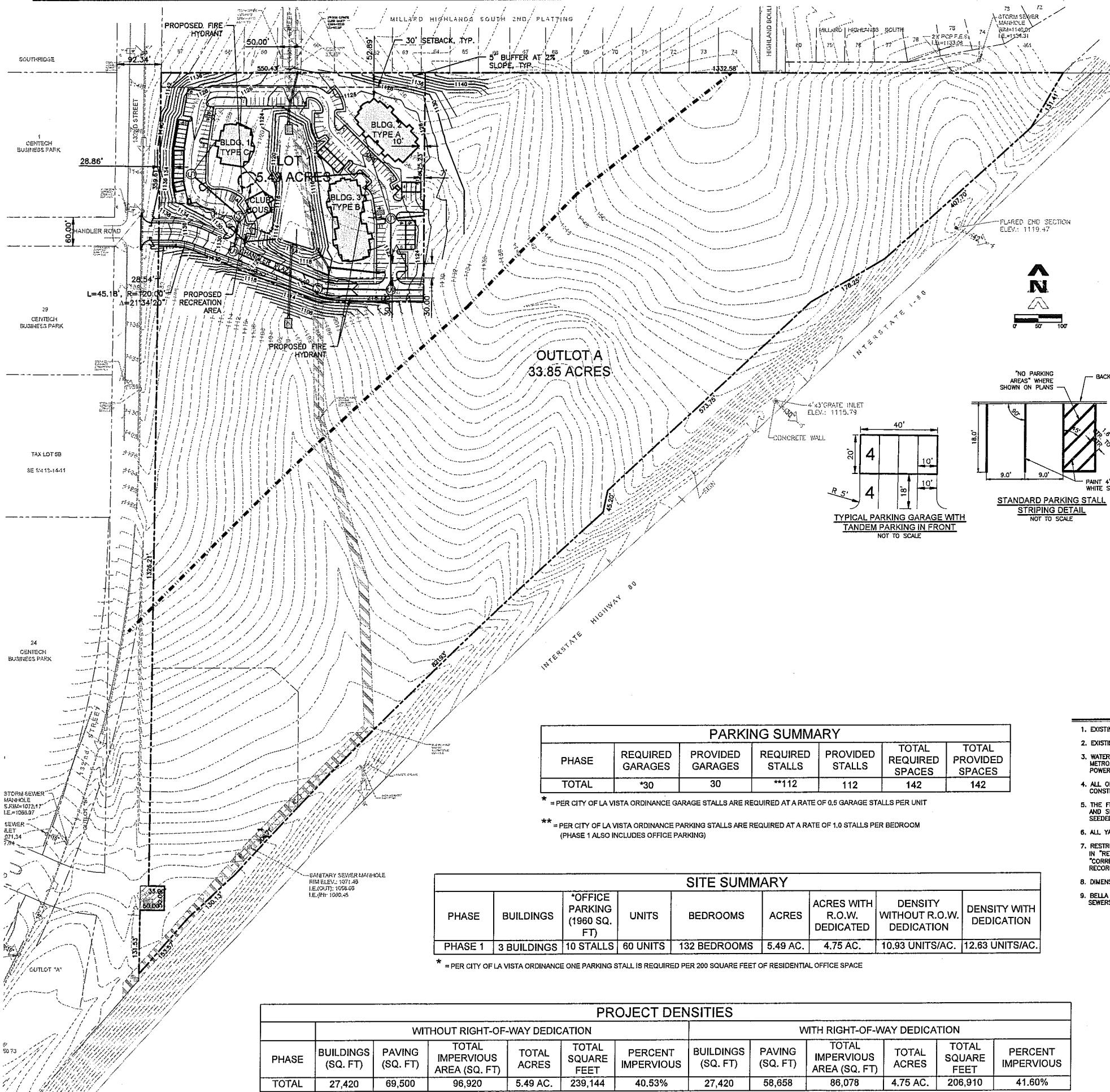
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## Notary Public

# BELLA LA VISTA REPLAT 1

## LOT 1 AND OUTLOT A

BEING A REPLATTING OF LOT 2, BELLA LA VISTA,  
A SUBDIVISION IN SARPY COUNTY, NEBRASKA



### SUBDIVIDER

BELLA LA VISTA HOUSING PARTNERS, LP  
416 EAST 3rd STREET  
KANSAS CITY, MISSOURI 64106

### ENGINEER

THOMPSON, DREESSEN & DORNER, INC.  
10836 OLD MILL ROAD  
OMAHA NEBRASKA 68154

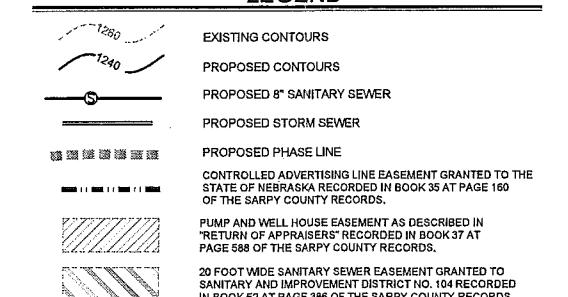
### LEGAL DESCRIPTION

LOT 2, BELLA LA VISTA, A SUBDIVISION IN  
SARPY COUNTY, NEBRASKA.

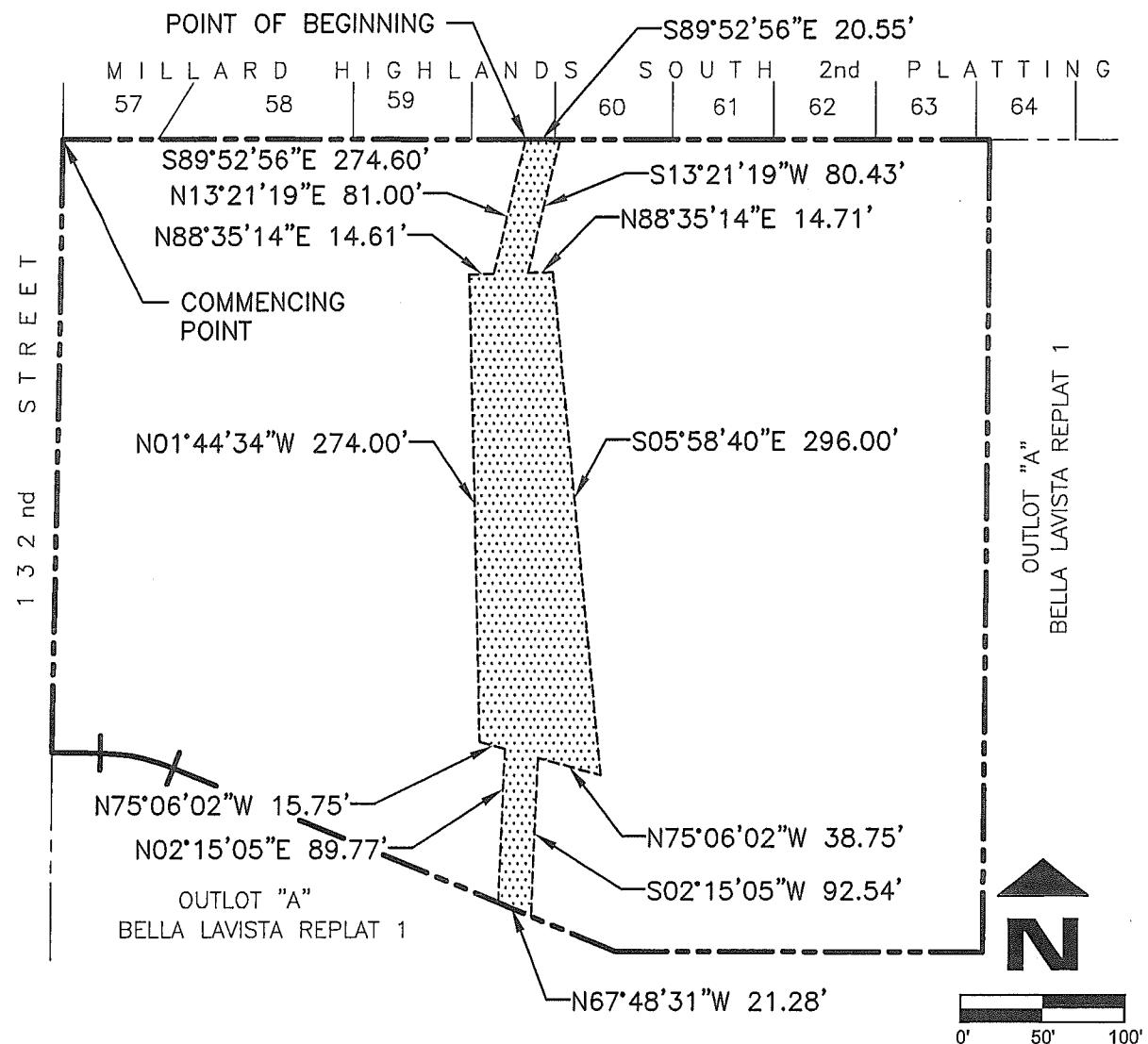
### NOTES

- EXISTING AND PROPOSED CONTOURS ARE SHOWN AT 2 FOOT INTERVALS AND ARE BASED ON USGS DATUM.
- EXISTING ZONING IS R-3. PROPOSED ZONING IS R-3 PUD.
- WATER WILL BE PROVIDED BY METROPOLITAN UTILITIES DISTRICT. GAS WILL BE PROVIDED BY METROPOLITAN UTILITIES DISTRICT OR BLACK HILLS ENERGY. POWER WILL PROVIDED BY OMAHA PUBLIC POWER DISTRICT.
- ALL ON-SITE IMPROVEMENTS SHALL BE CONSTRUCTED IN PHASES TO COINCIDE WITH BUILDING CONSTRUCTION.
- THE FINAL GRADING PLAN WILL BE PREPARED IN ACCORDANCE WITH THE CITY OF LA VISTA SOIL EROSION AND SEDIMENT CONTROL MANUAL. ALL PHASE AREAS NOT UNDER CONSTRUCTION SHALL BE PERMANENTLY SEEDED AND MAINTAINED UNTIL SUCH TIME CONSTRUCTION OF THE PHASE BEGINS.
- ALL YARD SETBACKS SHALL ADHERE TO R-3 ZONING DISTRICT REGULATIONS.
- RESTRICTION AGAINST DIRECT ACCESS TO AND FROM SUBJECT PROPERTY ONTO INTERSTATE 80 DESCRIBED IN "RETURN OF APPRAISERS" RECORDED IN MISC. BOOK 22 AT PAGE 197 AND CORRECTED BY "CORRECTION AGREEMENT" RECORDED IN MISC. BOOK 53 AT PAGE 749 BOTH OF THE SARPY COUNTY RECORDS.
- DIMENSIONS SHOWN IN PARENTHESIS PERTAIN TO EASEMENTS.
- BELLA LA VISTA HOUSE PARTNERS, LP WILL PROVIDE MAINTENANCE OF COMMON AREA FACILITIES SUCH AS SEWERS AND PRIVATE ROADWAY.

### LEGEND



Revision Dates		
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#### LEGAL DESCRIPTION

THAT PART OF LOT 1, BELLA LA VISTA REPLAT 1, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS, COMMENCING AT THE NW CORNER OF SAID LOT 1; THENCE S89°52'56"E (ASSUMED BEARING) 274.60 FEET ON THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE CONTINUING S89°52'56"E 20.55 FEET ON THE NORTH LINE OF SAID LOT 1; THENCE S13°21'19"W 80.43 FEET; THENCE N88°35'14"E 14.71 FEET; THENCE S05°58'40"E 296.00 FEET; THENCE N75°06'02"W 38.75 FEET; THENCE S02°15'05"W 92.54 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE N67°48'31"W 21.28 FEET ON THE SOUTH LINE OF SAID LOT 1; THENCE N02°15'05"E 89.77 FEET; THENCE N75°06'02"W 15.75 FEET; THENCE N01°44'34"W 274.00 FEET; THENCE N88°35'14"E 14.61 FEET; THENCE N13°21'19"E 81.00 FEET TO THE POINT OF BEGINNING.

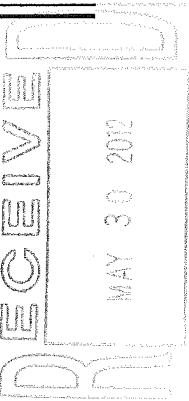




EXHIBIT B  
CITY OF LAVISTA  
CONDITIONAL USE PERMIT

EXHIBIT B

**CONDITIONAL USE PERMIT FOR BELLA LA VISTA APARTMENTS – PHASE 1**

(Phase 1 - Lot 1, Bella La Vista Replat 1)

This Conditional Use Permit issued this 5<sup>th</sup> day of June, 2012 by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Bella La Vista Housing Partners, L.P., a Nebraska limited partnership authorized to do business in Nebraska ("Bella La Vista Housing" or "Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Bella La Vista Housing is the legal owner of Lot 2, Bella La Vista Subdivision, consisting of 39.34 acres, more or less ("Lot 2"), which property is located outside of the corporate limits of the City but within the City's zoning and platting jurisdiction. Bella La Vista Housing desires to develop a portion of Lot 2 in a unified, compatible manner as a multi-family housing development.

WHEREAS, Bella La Vista Housing, subject to recording with the Sarpy County Register of Deeds an approved replat of Lot 2 into two lots, Lot 1 and Outlot A, Bella La Vista Replat 1, Sarpy County, Nebraska, shall construct and operate a multiple family dwelling complex to be known as Bella La Vista Apartments upon the following described tract of land within the City of La Vista's zoning jurisdiction:

Lot 1, Bella La Vista Replat 1, Sarpy County, Nebraska (the "Property"),

being approximately 5.49 acres, and which complex will be comprised of 3 buildings, 60 units, 30 detached garages and a clubhouse, as presented to the City Council with Bella La Vista Housing's request for replatting, planned unit development and conditional use permit. Outlot A, Bella La Vista Replat 1, shall be reserved for possible future development of additional multi-family housing.

WHEREAS, Owner has applied for a conditional use permit for the purpose of constructing and operating a multiple family dwelling complex on the Property as described above; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the Owner for such purpose, subject to certain conditions and agreements as hereinafter provided (the "Permit").

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this Permit is issued to the Owner to use the Property for the purpose described above, said use hereinafter being referred to interchangeably as a "Permitted Use" or "Use".

## Conditions of the Permit

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

1. Development and operation on the Property is governed by this Permit. Any proposed development of Outlot A shall require further applications, analyses, reviews and approvals to, of and by the City, including, but not limited to, additional drainage and traffic studies, replats, conditional use permits, and amendments to the applicable planned unit development plan and subdivision agreement. The rights granted by this Permit are transferable and any breach of any terms hereof shall cause Permit to expire and terminate, subject to the rights of the Owner to cure such default or deficiency as set forth in this Permit.
2. In respect to the proposed Use:
  - a. A site plan showing the Property's boundaries, all existing and proposed easements, proposed structures, parking, access points, and drives, is attached hereto and incorporated herein as Exhibit "A".
  - b. Architectural review of the building design, landscaping, and lighting has been completed and the foregoing plans are approved as shown in Exhibits " " through " ".
  - c. The Property shall be developed and maintained in accordance with the site plan (Exhibit "A") and all other Exhibits of this Agreement, as well as the Bella La Vista Replat 1 ("Final Plat"), Planned Unit Development Plan ("PUD") and Subdivision Agreement applicable to the Property, ("Subdivision Agreement"), as approved by the City and incorporated herein by this reference. Any modifications to the site plan must be submitted to the Chief Building Official for approval. Modification of any other document or Exhibit shall be subject to approval of the City, as directed by the City Administrator, unless otherwise expressly provided in the document or Exhibit to be modified.
  - d. There shall be no construction traffic on Highland Boulevard related to development on Lot 1 or Outlot A of Bella La Vista Replat One.
  - e. As-built topographic surveys of storm water detention areas shall be required before certificates of occupancy are issued for any building on the Property, with a requirement that any discrepancies from the approved detention plans be corrected, or certified as inconsequential, to the satisfaction of the City Engineer prior to issuing such certificates.
  - f. No vehicle repair (other than emergency maintenance such as changing a tire), inoperable or abandoned vehicles, or storage of vehicles shall be allowed in the parking areas on the Property shown on Exhibit "A". The Owner shall have seventy-two (72) hours after notice to correct any violation or cause the removal of any such vehicle that is in violation.
  - g. Owner shall obtain all required permits for the Use from the City of La Vista.
  - h. Owner shall comply (and shall ensure that all structures, appurtenances and improvements, and all activities occurring or conducted on the Property at any time comply) with any applicable federal, state and/or local laws, rules or regulations, as amended or in effect from time to time, including, but not limited to, applicable building codes, fire codes, ADA requirements, and environmental or safety laws, rules or regulations.
  - i. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the Owner or its agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violations of any applicable environmental or safety law, rule or regulation relating to the Owner's Use of the Property.
  - j. A drainage study for the Property has been completed, as referenced in the Subdivision Agreement applicable to Lot 1 and Outlot A, Bella La Vista Replat1, with respect to the proposed Use on Lot 1. Owner agrees to comply with requirements related to drainage that are specified in said Subdivision Agreement.
  - k. Owner shall ensure that any clubhouse on the property is professionally staffed during open hours.
  - l. If at any time any part of Bella La Vista Replat 1 is owned by any person or entity other than Owner, all owners shall cooperate and coordinate to carry out Subdivider (as "Subdivider" is

defined in the Subdivision Agreement) obligations under the Subdivision Agreement.

