

LA VISTA CITY COUNCIL MEETING AGENDA

March 17, 2020

6:00 P.M.

Harold "Andy" Anderson Council Chamber
La Vista City Hall
8116 Park View Blvd

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**

All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. CONSENT AGENDA

1. **Approval of the Agenda as Presented**
2. **Approval of the Minutes of the March 3, 2020 City Council Meeting**
3. **Monthly Financial Report – January 2020**
4. **Request for Payment – Olsson – Professional Services – City Centre Phase 1 Public Infrastructure – \$6,714.25**
5. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking & LA Services – \$5,991.92**
6. **Approve Manager Application – Class C Liquor License – Ozzy's Roadhouse – Halie Hulsey**
7. **Approval of Claims**

- **Presentation – La Vista Keno**
- **Update – Sarpy/Cass Health Department – Coronavirus (COVID-19)**
- **Reports from City Administrator and Department Heads**

B. Ordinance – Declaration of Surplus Property – Part of Tax Lot 12 14-14-12 and Part of Outlot A La Vista City Centre

C. Ordinance – Directing Conveyance – Part of Tax Lot 12 14-14-12 and Part of Outlot A La Vista City Centre

D. Resolution – Professional Services Agreement – Supplement No. 1 – Applewood Creek Trail

E. Resolution – Professional Services Agreement – 96th Street and 108th Street Pavement Rehabilitation

F. Resolution – Interlocal Agreement – Maintenance & Access Road – SID 237

G. Resolution – Approve Purchase – Police Mobile (Car) Radios

H. Position Description

- **Comments from the Floor**
- **Comments from Mayor and Council**
- **Adjournment**

The public is welcome and encouraged to attend all meetings. If special accommodations are required, please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to three minutes. We ask for your cooperation in order to provide for an organized meeting.

MINUTE RECORD

A-2

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

LA VISTA CITY COUNCIL MEETING MARCH 3, 2020

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on March 3, 2020. Present were Councilmembers: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Recreation Director Stopak, Finance Director Miserez, Deputy Director of Public Works Calentine, City Engineer Dowse, Library Director Barcal, Community Development Director Fountain, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on February 19, 2020. 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, led the audience in the Pledge of Allegiance, and made the announcements.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE FEBRUARY 18, 2020 CITY COUNCIL
MEETING
3. APPROVAL OF THE MINUTES OF THE FEBRUARY 20, 2020 PLANNING
COMMISSION MEETING
4. REQUEST FOR PAYMENT – GRAHAM CONSTRUCTION, INC. –
CONSTRUCTION SERVICES – CITY CENTRE INFRASTRUCTURE –
\$435,278.72
5. REQUEST FOR PAYMENT – HDR ENGINEERING, INC. – PROFESSIONAL
SERVICES – PROJECT MANAGEMENT FOR SERVICES FOR PUBLIC
IMPROVEMENTS AND OTHER WORKS – \$973.07
6. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL
SERVICES – PLACEMAKING & LA SERVICES – \$2,866.69
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –
PROFESSIONAL SERVICES – MISCELLANEOUS CIVIL ENGINEERING
SERVICES – \$1,162.50
8. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –
PROFESSIONAL SERVICES – PHASE 2 GOLF COURSE TRANSFORMATION
– PROPOSED LAKE IMPROVEMENTS – \$895.65
9. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	43.90
88 TACTICAL BUILDING GROUP LLC, services	1,250.00
AA WHEEL & TRUCK, supplies	24.56
ACI-NEBRASKA CHAPTER, services	35.00
ACTION BATTERIES, maint.	162.57
AED ZONE, supplies	300.00
AMAZON CAPITAL, services	123.96
ANDREW SMITH, refund	27.00
APWA-AMER PUBLIC WORKS ASSN, services	875.00
AT&T MOBILITY LLC, phones	93.78
AWE ACQUISITION INC, services	90.00
BARCAL, R., travel	335.50
BAUER BUILT INC, maint.	852.94
BEST CARE EMPLOYEE ASST PROGRM, services	3,984.75
BISHOP BUSINESS EQUIPMENT, services	2,539.61
BIZCO, INC, services	4,061.06
BLACK HILLS ENERGY, utilities	4,747.57
BOOT BARN, apparel	150.00

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

BRITE IDEAS DECORATING, services	687.00
BRODERSEN, C., reimbursement	1,000.00
BS&A SOFTWARE, services	4,320.00
BUETHE, P., travel	112.20
CAVLOVIC, P., apparel	150.00
CENTER POINT, INC, books	364.32
CENTURY LINK, phones	419.72
CENTURY LINK BUSN SVCS, phones	5.80
CERTIFIED LABORATORIES, supplies	170.00
CINTAS CORP, services	58.92
CITY OF OMAHA, services	7,699.05
CITY OF PAPILLION, services	188,687.00
COMP CHOICE INC, services	25.00
CONSOLIDATED MGMT CO, services	54.66
CONTROL MASTERS INC, bld&grnds	372.43
CORNHUSKER INTL TRUCKS, maint.	125.27
COX COMMUNICATIONS, INC, services	150.41
DATA RECOGNITION CORP, services	324.72
DELL MARKETING LP, services	8,081.01
DHHS REG/LIC-POOL PERMIT, services	40.00
DIESEL SPECIALTIES OF OMAHA INC, maint.	78.50
DIGIORGIO'S SPORTSWEAR INC, services	245.48
DLR GROUP, services	38,303.09
DULTMEIER SALES LLC, services	93.60
EMBASSY SUITES HOTEL, services	6,440.28
FIRST BANKCARD, services	7,352.99
FIRST NATIONAL BANK OF OMAHA, bonds	324,522.50
FIRST WIRELESS INC, services	145.00
FITZGERALD SCHORR BARMETTLER, services	21,175.00
FLINN PAVING CO, maint.	129.79
FOUNTAIN, B., travel	305.00
GALE, books	76.47
GRAYBAR ELECTRIC CO, bld&grnds	73.00
GREAT PLAINS UNIFORMS, apparel	40.00
HUNDEN STRATEGIC PARTNERS, services	4,950.00
HURST, J., travel	274.50
INDUSTRIAL SALES CO, services	50.00
J & A TRAFFIC PRODUCTS, services	812.50
J & J SMALL ENGINE SERVICE, maint.	122.21
KANOPI, INC, services	148.00
KELLY'S CARPET, bld&grnds	995.00
KRIHA FLUID POWER CO, maint.	280.80
LABRIE, DONALD P, services	300.00
LIBRARY IDEAS LLC, books	236.70
LOGAN CONTRACTORS SUPPLY, maint.	45.97
LOGO LOGIX EMBROIDERY, apparel	414.00
MENARDS-RALSTON, bld&grnds	1,024.81
METRO AREA TRANSIT, services	673.00
MUD, utilities	2,064.87
MID-WEST MILITARY REAL ESTATE, services	80.00
MIDWEST RIGHT OF WAY, services	1,092.50
MIDWEST TAPE, services	25.09
MILLER, D., travel	259.50
MSC INDUSTRIAL, supplies	151.40
NADGWICK, S., travel	259.50
NE LAW ENFORCEMENT, services	450.00
NORTH STAR DESTINATION STRATEGIES, services	28,000.00
OFFICE DEPOT INC, supplies	1,663.18
OLSSON, INC, services	894.00
OPPD, utilities	2,178.99

MINUTE RECORD

March 3, 2020

No. 729 — REEDIE & COMPANY, INC. OMAHA E1310556LD

OMAHA SLINGS INC, services	366.28
OMNI ENGINEERING, maint.	85.05
PAPILLION TIRE INC, maint.	87.67
PER MAR SECURITY, services	127.89
PETTY CASH, supplies	309.20
PLAINS EQUIPMENT GROUP, services	780.02
PRIMA DISTRIBUTION, INC, supplies	86.42
RDG PLANNING & DESIGN, services	764.99
REDSHAW PAINT SUPPLY INC, maint.	115.49
SAPP BROS, INC, maint.	2,195.45
SECURITY EQUIPMENT INC, services	169.00
SHI INTERNATIONAL CORP, services	352.64
SIGN IT, services	25.00
SOLBERG, C., reimbursement	580.06
SUBURBAN NEWSPAPERS INC, services	1,416.23
SWAN ENGINEERING LLC, maint.	10.06
THOMPSON DREESSEN & DORNER, INC, services	5,086.45
U.S. CELLULAR, phones	1,602.36
WALMART, supplies	1,015.14
ZOO BOOKS MAGAZINE, books	59.90

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Recreation Director Stopak reported on the upcoming Senior St. Patrick's Day Lunch.

Library Director Barcal reported that the Library's Innovation Studio will open near the end of the month.

Police Chief Lausten reported that the Civic Centre vandals have been taken into custody. Chief Lausten also commended Officer Parisien for a job well done during an investigation in February.

Deputy Director of Public Works Calentine reported on a water main break on James Avenue. MUD is working on repairs, and to complete the repairs, there will be some closures on 72nd Street. Public Works will coordinate with G. Stanley Hall on the closures.

B. REDEVELOPMENT PLAN – 84TH STREET REDEVELOPMENT AREA – PROPOSED AMENDMENT NO. 2

1. PUBLIC HEARING – ON PROPOSED REDEVELOPMENT PLAN AMENDMENT NO. 2

At 6:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Redevelopment Plan Amendment No. 2. Chris Erickson of City Ventures, LLC gave a presentation on the proposed development.

At 6:17 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. RESOLUTION – RECOMMEND REDEVELOPMENT PLAN AMENDMENT NO. 2 TO THE CITY COUNCIL (ACTION ON THIS ITEM WILL BE TAKEN BY THE LA VISTA COMMUNITY DEVELOPMENT AGENCY)

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-023 entitled: A RESOLUTION OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY ADOPTING AND RECOMMENDING AMENDMENT NO. 2 TO THE

MINUTE RECORD

March 3, 2020

No. 729 — REFIELD & COMPANY, INC., OMAHA E1310556LD

REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA PURSUANT TO NEBRASKA STATUTES, SECTIONS 18-2101 THROUGH 18-2154.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council, as the governing body of the La Vista Community Development Agency, ("Agency") do hereby find, determine, declare and approve as follows:

I. **FINDINGS.** The Mayor and City Council hereby find and determine as follows:

- A. A general plan for the development of the City as a whole currently exists as the La Vista Comprehensive Plan, Updated December 2018, as amended February 4, 2020 ("Comprehensive Development Plan" or "Comprehensive Plan").
- B. The Mayor and City Council, on behalf of the City and after review and recommendation of the Planning Commission and satisfying all notice, public hearing and other applicable requirements, by Resolution No.12-011 declared the 84th Street Redevelopment Area as a substandard and blighted area in need of redevelopment.
- C. The City, upon recommendations of the Agency and Planning Commission, on July 16, 2013 approved a Redevelopment Plan "84th Street Redevelopment Area" ("2013 Redevelopment Plan") and on August 2, 2016 approved Amendment No. 1 ("Amendment No. 1") to said Redevelopment Plan (such 2013 Redevelopment Plan, as amended by Amendment No. 1, is referred to herein as "Redevelopment Plan" unless otherwise expressly provided), which Redevelopment Plan included a Mixed Use Redevelopment Project and Public Improvement Redevelopment Project primarily to eliminate and prevent recurrence of the substandard and blighted area.
- D. Amendment No. 2 to the Redevelopment Plan is presented at this meeting as prepared or caused to be prepared by the Agency ("Amendment No. 2"), which Amendment No. 2 provides further specification with respect to certain improvements of the Mixed Use Redevelopment Project and related tax increment financing as proposed in supplements to the original redeveloper application, and of the Public Improvement Redevelopment Project, including without limitation the event center ("Event Venue") and anchor office building ("Office Building"), and public improvements described in Amendment No. 2. Amendment No. 2 shall supersede and control over any provisions of the Redevelopment Plan to the extent any provision of such Redevelopment Plan is inconsistent with Amendment No. 2, and all provisions of such Redevelopment Plan are deemed revised, modified, and amended to be consistent with the provisions of Amendment No. 2. Terms and conditions of the Redevelopment Plan shall continue in effect except as modified by Amendment No. 2.
- E. The Agency, in recommending and adopting the 2013 Redevelopment Plan, designated the substandard and blighted 84th Street Redevelopment Area as appropriate for one or more renewal projects, which designation the Agency ratified and affirmed in recommending and adopting Amendment No. 1 and hereby ratifies and affirms in connection with recommendation and adoption of Amendment No. 2. Accordingly, the 84th Street Redevelopment Area is a community redevelopment area. All works and undertakings in such Area pursuant to Amendment No. 2, the Redevelopment Plan, Mixed Use Redevelopment Project, Public Improvement Redevelopment Project, or Neb. Rev. Stat. Sections 18-2101 through 18-2154 ("Community Development Law") constitute one or more redevelopment projects. Furthermore, the Agency, in recommending and adopting Amendment No. 1, designated the 84th Street Redevelopment Area, which does not exceed 600 acres, as eligible for imposition of an occupation tax, which designation the Agency hereby ratifies and affirms in connection with recommendation and adoption of Amendment No. 2 and may be carried out from time to time in one or more actions, enhanced employment area(s), and occupation taxes as determined and approved by the City.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

F. City Staff proposes by separate action of the Mayor and City Council on behalf of the City an amendment to the Comprehensive Development Plan to incorporate Amendment No. 2, as finally approved, into the City's Comprehensive Development Plan ("Proposed Comprehensive Plan Amendment").