3. In respect to the Gateway Corridor Overlay District, building design has been approved per letter from the City's design review architect, BCDM Architects, dated \_\_\_\_\_
4. The Owner's right to maintain the Use of the Property, as contemplated by this Permit, shall be based on the following conditions:
  - a. An annual inspection to determine compliance with the conditions of this Permit. The Permit may be revoked only upon a finding by the City that there is a material violation of the material terms of this Permit if the violation occurs after written notice from the City to Owner and opportunity to cure in the time and manner described below.
  - b. The Use authorized by this Permit must be initiated within 12 months after the date of the approval of this Permit otherwise such Permit shall become void. Construction of the improvements on the Property, consisting of 60 units, 30 garages, and a "clubhouse" and having the design, dimensions, construction and amenities set forth in application(s) for Bella La Vista Replat 1, this Permit and PUD zoning by or on behalf of Owner, as approved, ("Application") shall be commenced within 12 months after the date of the approval of this Permit and completed with certificate of occupancy within 24 months after commencement of construction, subject to such extension of time as granted by Chief Building Official in the event Owner commences construction within the time specified in this Section 4(b) and diligently continues with construction thereafter, and completion within the time required in this Section 4(b) is delayed for cause beyond the reasonable control of Owner; otherwise such Permit shall become void.
  - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed from the Property at Owner's expense within twelve (12) months of cessation of the Use of the Property.
5. Notwithstanding any other provision herein to the contrary, this Permit, and all rights granted hereby, shall expire and terminate as to a Permitted Use hereunder upon the first of the following to occur:
  - a. Owner's abandonment of the Permitted Use There shall be a presumption that the project on the Property has been abandoned if the Owner fails to commence construction of the buildings within the time provided by Section 4(b) above.
  - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use, and such cancellation, revocation denial or failure to maintain any federal, state or local permit required for the use is not cured in the time and manner described below, so long as curative rights are provided under laws, rules and regulations governing said permit,
  - c. Owner's construction or placement of a storage tank, structure or other improvement on the Property, (except during construction of any phase of the project) not specified in this Permit and Owner's failure to cure such breach in the time and manner described below after City's giving notice thereof.
  - d. Owner's breach of other terms hereof and its failure to cure such breach in the time and manner set forth below.
6. If construction of the improvements on the Property has not been commenced within twelve (12) months from the date of this Permit, this Permit shall be null and void and all rights hereunder shall lapse; provided, however, Owner shall have the right to file for an extension of time pursuant to the La Vista Zoning Ordinance.
7. In the event the Owner fails to promptly remove any safety, environmental or other hazard or nuisance from the Property, or upon the expiration or termination of this Permit the Owner fails to promptly remove any remaining safety, environmental or other hazard or nuisance, the City may at its option (but without any obligation to the Owner or any third party to exercise said option) cause the same to be removed at Owner's cost (including, but not limited to, the cost of any excavation and earthwork that is

necessary or advisable in connection with the removal thereof) and the Owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right, provided notice is furnished to the Owner along with a reasonable time to remove or cure such hazard, to enter the Property and to take whatever action as is necessary or appropriate to remove any such hazards nuisances in accordance with the terms of this Permit, and the right of the City to enter the Property as may be necessary or appropriate to carry out any other provision of this Permit.

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

The conditions and terms of this Permit shall be binding upon owner, its successors and assigns.

1. Delay of City to terminate this Permit on account of breach of Owner of any terms hereof in accordance with the terms hereof shall not constitute a waiver of City's right to terminate this Permit, unless the City has expressly waived said breach. A waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Cure Rights. Notwithstanding any other provision of this Permit to the contrary, Owner shall be entitled to notice and opportunity to cure a breach of this Permit as follows. City will notify the Owner of any breach of this Permit. Owner, which for purposes of taking action to cure a breach shall also include a limited partner of Bella La Vista Housing Partners, L.P., shall be permitted to cure any breach. Cure shall be commenced and completed as soon as possible and in all cases within thirty (30) days after City provides notice of breach; provided, however, in any case that cure cannot be completed within 30 days, additional time will be allowed, so long as cure is commenced within the time required in this Section 2 and diligently pursued and completed as soon as possible, and allowing additional time does not present or increase risk of harm to persons or property. City shall have the right to terminate this Permit if a breach is not timely cured.
3. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this Permit.
4. Any notice to be given City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed as follows:

To Owner:

Bella La Vista Housing Partners, L.P.  
A Limited Partnership  
416 E. Third Street  
Kansas City, MO 64016

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

Effective Date:

This Permit shall take effect upon the filing hereof with the City Clerk a signed original hereof

THE CITY OF LA VISTA

By \_\_\_\_\_

Douglas Kindig, Mayor

Attest:

Pamela A Buethe, CMC  
City Clerk

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

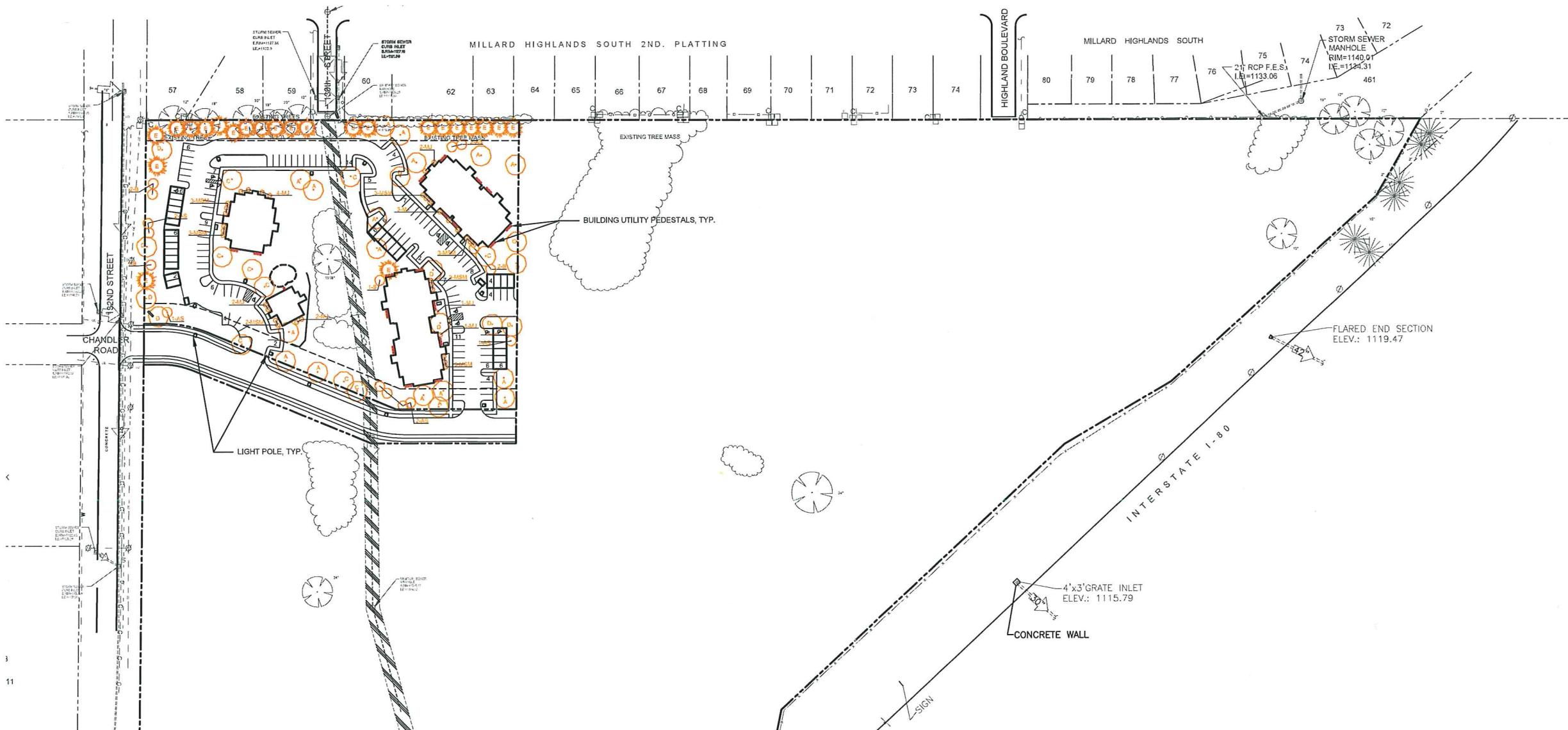
Owner:

Bella La Vista Housing Partners, L.P., a Nebraska limited partnership

By: Bella La Vista Housing Corporation, general partner

By:

Garrison Hassenflu,  
President  
Date: \_\_\_\_\_



## LEGEND



## LANDSCAPE NOTES

1. TREES 6 INCHES IN DIAMETER OR LARGER SHALL NOT BE DISTURBED UNLESS LOCATED WITHIN AREAS OF CUT, FILL, PROPOSED ROADWAYS, PROPOSED PARKING LOTS OR PROPOSED BUILDINGS. TREES TO REMAIN IN PLACE WILL BE LOCATED AND IDENTIFIED BY THE GENERAL CONTRACTOR.
2. IRRIGATION SYSTEMS SHALL BE DESIGNED AND INSTALLED BY A PROFESSIONAL CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, INSTALLATION, AND MAINTENANCE OF THE SYSTEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE SYSTEM FOR A PERIOD OF 3 YEARS FROM THE DATE OF ACCEPTANCE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE SYSTEM FOR A PERIOD OF 3 YEARS FROM THE DATE OF ACCEPTANCE.
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7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE SYSTEM FOR A PERIOD OF 3 YEARS FROM THE DATE OF ACCEPTANCE.
8. DRIP IRRIGATION IS TO BE USED WITHIN ALL PLANTING BEDS EXCEPT AS NOTED BELOW AND SHALL BE INSTALLED PRIOR TO LANDSCAPE CONTRACTOR INSTALLING MULCH. ALL DRIP LINES TO BE COVERED WITH MULCH. NO DRIP LINES ARE TO BE INSTALLED WITHIN AREA OF EVERGREEN SHRUBS.
9. TURF HEADS ARE TO BE PLACED ALONG EDGES OF PLANTING BEDS AND PAVED AREAS WITH SPRAY DIRECTED AWAY FROM THOSE AREAS.
10. UPON INSTALLATION OF THE MAIN LINE, HYDROSTATICALLY TEST MAIN LINE TO A PRESSURE OF NOT LESS THAN 50% MORE THAN THE MAXIMUM OPERATING PRESSURE OF THE SYSTEM FOR A PERIOD OF 30 MINUTES. REPAIR OR REPLACE ANY LEAKS OR DEFECTIVE PIPE AND REPEAT TEST UNTIL ALL TEST REQUIREMENTS ARE MET. DO NOT BACKFILL OR CONCEAL ANY PIPE UNTIL SYSTEM HAS BEEN SUCCESSFULLY TESTED.
11. AFTER SYSTEM HAS BEEN TESTED AND BACKFILLED, THE ENTIRE SYSTEM IS TO BE FLUSHED AND CLEANED TO INSURE PROPER OPERATION. ALL HEADS SHALL BE ADJUSTED TO INSURE ADEQUATE DISTRIBUTION OF WATER OVER ALL COVERAGE AREAS.
12. MANUFACTURER'S SPECIFICATIONS FOR ALL MATERIALS AND EQUIPMENT SHALL BE SUBMITTED TO THE OWNER ALONG WITH AS-BUILT DRAWINGS FOR THE IRRIGATION SYSTEM INDICATING THE COMPLETE LAYOUT WITH PIPE SIZES, LOCATION OF HEADS, VALVES, AND CONTROLLER WITH FLOW RATES AND OPERATION TIME FOR EACH ZONE.
13. MAINTENANCE AND OPERATION MANUALS FOR ALL EQUIPMENT AND A COMPLETE SET OF MAINTENANCE TOOLS SHALL BE SUPPLIED TO THE OWNER UPON ACCEPTANCE OF THE WORK. CONTRACTOR SHALL DEMONSTRATE THE OPERATION AND MAINTENANCE OF THE SYSTEM TO THE OWNER.
14. THE ENTIRE SYSTEM SHALL BE GUARANTEED FOR A PERIOD OF 3 YEARS FROM DATE OF ACCEPTANCE. ANY DEFECTIVE PARTS OR OPERATION SHALL BE REPAIRED OR REPLACED.
15. ANY CLEAN, EXCESS SOIL FROM IRRIGATION OPERATIONS SHALL BE WASTED ON SITE AT THE DISCRETION OF THE GENERAL CONTRACTOR OR DISPOSED OF OFF-SITE. ALL CONSTRUCTION DEBRI FROM IRRIGATION OPERATIONS SHALL BE DISPOSED OFF-SITE.

## IRRIGATION NOTES

1. A  $\frac{1}{2}$  BACKFLOW PREVENTER SHALL BE LOCATED NEAR THE MECHANICAL ROOM. REFER TO SITE IRRIGATION PLAN FOR APPROXIMATE LOCATION.
2. FURNISH ALL LABOR, MATERIAL, TOOLS, EQUIPMENT AND SERVICES FOR COMPLETE INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
3. COORDINATE INSTALLATION OF IRRIGATION SYSTEM WITH ALL OTHER CONSTRUCTION TRADES. ALL WORK SHALL BE DONE ACCORDING TO APPLICABLE CODES AND TO ACCEPTED IRRIGATION INDUSTRY STANDARDS.
4. THE SITE SHALL BE FINISH GRADED BY THE GRADING CONTRACTOR. THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE TO MAINTAIN FINISHED GRADES AND RE-GRADE ANY AREAS DISTURBED BY IRRIGATION OPERATIONS.
5. DESIGN OF THE IRRIGATION SYSTEM SHALL PROVIDE UNIFORM COVERAGE OF ALL PLANTED AREAS. HEAD TYPES AND SPACING ARE CONCEPTUAL AND MAY BE ADJUSTED. SPRAY PATTERNS ARE TO BE ADJUSTED TO MINIMIZE OVERSPRAY OF BUILDINGS AND PAVED AREAS.
6. IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE TO SIZE ZONES AND LOCATE NECESSARY VALVE BOXES. THE IRRIGATION CONTROLLER SHALL PROVIDE A BALANCED FLOW RATE TO EACH IRRIGATION ZONE.

CONTROLLER: TORO CUSTOM COMM  
POP-UP ROTARY TYPE: TORO EZ ADJUST  
SPRAY TYPE: TORO 570Z-4P  
REMOTE CONTROL VALVE: TORO P220  
PPRI: TORO BLUE LINE

## PLANT SCHEDULE

QUANTITY	SYMBOL	COMMON NAME		BOTANICAL NAME		MATURE SIZE	PLANTING SIZE	PLANT			
						SPRD	HGT	CALIPER	HGT	O.C.	METHOD
<b>OVERSTORY TREES</b>											
16	A	EMERALD QUEEN MAPLE		ACER PLATANOIDES 'EMERALD QUEEN'		35	50	2"		30'	BB/S-30
7	B	PRAIRIE PRIDE HACKBERRY		CELTIS OCCIDENTALIS "PRAIRIE PRIDE"		20	50	2"		15'	BB/S-30
10	C	GREEN MOUNTAIN MAPLE		ACER SACCHARUM 'GREEN MOUNTAIN'		30	35	2"		25'	BB/S-30
8	D	SHADEMASTER LOCUST		GLIEDITISIA TRICANTHOS INERMIS 'SHADEMASTER'		35	50	2"		35	BB/S-30
26	E	COLORADO BLUE SPRUCE		PICEA PUNGENS GLAUCA		15	25		5'	18'	BB/S-30
67	TOTAL OVERSTORY TREES					BB/S -30 Balled & Burfaced or Spaded - size of ball in inches					
<b>UNDERSTORY/ORNAMENTAL</b>											
		COMMON NAME		BOTANICAL NAME		MATURE	PLTG SIZE	PLANT			
						SPRD	HGT	CAL	HGT	O.C.	METHOD
10	AS	APPLE SERVICEBERRY		AMALANCHIER GRANDIFLORA		20	25	1.5"		15'	BB/S-20
10	TOTAL UNDERSTORY/ORN. TREES					BB/S -20 Balled & Burfaced or Spaded - size of ball in inches					
<b>CONIFEROUS SHRUBS</b>											
		COMMON NAME		BOTANICAL NAME		MATURE	PLTG SIZE	PLANT			
						SPRD	HGT	CROWN	SPCG	CONT	
15	MJ	ANDORRA JUNIPER		JUNIPERUS CHINESIS 'MANEY'		6'	3'		18"	3'	2 GAL
<b>DECIDUOUS SHRUBS</b>											
		COMMON NAME		BOTANICAL NAME		MATURE	PLTG SIZE	PLANT			
						SPRD	HGT	CROWN	SPCG	CONT	
25	MOM	MINIATURE SNOWFLAKE HUCKLEBERRY		PHILADELPHUS MINIATURE SNOWFLAKE		6'	3'		18"	3'	2 GAL

### Position Rates

Drawn By: JJP Reviewed By: DSD  
Job No.: 1610-136 Date: 09-13-11

Sheet Title

## Planned Unit Development Landscape Plan

Sheet Number



## Exhibit I

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE PURCHASE OF PROPERTY — PORTION OF LOT 1020, LA VISTA (NW OF PARK VIEW BLVD. & LILLIAN AVE.)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and a resolution prepared authorizing the purchase of a portion of Lot 1020, La Vista, from the property owner, Victor Robb, for an amount not to exceed \$2,000.

**FISCAL IMPACT**

Expenditure of \$2,000 from the FY11/12 Lottery Fund.

**RECOMMENDATION**

Approval.

**BACKGROUND**

In March, the City was contacted by Sarpy County regarding Lot 1020, La Vista, which was a surplus lot owned by the County and scheduled for auction April 9<sup>th</sup>. The City Attorney was in contact with the Deputy County Attorney, John Reisz, regarding the City taking title to the lot and the City Administrator sent a letter requesting the lot be removed from the list of properties to be auctioned. The City's interest in the lot had recently changed through the planning process for the Civic Center Park Master Plan. The final park concept plan includes a new vehicular entrance off of Park View Blvd. in this vicinity and a proposed "Park Entrance Marker" on this vacant lot (see attachments).

The County was working with the abutting owner to the north, Victor Robb, who had been interested in purchasing the lot for some time. The City contacted Mr. Robb and had worked out a tentative agreement with him, which would have allowed him to acquire a portion of the lot from the City rather than the County. However the County went forward with the auction and Mr. Robb was the successful bidder. Since that time Mr. Robb has hired a surveyor and prepared a proposed replat which would split Lot 1020, with approximately one-third, or the southerly 30 feet, of the lot to be platted as Outlot A for purchase by the City (see attachment).

Staff has had several discussions with Mr. Robb regarding the purchase price and has agreed to an amount based on his costs to acquire and replat the property:

Application fee for replat	\$750*
Purchase price from County	\$500
Surveyor costs (est.)	\$700
Recording fees (est.)	\$ .50
Total	\$2,000

\*Proposed not to be charged due to the City's involvement with the plat; if we can't reach an agreement on purchasing the parcel, Mr. Robb would be charged this fee.

K:\APPS\City Hall\CNCLRPT\12file\12 CD Auth Purchase Of Property - Lot 1020.Doc

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF THE SOUTHERLY 30 FEET, MORE OR LESS, IN WIDTH OF LOT 1020, LA VISTA, A SUBDIVISION AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NEBRASKA, FROM THE PROPERTY OWNER, VICTOR ROBB, IN AN AMOUNT NOT TO EXCEED \$2,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of the Southerly 30 feet, more or less, in width of Lot 1020, La Vista, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, ("Property") is necessary for certain public purposes; and

WHEREAS, the Property owner, Victor Robb, desires to sell the Property to the City for a purchase price to be determined in an amount not to exceed \$2,000.00; and

WHEREAS, the FY11/12 Lottery budget will allow for the purchase of said Property; and

WHEREAS, Neb Rev. Stat. Section 18-1755 requires that the governing body of the City, before the City purchases an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby make the following findings and take and approve the following actions:

1. The City published notice of public hearing on the proposed purchase of the Property, to be held at the City Council meeting on June 5, 2012, which notice is hereby approved. The hearing was held and concluded prior to consideration of this Resolution.
2. The Mayor and City Council hereby authorize the purchase of the Southerly 30 feet, more or less, in width of Lot 1020, La Vista, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, from the property owner, Victor Robb, the boundaries of which shall be determined by survey, for a price determined by the City Administrator, not to exceed \$2,000.00.
3. The Mayor or his designee is hereby authorized to take any action he determines necessary or appropriate to carry out the actions approved in this Resolution, including, but not limited to executing any documents or instruments on behalf of the City.

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.

CITY OF LA VISTA

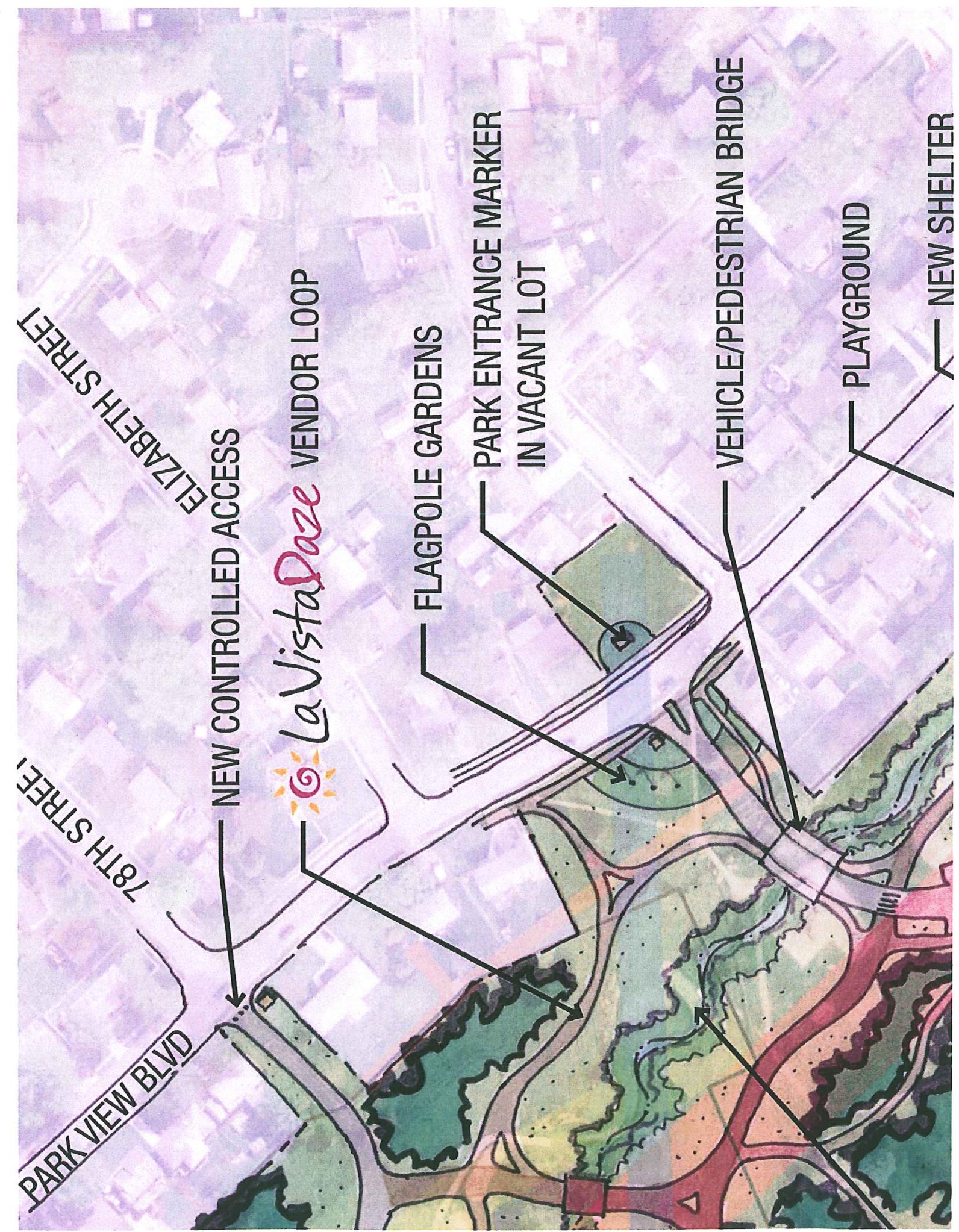
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Douglas Kindig, Mayor

ATTEST:

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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  
inch = 61 feet

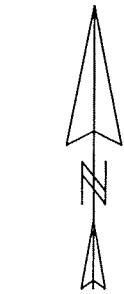
3/29/2012

# ADMINISTRATIVE PLAT - LOT CONSOLIDATION

CITY OF LAVISTA

## LOT 1020 A AND OUTLOT A - LAVISTA

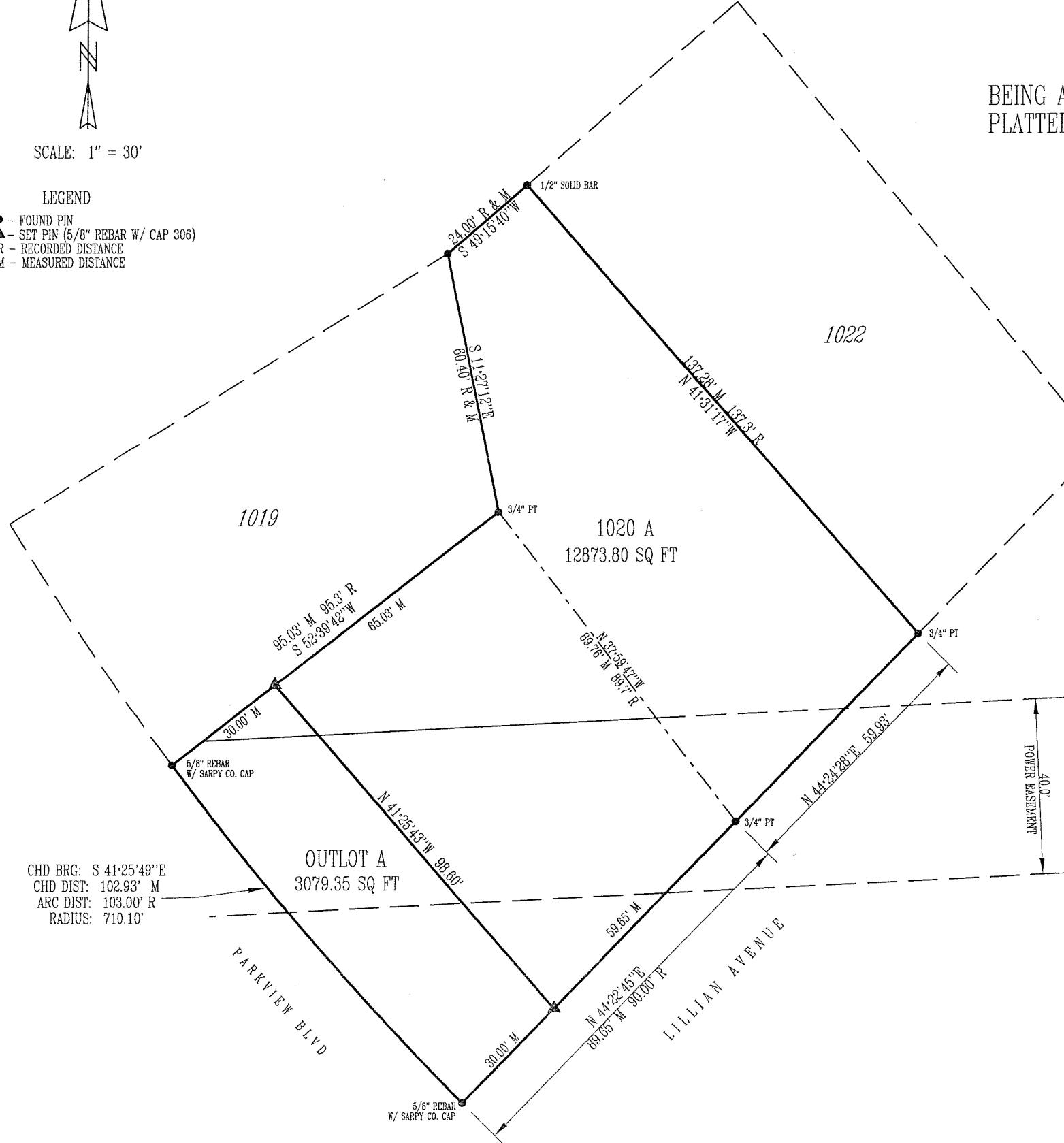
BEING A ADJUSTMENT OF LOTS 1020 AND 1021, LAVISTA, AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NEBRASKA.



SCALE: 1" = 30'

### LEGEND

- - FOUND PIN
- ▲ - SET PIN (5/8" REBAR W/ CAP 306)
- R - RECORDED DISTANCE
- M - MEASURED DISTANCE



ADMINISTRATIVE PLAT  
LOT CONSOLIDATION

job number: AC 13491  
date:  
MAY 4, 2012

sheet

1 OF 1

SARPY COUNTY, NEBRASKA

**CARRELL**  
LAND SURVEYORS & CONSULTANTS  
ASSOCIATES INC.  
PHONE: 402-331-2332 FAX: 402-331-6077  
www.carrellsurveyme.com

drawn by  
JWC  
work completed by  
CRC/JLC  
file name  
AC13491.zak

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SELECTION CONCURRENCE AND CONSTRUCTION CONTRACT AUTHORIZATION –96 <sup>TH</sup> STREET, PORTAL TO HARRISON, MAPA 5017(4)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared accepting Tab Holding Company, Inc., DBA Tab Construction, Omaha, Nebraska, as the low compliant bidder for the project identified as MAPA 5017(4) and authorizing the Mayor and City Clerk to sign construction contracts on behalf of the City of La Vista.

**FISCAL IMPACT**

The FY 2011/12 Capital Improvement Program provides funding for the 96<sup>th</sup> Street, Portal to Harrison, Project. The construction and construction engineering for the project are eligible for 80% Federal aid.

**RECOMMENDATION**

Approval

**BACKGROUND**

The City of La Vista submitted the 96<sup>th</sup> Street Project for MAPA STP funding in 2010. The project consists of pavement removal and replacement at various locations from Portal Road to Harrison Street and includes total removal and replacement of the approach slabs at the bridge over the BNSF Railroad south of Harrison Street.

The State received bids on behalf of the City for the said project on May 17, 2012, at which time five bids were received for the construction of proposed work; Tab Holding Company, Inc., DBA Tab Construction, Omaha, Nebraska was selected as the low bidder.

Tab Holding Company, Inc., DBA Tab Construction	\$468,304.28
Iowa Erosion Control, Inc.	\$494,188.21
Navarro Enterprise Construction, Inc.	\$530,645.54
M. E. Collins Contracting Company, Inc.	\$596,832.55
Swain Construction, Inc.	\$696,097.34

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING TAB HOLDING COMPANY, INC., DBA TAB CONSTRUCTION, OMAHA, NEBRASKA AS THE LOW COMPLIANT BIDDER FOR THE 96<sup>TH</sup> STREET, PORTAL TO HARRISON, PROJECT MAPA 5017(4) IN AN AMOUNT NOT TO EXCEED \$468,304.28.

WHEREAS, the City Council of the City of La Vista has determined that the 96<sup>th</sup> Street, Portal to Harrison, Project is necessary; and

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

WHEREAS, the City Council submitted the 96<sup>th</sup> Street, Portal Harrison, Project MAPA –STP funding in 2010; and

WHEREAS, the State of Nebraska received bids on behalf of the City for said project on May 17, 2012

WHEREAS, Tab Holding Company, Inc. dba Tab Construction, 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 accept Tab Holding Company, Inc. dba Tab Construction, Omaha, Nebraska as the low compliant bidder for the 96<sup>th</sup> Street, Portal to Harrison, Project MAPA 5017(4) in an amount not to exceed \$468,304.28.

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.

CITY OF LA VISTA

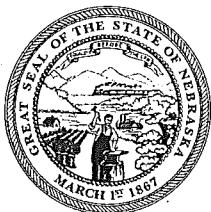
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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



Dave Heineman  
Governor

## STATE OF NEBRASKA

### DEPARTMENT OF ROADS

Monty Fredrickson, Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402) 471-4567 • FAX (402) 479-4325 • www.dor.state.ne.us

May 21, 2012

CITY OF LA VISTA  
C/O CITY CLERK  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128-2198

RE: Federal Aid Project No. MAPA-5017(4)

Letting Date: May 17, 2012

We have enclosed a resolution on the above project for your consideration. It has been prepared by using the bid tabulations to select the low bidder(s) to whom a contract(s) should be awarded.

Please take action on this resolution immediately. We need to have the completed resolution in this office by Wednesday, June 6, 2012, so we can comply with the laws concerning award or rejection of this project.

You may want to consider the following before taking official action:

1. The enclosed tabulation of all bids received on this project.
2. The low bid for the entire project is below the estimated cost of \$558,920.85. This estimate is confidential and is furnished for your information only.

Complete the blanks at the bottom of the resolution showing your official action and have the mayor sign in the space provided. Return the original to the Department of Roads, Contract Lettings Section, and keep the copy for your records.

This resolution gives authority for your mayor to sign the contract(s) that will be mailed to you at a later date.

If you have any questions, call this office (402) 479-4525.

Sincerely,

*Karen McCord*

Karen McCord  
Highway Contracts Technician  
Contract Lettings Section  
Construction Division

KM/Z1-C

Xc: Jim Wilkinson  
Tim Weander, District Two Engineer  
Highway Superintendent  
File

## R E S O L U T I O N

WHEREAS, there has been signed by the City of La Vista on the 7<sup>th</sup> day of June, 2011, and the State on the 24<sup>th</sup> day of June, 2011, an agreement providing for the construction of a Federal Aid Project at the following location: Remove and replace pavement at various locations in 96<sup>th</sup> Street between Portal Road and Harrison Street.

, and

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as MAPA-5017(4), and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement, and

WHEREAS, the State and the City received bids for the construction of this project on May 17, 2012, at which time 5 bids were received for the construction of the proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

Tab Holding Company, Inc., DBA Tab Construction, Omaha NE

Specialty: \$468,304.28

NOW THEREFORE, in consideration of the above facts, the City Council of the City of La Vista, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the City hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Council hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Council hereby authorizes the Mayor to sign the contract(s) with the above mentioned Contractor(s) for the above mentioned work on behalf of the City.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. \_\_\_\_\_

CITY OF LA VISTA

ATTEST: \_\_\_\_\_

(Mayor)

Council Member \_\_\_\_\_

Moved the adoption of said resolution.

Roll Call: \_\_\_\_\_ yea, \_\_\_\_\_ nay.

Resolution adopted, signed and filed as adopted.