G. The proposed modification of the Redevelopment Plan as represented in Amendment No. 2 and Redevelopment Plan as amended:

1. Is for one or more community redevelopment areas, or redevelopment projects, which conforms to the general plan for the development of the City as a whole, as set forth in the City's Comprehensive Development Plan, subject to City Council approval of the Proposed Comprehensive Plan Amendment, and is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements, and
2. Is sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in each redevelopment project area, and
3. Includes among other things:
 - a. The boundaries of each redevelopment project area, with a map showing the existing uses and condition of the real property therein,
 - b. A land-use plan showing proposed uses of each area,
 - c. Information regarding standards of population densities, land coverage and building intensities in each area after redevelopment,
 - d. A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinance.
 - e. A site plan of each area,
 - f. A statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in each area after redevelopment, and
 - g. Proposal for the designation of an enhanced employment area.

H. The Agency submitted said Amendment No. 2 to the Planning Commission of the City of La Vista for review and recommendations as to its conformity with the general plan for development of the City as a whole as set forth in the Comprehensive Development Plan of the City. The Planning Commission, after required notice, held a public hearing on proposed Amendment No. 2. The Planning Commission after said hearing reviewed proposed Amendment No. 2 and, taking into consideration all relevant factors including the Proposed Comprehensive Plan Amendment and any public comments at the public hearing, made findings and written recommendations with respect to proposed Amendment No. 2, including that proposed Amendment No. 2 (and the Redevelopment Plan as amended by Amendment No. 2) is in conformity with the general plan for the development of the City as a whole as set forth in the Comprehensive Development Plan of the City, which findings and written recommendations were subject to various conditions including City Council adoption of the Proposed Comprehensive Plan Amendment, and the Planning Commission recommended Amendment No. 2 for approval. The findings and written recommendations were submitted and presented to the Agency, as well as to the City Council with proposed Amendment No. 2, as on file with the City

MINUTE RECORD

March 3, 2020

No. 729 — REDIELD & COMPANY, INC., OMAHA E1310556LD

Clerk. The Planning Commission also considered and recommended the Proposed Comprehensive Plan Amendment for approval.

- I. The Agency, before recommending Amendment No. 2 to the City Council for approval, considered, and in making such recommendation determined, the following in connection with the additions, subtractions, and modifications made by said amendment, and the Redevelopment Plan, as amended by Amendment No. 2: Whether the proposed land uses and building requirements in each redevelopment project area are designed with the general purpose of accomplishing, in conformance with the City's general plan as set forth in the City's Comprehensive Development Plan (subject to City Council adoption of the Proposed Comprehensive Plan Amendment), a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight. Factors considered include, without limitation, the following:
 1. Proposed public improvements, including without limitation public street, intersection, and offstreet parking improvements, will make adequate provision for traffic and vehicular parking.
 2. Buildings and other improvements will be designed and constructed in accordance with applicable fire and safety codes, which will promote safety from fire, panic, and other dangers.
 3. Planned public and private recreational, entertainment, and community areas and facilities, and placement of buildings of the Mixed Use Redevelopment Project will be designed to provide for light and air, and promote healthful and convenient distribution of population.
 4. The type of mixed use redevelopment and its proximity to Nebraska State Highway 85 (84th Street), Harrison Street, Giles Road, and connectivity to other major streets and I-80 is anticipated to facilitate commuting and traffic flow, and enhance the opportunity for further development and use of public transportation for residents and visitors to and from the area and other parts of the metro area. The Mixed Use Redevelopment Project also will include adequate water, sewerage, and other public utilities. The projects will be located in close proximity to area schools, and all La Vista residents will be able to enjoy improvements in the vicinity of the former La Vista Falls golf course and other recreational areas.
 5. The proposed projects provide and promote sound design and arrangement of public and private facilities and improvements that will benefit all La Vista residents.
 6. Expenditures of public funds and proposed works and improvements will be wise and efficient in eliminating and preventing recurrence of substandard, blighted, insanitary and unsafe accommodations, conditions, facilities, and areas.

Provisions of Amendment No. 2 involving the Mixed Use Redevelopment Project include the division of taxes as provided in Neb. Rev. Stat. Section 18-2147 ("TIF") and an incremental cost-benefit analysis was conducted with respect to such provisions using a cost-benefit model developed for use by local projects which considered and analyzed the following factors:

1. Tax shifts resulting from the division of taxes as provided in Neb. Rev. Stat. Section 18-2147,

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of such provisions of the redevelopment project;
3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project as described in Amendment No. 2;
4. Impacts on other employers and employees within the City and the immediate area that are located outside the boundaries of the area of the redevelopment project as described in Amendment No. 2;
5. Impacts on the student populations of the school districts within the City; and
6. Any other impacts determined by the Agency to be relevant to the consideration of costs and benefits arising from provisions of the redevelopment project as described in Amendment No. 2.

Such cost-benefit analysis shall supplement the cost-benefit analysis originally conducted in connection with Amendment No. 1, based on improvements and increases in the Maximum Redevelopment Loan Amount pursuant to Amendment No. 2, and the original cost-benefit analysis as supplemented shall be and be deemed to constitute the cost-benefit analysis for the Mixed Use Redevelopment Project. Because the cost-benefit analysis for the Mixed Use Redevelopment Project is based on a Maximum Redevelopment Loan Amount to which all Individual Mixed Use Redevelopment Projects comprising the Mixed Use Redevelopment Project are subject, it shall be and be deemed to constitute the cost-benefit analysis for each Individual Mixed Use Redevelopment Project. The City Administrator or her designee on behalf of the CDA shall be authorized to conduct any additional cost-benefit or other analysis from time to time as she determines in her discretion necessary or appropriate in connection with any proposed TIF.

K. All applicable requirements of the Agency with respect to proposed Amendment No. 2, including any notice or hearing requirements, have been satisfied.

II. RECOMMENDATION OF AMENDMENT NO. 2. Based on the foregoing and all other relevant factors, including any public comment at the public hearing, the Agency adopts and recommends Amendment No. 2 to the City Council for approval, subject to City Council adoption of the Proposed Comprehensive Plan Amendment, and further subject to satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate to carry out provisions of Amendment No. 2, including without limitation, any required notices, hearings, authorizations, rights, conditions, or approvals with respect to Second Amendment to Redevelopment Agreement or Second Amendment to Subdivision Agreement, or with respect to any proposed or required platting or zoning action, permit, economic development program grant, Vehicle Off-Street Parking District No. 2 additional improvements, general business occupation taxes, financing, or property conveyances. This recommendation includes the following:

- A. The recommendation of the Planning Commission concerning Amendment No. 2; and
- B. The following statements:
 1. The proposed method and estimated cost of the acquisition and preparation for redevelopment of the redevelopment project area(s) described in Amendment No. 2 and estimated proceeds or revenue from its disposal to redevelopers shall be as provided in Amendment No. 2 and follows:
 - a. Proposed method and estimated cost of the acquisition and preparation for redevelopment of redevelopment project area(s) described in Amendment No. 2:

MINUTE RECORD

March 3, 2020

No. 729 — REIDEL & COMPANY, INC. OMAHA E1310558LD

- i. Additional Property for Public Improvements within the Public Improvement Redevelopment Project Area as described in Amendment No. 2 shall be acquired by negotiated agreement and voluntary exchange of surplus property of the City in the vicinity of northern parts of La Vista City Centre and southwestern slope of the former golf course, delivery of funds, or some combination of property and funds at closing. Total estimated cost of Additional Property for Public Improvements within the Public Improvement Redevelopment Project Area as described in Amendment No. 2 and additional City or Agency work or improvements within the Public Improvement Redevelopment Project Area under Amendment No. 2: approximately \$25.5 million, including acquisition of Additional Property for Public Improvements having an estimated value of \$1.1 million, and a preliminarily estimated \$600,000 in connection with potential preparation of property for redevelopment.
- b. Additional Property for Public Improvements acquired by the City in exchange of equivalent surplus property of the City in the vicinity of northern parts of La Vista City Centre and southwestern slope of the former golf course or other consideration will be retained for Additional Public Improvements and will not be conveyed to redevelopers. Surplus property conveyed to the event venue redeveloper in exchange for Additional Property for Public Improvements shall be incorporated into the Mixed Use Redevelopment Project Area and used to develop the Event Venue. Estimated proceeds or revenues from disposal of surplus property to redevelopers is anticipated to approximate the value of Additional Property for Public Improvements above. Property within the Mixed Use Redevelopment Project Area currently identified for the Office Building is redeveloper owned.

2. The proposed method of financing portions of the redevelopment projects described in Amendment No. 2 is provided in the Redevelopment Plan as amended by Amendment No. 2, to include without limitation:

- a. Event Venue and Office Building improvements within the Mixed Use Redevelopment Project Area will be paid or reimbursed by redeveloper from redeveloper funds, bank or other private financing, tax increment financing, City economic development program grant in connection with the Event Venue, and any other available funds.
- b. Additional Public Improvements paid or reimbursed by some or all of the proceeds of the additional one-half cent sales tax levied for the 84th Street Redevelopment Area, general business occupation taxes, other occupation or general taxes or funds, or City or Agency bonds; and

3. A method proposed for the relocation of families to be displaced from the redevelopment project areas, if any, is provided in the Redevelopment Plan as amended by Amendment No. 2, which is hereby found to be feasible. No relocation of families is expected.

C. By recommending Amendment No. 2, the Agency agrees with the City Council for the imposition of one or more occupation taxes for one or more enhanced employment areas within the 84th Street Redevelopment Area as the City Council from time to time determines in its sole discretion.

III. FURTHER ACTIONS. The Mayor or City Administrator, or his or her designee, in addition to any other person specified in Amendment No. 2, the Redevelopment Plan, as amended, any redevelopment contract, applicable law, or otherwise, is hereby authorized to take such further actions on behalf of the Agency as are necessary or appropriate to implement Amendment No. 2 or the Redevelopment Plan as amended, or to carry out the actions approved in this Resolution.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

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

3. RESOLUTION – CITY COUNCIL APPROVE PROPOSED REDEVELOPMENT PLAN AMENDMENT NO. 2

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-024 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA IN ACCORDANCE WITH NEBRASKA STATUTES, SECTIONS 18-2101 THROUGH 18-2154.

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

I. **FINDINGS.** The City Council of the City of La Vista finds and determines as follows:

- A. The findings and actions of the Agency as set forth in the resolution recommending Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area ("Amendment No. 2") to the City Council for approval ("Agency Resolution"), incorporated herein by reference, are ratified, adopted, affirmed and approved.
- B. All applicable requirements with respect to the actions taken or approved in this Resolution, including notice and hearing requirements, have been satisfied.
- C. Proposed Amendment No. 2 (and Redevelopment Plan as amended) is a workable program for utilizing appropriate private and public resources, powers, and actions to redevelop, eliminate, and prevent recurrence or spread of the substandard and blighted area.
- D. In exercising its powers under Neb. Rev. Stat. Sections 18-2101 through 18-2154 ("Community Development Law") with respect to the matters approved in this Resolution, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the City, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements, the City Council has given consideration to the following objective:

The City Council, to the greatest extent it deems to be feasible in carrying out the provisions of the Community Development Law, shall afford maximum opportunity, consistent with the sound needs of the City as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises.

Proposed Amendment No. 2 (and Redevelopment Plan as amended), (i) is feasible, as provided in analysis and reporting of Hunden Strategic Partners incorporated herein by reference, which analysis and reporting is adopted and approved ("Hunden Analysis"), and in conformity with the general plan for the development of the City as a whole, as set forth in the Comprehensive Development Plan of the City subject to adoption of the Proposed Comprehensive Plan Amendment described in the Agency Resolution, and (ii) in conformity with the legislative declarations and determinations set forth in the Community Development Law, including without limitation, the determination of the City Council of the necessity of eliminating and preventing recurrence of the substandard and blighted Area and related liabilities and harmful effects to the City as a matter of public uses, purposes, policy, interest, concern, powers, and authority for which public action shall be taken and public money shall be expended in accordance with such Amendment No. 2 (and Redevelopment Plan as amended).

MINUTE RECORD

March 3, 2020

No. 729 — REDEVELOPMENT & COMPANY, INC. OMAHA E1310556LD

E. As documented in analysis and reporting of such Hunden Analysis on behalf of the City or Agency, proposed Amendment No. 2 (and Redevelopment Plan as amended), and specifically provisions of Amendment No. 2 involving the Mixed Use Redevelopment Project and related redevelopment plan provisions using funds authorized by Neb. Rev. Stat. Section 18-2147 ("TIF"), that the following conditions are satisfied:

1. Such provisions of the Mixed Use Redevelopment Project in such Amendment No. 2 would not be economically feasible without the use of TIF,
2. Such provisions of the Mixed Use Redevelopment Project would not occur in the community redevelopment area without use of TIF, and
3. The costs and benefits of such provisions of the Mixed Use Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the community and demand for public and private services have been analyzed by the City Council and found to be in the long-term best interest of the community impacted by the redevelopment project.

F. Proposed Amendment No. 2 includes designation of an initial enhanced employment area; and it is determined that new investment within such enhanced employment area will result in new employees and new investment satisfying applicable requirements of Neb. Rev. Stat. Section 18-2116(2).

II. APPROVAL OF REDEVELOPMENT PLAN AMENDMENT NO. 2. Based on the foregoing and all relevant factors, including any public comment at the public hearing, the City Council of the City of La Vista hereby approves proposed Amendment No. 2, subject to adoption of the Proposed Comprehensive Plan Amendment, and further subject to satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate to carry out provisions of Amendment No. 2, including without limitation, any required notices, hearings, authorizations, rights, conditions, or approvals with respect to Second Amendment to Redevelopment Agreement or Second Amendment to Subdivision Agreement, or with respect to any proposed or required platting or zoning action, permit, economic development program grant, Vehicle Off-Street Parking District No. 2 additional improvements, general business occupation taxes, financing, or property conveyances.