(City Clerk)

**ORIGINAL**

NEBRASKA DEPARTMENT OF ROADS

DATE : 05/17/12  
PAGE : 2

## VENDOR RANKING

COUNTIES : SARPY

CALL ORDER : 205  
LETTING DATE : 05/17/12  
CONTRACT DESCRIPTION :  
96th STREET, PORTAL-HARRISON, LA VISTACONTRACT ID : 2478X  
DISTRICT : 2

PROJECT (S) : MAPA-5017 (4)

VENDOR NO. BID NOTES

RANK	VENDOR NO. /NAME	TOTAL BID	% OVER LOW BID
1	2364 TAB HOLDING COMPANY, INC., DBA TAB CONSTRUCTION	\$ 468,304.28	100.0000%
2	1148 IOWA EROSION CONTROL, INC.	\$ 494,188.21	105.5272%
3	3709 NAVARRO ENTERPRISE CONSTRUCTION, INC.	\$ 530,645.54	113.3121%
4	1613 M. E. COLLINS CONTRACTING COMPANY, INC.	\$ 596,832.55	127.4455%
5	2341 SWAIN CONSTRUCTION, INC.	\$ 696,097.34	148.6421%

**ORIGINAL**NEBRASKA DEPARTMENT OF ROADS  
TABULATION OF BIDSCALL ORDER : 205  
LETTING DATE : 05/17/12 1:30 PMCONTRACT ID : 2478X  
DISTRICT : 2

COUNTIES : SARPY

DATE : 05/17/12  
PAGE : 205 -3

LINE NO / ITEM CODE / ALT ITEM DESCRIPTION	QUANTITY	TAB CONST. (TAB HOLDING CO. IOWA EROSION CONTROL, INC.)			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
		( 1 ) 2364	( 2 ) 1148	( 3 ) 3709 NAVARRO ENTERPRISE CONSTRUCTION				
SECTION 0001 GROUP 8 SPECIALTY								
0001 0001.08 BARRICADE, TYPE II	3600.000 BDAY	0.50000	1800.00	0.50000	1800.00	0.50000	1800.00	1800.00
0002 0001.75 TEMPORARY SIGN DAY	240.000 EACH	2.15000	516.00	2.00000	480.00	2.20000	528.00	
0003 0001.90 SIGN DAY	3450.000 EACH	1.05000	3622.50	1.00000	3450.00	1.10000	3795.00	
0004 0002.28 TEMPORARY PAVEMENT MARKING REMOVAL	840.000 LF	1.00000	840.00	0.93000	781.20	1.02000	856.80	
0005 0002.30 PAVEMENT MARKING REMOVAL	300.000 LF	2.80000	840.00	2.60000	780.00	2.86000	858.00	
0006 0002.44 TEMPORARY PAVEMENT MARKING, TYPE PAINT	840.000 LF	0.50000	420.00	0.47000	394.80	0.52000	436.80	
0007 0002.76 PERMANENT PAVEMENT MARKING, PAINT	663.000 LF	3.10000	2055.30	2.89000	1916.07	3.18000	2108.34	
0008 0002.97 FLASHING ARROW PANEL	120.000 DAY	26.75000	3210.00	25.00000	3000.00	27.50000	3300.00	
0009 0003.50 CONCRETE PROTECTION BARRIER	1160.000 LF	20.35000	236606.00	19.00000	22040.00	20.90000	24244.00	
0010 0003.56 RELOCATE CONCRETE PROTECTION BARRIER	1160.000 LF	2.70000	3132.00	2.50000	2900.00	2.75000	3190.00	
0011 0003.57 RELOCATE INERTIAL BARRIER SYSTEM	2.000 EACH	375.00000	750.00	350.00000	700.00	385.00000	770.00	
0012 0003.58 INERTIAL BARRIER SYSTEM	2.000 EACH	1605.00000	3210.00	1500.00000	3000.00	1650.00000	3300.00	
0013 0003.64 REPLACEMENT MODULE	2.000 EACH	80.00000	160.00	75.00000	150.00	82.50000	165.00	
0014 0030.80 MOBILIZATION	LUMP	31000.00000	31000.00	29645.00000	29645.00	39000.00000	39000.00	
0015 1107.00 REMOVE WALK	221.000 SY	11.25000	2486.25	6.00000	1326.00	5.00000	1105.00	
0016 1122.01 REMOVE CONCRETE MEDIAN SURFACING	232.000 SY	5.55000	1287.60	6.00000	1392.00	7.95000	1844.40	
0017 1136.11 REMOVE APPROACH SLABS	578.000 SY	46.55000	26905.90	27.38000	15825.64	25.00000	14450.00	
0018 3016.23 6" CONCRETE CLASS 47B-3000 SIDEWALKS	221.000 SY	43.35000	9580.35	49.00000	10829.00	36.00000	7956.00	
0019 3017.43 6" CONCRETE CLASS 47B-3000 MEDIUM SURFACING	232.000 SY	54.50000	12644.00	51.00000	11832.00	42.75000	9918.00	

ORIGINAL

NEBRASKA DEPARTMENT OF ROADS  
TABULATION OF BIDS

CALL ORDER : 205 SETTING DATE : 05/17/12 1:30 PM CONTRACT ID : 2478X DISTRICT : 2

COUNTIES : SARPY

## TABULATION OF BIDS

DATE : 05/17/12  
PAGE : 205 -4

LINE NO / ITEM CODE / ALT	ITEM DESCRIPTION
0020 3039.11	CONCRETE PAVEMENT REPAIR, DEPTH
0021 3039.12	CONCRETE PAVEMENT REPAIR, DEPTH
0022 3039.13	CONCRETE PAVEMENT REPAIR, DEPTH
0023 3050.16	CONCRETE FOR PAVEMENT APP 47BD-5000
0024 3051.10	EOXY COATED REINFORCING PAVEMENT APPROACHES
0025 4764.34	4" NONPERFORATED PIPE UND
0026 4764.35	4" PERFORATED PIPE UNDERD
0027 4900.25	CURB INLET SEDIMENT FILTER
0028 6005.36	PRECOMPRESSED POLYURETHAN TYPE A
0029 7011.20	W-BEAM GUARDRAIL
0030 7017.00	REMOVE GUARDRAIL
0031 7020.00	BRIDGE APPROACH SECTIONS
0032 7024.27	GUARDRAIL END TREATMENT,
0033 8028.01	FOUNDATION COURSE REPLACE
0034 8090.00	GRANULAR FILL
0035 9110.01	RENTAL OF LOADER, FULLY O
0036 9110.03	RENTAL OF DUMP TRUCK, FULL

LINE NO / ITEM CODE / ALT	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
0020 3039.11	CONCRETE PAVEMENT REPAIR, TYPE A, FULL DEPTH	6.450 CY	504.00000	3250.80	679.07000	4380.00	1100.00000	7095.00	( 2 ) 1148	( 3 ) 3709
0021 3039.12	CONCRETE PAVEMENT REPAIR, TYPE B, FULL DEPTH	37.410 CY	314.00000	11746.74	423.14000	15829.67	500.00000	18705.00	TAB CONST. (TAB HOLDING CO.	NAVARRO ENTERPRISE CONSTRUCTION
0022 3039.13	CONCRETE PAVEMENT REPAIR, TYPE C, FULL DEPTH	791.030 CY	271.70000	214922.85	297.23000	235117.85	300.00000	237309.00	IOWA EROSION CONTROL, INC.	
0023 3050.16	CONCRETE FOR PAVEMENT APPROACHES CLASS 47BD-5000	208.640 CY	176.15000	36751.94	224.65000	46870.98	350.00000	73024.00		
0024 3051.10	EPOXY COATED REINFORCING STEEL FOR PAVEMENT APPROACHES	19119.000 LB	1.15000	21986.85	2.00000	38238.00	1.60000	30590.40		
0025 4764.34	4" NONPERFORATED PIPE UNDERDRAIN	119.000 LF	17.50000	2082.50	13.00000	1547.00	12.00000	1428.00		
0026 4764.35	4" PERFORATED PIPE UNDERDRAIN	293.000 LF	16.90000	4951.70	11.00000	3223.00	8.00000	2344.00		
0027 4900.25	CURB INLET SEDIMENT FILTER	16.000 EACH	198.00000	3168.00	75.00000	1200.00	100.00000	1600.00		
0028 6005.36	PRECOMPRESSED POLYURETHANE FOAM JOINT, TYPE A	120.000 LF	48.00000	5760.00	72.00000	8640.00	75.00000	9000.00		
0029 7011.20	W-BEAM GUARDRAIL	100.000 LF	21.40000	2140.00	20.00000	2000.00	22.00000	2200.00		
0030 7017.00	REMOVE GUARDRAIL	225.000 LF	3.20000	720.00	3.00000	675.00	3.30000	742.50		
0031 7020.00	BRIDGE APPROACH SECTIONS	2.000 EACH	1604.00000	3208.00	1500.00000	3000.00	1650.00000	3300.00		
0032 7024.27	GUARDRAIL END TREATMENT, TYPE II	2.000 EACH	1818.00000	3636.00	1700.00000	3400.00	1870.00000	3740.00		
0033 8028.01	FOUNDATION COURSE REPLACEMENT	23.000 CY	124.50000	2863.50	125.00000	2875.00	105.00000	2415.00		
0034 8090.00	GRANULAR FILL	371.000 CY	52.50000	19477.50	30.00000	11130.00	35.00000	12985.00		
0035 9110.01	RENTAL OF LOADER, FULLY OPERATED	5.000 HOUR	85.00000	425.00	75.00000	375.00	125.00000	625.00		
0036 9110.03	RENTAL OF DUMP TRUCK, FULLY OPERATED	5.000 HOUR	75.00000	375.00	75.00000	375.00	70.00000	350.00		

# ORIGINAL

NEBRASKA DEPARTMENT OF ROADS

## TABULATION OF BIDS.

CALL ORDER : 205  
LETTING DATE : 05/17/12 1:30 PM

CONTRACT ID : 2478X  
DISTRICT : 2

COUNTIES : SARPY

LINE NO / ITEM CODE / ALT  
ITEM DESCRIPTION

0037 9110.07 RENTAL OF SKID LOADER, FULLY OPERATED  
0038 9110.27 RENTAL OF CRAWLER MOUNTED HYDRAULIC  
EXCAVATOR, FULLY OPERATED  
0039 A006.98 VEHICLE DETECTOR, TYPE A PREFORMED  
0040 L019.12 310.000 SY  
EROSION CONTROL, CLASS 1C  
0041 L022.90 TEMPORARY SILT FENCE  
SECTION TOTALS

LINE NO / ITEM CODE / ALT ITEM DESCRIPTION	QUANTITY	TAB CONST. (TAB HOLDING CO.		IOWA EROSION CONTROL, INC.		NAVARRO ENTERPRISE CONSTRUCTION	
		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
0037 9110.07 RENTAL OF SKID LOADER, FULLY OPERATED	5.000 HOUR	45.00000	225.00	60.00000	300.00	70.00000	350.00
0038 9110.27 RENTAL OF CRAWLER MOUNTED HYDRAULIC EXCAVATOR, FULLY OPERATED	5.000 HOUR	125.00000	625.00	90.00000	450.00	175.00000	875.00
0039 A006.98 VEHICLE DETECTOR, TYPE A PREFORMED	1.000 EACH	965.00000	965.00	990.00000	990.00	990.00000	990.00
0040 L019.12 310.000 SY		1.70000	527.00	3.00000	930.00	3.03000	939.30
EROSION CONTROL, CLASS 1C							
0041 L022.90 TEMPORARY SILT FENCE	100.000 LF	4.30000	430.00	4.00000	400.00	4.13000	413.00
SECTION TOTALS							
CONTRACT TOTALS		\$ 468,304.28		\$ 494,188.21		\$ 530,645.54	

ORIGINAL

NEBRASKA DEPARTMENT OF ROADS  
TABULATION OF BIDS

CALL ORDER : 205  
LETTING DATE : 05/17/12 1:30 PM

CONTRACT\_ID : 2478X  
DISTRICT : 2

## COUNTIES : SARPY

DATE : 05/17/12  
PAGE : 205 -6

## NEED A SIGN? DEPENDABLE SIGNAGE BOARDS

CALL ORDER : 203  
RETTING DATE : 05/17/12 1:30 PM

CONTRACTS : 24 / 8A

CALL ORDER

כטבנַן · בְּנֵי זָהָב

ITEM NO / ITEM CODE / ALT	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
SECTION 0001 GROUP 8 SPECIALTY										
001 0001.08 BARRICADE, TYPE II	3600.000 BDAY	0.50000	1800.00	0.50000	1800.00	0.50000	1800.00	0.50000	1800.00	0.50000
002 0001.75 TEMPORARY SIGN DAY	240.000 EACH	8.00000	1920.00	1.05000	252.00	4.75000	16387.50	4.75000	16387.50	4.75000
003 0001.90 SIGN DAY	3450.000 EACH	1.10000	3795.00	0.50000	420.00	0.50000	420.00	0.50000	420.00	0.50000
004 0002.28 TEMPORARY PAVEMENT MARKING	840.000 LF	1.00000	840.00	0.50000	150.00	0.50000	150.00	0.50000	150.00	0.50000
005 0002.30 PAVEMENT MARKING REMOVAL	300.000 LF	2.80000	840.00	0.50000	462.00	0.55000	462.00	0.55000	462.00	0.55000
006 0002.44 TEMPORARY PAVEMENT MARKING, TYPE PAINT	840.000 LF	0.50000	420.00	0.60000	397.80	3.10000	2055.30	0.60000	397.80	0.60000
007 0002.76 PERMANENT PAVEMENT MARKING, PAINT	663.000 LF	3.10000	2055.30	4.00000	5280.00	120.000 DAY	33.70000	4044.00	44.00000	5280.00
008 0002.97 FLASHING ARROW PANEL	1160.000 LF	31.50000	36540.00	50.00000	58000.00	1160.000 LF	2.70000	3132.00	30.00000	34800.00
009 0003.50 CONCRETE PROTECTION BARRIER	1160.000 LF	374.00000	748.00	1200.00000	2400.00	1160.000 LF	2.000 EACH	3204.00	2000.00000	4000.00
010 0003.56 RELOCATE CONCRETE PROTECTION BARRIER	1160.000 LF	2.000 EACH	374.00000	748.00	1200.00000	1160.000 LF	2.000 EACH	3204.00	2000.00000	4000.00
011 0003.57 RELOCATE INERTIAL BARRIER SYSTEM	1160.000 LF	1602.00000	3204.00	2000.00000	4000.00	1160.000 LF	2.000 EACH	1602.00000	2000.00000	4000.00
012 0003.58 INERTIAL BARRIER SYSTEM	1160.000 LF	1602.00000	3204.00	2000.00000	4000.00	1160.000 LF	2.000 EACH	1602.00000	2000.00000	4000.00
013 0003.64 REPLACEMENT MODULE	2.000 EACH	80.00000	160.00	750.00000	1500.00	1160.000 LF	2.000 EACH	16000.00000	16000.00	16000.00
014 0030.80 MOBILIZATION	LUMP	55000.00000	55000.00	16000.00000	16000.00000	1160.000 LF	2.000 EACH	16000.00000	16000.00	16000.00
0015 1107.00 REMOVE WALK	221.000 SY	10.40000	2298.40	9.00000	1989.00	221.000 SY	10.40000	2298.40	9.00000	1989.00
0016 11122.01 REMOVE CONCRETE MEDIAN SURFACING	232.000 SY	10.40000	2412.80	9.75000	2262.00	232.000 SY	10.40000	2412.80	9.75000	2262.00
0017 1136.11 REMOVE APPROACH SLABS	578.000 SY	25.40000	14681.20	8.50000	4913.00	578.000 SY	25.40000	14681.20	8.50000	4913.00
0018 3016.23 6" CONCRETE CLASS 47B-3000 SIDEWALKS	221.000 SY	69.40000	15337.40	34.10000	7536.10	221.000 SY	69.40000	15337.40	34.10000	7536.10
0019 3017.43 6" CONCRETE CLASS 47B-3000 MEDIAN	232.000 SY	80.10000	18583.20	78.00000	18096.00	232.000 SY	80.10000	18583.20	78.00000	18096.00

**ORIGINAL**

NEBRASKA DEPARTMENT OF ROADS

## TABULATION OF BIDS

CALL ORDER : 205  
LETTING DATE : 05/17/12 1:30 PMCONTRACT ID : 2478X  
DISTRICT : 2

COUNTIES : SARPY

LINE NO / ITEM CODE / ALT ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
0020 3039.11 CONCRETE PAVEMENT REPAIR, DEPTH	6.450 CY	600.00000	3,870.00	800.00000	5160.00				
0021 3039.12 CONCRETE PAVEMENT REPAIR, DEPTH	37.410 CY	420.00000	15,712.20	550.00000	20,575.50				
0022 3039.13 CONCRETE PAVEMENT REPAIR, DEPTH	791.030 CY	335.00000	264,995.05	388.00000	306,919.64				
0023 3050.16 CONCRETE FOR PAVEMENT APPROACHES CLASS 4	208.640 CY	250.00000	52,160.00	600.00000	125,184.00				
0024 3051.10 EPOXY COATED REINFORCING STEEL FOR PAVEMENT APPROACHES	19119.000 LB	1.40000	26,766.60	1.20000	22,942.80				
0025 4764.34 4" NONPERFORATED PIPE UNDERDRAIN	119.000 LF	23.70000	2,820.30	8.00000	952.00				
0026 4764.35 4" PERFORATED PIPE UNDERDRAIN	293.000 LF	23.70000	6,944.10	8.00000	23,440.00				
0027 4900.25 CURB INLET SEDIMENT FILTER	16.000 EACH	200.00000	3,200.00	130.00000	20,800.00				
0028 6005.36 PRECOMPRESSED POLYURETHANE FOAM JOINT, TYPE A	120.000 LF	79.10000	9,492.00	32.00000	3840.00				
0029 7011.20 W-BEAM GUARDRAIL	100.000 LF	26.70000	2,670.00	23.00000	2300.00				
0030 7017.00 REMOVE GUARDRAIL	225.000 LF	20.20000	4,545.00	15.00000	33,750.00				
0031 7020.00 BRIDGE APPROACH SECTIONS	2.000 EACH	2671.00000	5342.00	1725.00000	3450.00				
0032 7024.27 GUARDRAIL END TREATMENT, TYPE II	2.000 EACH	2671.00000	5342.00	1955.00000	3910.00				
0033 8028.01 FOUNDATION COURSE REPLACEMENT	23.000 CY	160.00000	3,680.00	113.00000	2599.00				
0034 8090.00 GRANULAR FILL	371.000 CY	45.00000	16,695.00	25.00000	9275.00				
0035 9110.01 RENTAL OF LOADER, FULLY OPERATED	5.000 HOUR			650.00	125.00000	625.00			
0036 9110.03 RENTAL OF DUMP TRUCK, FULLY OPERATED	5.000 HOUR			125.00000	90.00000	450.00			

# ORIGINAL

NEBRASKA DEPARTMENT OF ROADS

## TABULATION OF BIDS

CALL ORDER : 205  
LETTING DATE : 05/17/12 1:30 PM

CONTRACT ID : 2478X  
DISTRICT : 2

COUNTIES : SARPY

ITEM NO / ITEM CODE / ALT  
ITEM DESCRIPTION QUANTITY

0037 9110.07 RENTAL OF SKID LOADER, FULLY OPERATED	5.000 HOUR	115.00000	575.00	80.00000	400.00
0038 9110.27 RENTAL OF CRAWLER MOUNTED HYDRAULIC EXCAVATOR, FULLY OPERATED	5.000 HOUR	150.00000	750.00	125.00000	625.00
0039 A006.98 VEHICLE DETECTOR, TYPE A PREFORMED	1.000 EACH	1010.00000	1010.00	1500.00000	1500.00
0040 L019.12 EROSION CONTROL, CLASS 1C	310.000 SY	1.70000	527.00	2.00000	620.00
0041 L022.90 TEMPORARY SILT FENCE	100.000 LF	6.50000	650.00	3.25000	325.00
SECTION TOTALS			\$ 596,832.55	\$ 696,097.34	\$ 0.00
CONTRACT TOTALS			\$ 596,832.55	\$ 696,097.34	\$ 0.00

LINE NO / ITEM CODE / ALT ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
( 4 ) 1613 COLLINS CONTRACTING COMPANY				( 5 ) 2341 SWAIN CONSTRUCTION, INC.			
0037 9110.07 RENTAL OF SKID LOADER, FULLY OPERATED	5.000 HOUR	115.00000	575.00	80.00000	400.00		
0038 9110.27 RENTAL OF CRAWLER MOUNTED HYDRAULIC EXCAVATOR, FULLY OPERATED	5.000 HOUR	150.00000	750.00	125.00000	625.00		
0039 A006.98 VEHICLE DETECTOR, TYPE A PREFORMED	1.000 EACH	1010.00000	1010.00	1500.00000	1500.00		
0040 L019.12 EROSION CONTROL, CLASS 1C	310.000 SY	1.70000	527.00	2.00000	620.00		
0041 L022.90 TEMPORARY SILT FENCE	100.000 LF	6.50000	650.00	3.25000	325.00		
SECTION TOTALS			\$ 596,832.55	\$ 696,097.34	\$ 0.00		
CONTRACT TOTALS			\$ 596,832.55	\$ 696,097.34	\$ 0.00		

DATE : 05/17/12  
PAGE : 205 -8

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PRELIMINARY ENGINEERING		
CONTRACT AUTHORIZATION	◆ RESOLUTION	JOHN KOTTMANN
GILES ROAD, I-80 TO 108TH-SIGNAL	ORDINANCE	CITY ENGINEER/ASSISTANT
COORDINATION MAPA-5129(1)	RECEIVE/FILE	PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the Public Works Director and City Clerk to sign a Professional Services Agreement on behalf of the City of La Vista with Felsburg, Holt & Ullevig to provide preliminary engineering services for the Giles Road, I-80 to 108<sup>th</sup> Street, Signal Coordination project, a federal-aid project (construction phase only) designated as Project No. MAPA-5129(1) in an amount not to exceed \$10,433.04.