III. FURTHER ACTIONS. The Mayor or City Administrator, or his or her designee, in addition to any other person specified in Amendment No. 2, Redevelopment Plan, as amended, or any redevelopment contract or otherwise, is hereby authorized to take such further actions as are necessary or appropriate to implement Amendment No. 2, the Redevelopment Plan as amended, or carry out the actions approved in this Resolution on behalf of the City.

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

C. COMPREHENSIVE DEVELOPMENT PLAN ("COMPREHENSIVE PLAN")

**AMENDMENT – PROPOSED AMENDMENT TO INCORPORATE
REDEVELOPMENT PLAN AMENDMENT NO. 2 – 84TH STREET
REDEVELOPMENT AREA INTO THE COMPREHENSIVE PLAN**

**1. PUBLIC HEARING – ON PROPOSED COMPREHENSIVE PLAN AMENDMENT
TO INCORPORATE REDEVELOPMENT PLAN AMENDMENT NO. 2 INTO THE
COMPREHENSIVE PLAN**

MINUTE RECORD

March 3, 2020

No. 729 -- REEDIE & COMPANY, INC. OMAHA E1310556LD

At 6:19 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed amendment to incorporate Redevelopment Plan Amendment No. 2 – 84th Street Redevelopment Area into the Comprehensive Plan. There was no public comment.

At 6:20 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. ORDINANCE – APPROVE COMPREHENSIVE PLAN AMENDMENT TO INCORPORATE REDEVELOPMENT PLAN AMENDMENT NO. 2 INTO THE COMPREHENSIVE PLAN

Councilmember Thomas introduced Ordinance No. 1382 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND SECTION 1 OF ORDINANCE NO. 1379 CODIFIED IN SECTIONS 151.01 AND 151.02 OF THE LA VISTA MUNICIPAL CODE TO INCORPORATE AMENDMENT NO. 2 OF THE REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA INTO THE COMPREHENSIVE DEVELOPMENT PLAN; TO REPEAL SECTION 1 OF ORDINANCE NO. 1379 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 AND ANY CONFLICTING ORDINANCES OR PARTS THEREOF AS PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1382 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

D. ORDINANCE – DECLARE SURPLUS REAL PROPERTY (PART OF TAX LOT 12 14-14-12 AND PART OF OUTLOT A LA VISTA CITY CENTRE)

Councilmember Thomas introduced Ordinance No. 1383 entitled: AN ORDINANCE MAKING FINDINGS AND DETERMINATIONS AND DECLARING A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, AS SURPLUS PROPERTY; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1383 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the

MINUTE RECORD

March 3, 2020

No. 729 — REEDIE & COMPANY, INC. OMAHA E1310556LD

ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

E. VEHICLE OFF-STREET PARKING DISTRICT NO. 2 OF THE CITY OF LA VISTA
- PROPOSED RESOLUTION TO AUTHORIZE AND APPROVE ADDITIONAL
PUBLIC OFF-STREET PARKING FACILITIES WITHIN VEHICLE OFF-STREET
PARKING DISTRICT NO. 2

1. PUBLIC HEARING ON PROPOSED RESOLUTION TO AUTHORIZE AND
APPROVE ADDITIONAL PUBLIC OFF-STREET PARKING FACILITIES
WITHIN VEHICLE OFF-STREET PARKING DISTRICT NO. 2

At 6:25 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed resolution to authorize and approve additional public off-street parking facilities within Vehicle Off-Street Parking District No. 2. There was no public comment.

At 6:26 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. PROPOSED RESOLUTION – AUTHORIZE AND APPROVE ADDITIONAL PUBLIC
OFF-STREET PARKING FACILITIES WITHIN VEHICLE OFF-STREET
PARKING DISTRICT NO. 2

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-025 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO OWN, PURCHASE, CONSTRUCT, EQUIP, LEASE, AND/OR OPERATE ADDITIONAL PUBLIC OFFSTREET PARKING FACILITIES WITHIN THE CITY'S OFFSTREET PARKING DISTRICT NO. 2.

BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, as follows:

1. The Mayor and City Council hereby find and determine (a) that by City of La Vista Ordinance No. 1301, Vehicle Off-Street Parking District No. 2 of the City of La Vista, Nebraska, (the "District"), in the interests of public health, welfare, convenience and necessity, was duly created under the terms of Neb. Rev. Stat. Sections 19-3301 through 19-3327 (the "Act") for purposes of acquiring and constructing off-street parking facilities to, among other things, promote safe and uncongested traffic flows through, in and around City streets, Nebraska State Highway 85 (84th Street), Giles Road, Harrison Street and connections with Interstate 80 and other parts of the metro area, encourage redevelopment of the 84th Street Redevelopment Area and eliminate and prevent recurrence of the substandard and blighted area, and enhance the possibilities of additional services to the City and its inhabitants, and for additional tax revenues for supporting the costs of public services ("Public Purposes"); (b) Section 3 of Ordinance No. 1301 contemplated that additional improvements to those estimated in Ordinance No. 1301 may be owned, purchased, constructed, equipped, leased, or operated in the District, and additional costs and expenses incurred, from time to time, as provided for in Neb. Rev. Stat. Section 19-3327; (c) additional public offstreet parking facilities within the District are proposed; (d) the Mayor and City Council are of the opinion that the District, together with other potential areas and inhabitants of the City, will be benefited by such additional facilities, and (e) all notice, hearing and other requirements of Section 19-3327 have been satisfied.

2. The Mayor and City Council, in the interests of public health, safety, welfare, convenience and necessity and to further Public Purposes set forth above and encourage tourism and visitors to the City and additional retail, commercial, recreational, entertainment facilities, services and amenities to or for the City and its residents, hereby further find and determine pursuant to Neb. Rev. Stat. Section 19-3327 that it is necessary and deem it advisable for the City to own, purchase, construct, equip, lease, and/or operate public offstreet parking facilities (the "Additional Public

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

Offstreet Parking Facilities") within the District in addition to offstreet parking facilities initially contemplated and estimated for Lots 7 and 17, La Vista City Centre, at the time of creation of the District; and such Additional Public Offstreet Parking Facilities, and the ownership, purchase, construction, equipping, lease, and/or operation thereof by the City, are hereby authorized and approved.

3. The engineer's estimate of the sum of money to be expended in the acquisition of property and the construction of Additional Public Offstreet Parking Facilities is \$15,669,000, comprised of \$809,000 estimated for land acquisition and \$14,860,000 for construction related costs. According to preliminary plans, Additional Public Offstreet Parking Facilities will be located within Lot 12, La Vista City Centre Replat 3, accessed by 40-foot-wide Right-of-Way connecting with City Centre Drive, and consist of initial concrete or asphalt surface parking of approximately 98 stalls, and storm sewer and grading to convey drainage and desirable stall configurations, and eventually a multi-level reinforced concrete parking structure, with approximately 500 stalls. Pedestrian access is contemplated to and from adjacent pedestrian walkways in the vicinity.

Land needed for Additional Public Offstreet Parking Facilities will be purchased from La Vista City Centre, LLC, or such other person or entity owning the property at the time, ("Seller") at an initially estimated average price of \$18.00 per square foot, to be acquired by City by conveying to Seller in exchange surplus City property for redevelopment and such other consideration as the City Administrator, City Engineer, or her or his designee determines satisfactory, if any. Conveyances will be carried out by warranty deeds, on a closing date and in accordance with other terms or conditions as the City Administrator or City Engineer or her or his designee determines satisfactory. Construction costs will be paid pursuant to contracts entered with contractors selected by the City in accordance with applicable laws. Costs and expenses connected with Additional Public Offstreet Parking Facilities, including without limitation any financing costs or expenses, shall be paid in the manner and from such sources as described in Ordinance No. 1301, including general taxes, special property taxes or assessments on property within the District, and/or general property taxes, sales taxes, occupation taxes, or other funds of the City or made available for such purposes, with any financing being provided by issuance of the City's general obligation bonds, all as provided for in the Act or other applicable statutes and from time to time determined by the Mayor and City Council, and with such revenues, as the Mayor and City Council determine appropriate at the time of issuance, to be pledged for the payment of any such bonds. There shall be levied upon all the taxable property in the City a tax which, together with any sinking fund derived from special assessments and other revenue pledged for the payment of the bonds and interest thereon, shall be sufficient to meet payments of interest and principal as the same become due. No special assessments are expected to be levied.

4. This resolution shall be in force and effect from and after its passage and approval as provided by law.

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

F. PROPOSED ACQUISITION OF REAL PROPERTY FOR PUBLIC IMPROVEMENTS – 84TH STREET REDEVELOPMENT AREA (VARIOUS TRACTS WITHIN LA VISTA CITY CENTRE)

1. PUBLIC HEARING

At 6:27 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed acquisition of real property for public improvements within the 84th Street Redevelopment Area. There was no public comment.

At 6:28 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

MINUTE RECORD

March 3, 2020

No. 729 — REFIELD & COMPANY, INC. OMAHA E1310556LD

2. RESOLUTION APPROVING PROPOSED ACQUISITION

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-026 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF REAL PROPERTY AND FURTHER ACTIONS.

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

1. The City desires to purchase property described or depicted in attached Exhibit A ("Property") for public improvements and purposes. The estimated purchase price is approximately \$1.1 million, plus pro rated costs at closing, if any, as approved by the City Administrator, ("Price") for tracts totaling an estimated 60,000 square feet, which Price may be paid or provided by payment of cash or conveyance of property in exchange at closing, or any combination of cash and property. Terms and conditions of the purchase, including without limitation amounts, locations, dimensions, and boundaries of the Property, Price, and any property to be conveyed in exchange, are subject to additions, subtractions, or changes, finalization, and approvals as the City Administrator or City Engineer or her or his designee determines necessary or appropriate;
2. The City published notice of public hearing on the proposed purchase of the Property and, before consideration of this Resolution, held the public hearing during the regular City Council meeting on March 3, 2020 which notice and hearing are hereby ratified, affirmed, and approved;
3. All applicable statutory requirements related to the proposed purchase have been satisfied; and
4. A purchase agreement for the Property is proposed in form on file with the City Clerk and incorporated herein by this reference ("Purchase Agreement"). Purchase of the Property may be carried out all at once or in phases by and through the parties entering and executing one or more Purchase Agreements and closing. The Purchase Agreement as presented will be used for all such purchases and closings, subject to any additions, subtractions, or changes as the City Administrator, City Engineer, or her or his designee determines necessary or appropriate.

BE IT FURTHER RESOLVED, that the Mayor and City Council adopt and approve the following actions: The Purchase Agreement and purchase of the Property at the Price is approved, subject to the following, as the City Administrator, City Engineer, or her or his designee determines necessary or appropriate: final determination by survey or plat of amounts, dimensions, locations, and boundaries of the Property to be acquired, any additions, subtractions, or changes to the Property, Price, Purchase Agreement, or any property to be conveyed by the City in exchange, any required approvals, and any other required terms and conditions.

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, or City Engineer, or his or her designee, is hereby authorized to take all actions he or she determines necessary or appropriate to carry out this Resolution or the actions approved herein.

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

G. 84TH STREET REDEVELOPMENT AREA

1. RESOLUTION – APPROVE SECOND AMENDMENT TO SUBDIVISION AGREEMENT – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-027 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

OF LA VISTA, NEBRASKA APPROVING SECOND AMENDMENT TO SUBDIVISION AGREEMENT, LA VISTA CITY CENTRE.

WHEREAS, the City is a party to La Vista City Centre Subdivision Agreement dated December 1, 2016 ("Original Subdivision Agreement"), as amended by a First Amendment to Subdivision Agreement ("First Amendment") (the Original Subdivision Agreement and First Amendment are referred to herein together as "Subdivision Agreement"). The Second Amendment to Subdivision Agreement is proposed as presented at this meeting or on file with the City Clerk to provide further specification with respect to certain improvements. The City considered all proposals and the financial and legal ability of prospective redevelopers to carry out their proposals in the 84th Street Redevelopment Area.

NOW THEREFORE, BE IT RESOLVED, that the Second Amendment to Subdivision Agreement as presented at this meeting ("Amendment") is deemed to be in the public interest and in furtherance of the purposes of the Community Development Law, and is hereby approved, which approval at an open public meeting shall constitute notification of the City's intention to accept such Amendment ("Notification"). The Mayor on behalf of the City shall be authorized to accept the Amendment on behalf of City by executing it, subject to such additions, subtractions, or modifications as the City Administrator or City Engineer may determine necessary or appropriate, and not in any other manner, and further subject to satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate to carry out the provisions of the Amendment or Second Amendment to Redevelopment Agreement, including without limitation, any required notices, hearings, authorizations, rights, conditions, or approvals with respect to any proposed or required platting or zoning action, permit, economic development program grant, Vehicle Off-Street Parking District No. 2 additional improvements, general business occupation taxes, financing, or property conveyances. Acceptance of the Amendment shall be effective thirty-one days after the Notification.

BE IT FURTHER RESOLVED, that the recitals above are incorporated by reference, and the Mayor or City Administrator, in addition to any otherwise authorized persons, shall be authorized to take all steps or actions on behalf of the City as he or she determines necessary or appropriate to carry out the actions approved in this Resolution, including, without limitation, effectuating or carrying out the Amendment and Subdivision Agreement, as amended.

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

2. RESOLUTION – APPROVE SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT – MIXED USE REDEVELOPMENT PROJECT (ACTION ON THIS ITEM WILL BE TAKEN BY THE LA VISTA COMMUNITY DEVELOPMENT AGENCY)

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-028 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE MAYOR ON BEHALF OF THE AGENCY TO ACCEPT REDEVELOPMENT CONTRACT FOR THE 84TH STREET REDEVELOPMENT AREA

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

WHEREAS, The City Council approved a Redevelopment Plan for the 84th Street Redevelopment Area, and subsequently approved Amendment No. 1 to such Redevelopment Plan for, among other things, two redevelopment projects; specifically a mixed use redevelopment project and a public improvement redevelopment project including areas in the vicinity of 84th

MINUTE RECORD

March 3, 2020

No. 729 — REDEVELOPMENT & COMPANY, INC., OMAHA E1310558LD

Street and Brentwood Boulevard, the former Brentwood Crossing shopping area and La Vista Falls golf course, the City swimming pool, and adjacent areas (such Redevelopment Plan for the 84th Street Redevelopment Area as amended by Amendment No. 1 referred to herein as "Redevelopment Plan"); and

WHEREAS, The City Council approved Amendment No. 2 to the Redevelopment Plan for further specification with respect to certain proposed improvements of the redevelopment projects (such Redevelopment Plan as amended by Amendment No. 2 referred to herein as "Redevelopment Plan, as amended"); and

WHEREAS, The Agency desires to approve a redevelopment contract proposal as presented to the City or Agency in various documents, including without limitation a supplemental Tax Increment Financing Application submitted by City Centre Music Venue, LLC ("Redeveloper") and Second Amendment to Redevelopment Agreement as presented at this meeting that includes a statement of the redeveloper's consent with respect to the designation of an enhanced employment area, redeveloper certification, supporting document retention and ad valorem payment requirements of Neb. Rev. Stat. Sections 18-2119(2), 18-2119(3), 18-2119(4), and 18-2119(5), respectively ("Redevelopment Contract Proposal" or "Proposal"). Notice inviting redevelopment contract proposals was published.

NOW THEREFORE, BE IT RESOLVED that the City Council acting as the La Vista Community Development Agency hereby finds and approves as follows:

1. Recitals above are incorporated into this resolution by this reference.
2. With respect to redevelopers and redevelopment proposals other than Redeveloper and its Redevelopment Contract Proposal: All redevelopment proposals, if any, and the financial and legal ability of the prospective redevelopers to carry out their proposals, have been considered.
3. With respect to Redeveloper and its Redevelopment Contract Proposal:
 - a. The Redevelopment Contract Proposal has been considered;
 - b. The Agency considered the legal ability of Redeveloper to carry out its Proposal, taking into consideration among other things, Redeveloper existing as an active limited liability company in good standing under Nebraska law, and such experience, resources, real property, and relationships of Redeveloper or any affiliated entity that is needed to carry out the Proposal;
 - c. The Agency deems the Redevelopment Contract Proposal to be in the public interest and in furtherance of the purposes of the Community Development Law;
 - d. Such Redevelopment Contract Proposal is hereby approved, based in part on consideration of the certification provided in the Redevelopment Contract Proposal pursuant to Neb. Rev. Stat. Section 18-2119(3);
 - e. The City Clerk, upon approval of this Resolution, shall file and maintain such Resolution among the written records of the City Clerk, which filing shall constitute written notification of the Agency to the governing body of the City of the Agency's intention to accept such Redevelopment Contract Proposal ("Agency Notification");
 - f. The Mayor on behalf of the Agency shall be authorized to accept such Redevelopment Contract Proposal on behalf of the Agency. Acceptance of the Redevelopment Contract Proposal shall be accomplished by the Mayor executing the Second Amendment to Redevelopment Agreement as presented in writing at this meeting, subject to any additions, subtractions or modifications as the City Administrator determine necessary or advisable ("Redevelopment Contract"), and not in any other manner, and further subject to satisfaction of all applicable requirements as the City

MINUTE RECORD

March 3, 2020

No. 729 — REDEVELOPMENT & COMPANY, INC. OMAHA E1310556LD

Administrator or City Administrator's designee determines necessary or appropriate to carry out the provisions of the Redevelopment Contract or Second Amendment to Subdivision Agreement, including without limitation, any required notices, hearings, authorizations, rights, conditions, or approvals with respect to any proposed or required platting or zoning action, permit, economic development program grant, Vehicle Off-Street Parking District No. 2 additional improvements, general business occupation taxes, financing, or property conveyances. Acceptance of the Redevelopment Contract Proposal and the Redevelopment Contract shall be subject to and effective upon the later of satisfaction of the Conditions of subsection (g) below or thirty-one days after the Agency Notification, after which all steps shall be authorized as necessary to effectuate such Redevelopment Contract, as determined in the sole discretion of the City Administrator or her designee;

- g. Subsections (d) through (f) above shall be subject to the City Administrator, or her designee, on behalf of the Agency considering the financial ability of the Redeveloper to carry out the Redevelopment Contract Proposal to the satisfaction of the City Administrator or her designee (this subsection "g" referred to as "Conditions");
- h. Sales, leases, or transfers of real property or any interest therein, if any, to any redeveloper for any uses in accordance with the Redevelopment Plan, as amended, shall be deemed to be fair value for uses in accordance with such Redevelopment Plan, as amended, taking into account and giving consideration to uses and purposes required by such plan, restrictions upon, and covenants, conditions, and obligations assumed by the redeveloper of such property; objectives of the Redevelopment Plan, as amended, for the elimination and prevention of recurrence of substandard and blighted areas; and such other matters as the City Administrator on behalf of the Agency determines appropriate; and in fixing any rentals or selling prices, consideration shall be given, and it shall be deemed that consideration has been given, to any appraisals of the property for such uses made by land experts employed by the Agency; and
- i. The Mayor, City Clerk, City Administrator, or City Engineer, or any designee of any such official, in addition to and not in limitation of any other authority otherwise granted, shall be authorized to take all actions on behalf of the Agency as necessary or appropriate to carry out the Redevelopment Contract or actions approved herein.

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

H. ORDINANCE – DIRECT CONVEYANCE OF REAL PROPERTY AND MANNER AND TERMS (PART OF TAX LOT 12 14-14-12 AND PART OF OUTLOT A LA VISTA CITY CENTRE)

Councilmember Thomas introduced Ordinance No. 1384 entitled: AN ORDINANCE DIRECTING CONVEYANCE OF REAL ESTATE, A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, AND THE MANNER AND TERMS THEREOF; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1384 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC., OMAHA, E1310556LD

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

I. RESOLUTION – FINAL PLAT – LA VISTA CITY CENTRE REPLAT 4 – LA VISTA CITY CENTRE, LLC

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-029 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE FINAL PLAT FOR A REPLAT OF LOTS 13 AND OUTLOT A, LA VISTA CITY CENTRE, AND LOT 1, LA VISTA CITY CENTRE REPLAT THREE SUBDIVISIONS, AS SURVEYED, PLATTED AND RECORDED IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, TOGETHER WITH A PART OF TAX LOT 12 IN THE NORTHWEST QUARTER, ALL IN SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY.

WHEREAS, the applicant, La Vista City Centre, LLC has made application for approval of a final plat for a replat of Lot 13 and Outlot A, La Vista City Centre, and Lot 1, La Vista City Centre Replat Three together with a part of Tax Lot 12 14-14-12 ("Final Plat"); and

WHEREAS, the City Engineer has reviewed the Final Plat; and

WHEREAS, on February 20, 2020, the La Vista Planning Commission reviewed the Final Plat and recommended approval subject to the following conditions:
1. Satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that, subject to satisfaction of all applicable requirements, including without limitation, notices, hearings, and approvals of redevelopment plan, redevelopment contract, and subdivision agreement amendments and applicable property conveyances, the Final Plat be, and hereby is, approved.

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

J. ZONING MAP AMENDMENT – PART OF PROPOSED LOT 3 LA VISTA CITY CENTRE REPLAT 4 – LA VISTA CITY CENTRE, LLC

1. PUBLIC HEARING

At 6:33 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Zoning Map amendment. There was no public comment.

At 6:34 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1385 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan,

MINUTE RECORD

March 3, 2020

No. 729 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1385 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

K. CONDITIONAL USE PERMIT – PROPOSED LOT 3 LA VISTA CITY CENTRE REPLAT 4 – LA VISTA CITY CENTRE, LLC

1. PUBLIC HEARING

At 6:35 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed conditional use permit. There was no public comment.

At 6:36 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. RESOLUTION

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-030 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AND AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR AN EVENT CENTER ON LOT 3, LA VISTA CITY CENTRE REPLAT 4.

WHEREAS, La Vista City Centre, LLC, on behalf of City Centre Music Venue, LLC and Astro Theater, LLC, has applied for approval of a Conditional Use Permit for an event center on Lot 3, La Vista City Centre Replat 4, located north of the intersection of City Centre Drive and Main Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval subject to the following conditions:

1. Satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances; and

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby approve and authorize the execution of a Conditional Use Permit as submitted at this meeting, subject to any additions, subtractions, or modifications as the City Administrator or any designee of the City Administrator determines necessary or appropriate, and further subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances.

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

MINUTE RECORD

March 3, 2020

No. 729 — REEDFIELD & COMPANY, INC. OMAHA E1310566D

L. 84TH STREET REDEVELOPMENT AREA – GENERAL BUSINESS OCCUPATION TAXES (“GBOT”); GBOT REVENUE NOTE

1. ORDINANCE – ADD MUNICIPAL CODE SECTION 113.30 AUTHORIZING GENERAL BUSINESS OCCUPATION TAXES

Councilmember Thomas introduced Ordinance No. 1386 entitled: AN ORDINANCE TO ENACT SECTION 113.30 OF THE LA VISTA MUNICIPAL CODE REGARDING ENHANCED EMPLOYMENT AREAS AND GENERAL BUSINESS OCCUPATION TAXES WITHIN SUBSTANDARD AND BLIGHTED AREAS, USE OF PROCEEDS, AND ADMINISTRATIVE PROVISIONS; PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; PUBLICATION; AND AN EFFECTIVE DATE.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1386 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

2. RESOLUTION – AUTHORIZING LA VISTA COMMUNITY DEVELOPMENT AGENCY OCCUPATION TAX REVENUE NOTE (ACTION ON THIS ITEM WILL BE TAKEN BY THE LA VISTA COMMUNITY DEVELOPMENT AGENCY)

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-031 entitled: A RESOLUTION AUTHORIZING THE ISSUANCE OF A \$78,000,000 OCCUPATION TAX REVENUE NOTE (84TH STREET REDEVELOPMENT PROJECT), SERIES 2020, OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF LA VISTA, NEBRASKA, FOR THE PURPOSE OF PAYING CERTAIN PROJECT COSTS IN CONNECTION WITH REDEVELOPMENT PROJECTS IN THE 84TH STREET REDEVELOPMENT AREA; PRESCRIBING THE FORM AND DETAILS OF SUCH NOTE AND THE COVENANTS AND AGREEMENTS TO FACILITATE AND PROTECT THE PAYMENT THEREOF; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of La Vista, in the State of Nebraska, (the "City") is a municipal corporation and first-class city organized and existing under the constitution and laws of the State of Nebraska;

WHEREAS, the City has established the Community Development Agency of the City of La Vista, Nebraska, under the Act (the "Agency");

WHEREAS, Chapter 18, Article 21, Reissue Revised States of Nebraska, as amended (the "Act") prescribes the requirements and procedures for the planning and implementation of redevelopment projects;

WHEREAS, pursuant to the Act, the Mayor and Council previously declared the Redevelopment Area to be blighted and substandard and in need of redevelopment pursuant to the Act;

WHEREAS, the City Council of the City previously adopted, and the City has in place a comprehensive plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act;

WHEREAS, pursuant to the Act, the Council approved the Redevelopment Plan for the Redevelopment Area;

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

WHEREAS, the City has undertaken to construct and improve portions of the Project;

WHEREAS, in order to pay a portion of the Project Costs incurred by the City, it is necessary, desirable, advisable, and in the best interest of the Agency to issue the Occupation Tax Revenue Note (84th Street Redevelopment Project), Series 2020 (the "Note"), in the principal amount of not to exceed \$78,000,000 and deliver such Note to the City in exchange for the City paying Project Costs, the proceeds of the Note thereby used to pay a portion of the Project Costs, to pay the costs of issuing the Note, and such Note to be issued and secured in the form and manner as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF LA VISTA, NEBRASKA, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions of Words and Terms. In addition to words and terms defined elsewhere in this Resolution, the following capitalized words and terms as used in this Resolution shall have the following meanings:

"Act" means the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended.

"Agency" means the Community Development Agency of the City of La Vista, Nebraska.

"Authorized Agency Representative" means the Chair or such other person at the time designated to act on behalf of the Agency.

"Business Day" means a day on which the banking institutions in the City are scheduled in the normal course of operations to be open to the public.

"Chair" means the Chair of the Community Development Agency of the City of La Vista, Nebraska.

"City" means the City of La Vista, Nebraska.

"Clerk" means the Clerk of the City of La Vista, Nebraska.

"Council" means City Council of the City of La Vista, Nebraska.

"Cumulative Outstanding Principal Amount" means the aggregate principal amount of the Note issued and outstanding from time to time in accordance with the provisions of this Resolution, as reflected in the Note Register as provided in this Resolution.

"Date of Original Issue" means the date the Note is initially issued and delivered to the Purchaser.

"Enhanced Employment Area" means the enhanced employment area within the 84th Street Redevelopment Area established pursuant to, and described in, the Occupation Tax Ordinance.

"Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

"Mayor" means Mayor of the City.

"Note" means the Occupation Tax Revenue Note (84th Street Redevelopment Project), Series 2020, in an aggregate principal amount not to exceed \$78,000,000, authorized and issued pursuant to this Resolution.

"Note Counsel" means Gilmore & Bell, P.C., or other firm of nationally recognized bond counsel acceptable to the Agency.

MINUTE RECORD

March 3, 2020

No. 729 — REDIELD & COMPANY, INC. OMAHA E1310556LD

"Note Payment Date" means February 15, May 15, August 15 and November 15 of each year, beginning on February 15, 2021, and ending on November 15, 2060, or such other dates as determined by an Authorized Agency Representative and indicated in the Note.

"Note Register" means the books for the registration, transfer and exchange of the Note kept at the office of the Agency.