**FISCAL IMPACT**

The FY 2011/12 Capital Improvement Program provides funding for this phase of the project.

**RECOMMENDATION**

Approval

**BACKGROUND**

In order to comply with the regulations pertaining to federal-aid projects a Professional Services Agreement is required in the format prepared by the Nebraska Department of Roads. The City solicited proposals from five engineering firms for the design services in this project. Two proposals were received. The firm of Felsburg, Holt and Ullevig was selected based on qualifications and a fee was negotiated with them in accordance with the required procedures for projects that involve, or will involve, federal funding in some aspect of the project.

The estimated cost of the preliminary engineering services is \$10,433.04.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PUBLIC WORKS DIRECTOR AND CITY CLERK TO SIGN A PROFESSIONAL SERVICE AGREEMENT ON BEHALF OF THE CITY OF LA VISTA WITH FELSBURG, HOLT & ULLEVIG TO PROVIDE PRELIMINARY ENGINEERING SERVICES FOR THE GILES ROAD, I-80 TO 108<sup>TH</sup> STREET SIGNAL COORDINATION PROJECT NO. MAPA-5129(1).

WHEREAS, the City Council of the City of La Vista has determined that the Giles Road, I-80 to 108<sup>th</sup> Street signal coordination is necessary; and

WHEREAS, the City of La Vista, Nebraska is developing a transportation project for which it intends to obtain Federal funds; and

WHEREAS, the City of La Vista, Nebraska as sub-recipient of Federal Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, the City of La Vista Nebraska and Felsburg, Holt & Ullevig wish to enter into a Professional Services Agreement to provide Preliminary Engineering Services for the Federal-aid project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Joe Soucie, Public Works Director to sign said Preliminary Engineering Services agreement between the City of La Vista, Nebraska and Felsburg, Holt & Ullevig. on behalf of the City of La Vista, and the City Clerk is authorized to attest said execution.

NDOR Project Number: MAPA-5129(1)

NDOR Control Number: 22485

NDOR Project Description: Giles Road, I-80 to 108<sup>th</sup>, La Vista

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AWARD BID FOR EQUIPMENT- AND INSTALLATION TO UPGRADE THE WIRELESS SYSTEM	◆ RESOLUTIONS ORDINANCE RECEIVE/FILE	PAT ARCHIBALD DIRECTOR PUBLIC BUILDINGS & GROUNDS

**SYNOPSIS**

Resolutions have been prepared to award the bid for wireless equipment to Computer Solutions, Omaha Nebraska in an amount not to exceed \$30,345.00 and to accept the quote for the installation of this equipment to Last Mile Network in an amount not to exceed \$11,780.40.

**FISCAL IMPACT**

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

**RECOMMENDATION**

Approval.

**BACKGROUND**

The wireless system has been in place since 2003 with an upgrade in 2006. One of the issues brought forward in the IT Strategic Plan was bringing the Library onto the City's network in conjunction with the wireless upgrade. This upgrade of the wireless system will connect City Hall with the following: Fire Department District 2, Public Works and Library. This upgrade will improve connectivity and speed to all facilities. The requirements have been identified by City staff, Sarpy County IS and JNFS Engineering.

Staff recommends awarding the bid to Computer Solutions in an amount not to exceed \$30,345.00 as they are local and would be able to supply replacement parts, in the event a part would fail, on the same day. This would insure connectivity with minor down time.

The sole quote for the installation was Last Mile Networks for an amount not to exceed \$11,780.40.

**Equipment:**

Computer Solutions	\$30,345.00	Recommended
Moonblink	\$30,199.49	

**Installation:**

Last Mile Networks	\$11,780.40
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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING THE BID FOR PURCHASE OF WIRELESS EQUIPMENT, TO COMPUTER SOLUTIONS, OMAHA NE IN AN AMOUNT NOT TO EXCEED \$30,345.00.**

**WHEREAS,** the City Council of the City of La Vista has determined that the upgrade of the wireless system for improved connectivity and speed to all city facilities is necessary; and

**WHEREAS,** the FY 2011/12 Capital Improvement Program provides funding for this project; and

**WHEREAS,** the City Council authorized the advertisement of bids for Wireless Equipment on May 1, 2012, 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 awarding the bid for purchase of wireless equipment to Computer Solutions, Omaha NE in an amount not to exceed \$30,345.00.

**PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.**

**CITY OF LA VISTA**

---

**Douglas Kindig, Mayor**

**ATTEST:**

---

**Pamela A. Buethe, CMC**  
**City Clerk**

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CONTRACT FOR INSTALLATION OF WIRELESS EQUIPMENT TO LAST MILE NETWORKS, SEWARD, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$11,780.40.

WHEREAS, the City Council of the City of La Vista has determined that the installation of wireless equipment to upgrade the wireless system is necessary; and

WHEREAS, the FY 2011/12 Capital Improvement Program provides funding for this project; and

WHEREAS, the City Council authorized Staff to obtain quotes for Wireless Equipment Installation on May 1, 2012, and

WHEREAS, one quote was received and reviewed by City staff and Sarpy County IS and acceptance of the aforesaid quote was recommended, 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 authorize the contract for installation of wireless equipment to Last Mile Networks of Seward, Nebraska, in an amount not to exceed \$11,780.40.

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

FROM :

PHONE NO. :

May. 31 2012 10:53AM P2

## BID SUMMARY

1

COMPUTER SOLUTIONS, INC.  
 4217 South 84th Street  
 Omaha, NE 68127  
 4023397441

*Jackie Jeff 5-31-2012*

Order Number: 0074372  
 Order Date: 5/30/2012

Salesperson: 0006  
 Customer No: 00-LAVICTY

CITY OF LA VISTA  
 8116 PARK VIEW BLVD  
 LA VISTA, NE 68128

CITY OF LA VISTA  
 8116 PARK VIEW BLVD  
 LA VISTA, NE 68128

Customer P.O.		TERMS: DUE ON RECEIPT				
Item Number	UNIT	ORDERED	SHIPPED	BACKORDERED	PRICE	AMOUNT
Proxim, Radwin Equipment						
952-00230	EACH	1.00	0.00	0.00	8,650.00	8,650.00
	Tsunami GX800 18ghz IINNK					
949-00043	EACH	2.00	0.00	0.00	195.00	390.00
	GX800 AC/DC PSU					
Frequency to be determined by Customer						
76113	EACH	1.00	0.00	0.00	800.00	800.00
	2-Year 24x7 ServPak Advance Relacement					
Equipment must be shipped by manufacurer no later than June 30, 2012						
RW-2049-0100	EACH	6.00	0.00	0.00	2,275.00	13,650.00
	RADWIN 200C ODU, 4.9 INTEG.					
RW-9921-1012	EACH	6.00	0.00	0.00	60.00	360.00
	RADWIN 100/GbE POE					
RW-8510-0100	EACH	6.00	0.00	0.00	675.00	4,050.00
	Rw2000 2 Year 7x24 Maintence					
HP2-18RR	EACH	2.00	0.00	0.00	625.00	1,250.00
	2' High Performance Antenna, 17.7-19.7GHz					
RW-9924-006	EACH	8.00	0.00	0.00	90.00	720.00
	Surge Protectors					

Continued

FROM :

PHONE NO. :

May. 31 2012 10:53AM P3

2

BID SUMMARY

*John Joffe* 5-31-2012

COMPUTER SOLUTIONS, INC.  
4217 South 84th Street  
Omaha, NE 68127  
4023397441

Order Number: 0074372

Order Date: 5/30/2012

Salesperson: 0006  
Customer No: 00-LAVICTY

CITY OF LA VISTA  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128

CITY OF LA VISTA  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128

---

Customer P.O.

TERMS:

DUE ON RECEIPT

---

\*\* Frequency licensing and installation not included \*\*

Computer Solutions Inc:

*John Joffe* 5-31-2012

Net Order:	29,870.00
Less Discount:	0.00
Freight:	475.00
Sales Tax:	0.00
Order Total:	30,345.00



Distributing a Complete Spectrum of Wireless Solutions

MOONBLINK®

1211 Alderwood Ave. Sunnyvale, CA 94089 T 1.877.623.5223 F 408.350.2020

## BID SUMMARY

Provided by your Partner Development Manager, Matt Rohrbaugh P: 408-701-5610 E: matt.rohrbaugh@moonblink.com

Date: 5/31/2012

Shipping Method: UPS-Ground

Payment Terms: Credit Card

Bill To:

City of La Vista  
8116 Park View Boulevard  
La Vista, NE 68128

Ship To:

City of La Vista  
8116 Park View Boulevard  
La Vista, NE 68128

LN	Part Number	Product Description	Qty	UOM	List Price	Unit Price	Ext Price
1	PW-952-00242	Tsunami GX800 Link, 18 GHz, TR1560, C	1.00	each	\$15,499.00	\$9,299.40	\$9,299.40
2	RW-HP2-18RR	HP218RR, 2', 17.7-19.7 GHZ, 38.6 DBI GAIN,	2.00	each	\$850.01	\$680.01	\$1,360.02
3	PW-5054-SURGE	Surge Arrestor 5 GHz - Standard-N Female to	2.00	each	\$72.00	\$50.40	\$100.80
4	RDW-RW-2049-0100	RW2000-C SERIES, 200 MBPS, POINT -	6.00		\$3,000.00	\$2,400.00	\$14,400.00
5	RDW-RW-9921-1012	POE, 100BASET/GBE INTERFACE, RADIOS	6.00		\$80.00	\$68.00	\$408.00
6	RDW-RW-8510-0012	1 YEAR EXTENDED WARRANTY, 24/7	6.00		\$356.00	\$249.20	\$1,495.20
7	RDW-RW-8520-0012	1 YEAR EXTENDED WARRANTY, 24/7	6.00		\$225.00	\$213.75	\$1,282.50
8	PW-949-00043	120W AC/DC PSU with DC power plug for	2.00	each	\$309.00	\$216.30	\$432.60
9	PW-76113	2-Year 24x7 Enhanced ServPak (LVL-6)-	1.00	each	\$4,500.00	\$787.00	\$787.00
10	PW-76394	Surge Protector for PoE, 1000 Mbps with	6.00	each	\$79.00	\$55.30	\$331.80

Subtotal \$29,897.32

Freight \*\* \$302.17

Sales Tax (CA, NC, IN) \$0.00

**TOTAL (USD) \$30,199.49**

Notes:

- This Quotation is subject to the Moonblink Communications, Inc. Terms and Conditions of Purchase.
- Actual freight charges are calculated at the time of shipment
- Sales Tax is charged on all shipments to CA, IN, NC unless a signed resale permit is provided prior to shipment



# SALES ORDER

Date	ORDER #
5/14/2012	893

**Name / Address**

La Vista City Hall  
 8116 Park View Boulevard,  
 La Vista, Nebraska, 68128  
 ATTN: Pamela A. Buethe  
 402-331-4343

**a** jnfs Engineering Company

PO BOX 242  
 SEWARD, NE 68434

**ADVANCE**

Description	Qty	Cost	Total
THIS IS A PROPOSAL FOR THE INSTALL OF THE CITY OF LA VISTA WIRELESS UPGRADE		0.00	0.00T
INSTALL OF FIRE DISTRICT 1	9	264.00	2,376.00T
24AWG GAUGE, 4PAIRS, CAT5, OUTDOOR,	250	0.968	242.00T
CAT5 CRIMP-ON END	4	1.50	6.00T
MISC. EQPT. & SUPPLIES	4	44.00	176.00T
INSTALL OF FIRE DISTRICT 2	5	240.00	1,200.00T
24AWG GAUGE, 4PAIRS, CAT5, OUTDOOR,	200	0.968	193.60T
CAT5 CRIMP-ON END	4	1.50	6.00T
MISC. EQPT. & SUPPLIES	3	44.00	132.00T
INSTALL OF PUBLIC WORKS	5	264.00	1,320.00T
24AWG GAUGE, 4PAIRS, CAT5, OUTDOOR,	200	0.968	193.60T
CAT5 CRIMP-ON END	4	1.50	6.00T
MISC. EQPT. & SUPPLIES	3	44.00	132.00T
INSTALL OF LA VISTA PUBLIC LIBRARY	7	264.00	1,848.00T
24AWG GAUGE, 4PAIRS, CAT5, OUTDOOR,	300	0.968	290.40T
CAT5 CRIMP-ON END	4	1.50	6.00T
MISC. EQPT. & SUPPLIES	3	44.00	132.00T

**Subtotal**
**Sales Tax (0.0%)**
**Total**

DATE \_\_\_\_\_  
 PLEASE FAX TO : 800-839-4342

Signature \_\_\_\_\_



## SALES ORDER

Date	ORDER #
5/14/2012	893

Name / Address

La Vista City Hall  
8116 Park View Boulevard,  
La Vista, Nebraska, 68128  
ATTN: Pamela A. Buethe  
402-331-4343

 jnfs Engineering Company

PO BOX 242  
SEWARD, NE 68434

DATE \_\_\_\_\_  
PLEASE FAX TO : 800-839-4342

### Signature

+

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

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  
7012 Edna Street/Lot 75 La Vista Replat; \$143.35  
were notified to clean up their property as they were in violation of the City  
Municipal Code, Section 50.03, or the City would do so and bill them accordingly,  
and

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

WHEREAS, the City sent the property owners a bill for said clean up which has 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  
amount and against the property specified above, located within Sarpy County,  
La Vista, Nebraska.

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012

CITY OF LA VISTA

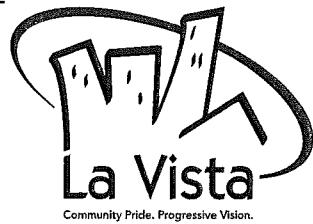
ATTEST:

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

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

LA VISTA POLICE DEPARTMENT SPECIAL ENFORCEMENT BUREAU - CODE ENFORCEMENT  
SPECIAL ASSESSMENT REPORT

ADDRESS	RENTAL/OWNER OCCUPIED	PRIOR CONTACTS	ACTION TAKEN	CURRENT OFFENSE	ACTION TAKEN	EXISTING SPECIAL ASSESSMENTS
7012 Edna St	Owner Occupied- Currently Vacant Foreclosure owned by Wells Fargo Bank	No Prior Contacts with this address	No prior contacts with this address	50.03-Trash	Completed by P.W.	0 Special Assessments on this property



April 26, 2012

Wells Fargo Bank  
One Home Campus  
Des Moines, IA 50328

RE: Lot 75 La Vista Replat

To Whom It May Concern;

On March 14, 2012, the property at 7012 Edna Street, La Vista, NE was in violation of the City of La Vista's Municipal Code, Section 50.03. On March 14, 2012 notification was made to correct the trash violation by March 28, 2012 or the city would correct it at the expense of the property owner. On April 5, 2012, the Public Works Department removed the trash at the property. The cost of \$143.35 was incurred by the City for the cleanup. The cost breakdown is as follows:

Administrative Fee	\$	50.00
Trash Removal Costs		
Labor	\$	39.45
Equipment Cost	\$	25.00
Material Cost	\$	28.90
<b>TOTAL</b>	<b>\$</b>	<b>143.35</b>

Please remit \$143.35, payable to the City of La Vista, 8116 Park View Blvd., La Vista, Nebraska 68128, within 30 days. If payment is not received within 30 days of issuance of this statement, the City Council will, on June 5<sup>th</sup>, 2012, take action to file the above referenced cost with the Sarpy County Treasurer as a special assessment for improvements against your property.

Thank you for your attention to this matter.

Sincerely,

Mandy Garrod  
Deputy City Clerk

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

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

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

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

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

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

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

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

**COPY**

## La Vista Police Department

## Code Enforcement Case Management



CASE ADDRESS: 7012 Edna St DATE INITIATED: 3/14/2012

NAME OF PROPERTY OWNER/RESIDENT: Wells Fargo Bank

CODE VIOLATION(S): Trash/50.03

April 9, 2012

To: Stacy Corbit  
Code Enforcement Officer  
Police Dept.

Fr: Cindy Norris  
Administrative Secretary  
Public Works Dept.

RE: Residential Property Clean-Up  
7012 Edna St.