"Occupation Tax Ordinance" means an ordinance of the City providing for the initial general business occupation taxes and enhanced employment area of the 84th Street Redevelopment Area of the City, passed and approved on March 3, 2020.

"Permitted Investments" means any securities and obligations, if and to the extent the same are at the time legal for investment of the City's moneys held in the funds and accounts referred to in Section 5.1 hereof.

"Project" means the costs and expenses of any redevelopment project as approved or modified from time to time within 84th Street Enhanced Employment Area, including without limitation, all costs and expenses of the City or Agency in connection with payment, funding, refunding, reimbursing, financing, or refinancing of any costs or expenses previously, currently, or in the future incurred or paid by the City or Agency for or in connection with planning, designing, engineering, legal services, financing, capitalized interest, demolition, development, site acquisition, grading, preparation, utilities, relocations, improvements, construction, maintenance, operations, repairs, replacements, or any other works, expenditures, or undertakings with respect to the Mixed Use Redevelopment Project (as described in the Occupation Tax Ordinance) or Public Improvement Redevelopment Project (as described in the Occupation Tax Ordinance), as amended from time to time

"Project Costs" means the costs attributable to the Project and to work on any "redevelopment project," as defined in the Act, that may be paid through Occupation Tax Revenues and such other costs allowed under the Redevelopment Plan.

"Purchaser" means the City, the original purchaser of the Note.

"Record Date" for the interest payable on any Note Payment Date means the 15th day (whether or not a Business Day) of the calendar month first preceding such Note Payment Date.

"Redevelopment Area" means the 84th Street Redevelopment Area as described in the Occupation Tax Ordinance.

"Redevelopment Plan" means the Redevelopment Plan as described in the Occupation Tax Ordinance.

"Registered Owner" or "Note Owner" when used with respect to any Note means the person in whose name such Note is registered on the Note Register.

"Resolution" means this Resolution as from time to time amended in accordance with the terms hereof.

"Secretary" means the Secretary of the Community Development Agency of the City of La Vista, Nebraska.

"State" means the State of Nebraska.

"Occupation Tax Revenue Fund" means the fund by that name described by Section 5.1 hereof.

"Occupation Tax Revenues" means the moneys received by the City attributable to the general business occupation tax imposed pursuant to the Occupation Tax Ordinance, as the same may be amended from time to time.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

ARTICLE II

AUTHORIZATION OF NOTE

Section 2.1. Authorization of Note. There is hereby authorized and directed to be issued a Note of the Agency, designated "Occupation Tax Revenue Note (84th Street Redevelopment Project) Series 2020," in the principal amount of not to exceed \$78,000,000, for the purpose of paying a portion of the Project Costs, and paying the costs of issuance of the Note.

Section 2.2. Description of the Note. The Note shall be substantially in the form set forth in Exhibit A hereto, and shall be subject to registration, transfer and exchange as provided in Section 2.4 hereof. The Note shall be dated the date of its initial issuance and delivery, shall mature on the final Note Payment Date (subject to prior prepayment and subject to extension as provided in Section 3.1), and shall bear interest, if any, at the rate per annum, as determined by the Authorized Agency Representative and as provided in the Note delivered to the Purchaser.

The Note shall bear interest (computed on the basis of a 360-day year of twelve 30-day months), if any, from its issuance date or from the most recent interest payment date to which interest has been paid or duly provided for.

Section 2.3. Disbursement of Proceeds of Note. Proceeds of the Note shall be deemed advanced upon the City expending funds for the Project without need for further action by the City or Agency. The aggregate amount allocated to the Project from proceeds of the Note shall equal the aggregate amount expended by the City for the Project, which amount shall not exceed \$78,000,000.

The records maintained by the City as to principal amount advanced and principal amounts paid on the Note shall be the official records of the Cumulative Outstanding Principal Amount for the Note for all purposes.

Section 2.4. Method and Place of Payment of Note. The principal of and interest on the Note shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of debts due the United States of America.

Interest on the Cumulative Outstanding Principal Amount of the Note from the date of original issue or the most recent Payment Date to which interest has been paid or duly provided for on the Note, is payable on each Payment Date until the principal of the Note has been paid, whether at maturity or upon earlier redemption.

The principal and interest payable on the Note on any Note Payment Date shall be paid to the Registered Owner of such Note as shown on the Note Register at the close of business on the Record Date for such interest (a) by check or draft mailed to such Registered Owner, or (b) by electronic transfer to such Registered Owner upon written notice given to the Agency by such Registered Owner not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States), ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. Such electronic transfer notice shall be effective until such Registered Owner gives the Agency written notice to the contrary.

Section 2.5. Registration, Transfer and Exchange of Note. The Agency covenants that it will, so long as the Note remains outstanding, cause to be kept at the office of the City books for the registration, transfer and exchange of the Note as herein provided. The Note when issued shall be registered in the name of the Registered Owner thereof on the Note Register.

The Agency may deem and treat the person in whose name any Note is registered as the absolute owner of such Note, whether the Note is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on said Note and for all other purposes. All payments so made to any such Registered Owner or upon the Registered Owner's order shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid, and the Agency shall not be affected by any notice to the contrary.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556L

Section 2.6. Execution, Authentication and Delivery of the Note. The Note, including any Note issued in exchange or as substitution for the Note initially delivered, shall be signed by the manual or facsimile signatures of the officers of the Agency. In case any officer whose signature appears on any Note ceases to be such officer before the delivery of such Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such person had remained in office until delivery. Any Note may be signed by such persons who at the actual time of the execution of such Note are the proper officers to sign such Note although at the date of such Note such persons may not have been such officers.

The Mayor and Clerk are hereby authorized and directed to prepare and execute the Note. The Agency shall deliver the Note to the Purchaser.

Section 2.7. Mutilated, Destroyed, Lost and Stolen Note. If (a) any mutilated Note is surrendered to the Agency, or the Agency receives evidence to its satisfaction of the destruction, loss or theft of any Note, and (b) there is delivered to the Agency such security or indemnity as may be required to save the Agency harmless, then, in the absence of notice to the Agency that such Note has been acquired by a bona fide purchaser, the Agency shall execute, register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Note, a new Note of the same maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Note has become or is about to become due and payable, the Agency in its discretion may, instead of issuing a new Note, pay such Note when due.

Upon the issuance of any new Note under this Section, the Agency may require the payment by the Registered Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Agency) connected therewith.

Every new Note issued pursuant to this Section shall constitute a replacement of the prior obligation of the Agency.

Section 2.8. Sale of Note. The delivery of the Note to the Purchaser is hereby ratified and confirmed. Delivery of the Note shall be made to the Purchaser as soon as practicable after the adoption of this Resolution.

Section 2.9. Redemption of Note. The Note is subject to redemption at the option of the Agency prior to the maturity thereof at any time as a whole or in part from time to time in such principal amount as the Agency shall determine, at a redemption price equal to 100% of the principal amount then being redeemed plus accrued interest thereon to the date fixed for redemption.

Section 2.10. Determination of Outstanding Principal Amount of Note. Notwithstanding the amount indicated on the face of the Note, the principal amount of the Note actually outstanding from time to time shall be determined and maintained by the City Finance Director.

ARTICLE III

TERMS AND PAYMENT

Section 3.1. Terms and Payment. The Note shall be issued substantially in the form set forth in Exhibit A. The Note shall be dated the date of its initial issuance and delivery, shall become due and shall bear interest as set forth below and on the face of the Note.

On each Note Payment Date, an amount equal to all amounts then on deposit in the Occupation Tax Revenue Fund shall be due and payable, first to interest due and the remainder to principal. To the extent amounts in the Occupation Tax Revenue Fund are insufficient to pay all of the principal or interest on the Note prior to or on the final Note Payment Date, the final maturity date of the Note shall be extended until such time as all such principal and interest on the Note has been paid in full or until the Registered Owner of the Note surrenders the Note and waives any remaining payment obligations in writing to the Agency.

MINUTE RECORD

March 3, 2020

No. 729 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

The Agency may prepay all or any portion of the Note at any time and from time to time without premium or penalty of any kind.

ARTICLE IV

SECURITY FOR THE NOTE

Section 4.1. Security for the Note. The Note shall be a limited, special obligation of the Agency payable solely from and secured as to the payment of principal and interest, subject to the provisions of Section 4.2, by a pledge of the Occupation Tax Revenues and no other moneys, revenues, funds or accounts. Other than the power to impose and collect the Occupation Tax Revenues, the taxing power of the Agency and the City are not pledged to the payment of the Note either as to principal or interest. The Note shall not constitute a general obligation of the Agency or the City, nor shall it constitute an indebtedness of the Agency or the City within the meaning of any constitutional, statutory or charter provision, limitation or restriction.

Section 4.2. Pledge of Certain Funds. The moneys and securities now or hereafter held in, and moneys and securities to be deposited in the Occupation Tax Revenue Fund, and all interest and earnings thereon and proceeds thereof are hereby pledged to secure the payment of the Note. When the Note has been paid in full and discharged, then the requirements contained in this Resolution and the pledge of revenues made hereunder and all other rights granted hereby shall terminate.

Section 4.3. No Recourse. Notwithstanding any other provisions of this Resolution, the City shall have no recourse of any kind against the Agency in the event of that the Occupation Tax Revenues are insufficient to pay the principal of or interest on the Note for any reason whatsoever.

ARTICLE V

CREATION OF FUNDS AND ACCOUNTS; DEPOSIT AND APPLICATION OF NOTE PROCEEDS

Section 5.1. Creation of Occupation Tax Revenue Fund. There are hereby created and ordered to be established within the treasury of the City the Occupation Tax Revenue Fund (the "Occupation Tax Revenue Fund"), which shall be a separate fund.

Such fund shall be segregated and kept separate and apart from all other moneys, revenues, funds and accounts of the Agency and the City and shall not be commingled with any other moneys, revenues, funds and accounts of the Agency or of the City. The Occupation Tax Revenue Fund shall be maintained and administered in the manner provided in this Resolution so long as the Note remains outstanding hereunder.

ARTICLE VI

APPLICATION OF REVENUES

Section 6.1. Occupation Tax Revenue Fund. The moneys in the Occupation Tax Revenue Fund shall be administered and applied solely for the purposes and in the manner provided in this Resolution. The Occupation Tax Revenues shall be determined and collected in the manner provided by law.

All amounts paid and credited to the Occupation Tax Revenue Fund shall be expended and used for the sole purpose of paying the principal of and interest on the Note as and when the same become due on each Note Payment Date or as otherwise provided in Section 3.1.

ARTICLE VII

DEPOSIT AND INVESTMENT OF MONEYS

Section 7.1. Deposit of Moneys. Moneys in each of the fund created by and referred to in this Resolution and held by the Agency or the City shall be continuously and adequately secured as provided by the laws of the State and invested in Permitted Investments.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

Section 7.2. Investment of Moneys. All earnings on any investments held in any fund shall accrue to and become a part of such fund.

ARTICLE VIII

ADDITIONAL NOTE

Section 8.1. Additional Note. The Agency covenants and agrees that so long as the Note remains outstanding, the Agency will not issue any additional bonds, notes or debt payable from the Occupation Tax Revenue Fund or any part thereof without the prior written consent of the Registered Owner.

ARTICLE IX

DEFAULT AND REMEDIES

Section 9.1. Remedies. The provisions of this Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Agency and the Registered Owner. Subject to the limitations set forth in Section 9.2, the Registered Owner shall have the following rights:

- (a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of the Registered Owner against the Agency and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of this Resolution or by the constitution and laws of the State of Nebraska;
- (b) by suit, action or other proceedings in equity or at law to require the Agency, its officers, agents and employees to account as if they were the trustees of an express trust; and
- (c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Registered Owner.

Section 9.2. Remedies Cumulative. No remedy conferred herein upon the Registered Owner is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Registered Owner shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of the Registered Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Registered Owner by this Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. In case any suit, action or proceedings taken by the Registered Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or has been determined adversely to the Registered Owner, then, and in every such case, the Agency and the Registered Owner shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Registered Owner shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 10.1. Amendments. The rights and duties of the Agency and the Registered Owner, and the terms and provisions of the Note or of this Resolution, may be amended or modified at any time in any respect by Resolution of the Agency with the written consent of the Registered Owner, such consent to be evidenced by an instrument or instruments executed by the Registered Owner and duly acknowledged, and such instrument shall be filed with the Clerk.

Without notice to or the consent of the Registered Owner, the Agency may amend or supplement this Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Registered Owner.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310558LD

Every amendment or modification of the provisions of the Note or of this Resolution, to which the consent of the Registered Owner is given, as above provided, shall be expressed in a Resolution adopted by the governing body of the Agency amending or supplementing the provisions of this Resolution and shall be deemed to be a part of this Resolution. A certified copy of every such amendatory or supplemental Resolution, if any, and a certified copy of this Resolution shall always be kept on file in the office of the Clerk and shall be made available for inspection by the Registered Owner or a prospective purchaser or owner of the Note authorized by this Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental Resolution or of this Resolution will be sent by the Clerk to any such Registered Owner or prospective Registered Owner.

Notwithstanding anything to the contrary in this Section 10.1, before any Resolution supplementing or amending this Resolution pursuant to this Section 10.1 shall become effective, there shall have been delivered to the Agency an opinion of Note Counsel stating that such supplemental Resolution is authorized or permitted by this Resolution and the Act, complies with their respective terms, will, upon the execution and delivery thereof, be valid and binding upon the Agency in accordance with its terms.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the Resolution of the Agency, duly certified, as well as proof of any required consent to such modification by the Registered Owner. It shall not be necessary to note on any outstanding Note any reference to such amendment or modification.

Section 10.2. Payments Due on Days Other Than Business Days. In any case where the date of maturity of principal or of interest on the Note or the date fixed for prepayment of any Note is not a Business Day, then payment of principal or interest need not be made on such date but may be made on the first succeeding Business Day with the same force and effect as if made on the date of maturity or the date fixed for prepayment, with no adjustment in accrued interest for the period between such prepayment date and such first succeeding Business Day.

Section 10.3. Notices, Consents and Other Instruments by Registered Owner. Any notice, consent, request, direction, approval, objection or other instrument required by this Resolution to be signed and executed by the Registered Owner other than the assignment of the Ownership of the Note, may be in any number of concurrent writings of similar tenor and may be signed or executed by such Registered Owner in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of the Note, if made in the following manner, shall be sufficient for any of the purposes of this Resolution, and shall be conclusive in favor of the Agency with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of the Note, the amount or amounts, numbers and other identification of the Note, and the date of holding the same shall be proved by the Note Register.

Section 10.4. Further Authority. The officers of the Agency, including the Mayor and the Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to make any changes or additions in this Resolution and the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they determine to be in the Agency's best interest, and the execution or taking of such action shall be conclusive evidence of such determination.

Section 10.5. Severability. If any section or other part of this Resolution or the Note is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Resolution.

MINUTE RECORD

March 3, 2020

No. 729 — REIDEL & COMPANY, INC. OMAHA E1310556LD

Section 10.6. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 10.7. Effective Date. This Resolution shall take effect and be in full force from and after its passage by the governing body of the Agency.

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

3. ORDINANCE – ENACT INITIAL GENERAL BUSINESS OCCUPATION TAXES WITHIN INITIAL ENHANCED EMPLOYMENT AREA – 84TH STREET REDEVELOPMENT AREA

Councilmember Thomas introduced Ordinance No. 1387 entitled: AN ORDINANCE PROVIDING FOR INITIAL GENERAL BUSINESS OCCUPATION TAXES AND ENHANCED EMPLOYMENT AREA OF THE 84TH STREET REDEVELOPMENT AREA; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1387 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

M. ECONOMIC DEVELOPMENT PROGRAM

1. ORDINANCE – APPROVE ECONOMIC DEVELOPMENT PROGRAM \$3 MILLION GRANT – CITY CENTRE MUSIC VENUE, LLC AND ASTRO THEATER, LLC

Councilmember Hale introduced Ordinance No. 1388 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, LA VISTA, NEBRASKA, TO APPROVE APPLICATION OF CITY CENTRE MUSIC VENUE, LLC UNDER THE CITY OF LA VISTA ECONOMIC DEVELOPMENT PROGRAM; TO MAKE CERTAIN FINDINGS; TO APPROVE RECOMMENDATIONS AND \$3.0 MILLION ECONOMIC DEVELOPMENT PROGRAM GRANT; TO SPECIFY CERTAIN CONDITIONS AND AUTHORIZE FURTHER ACTIONS IN CONNECTION WITH SUCH GRANT; AND TO PROVIDE FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Thomas seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Quick. There was a Council discussion regarding funding for the payment of the bonds. The Mayor then stated the question, "Shall Ordinance No. 1388 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

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

2. RESOLUTION – AUTHORIZE THE ISSUANCE OF ECONOMIC DEVELOPMENT BOND

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-032 entitled: A RESOLUTION OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ISSUANCE OF ECONOMIC DEVELOPMENT FUND BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF UP TO THREE MILLION ONE HUNDRED THOUSAND DOLLARS (\$3,100,000) FOR THE PURPOSE OF FUNDING THE LA VISTA ECONOMIC DEVELOPMENT PROGRAM AS ESTABLISHED BY ORDINANCE OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE PLEDGING OF SALES TAX COLLECTIONS RECEIVED FOR SAID PROGRAM INTO THE ECONOMIC DEVELOPMENT FUND OF THE CITY OF LA VISTA FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON SAID BONDS; PROVIDING FOR THE RIGHT OF THE CITY TO MAKE PAYMENT FROM OTHER SOURCES IN THE ECONOMIC DEVELOPMENT FUND; PROVIDING FOR PAYMENT FROM PROPERTY TAXES IN THE EVENT THAT PLEDGED SALES TAXES AND FUNDS FROM OTHER SOURCES ARE INSUFFICIENT; PROVIDING FOR THE HOLDING AND APPLICATION OF PROCEEDS; PROVIDING FOR THE SALE OF THE BONDS; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID BONDS; AND AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER.

BE IT RESOLVED by the Mayor and Council of the City of La Vista, Nebraska, as follows:

Section 1. The Mayor and Council of the City of La Vista, Nebraska, hereby find and determine that (a) pursuant to the provisions of the Local Option Municipal Economic Development Act (Sections 18-2701 to 18-2738, R.R.S. Neb., as amended, the "Act"), the Mayor and Council have previously passed and approved Ordinance No. 921 (the "Program Ordinance") establishing an economic development program for the City of La Vista (the "Program") and providing funding for such program through the application of funds from the City's 1% sales tax (the "Sales Tax") previously adopted under the Local Option Revenue Act (Sections 77-27,142 to 77-27,148, R.R.S. Neb., as amended) (the "Special Tax Portion"); (b) the Program was approved by the voters of the City at an election held on September 30, 2003; (c) the Sales Tax has been imposed under the terms of Ordinance No. 363 passed and approved on November 20, 1984 (the "Sales Tax Ordinance") and the levying of such tax was approved by the voters of the City at an election held on November 6, 1984 and is to remain in effect indefinitely; (d) under the terms of the Program the City has received an application from City Centre Music Venue, LLC and Astro Theater, LLC, and related entities (collectively, the "City Ventures") for the development of an event venue in the 84th Street Redevelopment Area of the City which is expected to provide substantial economic development benefits for the City in the form of (i) significant employment opportunities, (ii) a substantial increase in the City's property tax base, (iii) increased governmental revenues from occupation taxes, (iv) increased sales taxes from venue patrons using both venue services and nearby retail shopping, (v) increased incentives for other private interests to further develop in the 84th Street corridor of the City and adjacent commercial areas and (vi) event space within the City; (e) under the terms of the Program, the application submitted by City Ventures has been recommended for approval and the City has approved the application pursuant to an ordinance passed and approved on March 3, 2020 (the "Grant Ordinance"); (f) the City has agreed to provide a grant in the amount of \$3,000,000 to assist City Ventures, subject to the terms and conditions of the Grant Ordinance, (the "EDP Grant"); (g) under the terms of the Program the City may issue bonds to provide funding for the Program and the Mayor and Council hereby declare it necessary and advisable for the City to issue its economic development fund bonds in the maximum principal amount of Three Million One Hundred Thousand Dollars (\$3,100,000) for the purpose of funding the EDP Grant; and (i) all conditions, acts and things required by law to exist or to be done precedent to the issuance of such bonds do exist and have been done as required by law.

Section 2. To provide funds for the Program, including the funding of the EDP Grant, there shall be and there are hereby ordered issued negotiable bonds of the City of La Vista, Nebraska, to be designated as "Economic Development Fund Bonds, Series 2020" (the "2020 Bonds" or the "Bonds") in the aggregate principal amount of not to exceed Three Million One Hundred Thousand Dollars (\$3,100,000). The Bonds or any

MINUTE RECORD

March 3, 2020

No. 729 — REEDIELD & COMPANY, INC. OMAHA E1310556LD

portion thereof are hereby authorized to be sold pursuant to a negotiated sale with D.A. Davidson & Co., as initial purchaser (the "Underwriter"). In connection with such sale, the Mayor, City Administrator or Director of Administrative Services (each, an "Authorized Officer") are hereby authorized to specify, determine, designate, establish and appoint, as the case may be, in one or more written designations which may be included in a bond purchase agreement (each, a "Designation"), (i) the aggregate purchase price of the Bonds (including any original issue discount or premium) and the underwriting discount which shall not exceed 0.7% of the aggregate stated principal amount thereof, (ii) the form and contents of any bond purchase agreement in connection with such sale, (iii) the title (including series designation), dated date, aggregate principal amount (including the aggregate principal amounts of serial Bonds and term Bonds, if any), which aggregate stated principal amount shall not exceed \$3,100,000, and the final maturity date, which shall not be later than October 15, 2029, (iv) the principal amounts maturing in each year, (v) the rate or rates of interest to be borne by each principal maturity of the Bonds, provided that the true interest cost of the Bonds shall not exceed 3.0%, (vi) the principal payment dates and interest payment dates, (vii) whether the Bonds will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, including a redemption price not to exceed 104% of the principal amount then being redeemed plus accrued interest to the date of redemption, (viii) the amount and due date of each sinking fund installment for any of the Bonds issued as term Bonds, (ix) the designation of the Bond Registrar and Paying Agent (defined herein) and the form and content of any agreement between the City and such entity and (x) all other terms and provisions of the Bonds not otherwise specified or fixed by this Ordinance.

The 2020 Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue of the 2020 Bonds shall be the date of delivery thereof. Interest on the 2020 Bonds, at the respective rate for each maturity, shall be payable on April 15 and October 15 of each year, commencing on such date as provided in the Designation (each an "Interest Payment Date"), and the 2020 Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. Interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day (whether or not a business day) immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The 2020 Bonds shall be numbered from 1 upwards in the order of their issuance. No 2020 Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the 2020 Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the 2020 Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar as designated pursuant to Section 3 hereof (the "Paying Agent and Registrar"), by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each 2020 Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity together with any unpaid interest accrued thereon shall be made by the Paying Agent and Registrar to the registered owners upon presentation and surrender of the 2020 Bonds to the Paying Agent and Registrar. The City and the Paying Agent and Registrar may treat the registered owner of any 2020 Bond as the absolute owner of such 2020 Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary whether such 2020 Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any 2020 Bond in accordance with the terms of this Resolution shall be valid and effectual and shall be a discharge of the City and the Paying Agent and Registrar, in respect of the liability upon the 2020 Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The Authorized Officers, or any one or more of them, are hereby authorized to appoint a Bond Registrar and Paying Agent (the "Paying Agent and Registrar" or the "Registrar") for the Bonds, which Registrar may be a bank or trust company, or the City Treasurer. The Registrar shall keep the books for the registration and transfer of Bonds at its office. If the Registrar is a bank or trust company, the Registrar shall serve in such capacities under the terms of an agreement entitled "Paying Agent and Registrar's Agreement" between the City and the Registrar, the form of which shall be approved by an Authorized Officer. The Mayor and Clerk are hereby authorized to

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

execute said agreement. The Registrar shall keep and maintain for the City books for the registration and transfer of the 2020 Bonds at the Registrar's designated office. The names and registered addresses of the registered owner or owners of the 2020 Bonds shall at all times be recorded in such books. Any 2020 Bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar by surrender of such bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent and thereupon the Paying Agent and Registrar on behalf of the City will register such transfer and will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new 2020 Bond or 2020 Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the 2020 Bonds by this Resolution, one 2020 Bond may be transferred for several such 2020 Bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such 2020 Bonds may be transferred for one or several such 2020 Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a 2020 Bond, the surrendered 2020 Bond or 2020 Bonds shall be cancelled and destroyed. All 2020 Bonds issued upon transfer of the 2020 Bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the 2020 Bonds surrendered and shall be entitled to all the benefits and protection of this Resolution to the same extent as the 2020 Bonds upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any 2020 Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any 2020 Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the 2020 Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the 2020 Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. The 2020 Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issuance of the 2020 Bonds at a price equal to 100%, plus accrued interest on the principal amount redeemed to the date fixed for redemption, or upon such other terms as provided in the Designation. 2020 Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Any 2020 Bond redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for a new 2020 Bond evidencing the unredeemed principal thereof. Notice of redemption of any 2020 Bond called for redemption shall be given, at the direction of the City in the case of optional redemption and without further direction in the case of mandatory sinking fund redemption, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such 2020 Bond at said owner's registered address. Such notice shall designate the 2020 Bond or 2020 Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such 2020 Bond or 2020 Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any 2020 Bond partially redeemed, such notice shall specify the portion of the principal amount of such 2020 Bond to be redeemed. No defect in the mailing of notice for any 2020 Bond shall affect the sufficiency of the proceedings of the City designating the 2020 Bonds called for redemption or the effectiveness of such call for the 2020 Bonds for which notice by mail has been properly given and the City shall have the right to direct further notice of redemption for any such 2020 Bond for which defective notice has been given.

Section 6. If the date for payment of the principal of or interest on the 2020 Bonds shall be a Saturday, Sunday, legal holiday or a day on which the banking institutions in the City of La Vista, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

MINUTE RECORD

March 3, 2020

No. 729 — REEDIE & COMPANY, INC., OMAHA, E1310556LD

Section 7. The 2020 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF SARPY

CITY OF LA VISTA

ECONOMIC DEVELOPMENT FUND BOND
SERIES 2020

No. _____	\$ _____		
<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP NUMBER</u>
_____ %	October 15, 20 _____	_____, 2020	

Registered Owner:

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of La Vista, in the County of Sarpy, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay, but only from the special sources hereinafter described, to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable semiannually on April 15 and October 15 of each year, commencing _____, 2020 (each, an "Interest Payment Date"). Such interest shall be computed on the basis of a 360-day year consisting of twelve 30 day months. The principal of this bond together with interest thereon unpaid and accrued at maturity (or earlier redemption) is payable upon presentation and surrender of this bond at the office of the City Treasurer of the City of La Vista, Nebraska, as Paying Agent and Registrar, at such City's offices in La Vista, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of _____ Dollars (\$_____) of even date and like tenor, except as to date of maturity, rate of interest and denomination, which were issued by the City for the purpose of providing funds for the economic development program of the City of La Vista as established pursuant to Ordinance No. 921 of the City and has been duly authorized by resolution duly adopted (the "Resolution") and by proceedings duly had by the Mayor and Council of the City of La Vista, Nebraska, pursuant to Sections 18-2701 to 18-2738, R.R.S. Neb., as amended.