The following is a list of the expenses incurred by the Public Works Department on April 5, 2012 while removing the TV, rusted grill, and assorted trash at 7012 Edna St., per your request.

**LABOR:**

	<u>HOURLY WAGE</u>	<u>HOURS</u>	<u>TOTAL</u>
Employee #1	29.45	1	29.45
Employee #2	10.00	1	10.00
<b>TOTAL</b>		2	<b>\$39.45</b>

**EQUIPMENT:**

	<u>HOURLY RATE</u>	<u>HOURS</u>	<u>TOTAL</u>
(1) 1 ton pickup	25.00	1	25.00
<b>TOTAL</b>		1	<b>\$25.00</b>

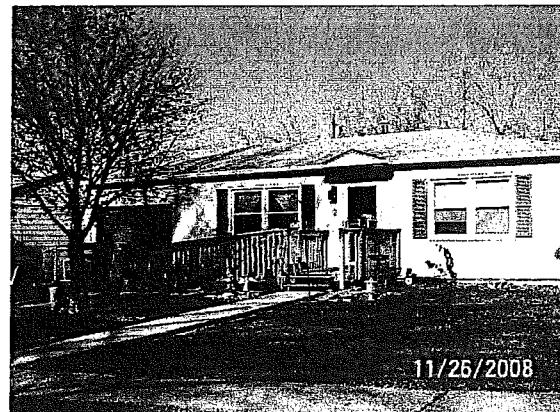
**MATERIALS:**

(1) trailer dumpster fee	25.00
(6) trash bags @ \$.65/each	3.90
<b>TOTAL</b>	<b>\$28.90</b>

**TOTAL LABOR, EQUIPMENT and MATERIALS:** **\$93.35**

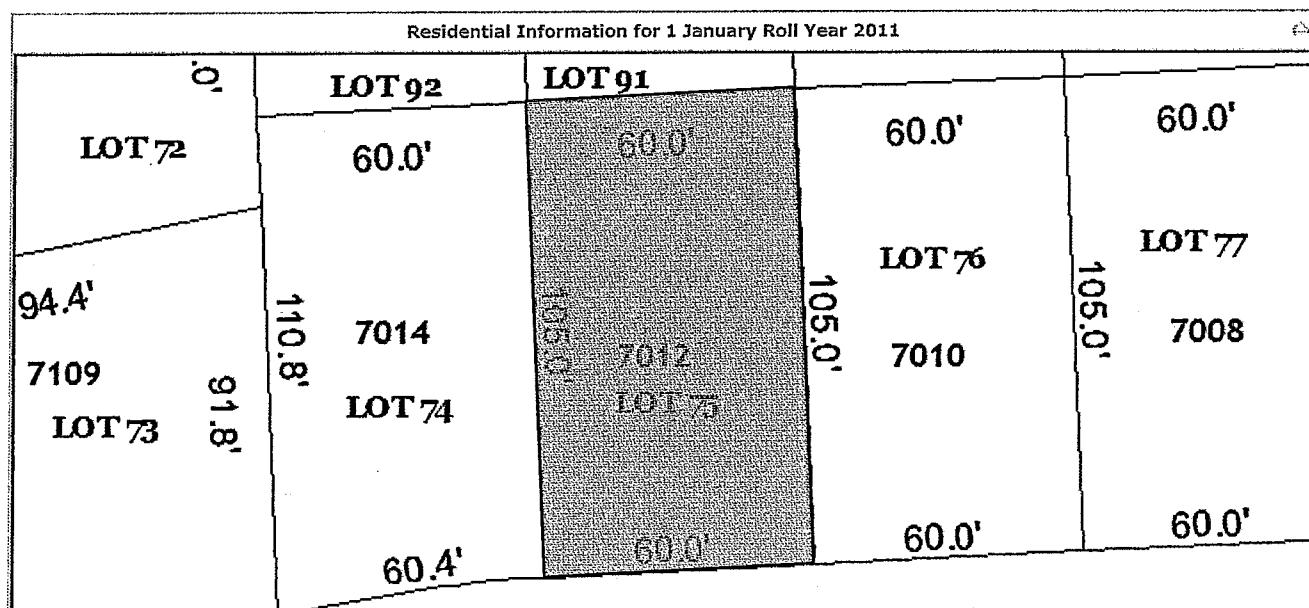
**Active**

Parcel Number: 010330690  
 Location: 07012 \EDNA ST  
 Owner: WELLS FARGO BANK  
 C\O  
 Mail Address: ONE HOME CAMPUS  
 DES MOINES IA 50328-  
 Legal: LOT 75 LA VISTA REPLAT  
 Tax District: 27002  
 Map #: 2959-13-2-30051-000-0079



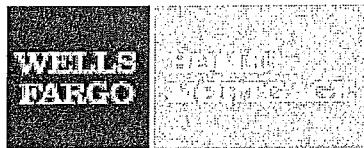
Click Picture/Sketch for Larger View.  
Use arrows to view Picture/Sketch.

THIS IS NOT A PROPERTY RECORD FILE [What does this mean?](#)



Style:	Ranch	#Bedrooms above Grade 2
Year Built:	1960	Total Sqft 792
#Bathrooms Above Grade 1		Bsmt Total Sqft 0
Total Bsmt Finish Sqft	0	Garage Sqft 288
Garage Type	Attached	Lot Width 60
Lot Depth	105	

Misc



**Wells Fargo Home Mortgage**

One Home Campus  
MAC: X2303-048  
Des Moines, IA 53028  
Fax: 866-512-0757

April 2, 2012

Keith R Welch  
Cathy ann Welch  
7012 Edna St.  
La Vista, NE 68128

Reference: Violations present at property: 7012 Edna St.

Dear Mortgagor (s):

Wells Fargo Home Mortgage, A Division of Wells Fargo Bank, N.A. is in receipt of the attached violation notice from the city/county for the above referenced property.

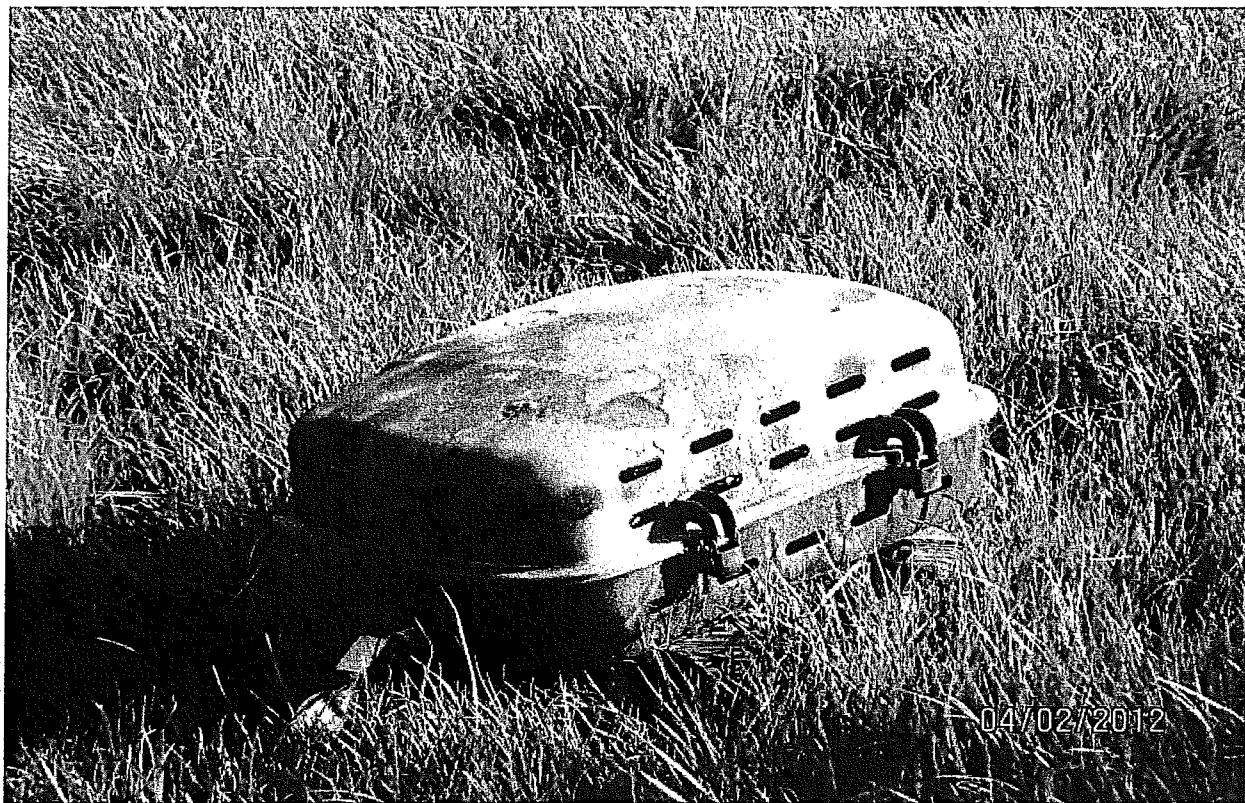
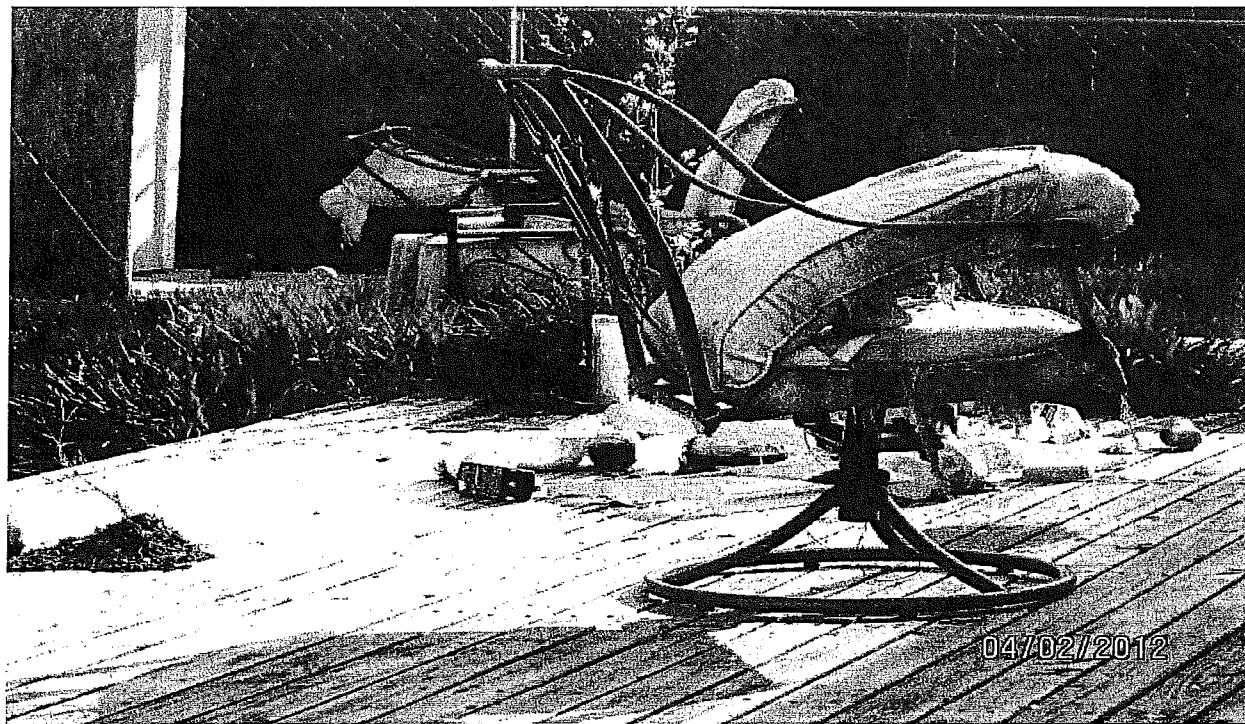
Your failure to correct the violation represents a break of your Note and Mortgage obligation with Wells Fargo Home Mortgage, whereby you agreed to maintain the real property free and clear of all violations.

When this violation has been satisfied, please send Wells Fargo Home Mortgage proof of this from the city/county. Your compliance is expected within the next 30 days.

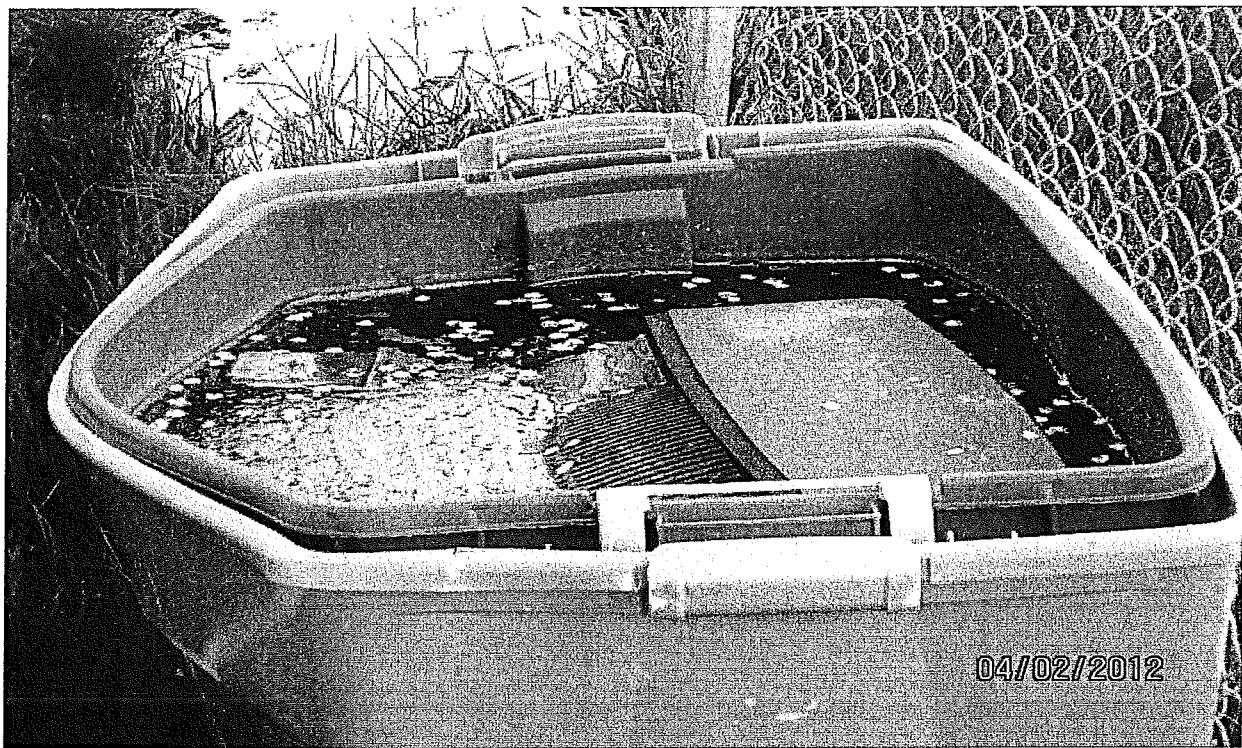
Sincerely,

Nichole Cochenet  
Property Preservation-Violations  
Wells Fargo Home Mortgage  
[codeviolations@wellsfargo.com](mailto:codeviolations@wellsfargo.com)