Any or all of the bonds of said issue are subject to redemption at the option of the City, in whole or in part, at any time on or after the fifth anniversary of the date of original issue at a price equal to 100% plus accrued interest on the principal amount redeemed to the date fixed for redemption. Notice of redemption shall be given by mail to the registered owner of any bond called for redemption in the manner specified in the Resolution authorizing said issue of bonds. Individual bonds may be redeemed in part but only in the amount of \$5,000 or integral multiples thereof.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

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

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

Under the Resolution, the City has pledged all revenues of the City received for its Economic Development Fund from a designated portion of that tax upon sales within the City of La Vista, Nebraska, provided for pursuant to Ordinance No. 363 of the City of La Vista, passed and approved, after the approving vote of a majority of the electors of said City voting at an election held on November 6, 1984, in accordance with the provisions of Sections 77-27,142 to 77-27,148, R.R.S. Neb., as amended. The City has further agreed that in each fiscal year funds from such sales tax or other sources as deposited to such fund, subject to a limitation of \$2,000,000 per fiscal year, shall be applied to pay principal and interest on the bonds of this issue as the same fall due. **The bonds of this issue are limited obligations of the City payable from amounts in the City's Economic Development Fund as so pledged and not from any other fund or source and are not general obligations of the City of La Vista, Nebraska.**

The Resolution sets forth the covenants and obligations of the City with respect to its Economic Development Fund and certain revenues therein and the application of such revenues which are by the terms of the Resolution to be disbursed to make payments of principal and interest on the bonds of this issue. The City also reserves the right to provide for payments of the bonds of this issue from other available revenues in its Economic Development Fund and to issue bonds junior in lien to the bonds of this issue, the principal and interest of which are payable from such revenues on a subordinate basis as described in the Resolution. The Resolution also designates the terms and conditions upon which this bond shall cease to be entitled to any lien, benefit or security under the Resolution and all covenants, agreements and obligations of the City under the Resolution may be discharged and satisfied at or prior to the maturity or redemption of this bond if monies or certain specified securities shall have been deposited with a trustee bank. The Resolution constitutes a contract with the holders of the bonds and cannot be modified except as provided in the Resolution.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as provided by law.

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

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

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

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

IN WITNESS WHEREOF, the Mayor and Council of the City of La Vista, Nebraska, have caused this bond to be executed on behalf of the City with the facsimile signatures of the Mayor and City Clerk of the City, all as of the Date of Original Issue shown above.

CITY OF LA VISTA, NEBRASKA

signature)

_____ (facsimile)

Mayor

ATTEST:

(facsimile signature)
City Clerk

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by Resolution passed and approved by the Mayor and Council of the City of La Vista, Nebraska, as described in said bond.

_____, Paying Agent and
Registrar

Authorized Signature

(FORM OF ASSIGNMENT)

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

Date:

Registered Owner(s)

Signature Guaranteed

By _____

Authorized Officer

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

Note: The signature(s) on this assignment MUST CORRESPOND with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Midwest or other stock exchange.

Section 8. Each of the 2020 Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk of the City. The 2020 Bonds shall be issued initially as "book-entry only" bonds under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers of the City are authorized to execute and deliver a Letter of Representations (the "Letter of Representations") in the form required by the Depository (which may be in the form of a blanket letter previously executed and delivered by the City), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the 2020 Bonds. Upon issuance of the 2020 Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds 2020 Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a 2020 Bond from a Bond Participant while the 2020 Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the 2020 Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the 2020 Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the 2020 Bonds. The Paying Agent and Registrar shall make payments with respect to the 2020 Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such 2020 Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange 2020 Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so. The Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the 2020 Bonds or (ii) to make available 2020 Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such 2020 Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the 2020 Bonds be delivered to the ultimate Beneficial Owners of the 2020 Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the 2020 Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the 2020 Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Resolution to the contrary, so long as any 2020 Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such 2020 Bond and all notices

MINUTE RECORD

March 3, 2020

No. 729 — REEDIE & COMPANY, INC., OMAHA E1310556LD

with respect to such 2020 Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the 2020 Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the 2020 Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

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

(f) In the event of any partial redemption of a 2020 Bond unless and until such partially redeemed 2020 Bond has been replaced in accordance with the provisions of this Resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such 2020 Bond as is then outstanding and all of the 2020 Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the City of book-entry-only form, the City shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the City agrees to order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any 2020 Bond shall cease to be such officer before the delivery of such 2020 Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such 2020 Bond. The 2020 Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The 2020 Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the 2020 Bonds, they shall be delivered to the City's Treasurer, acting on behalf of the City, who is authorized to deliver them to the Underwriter in exchange for the purchase price thereof plus accrued interest on the stated principal amount of the 2020 Bonds to date of delivery of the 2020 Bonds. Said initial purchasers shall have the right to direct the registration of the 2020 Bonds and the denominations thereof within each maturity, subject to the restrictions of this Resolution. Such purchaser and its agents, representatives and counsel (including the City's bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the 2020 Bonds, including, without limitation, authorizing the release of the 2020 Bonds by the Depository at closing. The City Clerk shall make and certify a transcript of the proceedings of the Mayor and Council with respect to the 2020 Bonds which shall be delivered to said purchaser.

Section 9. Pursuant to the terms of the Program (as approved by the voters of the City and as set forth in Ordinance No. 921), the City hereby agrees to appropriate and deposit into the Economic Development Fund in each budget/fiscal year (the period commencing October 1 of each year and ending September 30 of the following year) commencing with the City's budget/fiscal year beginning October 1, 2020, so long as the 2020 Bonds remain outstanding and until and including the budget/fiscal year ending September 30, 2029, an amount from collections received with respect to the Special Tax Portion or other sources sufficient to pay the principal and interest on the 2020 Bonds as the same fall due, subject to the limitation set forth in Ordinance No. 921 that such deposited amount shall not exceed \$2,000,000 in any such budget/fiscal year. The City hereby covenants and agrees that there shall be set up within the Economic Development Fund a separate special account in the Economic Development Fund designated as the "Economic Development Fund Bond Payment Account" (the "Bond Payment Account") which shall constitute a separate and special account held by the City Treasurer of the City of La Vista for the benefit of the registered owners of the 2020 Bonds. In each budget/fiscal year, the City further hereby covenants and agrees that it shall deposit to the Bond Payment Account from amounts attributable to the Special Tax Portion an amount sufficient to pay principal of and interest on the 2020 Bonds as the same fall due, after taking into consideration any other amounts available for such purposes in the Bond Payment Account. The City reserves the right to make deposit to

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC., OMAHA E1310556LD

the Bond Payment Account in any budget/fiscal year from any other amounts in the Economic Development Fund to satisfy its obligation under the terms of this Resolution to make deposit of amounts from the Special Tax Portion. Receipts from the Special Tax Portion required to be deposited to the Bond Payment Account and any such other amounts deposited to the Bond Payment Account are hereby pledged for the payment of the 2020 Bonds as the same fall due. The pledge and hypothecation provided for the 2020 Bonds in this Resolution is intended to and shall provide for a first and prior pledge or lien upon and security interest on amounts held in the Bond Payment Account superior to any pledge, lien or security interest made or given with respect to any other indebtedness of the City and is intended as an exercise of the powers of the City provided for in Sections 18-2701 to 18-2738, R.R.S. Neb., as now or hereafter amended, with respect to such deposited amounts. In the event of default of any of the provisions of the 2020 Bonds, the bondholders (or any receiver appointed for their protection) shall have the right at any time while such default continues to apply or require the application of receipts from the Special Tax Portion to the indebtedness evidenced by the 2020 Bonds, equally and ratably, subject to the limitation set forth in Ordinance No. 921. For purposes of holding, allocating and applying the receipts from the Economic Development Fund, the City hereby agrees to establish and maintain under this Resolution the Bond Payment Account in accordance with the following terms and conditions:

BOND PAYMENT ACCOUNT - In each budget/fiscal year, as and when received, revenues from the Special Tax Portion or allocated from other available funds in the Economic Development Fund shall be deposited to the Bond Payment Account until such account has credited thereto an amount equal to the amount of principal and interest falling due on the 2020 Bonds in such budget/fiscal year. The City Treasurer is hereby authorized and directed, without further authorization, to withdraw monies credited to the Bond Payment Account in an amount sufficient to pay, when due, the principal of and interest on the 2020 Bonds (including amounts necessary for any mandatory sinking fund redemptions as set forth in Section 5 of this Resolution) and to transfer such amounts to the Paying Agent and Registrar for the 2020 Bonds on or before each principal and interest payment date (including any mandatory sinking fund redemption date). Amounts required to make payments on the 2020 Bonds falling due on October 15, 2029 shall be deposited to the Bond Payment Account on or before September 30, 2029.

The provisions of this Section 9 shall require the City to maintain a set of books and records in accordance with such accounting methods and procedures as are generally applicable to municipal funds and accounts, which books and records shall show credits to and expenditures from the separate account required by this Section. Monies credited to the account described in this Section 9 shall be deposited or invested separate and apart from other City funds. The City shall not be required to establish separate bank or investment accounts within its separate and segregated Economic Development Fund, for the account described in this Section 9. In any fiscal year collections from Special Tax Portion appropriated to or budgeted for the Economic Development Fund, after satisfying the requirements for the Bond Payment Account may be applied to any other purposes of the Program determined appropriate by the Mayor and Council. The City hereby acknowledges and agrees (a) that the provisions of the Program and Ordinance No. 921 both provide for the levying of taxes on all the taxable property in the City of La Vista to provide funding for the Program; (b) that the Program as presented to the voters of the City indicated that property taxes as authorized under the terms of the Program were not expected to be required to be applied to the funding of the Program; (c) that if, for any reason, including but not limited to changes in law or changes in economic conditions, receipts for the Special Tax Portion or other sources are not sufficient to make the deposits to the Bond Payment Account and payments on the 2020 Bonds as provided for in this Section 9, the City shall cause to be levied and collected annually a tax on all the taxable property in the City sufficient in rate or amount (within the limitation to \$2,000,000 per budget/fiscal year as set forth in the Program) to pay the principal of and interest on the 2020 Bonds as the same fall due, after application of all other available resources.

Section 10. Until the 2020 Bonds have been paid in full, the City agrees that it will not incur any additional indebtedness or issue any bonds or notes payable from the Economic Development Fund unless such indebtedness, bonds or notes are expressly made subordinate to the 2020 Bonds, with the payments for such bonds or

MINUTE RECORD

March 3, 2020

No. 729 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

notes to be made from any monies available in each budget/fiscal year after the Bond Payment Account has been fully funded for such budget/fiscal year. Refunding Bonds to refund the 2020 Bonds may be issued so long as none of the 2020 Bonds shall remain outstanding after the issuance of such refunding bonds.

Section 11. So long as any of the 2020 Bonds remain outstanding, the City agrees that it shall not amend the terms of the Program or Ordinance No. 921 or Ordinance No. 363 in any manner to reduce the rate of tax provided for therein or reduce the anticipated revenues from such tax available for deposit to the Economic Development Fund.

Section 12. The City's obligations under this Resolution and the liens, pledges, covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to the 2020 Bonds issued pursuant to this Resolution and any such bonds shall no longer be deemed outstanding hereunder if such bonds shall have been purchased and cancelled by the City, or when payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made or caused to be made in accordance with the terms thereof, or (b) shall have been provided for by depositing with a national or state bank having trust powers or trust company, in trust solely for such payment, (i) sufficient money to make such payment and/or (ii) Deposit Securities in such amount and bearing interest payable and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will ensure the availability of sufficient money to make such payment; provided, however, that, with respect to any 2020 Bond to be paid prior to maturity, the City shall have duly given notice of redemption of such bond as provided by law or made irrevocable provisions for the giving of such notice. Any such money so deposited with a bank or trust company may be invested and reinvested in Deposit Securities and all interest and income from such Deposit Securities in the hands of such bank or trust company, in excess of the amount required to pay principal of and interest on the bonds for which such monies were deposited, shall be paid over to the City as and when collected. The term "Deposit Securities" as used in this Section shall mean direct obligations of or obligations the principal and interest which are unconditionally guaranteed by the United States of America, including obligations issued in book-entry form.

Section 13. The terms and provisions of this Resolution do and shall constitute a contract between the City and the registered owner or owners of the 2020 Bonds and no changes, variations or alterations of any kind, except for changes necessary to cure any ambiguity, formal defect or omission, shall be made to this Resolution without the written consent of the registered owners of two-thirds (2/3rds) in principal amount of the 2020 Bonds then outstanding, provided, however, that neither the principal and interest to be paid upon any 2020 Bond nor the maturity date of any 2020 Bond shall be changed without the written consent of the registered owners of all such bonds then outstanding. Any registered owner of a 2020 Bond may by mandamus or other appropriate action or proceedings at law or in equity in any court of competent jurisdiction enforce and compel performance of this Resolution and every provision and covenant hereof, including without limiting the generality of the foregoing, the enforcement of the performance of all duties required of the City by this Resolution and the applicable laws of the State of Nebraska, including in such duties the collecting of revenues pursuant to the provisions of the Program and Ordinance No. 921 and the segregation of such revenues in the Bond Payment Account of the City's Economic Development Fund for the 2020 Bonds as described in Section 9 of this Resolution. Any and all actions brought by any registered owner or owners of the 2020 Bonds shall be maintained for the equal and ratable benefit of all registered owners of the 2020 Bonds then outstanding and no registered owners of any of the 2020 Bonds shall have any right in any manner whatsoever by any action or proceedings to affect, disturb or prejudice the pledge created by this Resolution.

Section 14. The proceeds of the 2020 Bonds shall be deposited with the City Treasurer and shall be held and applied in accordance with the terms of the Program Ordinance and the Grant Ordinance. The Mayor and Council may designate any depository bank or banks and may contract for disbursing agent services as may be determined appropriate by subsequent resolution. Investment earnings related to the proceeds of the 2020 Bonds shall be transferred to the Economic Development Fund and shall be deposited to the Bond Payment Account within such fund as established by this Resolution.