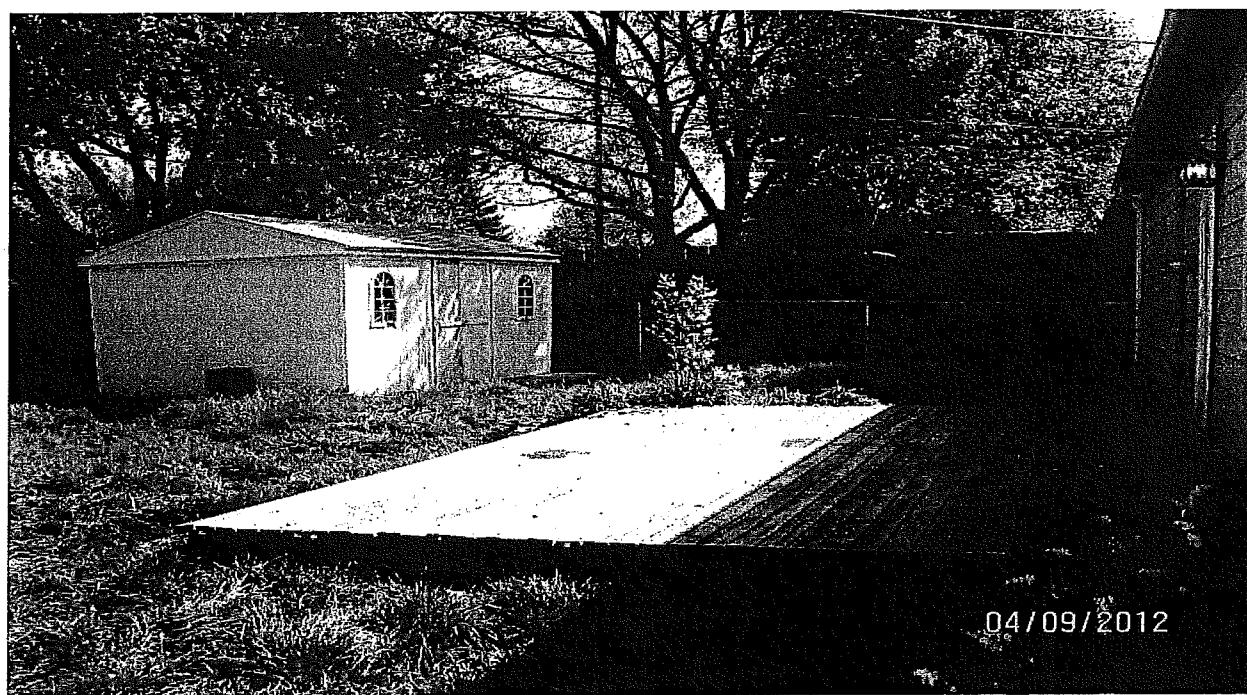
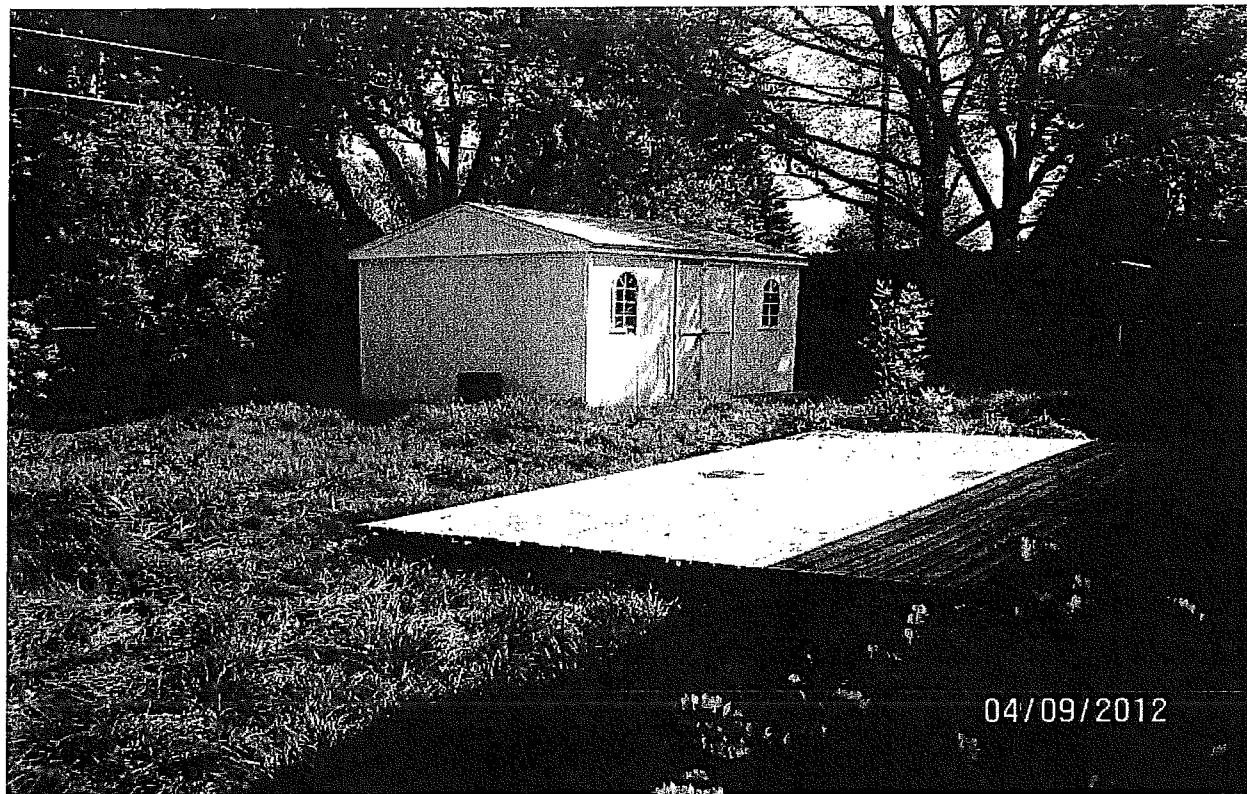
CC:  
City Hall  
8116 Park View Blvd.  
La Vista, NE 68128



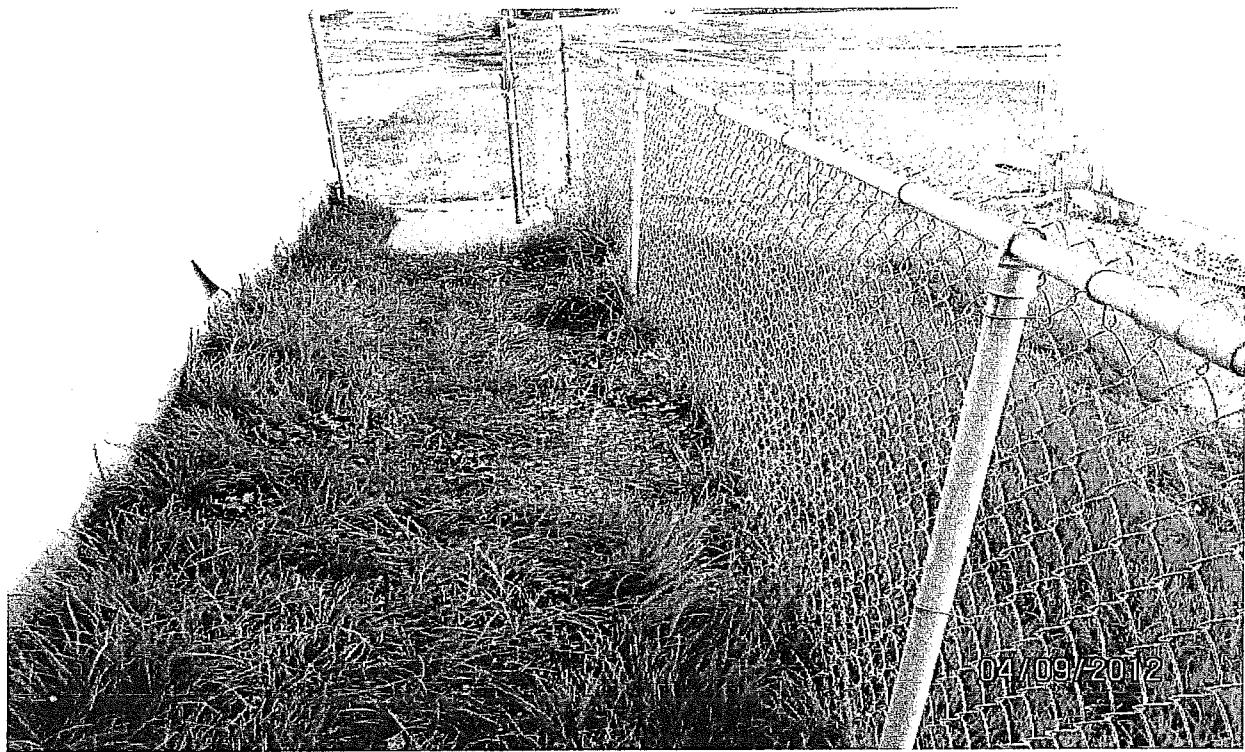
Before Pictures  
Taken by: S. Corbit



Before Pictures  
Taken by: S. Corbit



After Pictures  
Taken by: S. Corbit



After Pictures  
Taken by: S. Corbit

U.S. POSTAL SERVICE MAIL RECEIPT	
DOMESTIC MAIL ONLY, NO INSURANCE, COVERAGE PROVIDED	
FOR DELIVERY INFORMATION VISIT OUR WEBSITE AT <a href="http://WWW.USPS.COM">WWW.USPS.COM</a>	
OFFICIAL USE	
POSTAGE	CERTIFIED FEES
POSTMARK FEES	RECEIPT FEES
HERE	REQUERED
ENDORSEMENT DELIVERY FEES RESTRICTED DELIVERY FEES ENDORSEMENT RECEIPT FEES POSTAGE & FEES	
\$	

#### **Follow-up Officer**

and jump-snake looks drawn into

Backyard has fresh Description

Time to Comply 5 days

50.03 - Violation

LA VISTA POLICE DEPARTMENT  
MUNICIPAL CODE COMPLIANCE AGREEMENT

FULL NAME: FIRST, MIDDLE, LAST	DATE OF BIRTH
Wells Fargo Bank	—
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER	
One Home Campus, Des Moines, IA 50328	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER	
7012 Edna St, La Vista, NE 68128	
CONDITIONS REQUIRING CORRECTION	
• 50.03 - Trash (Backyard)	
CORRECTIVE MEASURES	
please have all trash and junk removed from the back yard.	

**AGREEMENT:**

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 3/28, 2012.

The undersigned agrees to allow the City to inspect the property as necessary to determine compliance with this agreement. This Agreement shall be interpreted in accordance with the law of the State of Nebraska.

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of this Agreement.

Failure to comply with the agreement deadline will result in prosecution for violations of the La Vista Municipal Codes.

This form must be filled out completely to be valid.

*Signature: \_\_\_\_\_, and date \_\_\_\_\_, 20\_\_\_\_\_,  
accepting responsibility for compliance.*

Dear Owner/Resident:

The City of La Vista is committed to maintaining quality neighborhoods and an excellent community environment. Our citizens expect us to do everything we can in this regard.

An investigation is being conducted at your property. This investigation has revealed violation(s) of the La Vista Municipal Code, 50.03-Trash.

The attached sheet categorizes your violation(s) and copies of the codes are provided for your review as an educational package to assist you in achieving compliance and preventing future violation(s).

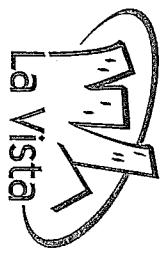
Violation(s) are required to be corrected within **5 Days** depending upon the violation(s). By completing a "Compliance Agreement:" additional time may be granted depending on health and safety and will be evaluated on a case by case basis.

You must contact me immediately upon receipt of this letter to demonstrate cooperation to eliminate these violation(s). The enclosed "Compliance Agreement" must be completed and returned immediately to ensure additional time for compliance. We hope you will work with us to maintain a positive community environment. Your cooperation will be greatly appreciated.

Please contact me at (402) 331-1582 ext. 251 between the hours of 9:30 a.m. and 6:00 p.m. Please leave a voicemail if I am not available. **It is important that you leave your name, address, return phone number and best date and time to contact you.** Failure to comply may result in this matter being forwarded to the City Legal Department and other necessary agencies for Civil and/or Criminal Prosecution.

Sincerely,

Stacy Corbit  
Code Enforcement Officer  
La Vista Police Department



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

Wells Fargo Bank  
One Home Campus  
Des Moines, IA 50328

**SENDER: COMPLETE THIS SECTION****COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Wells Fargo Bank  
One Home Campus  
Des Moines, IA  
50328

**D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:**

No

**A. Signature**

Agent

Addressee

**B. Received by (Printed Name)****C. Date of Delivery****3. Service Type**

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

**4. Restricted Delivery? (Extra Fee)  Yes****2. Article Number  
(Transfer from service label)**

7008 1140 0000 6669 1094

**PS Form 3811, February 2004****Domestic Return Receipt**

102595-02-M-1540



DATE:

01220863 25/7

Dear Owner/Resident:

The City of La Vista is committed to maintaining quality neighborhoods and an excellent community environment. Our citizens expect us to do everything we can in this regard.

An investigation is being conducted at your property. This investigation has revealed violation(s) of the La Vista Municipal Code, 50.03-Trash.

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Sincerely,

*Stacy Corbit*

Stacy Corbit  
Code Enforcement Officer  
La Vista Police Department

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

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

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

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

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

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

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

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

# LA VISTA POLICE DEPARTMENT

## MUNICIPAL CODE COMPLIANCE AGREEMENT

FULL NAME: FIRST, MIDDLE, LAST	DATE OF BIRTH
Wells Fargo Bank	—
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER	
One Home Campus, Des Moines, IA 50328	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER	
7012 Edna St, La Vista, NE 68128	
CONDITIONS REQUIRING CORRECTION	
• 50.03 - Trash (Backyard)	
CORRECTIVE MEASURES	
please have all trash and junk removed from the back yard.	

### AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 3/28, 2012.

The undersigned agrees to allow the City to inspect the property as necessary to determine compliance with this agreement. This Agreement shall be interpreted in accordance with the law of the State of Nebraska.

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Failure to comply with the agreement deadline will result in prosecution for violations of the La Vista Municipal Codes.

This form must be filled out completely to be valid.

**Signature:** \_\_\_\_\_, and date \_\_\_\_\_, 20\_\_\_\_\_  
*accepting responsibility for compliance.*

# LA VISTA POLICE DEPARTMENT

## MUNICIPAL CODE COMPLIANCE AGREEMENT

FULL NAME: FIRST, MIDDLE, LAST		DATE OF BIRTH
Wells Fargo Bank 01220863 25/7		
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER		
One Home Campus, Des Moines, IA 503828		
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER		
7012 Edna St, La Vista, NE 108128		
CONDITIONS REQUIRING CORRECTION		
<del>5003 - Trash &amp; Back Yard</del>		
CORRECTIVE MEASURES		
please have all trash and junk removed from the back yard.		

### AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 3/28, 2012.

The undersigned agrees to allow the City to inspect the property as necessary to determine compliance with this agreement. This Agreement shall be interpreted in accordance with the law of the State of Nebraska.

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This form must be filled out completely to be valid.

*Signature:* \_\_\_\_\_, and date \_\_\_\_\_, 20\_\_\_\_\_  
accepting responsibility for compliance.

(C)

(C)

(C)

ITEM I

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JUNE 5, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
DISCUSSION — STRATEGIC PLAN 2012 – 2014	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

A draft of Strategic Plan 2012 – 2014 has been prepared based on discussion at the March 20, 2012 City Council work session.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Review and discuss any questions or potential revisions.

**BACKGROUND**

On Tuesday, March 20, 2012 the Mayor and City Council held a work session during their regularly scheduled meeting to discuss the Strategic Plan. As a result, a draft of Strategic Plan 2012-2014 has been prepared and is attached for discussion.

The Council is being asked to provide feedback and offer any additions or revisions deemed necessary. Staff will bring back at a subsequent meeting for final adoption.

# City of La Vista

## Strategic Plan 2012 - 2014

### 1. Pursue revitalization of the 84<sup>th</sup> Street corridor & other economic development opportunities

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. <b>Vision 84 Implementation</b>	Develop design guidelines for buildings and public realm amenities	CD/Admin/ PW	Spring 2013	Staff has been compiling and reviewing research material and examples.	Recommend process for development of design guidelines to include public participation component.	
	Prepare park program & master plan	CD/Admin/ PW/Rec	FY 12	Conceptual plans presented to public; workshop held to review with City Council; Consultant prepared final concept, cost estimates & phasing plan.	Joint workshop of Park & Rec Advisory Board, Planning Commission & City Council	
	Prepare an infrastructure/drainage master plan	CD/Admin/ PW	FY13			
	<b>Pursue 84th Street Relinquishment</b>	PW	ongoing	The City understands status of 84th Street relinquishment & associated complications	Determine necessity, rationale, logistics for pursuing or not	
	Prepare financial/fiscal impact analysis for Phase 1	CD/Admin	FY13			
	Refine initial phase(s) based on financial analysis results and prepare pro forma	CD/Admin	FY13			
	Identify actions and incentives to be provided by the City	CD/Admin	immediate & ongoing	Draft of redevelopment under review.	Planning Commission public hearing	
	Explore scope and feasibility of development consultant/manager.	CD/Admin	FY 13	Made specific contacts & held related meetings at ICSC to vet Master Developer concept	Make recommendation regarding engaging Master Developer	
	Design public improvements & obtain required permits & utility coordination	PW	FY13/14	Reviewing Summer Drive access as it pertains to a possible swimming pool project		



# City of La Vista

## Strategic Plan 2012 - 2014

### 1. Pursue revitalization of the 84<sup>th</sup> Street corridor & other economic development opportunities (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
	Coordinate with Comp Plan update & 84th Street signal coordination study now in progress	PW	FY13	MAPA has RFP out for systems engineering study	Anticipate federal funding for signal coordination in FY13	
	Integrate Vision 84 with Municipal Facilities Plan	CD/Admin/PW	Ongoing	Leo A. Daly has finalized a campus plan for City Hall area and connection to 84th St.	Ensure integration with Vision 84 & Civic Center Master Plan; Council update at future meeting	
	Coordinate with neighboring cities	CD/PW/Admin	Ongoing	This will be an ongoing effort		
	Keep public informed about issues and progress	CD/Admin	Ongoing	Mallings, press releases & social media related to park planning & Vision 84 implementation processes		
	Involve property owners in Vision 84 as stakeholders	CD/Admin	ongoing	Property owners have been invited to participate in each Vision 84 related activity	Ongoing efforts will be made to keep property owners informed on Vision 84 progress	
	Work with property owners and/or their representatives to facilitate implementation of Vision 84	CD/Admin	ongoing	CVS under construction	Continue to meet with property owner/representatives	
	In addition to pursuing 84th Street redevelopment opportunities, continue to seek out opportunities to ensure successful build out of Southport and other areas of the city.	Admin/CD	immediate & ongoing	Announcement of Southport West Outlets & Live; Council approval of Terms Sheet; working on subdivision agreement	Finalizing cost projections & economic impact analysis; negotiation of subdivision agreement	
	Continued ICSC Participation & Exposure	Admin/CD	immediate & ongoing	Recent ICSC attendance & exhibition; several meetings & contacts identified	CA to serve as IA/NE Public Sector Alliance Co-Chair	

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# City of La Vista

## Strategic Plan 2012 - 2014

### 1. Pursue revitalization of the 84<sup>th</sup> Street corridor & other economic development opportunities (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
	Continue to market La Vista to targeted retailers, restaurants & corporations	Admin/CD	ongoing, FY12/13	Updated marketing materials to reflect new census data		
	Develop inventory of vacant commercial/retail properties and link to site that lists available properties	CD	Spring 2013		Recommend funding in FY13 budget to develop commercial & industrial site inventory analysis	
d. Work to ensure adequate public transportation	Continue working with Metro Area Transit (MAT) for increased and better service routes; possible park & ride	CD/PW	immediate & ongoing	Multiple meetings with MAT regarding service in Sarpy County; Planner member of Heartland Connection Regional Transit Vision steering committee		

### 2. Provide for planned, fiscally responsible expansion of the city's boundaries

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. Comprehensive Plan Update	Prepare schedule, scope of work & RFP for Comprehensive Plan update	CD	Spring 2013		Develop timeline; recommend funding in FY14 budget	
	Development of community wide Strategic Plan.	CD/Admin	TBD		Incorporate as part of the Comp Plan update & FY14 budget recommendation	
	Consultant selection	CD	Summer 2013		Issue RFP in accordance with schedule	
b. Implementation of annexation plan	Review and update annexation plan annually Assume responsibility for providing services in newly annexed areas.	Fin/CD	Feb/March 2013	Updated annexation plan presented to Council 3/20/12.	Council review of annexation package for 2013/14.	Ongoing annually

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# City of La Vista

Strategic Plan 2012 - 2014

## 2. Provide for planned, fiscally responsible expansion of the city's boundaries (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
	Consider extending the City's ETJ	CD/Admin	Summer 2011	Extended ETJ to include commercial areas west of 144th Street.		Completed Spring 2012
c. Ensure budget & CIP provide for infrastructure improvements necessary to serve areas targeted in annexation plan	Evaluate infrastructure in areas contemplated for annexation	PW	ongoing		Reviewed annually as part of CIP/Budget process and 1 & 6 Year Road Plan	
	Incorporate infrastructure improvements as part of the CIP process	PW	ongoing	Work on 2013-2017 CIP is underway		
d. Communicate annexation plan & property tax implications to residents and businesses located in new growth areas	Letters to property owners, Quarterly Newsletter, Website, Social Media & Public Meetings	CD/Admin	TBD based on plan	Updated annexation plan adopted by Council 3/20/12.	Prepare article for CityWise	
e. Work with neighboring cities to protect the integrity of each city's boundaries and ETJs	Pursue this discussion through the United Cities format	Admin	ongoing	Currently working with City of Papillion on boundary issues associated with 96th Street/Portal Road/107th Street		

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# City of La Vista

## Strategic Plan 2012 - 2014

### 3. Maintain Quality of Older Residential Neighborhoods

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. Provide for essential maintenance & priority improvements in neighborhood public facilities through CIP	Submit public facility improvements as part of the CIP process	PW/CIP Committee	ongoing	Work on the 2013-2017 CIP is underway; presentation & adoption of 1 & 6 Year Road Plan	Consider annual budget item for sewer repairs	
b. Ensure attractive neighborhoods by strengthening & enforcing building & environmental codes	Review and propose improvements to municipal codes	CD/PD/PW	ongoing	A comprehensive report regarding the City's property maintenance codes and ordinances has been prepared	Internal review and discussion of report	
	Work to be more proactive in code enforcement	PD	Ongoing	Code Enforcement position is working flexible shift; currently evaluating need for additional staff to handle ETJ (FY14 budget)		
	Evaluate using a private vendor to complete property clean up and mowing	PW	Spring 2013		Recommendations as part of the FY14 budget	
c. Monitor efficiency & effectiveness of rental housing inspection program	Prepare & present annual RHIP overview to Mayor & Council along with any recommended revisions to the code.	CD	ongoing		Council update June 2012	
	Pursue enforcement actions	CD	TBD		Pursue penalties pending outcome of litigation.	



# City of La Vista

## Strategic Plan 2012 - 2014

### 3. Maintain Quality of Older Residential Neighborhoods

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
	Preliminary work on plans for channel stabilization improvements in order to pursue funding options.	PW	immediate & ongoing		Funding included in FY12 CIP for planning/study of channel stabilization improvements; engineering & construction in FY14 if awarded grant	
	Begin seeking Corps permits and coordinate with utility companies	PW	immediate & ongoing		Anticipate beginning process in FY13	
	<b>Begin construction of channel improvements</b>	PW	FY14		Construction dependent on securing grant funding.	
e. Evaluate need for Neighborhood Revitalization Program	Research the need for and the City's role in a Neighborhood Revitalization Program	CD	2014		Incorporate recommendation as part of the Comp Plan update	
Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. Increase communications with La Vista residents and other key audiences	Investigate the feasibility of providing live and/or archived web casts of City Council meetings	Admin	Fall 2011	Currently working on plan & cost estimate to improve AV in Council Chambers. Cost estimate for web casts will be solicited as well.	Recommendation as part of FY13 budget	
	Investigate social media for city broadcast	Admin	Summer 2012	Draft policy is in review process.	Anticipate policy recommendation in summer 2012	



# City of La Vista

## Strategic Plan 2012 - 2014

### 4. Enhance La Vista's identity and raise awareness of the city's many qualities (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
b. Increase citizen-council engagement	Conduct town hall or neighborhood meetings in various venues	Admin	Ongoing	Open House for Applewood Creek Project 12-6-11 & Police Community Meeting 12-1-11. Civic Park Community Meeting 1-31-12	2012 Citizen Police Academy held in early 2012; Police presentation at Leadership Sarpy	Strategic Plan Development being recommended in conjunction with Comp Plan update is a significant public participation opportunity
	Continue to provide citizen education on City activities and performance	All	Ongoing			Research similar programs with recommendation in FY14 budget
	Recommendation for citizens leadership academy program	Admin	Spring 2013			Research similar programs with recommendation in a future budget
	Recommendation for Mayor's youth leadership council	Admin	TBD			
c. Develop and aggressively market La Vista through strategic partnerships	Provide funding for update of community marketing materials	Admin	ongoing	Updated marketing materials based on new Census data	Utilize information obtained through Strategic Planning process	
	Develop community branding strategy	Admin	FY14/15	The LVCF helps fund a portion of the advertising budget for the City's special annual activities;	Worked w/Papillion Park & Rec to cooperatively host 2012 Urban Adventure	
	Identify opportunities for cooperative efforts with outside agencies	All	ongoing			

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# City of La Vista

## Strategic Plan 2012 - 2014

### 5. Improve and expand the City's quality of life amenities for residents and visitors

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. Create new opportunities that bring residents together for celebration, leisure or civic engagement	Look for opportunities to initiate ongoing events such as community movie nights & summer concerts	Concert & Movie Night Committee	Ongoing		(3) Movie nights scheduled for 2012 (in conjunction w/concerts)	
	La Vista Daze	All	Ongoing	The City successfully ran La Vista Daze for the 3rd year	Debriefing & feedback solicitation	
	Winter Holiday Decorations & Festivities			Internal team organized; marketing discussions; brainstorming possible future events and holiday decoration planning.	Recommendation for 84th St. holiday decoration replacement part of FY13 budget.	
	Identify & promote development of new cultural amenities in partnership with other community groups such as the La Vista Community Foundation, area Chambers of Commerce & local service groups.	All	ongoing		Internal committee to identify potential new event (2013?); IDEAL Legacy Project at library completed	
b. Address the needs associated with the City's aging swimming pool facility	Make decision regarding future of the swimming pool	M&C/Rec/PW /Admin	ongoing	Initiative on May 2012 did not pass.	Continue to operate pool until major expenditures warranted; consider alternatives	
c. Identify options for creation of public green space with the property owner of the sod farm and develop a plan	Develop master park plan.	CD/Rec/PW	Fall 2012		Make recommendation regarding impact of Vision 84 & Civic Park plans as they relate to City's original needs associated with sod farm	



# City of La Vista

## Strategic Plan 2012 - 2014

### 5. Improve and expand the City's quality of life amenities for residents and visitors (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
<b>d. Expand recreation programs and services for all age groups</b>	<b>Develop Recreation Program Master Plan to evaluate existing programs &amp; establish direction for future planning and programming</b>	Rec	FY13	Working to develop an evaluation tool for programs and services	Recommendation as part of FY13 budget	
	Research & recommend new programs or changes to existing programs	Rec	ongoing	New programs include: Family Holiday Movie Night, Youth Valentine Cookie Decorating, Preschool Easter Egg Decorating, May Day Preschool Craft, Summer Day, Family Fun Night, 6 Summer Youth Craft Classes, Picasso Art Camp, Basic Drawing & Design, Basic Painting & Design, CHA3-Kempo Karate, Creation Station Youth & Senior Ceramics ClassesEscapes "Bubbles, Games & Dreamsicles", Summer Escapes "Squirt Guns, Water Balloons & Games", Bike Fun & Safety		
<b>e. Maintain and enhance City's existing &amp; future park areas &amp; green spaces</b>	Review current marketing practices and make recommendations for improvement and/or exploring new opportunities	Rec/Admin	ongoing	Working with Community Relations Coordinator to improve marketing practices. Utilize Constant Contacts	Develop new program guide / Utilize social media	
	Develop a plan for financing park amenities and incorporate into the CIP	Park Committee	FY13	Cost estimates have been prepared to develop a plan which will ultimately be incorporated with the CIP	Hold work session with Council to discuss financing options	
	Prepare and present to M&C for adoption 1 & 4 Year Tree Plan (in accordance with section 94.14 of the municipal code)	Park Committee & Park & Rec Advisory Board	Fall 2012	Park Division & Rec. Dept. working to develop 1 & 4 year Tree Plan	Develop plan to present to Park & Recreation Advisory Board and City Council for approval	

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City of La Vista

Strategic Plan 2012 - 2014

## 5. Improve and expand the City's quality of life amenities for residents and visitors (continued)

5. Improve and expand the City's quality of life amenities for residents and visitors (continued)					
Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s) / Comments
f. Develop & begin implementation of a “green plan” that identifies the City’s role, through its facilities and programs, in contributing to a sustainable community	Need to review & recommend security measures to combat vandalism.	PW/PW		A proposal has been submitted for consideration for the 2012-2016 CIP by the IT Committee and the PBG Director	
	Continued involvement with the Papillion Creek Watershed Partnership	PW / Bldg & Grounds	ongoing	Sewer Foreman attending partnership meetings	Develop facility maintenance plan for PW, requirement of storm water plan.
	Explore options to incorporate green building principals as city facilities are remodeled or new facilities are constructed	Bldgs & Grounds	ongoing	Completion of energy audit for City Hall/Community Center ; lighting rehab to PW building switched to LED	
6. Pursue action that enables the City to be more proactive on legislative issues & other areas of common interest					
Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s) / Comments
a. Participate in UCSCC to promote shared interests of La Vista and its partner communities	Continue regular meetings of the Mayors of Sarpy County communities	Admin	Ongoing	Shared Services study underway;	Completion of data collection in Fall 2012; exploration of alternatives
	Shared Services Study Completion & Implementation	Admin/Fin/ PD/Fire	2012/13		
	Work with Sarpy County to resolve planning & sewer issues	PW	Ongoing	Interlocal regarding ETJ stormwater issues completed.	

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# City of La Vista

## Strategic Plan 2012 - 2014

### 6. Pursue action that enables the City to be more proactive on legislative issues & other areas of common interest

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
<b>b. Adopt and lobby on behalf of a legislative agenda specific to the City</b>	Continue joint lobbying efforts with UCSC	Admin	Ongoing	Legislative agenda adopted annually	During the interim UCSC will be working to implement sales tax information legislation and to develop 2013 legislative agenda	
	Identify legislative issues of specific interest to La Vista and allocate resources for lobbying.	Admin	ongoing		Funding recommended in FY13 budget for additional lobbying services	
<b>c. Redistrict City Council Wards</b>	Work with MAPA to develop options for redistricting the City's Council wards.	Admin	Nov-11	Completed ward maps adopted by City Council	Public education.	Completed
	Communication of boundary changes to public.	Admin	ongoing thru Nov 2012 election		Press releases, CityWise articles & maps, social media	



# City of La Vista

## Strategic Plan 2012 - 2014

### 7. Adopt and implement standards of excellence for the administration of City services.

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. Ensure that the City is fiscally responsible while trying to meet the needs of a growing community	Diversify current & future fiscal resources to meet rising demands, while effectively controlling costs	all	immediate & ongoing			
	Update financial policies	Fin	FY 12 & 13	Included in IT Technology Plan adopted by Council	Financial software to be included in CIP	
	Utilize technology to create more efficient financial processes	Fin/Adm		Internal meeting with bond counsel & fiscal agents to review and discuss financing options	Hold work session with Council to discuss financing options	
	Identify future revenue and funding requirements necessary to implement Capital Improvements Program (CIP), Master Facilities Plan (MFP) & annual capital purchases; develop options for meeting those requirements	Admin/CIP Committee/ Department Heads	immediate & ongoing			
	Evaluation of City services that may need to be discontinued or contracted out	all	immediate & ongoing	Performance Measure statistics for FY11 submitted; complete results available late June	Recommendations as part of FY13 budget	
	Monitor, review and propose changes to city programs that have a significant financial impact such as contractual services, insurance and employee benefits	Admin/HR	immediate & ongoing		Employee Focus Group will continue to meet in 2012 to discuss potential future changes to benefits to minimize increases	
	Investigate the potential of collaborating with other agencies on programs and services that have a significant fiscal impact	Admin/HR	immediate & ongoing		Collaboration with other municipalities for property, casualty, worker's comp insurance audit.	

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# City of La Vista

## Strategic Plan 2012 - 2014

### 7. Adopt and implement standards of excellence for the administration of City services. (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
b. Maintain City's Volunteer Fire Department	Monitor current operational procedures in comparison to NFPA Standards	Fire	immediate & ongoing	Most recent data shows LVFD at (61%) of NFPA 1720 response times ≤ 9 minutes	Implement additional leadership training & educate department staff in city government relations-on going	
	Make recommendations for changes to bring Department into compliance with NFPA 1720 Standards for volunteer departments.	Fire	immediate & ongoing			
	Design and incorporate a firefighter residence program that will provide for manning at the D-2 fire station during the most vulnerable times of day.	Fire	FY 11	Residency program is currently on hold as Fire/EMS officers are exploring other options	Program recommendation for Council review and approval and determination of program interest prior to authorization to proceed with construction	
	Begin preliminary planning work for District 1 Fire Station	Admn/FD/ PB&G			Project placed in pending CIP projects	
	Fund and provide training opportunities	Admin	Ongoing		Recommendations as part of FY13 budget	
c. Provide for the transition of personnel into key City appointed positions through a succession plan	Review and make recommendation regarding the City's policies for funding for employee educational assistance	HR	Spring 2013		Will discuss with employee focus group.	
	Continue regular meetings between mid-level supervisors and City Administrator	Admin	ongoing	Continue training & meeting opportunities.		

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# City of La Vista

## Strategic Plan 2012 - 2014

### 7. Adopt and implement standards of excellence for the administration of City services. (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
	Continue to explore options for involving mid-level managers in organizational initiatives and special projects	All	ongoing	MLM involvement with Performance Measurements & service on PM team; MLM's preparing FY13 budgets related to respective service areas		
	<b>Explore development of Supervisor Training program</b> Consider establishing a City Hall internship for an up and coming supervisor	All	Spring 2013		Difficult to do at this time as a result of staffing issues. Will keep it on the list for future opportunities.	
		Admin			Group will continue to monitor, meet and discuss the PFP System	
d. Monitor & refine Pay for Performance (PFP) appraisal system	Meetings with employee advisory group to review efficiency & effectiveness of process Ensure ongoing two-way communication with employees regarding the program and possible changes.	HR/ACA	Ongoing	changes to the rating scale were approved by Council in September		
	<b>Develop process for 360° Performance Evaluation Process</b> Monitor and review trends in compensation programs such as variable pay, PFP, merit pay, etc. and make recommendations for any changes.	HR/ACA	Jan-13		Will review as part of the 2013 budget process	
e. Update the City's Emergency Preparedness Plan	Provide opportunities for appropriate staff and officials to receive emergency preparedness training	EMT Committee	Ongoing	In process of getting all employees certified at minimum level NIMS 700; Completed tabletop drill	Planning 2nd tabletop disaster drill followed by full-scale	
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# City of La Vista

## Strategic Plan 2012 - 2014

### 7. Adopt and implement standards of excellence for the administration of City services. (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
	Communicate Emergency Preparedness Plan to elected officials through periodic review	Safety Committee	Ongoing	M & C attended A table-top exercise for elected officials and key City staff was held	Anticipate reviewing LEOP with elected officials at an upcoming Council meeting	
f. Actively pursue funding opportunities for organizational strategic initiatives and projects consistent with departmental operations.	Pursue grant opportunities	All	immediate & ongoing	Working to secure grant funding for Fire Training Officer & Police Officer positions; Bldgs & Grounds utilizing grant for tree plantings around city facilities; Hwy Safety grant submitted for Police car	When available, utilize 2010 US Census information to identify areas eligible for CDBG assistance; propose intern attend CDBG training	
	Track and report on grant applications and grants received.	Fin/All	Annual		Continue to provide annual reports for M&C	
g. Identify opportunities for developing Boards & Commissions	Develop orientation program for new B&C members	City Clerk/B&C staff	Fall 2012	Funding approved as part of FY12 budget		
	Provide training opportunities for B&C members	CC/B&C staff		Funding approved as part of FY12 budget		
	B&C review of pertinent sections of the Municipal Code	CC/B&C staff	FY13		Recommendations for compliance and/or updates	
	Update B&C regarding Council's strategic priorities	Admin	Annual Fall			
h. Begin the process of developing a high performance work culture	Provide opportunities for appropriate staff training		ongoing	3-Day in-house HPO training for DH/MLM August 2011; Leadership in Changing Times webinars for all employees; MLM's continue to attend LEAD		

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# City of La Vista

## Strategic Plan 2012 - 2014

### 7. Adopt and implement standards of excellence for the administration of City services. (continued)

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)
Implementation of Performance Measurement Program	All		ICMA-CPM Training held January 2012; Data collection January-March 2012; complete results due late June 2012		Anticipate first results in June 2012; budget recommendations for FY13 to include ongoing ICMA-CPM participation & National Citizen Survey
Refine monthly department operational reports	All	ongoing		PW is in the process of developing monthly reports.	
Development of Mission Statement, Guiding Principles & Leadership Philosophy	DH/All	Summer 2013	Organizational values survey data compiled;	Currently working on draft Mission Statement & Guiding Principles to send out to employees and elected officials for feedback	National Citizen Survey will be recommended as part of FY13 budget



# City of La Vista

## Strategic Plan 2012 - 2014

### 8. Insure efficient, effective investment in technology to enhance service delivery.

Key Objectives	Action Steps	Responsible Party	Timeline	Progress to Date	Anticipated Next Step(s)	Objective Achieved / Comments
a. Implement long-range technology plan	Incorporation into CIP	IT Committee	Ongoing		Annual and long-range consideration with other capital projects	
	Provide opportunities for ongoing & regular two-way communication to ensure that Department Heads and staff are included in IT Strategic Plan implementation and updates	IT Committee		immediate & ongoing		
b. Develop a multi-year plan for financing technology improvements		IT Committee	Fall 2012	Forming a sub-committee to develop the plan		
c. Designate adequate resources to provide appropriate technology training for city staff		IT Committee	Ongoing	Sub-committee formed for IT training	Set up a process for departments to follow	