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

Section 15. The Mayor and City Clerk and City Treasurer of the City are hereby authorized to do all things and execute all documents as may by them be deemed necessary and proper to complete the issuance and sale of the 2020 Bonds contemplated by this Resolution. The Authorized Officers or any one or more of them is authorized to approve, deem final and deliver a Preliminary Official Statement and a final Official Statement for and on behalf of the City with respect to the 2020 Bonds, all in accordance with the requirements of Reg. Sec. 240.15c2-12 of the Securities and Exchange Commission.

Section 16. Pursuant to the provisions of Section 18-2736 of the Act, the Mayor and Council hereby declare the 2020 Bonds to be issued for an essential public and governmental purpose and determine, under the terms of such section, that the 2020 Bonds, together with interest thereon and income therefrom, are exempt from all Nebraska state taxes.

Section 17. The net principal proceeds of the 2020 Bonds, after payment of issuance expenses, shall be held in a separate account in the Economic Development Fund of the City of La Vista and shall be applied to make the EDP Grant in accordance with the terms of the Grant Ordinance.

Section 18. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

Section 19. This Resolution shall be in force and take effect from and after its adoption, as provided by law.

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

N. ZONING TEXT AMENDMENT – SOLAR ENERGY CONVERSION SYSTEM

1. PUBLIC HEARING

At 6:47 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed zoning text amendment. There was no public comment.

At 6:47 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. ORDINANCE

Councilmember Sell introduced Ordinance No. 1389 entitled: AN ORDINANCE TO AMEND 2.03, 2.08, 2.20, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, 5.12, 5.13, 5.14, 5.16, 5.19, AND 7.15 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 2.03, 2.08, 2.20, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, 5.12, 5.13, 5.14, 5.16, 5.19, AND 7.15 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1389 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. 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

MINUTE RECORD

March 3, 2020

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

O. RESOLUTION – APPROVE PRELIMINARY PLAT – HIDDEN VALLEY INDUSTRIAL – J & H INVESTMENTS, LLC

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-033 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE PRELIMINARY PLAT FOR TAX LOT 1A1A1A AND TAX LOT 2B2, S OF RR 17-14-12, TO BE REPLATTED AS LOTS 1-4 AND OUTLOTS A AND B HIDDEN VALLEY INDUSTRIAL, LOCATED IN THE S 1/2 OF SECTION 17, T14, R12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, J&H Investments, LLC on behalf of the owners of the above described pieces of property, and the City, have made application for approval of a preliminary plat as presented at this meeting for Lots 1-4 and Outlots A and B Hidden Valley Industrial ("Preliminary Plat"), and

WHEREAS, the City Engineer has reviewed the Preliminary Plat; and

WHEREAS, on February 6, 2020, the La Vista Planning Commission reviewed the Preliminary Plat and recommended approval;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Preliminary Plat for Tax Lot 1A1A1A and Tax Lot 2B2, S of RR 17-14-12, to be replatted as Lots 1-4 and Outlots A and B Hidden Valley Industrial, located in the south 1/2 of Section 17, Township 14, Range 12E, generally located northwest of the intersection of S 110th Street and Harry Anderson Avenue be, and hereby is, approved, contingent on the approval and recording of the Final Plat and related Subdivision Agreement.

Seconded by Councilmember Thomas. Doug Kellner, representing the applicant, was present to answer any questions. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

P. RESOLUTION – APPROVE AMENDMENT NO. 2 – PROFESSIONAL SERVICES AGREEMENT – CITY PARKING DISTRICT NO. 1

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-034 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AMENDMENT NO. 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH THOMPSON, DREESSEN, AND DORNER, INC. TO PROVIDE ADDITIONAL SERVICES FOR DRAINAGE IMPROVEMENTS RELATED TO CITY PARKING DISTRICT NO. 1 IN AN AMOUNT NOT TO EXCEED \$19,100.00.

WHEREAS, the Mayor and Council have determined that additional engineering services for the City Parking District No. 1 drainage improvements are necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for this service. The agreement price increases from \$116,369.00 to \$135,469.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approve Amendment No. 2 to a Professional Services Agreement with Thompson, Dreessen, and Dorner, Inc. to provide additional engineering services for drainage improvements related to City Parking District No. 1 in an amount not to exceed \$19,100.00.

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

MINUTE RECORD

March 3, 2020

No. 729 — REEDFIELD & COMPANY, INC. OMAHA E1310556LD

Q. RESOLUTION – APPROVE PROFESSIONAL SERVICES AGREEMENT – THOMPSON CREEK CHANNEL REHABILITATION

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-035 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMPSON, DREESSEN, AND DORNER, OMAHA, NEBRASKA FOR DESIGN ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$63,000.00.

WHEREAS, the Mayor and City Council have determined that design engineering services are necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the proposed services;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Thompson, Dreessen, and Dorner, Omaha, Nebraska for the provision of design engineering services in an amount not to exceed \$63,000.00.

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

R. RESOLUTION – SALUTE TO SUMMER

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-036 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CITY ADMINISTRATOR TO MAKE ARRANGEMENTS FOR THE PROCUREMENT OF NECESSARY RENTALS AND SERVICES ASSOCIATED WITH THE 2020 SALUTE TO SUMMER FESTIVAL IN AN AMOUNT NOT TO EXCEED \$35,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the procurement of rentals and services associated with the 2020 Salute to Summer Festival is necessary; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for these rentals and services; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the City Administrator to make arrangements for the procurement of necessary rentals and services associated with the 2020 Salute to Summer Festival in an amount not to exceed \$35,000.00.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan requested an additional trash can be placed at Triangle Park.

Mayor Kindig commented on the two new officers that graduated from the Sarpy Douglas Law Enforcement Academy.

MINUTE RECORD

March 3, 2020

No. 729 — REFIELD & COMPANY, INC. OMAHA E1310556LD

At 7:01 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF MARCH 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Rachel D. Carl, CMC
Deputy City Clerk

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Total All Funds					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>		
<u>OPERATING REVENUES</u>						
General Fund	\$ 19,268,775	\$ 1,623,384	\$ 3,891,637	\$ (15,377,138)		20%
Sewer Fund	4,410,092	310,814	1,362,860	(3,047,232)		31%
Debt Service Fund	4,037,476	316,154	804,383	(3,233,093)		20%
Capital Improvement Program Fund	22,411	-	-	(22,411)		0%
Lottery Fund	1,206,420	105,543	379,434	(826,986)		31%
Economic Development Fund	517	-	6	(511)		1%
Off Street Parking Fund	115,771	1,337	6,560	(109,211)		6%
Redevelopment Fund	2,441,569	218,221	577,941	(1,863,628)		24%
Police Academy	100,083	-	100,254	171		100%
TIF 1A	541,612	-	-	(541,612)		0%
TIF 1B	-	-	-	-		0%
Sewer Reserve Fund	8,937	646	2,848	(6,089)		32%
Qualified Sinking Fund	625	53	237	(388)		38%
Total Operating Revenues	32,154,288	2,576,153	7,126,160	(25,028,128)		22%

OPERATING EXPENDITURES

General Fund	18,932,599	1,320,710	5,468,604	(13,463,995)	29%
Sewer Fund	3,737,941	60,419	652,009	(3,085,932)	17%
Debt Service Fund	3,153,682	22,896	1,754,278	(1,399,404)	56%
Capital Improvement Program Fund	-	-	-	-	0%
Lottery Fund	710,076	68,802	168,276	(541,800)	24%
Economic Development Fund	137,466	-	-	(137,466)	0%
Off Street Parking Fund	1,241,698	88,324	620,448	(621,250)	50%
Redevelopment Fund	1,533,687	5,305	373,573	(1,160,114)	24%
Police Academy	98,596	9,102	35,838	(62,758)	36%
TIF 1A	541,612	-	-	(541,612)	0%
TIF 1B	-	-	-	-	0%
Sewer Reserve Fund	-	-	-	-	0%
Qualified Sinking Fund	-	-	-	-	0%
Total Operating Expenditures	30,087,357	1,575,557	9,073,026	(21,014,331)	30%

OPERATING REVENUES NET OF EXPENDITURES

General Fund	336,176	302,675	(1,576,967)	(1,913,143)
Sewer Fund	672,151	250,395	710,852	38,701
Debt Service Fund	883,794	293,259	(949,895)	(1,833,689)
Capital Improvement Program Fund	22,411	-	-	(22,411)
Lottery Fund	496,344	36,741	211,157	(285,187)
Economic Development Fund	(136,949)	-	6	136,955
Off Street Parking Fund	(1,125,927)	(86,987)	(613,888)	512,039
Redevelopment Fund	907,882	212,916	204,368	(703,514)
Police Academy	1,487	(9,102)	64,415	62,928
TIF 1A	-	-	-	-
TIF 1B	-	-	-	-
Sewer Reserve Fund	8,937	646	2,848	(6,089)
Qualified Sinking Fund	625	53	237	(388)
Operating Revenues Net of Expenditures	2,066,931	1,000,596	(1,946,867)	(4,013,798)
	-	-	-	(0)

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Total All Funds				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>OTHER FINANCING SOURCES & USES</u>					
<u>TRANSFERS IN</u>					
General Fund	100,293	-	-	(100,293)	0%
Sewer Fund	3,000	-	-	(3,000)	0%
Debt Service Fund	214,782	2,377	90,508	(124,274)	42%
Capital Improvement Program Fund	1,142,500	-	203,809	(938,691)	18%
Lottery Fund	-	-	-	-	-
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	1,396,911	-	575,458	(821,454)	41%
Redevelopment Fund	200,000	-	-	(200,000)	0%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	728,630	-	-	(728,630)	0%
Qualified Sinking Fund	450,000	-	-	(450,000)	0%
Total Transfers In	4,236,116	2,377	869,774	(3,366,342)	21%

TRANSFERS OUT

General Fund	(1,430,161)	(2,377)	(140,608)	1,289,553	10%
Sewer Fund	(728,630)	-	-	728,630	0%
Debt Service Fund	(1,255,003)	-	(669,105)	585,898	53%
Capital Improvement Program Fund	-	-	-	-	-
Lottery Fund	(822,322)	-	(60,061)	762,261	7%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	-	-	-	-	-
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	-	-	-	-	-
Qualified Sinking Fund	-	-	-	-	-
Total Transfers Out	(4,236,116)	(2,377)	(869,774)	3,366,342	21%

NET TRANSFERS

General Fund	(1,329,868)	(2,377)	(140,608)	1,189,260	11%
Sewer Fund	(725,630)	-	-	725,630	0%
Debt Service Fund	(1,040,221)	2,377	(578,598)	461,623	56%
Capital Improvement Program Fund	1,142,500	-	203,809	(938,691)	18%
Lottery Fund	(822,322)	-	(60,061)	762,261	7%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	1,396,911	-	575,458	(821,454)	41%
Redevelopment Fund	200,000	-	-	(200,000)	0%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	728,630	-	-	(728,630)	0%
Qualified Sinking Fund	450,000	-	-	(450,000)	0%
Total Net Transfers	-	-	-	-	-

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Total All Funds				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
Sewer Fund	-	-	-	-	-
Capital Improvement Program Fund	8,500,000	-	-	(8,500,000)	0%
Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	6,500,000	-	-	(6,500,000)	0%
Total Bond Proceeds	18,000,000	-	-	(18,000,000)	0%

OTHER REVENUE: BOND PROCEEDS

Sewer Fund	-	-	-	-	-
Capital Improvement Program Fund	8,500,000	-	-	(8,500,000)	0%
Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	6,500,000	-	-	(6,500,000)	0%
Total Bond Proceeds	18,000,000	-	-	(18,000,000)	0%

OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM

Sewer Fund	50,000	-	1,189	(48,811)	2%
Capital Improvement Program Fund	9,979,512	1,520	68,640	(9,910,872)	1%
Off Street Parking Fund	750,000	38,303	97,176	(652,824)	13%
Redevelopment Fund	10,700,000	12,842	93,349	(10,606,651)	1%
Total Capital Improvement Program	21,479,512	52,665	260,354	(21,219,158)	1%

OTHER EXPENDITURES: EDP GRANT

Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
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NET FUND ACTIVITY

General Fund	(993,692)	300,298	(1,717,575)	(723,883)
Sewer Fund	(103,479)	250,395	709,663	813,142
Debt Service Fund	(156,427)	295,636	(1,528,493)	(1,372,066)
Capital Improvement Program Fund	(314,601)	(1,520)	135,169	449,770
Lottery Fund	(325,978)	36,741	151,096	477,074
Economic Development Fund	(136,949)	-	6	136,955
Off Street Parking Fund	(479,016)	(125,290)	(135,606)	343,410
Redevelopment Fund	(3,092,118)	200,074	111,019	3,203,137
Police Academy	1,487	(9,102)	64,415	62,928
TIF 1A	-	-	-	-
TIF 1B	-	-	-	-
Sewer Reserve Fund	737,567	646	2,848	(734,719)
Qualified Sinking Fund	450,625	53	237	(450,388)
Net Activity	\$ (4,412,581)	947,930	(2,207,221)	2,205,360
				(0)

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

<u>FUND BALANCE</u>	<u>Total All Funds</u>				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
	<u>As of FYE 9/30/2020</u>		<u>As of 1/31/2020</u>	<u>Variance</u>	<u>Notes</u>
General Fund	4,688,168		5,194,867	506,699	
Sewer Fund	978,985		1,803,950	824,965	
Debt Service Fund	2,354,279		2,263,689	(90,590)	
Capital Improvement Program Fund	(41,847)		159,353	201,200	
Lottery Fund	2,900,404		3,661,748	761,344	
Economic Development Fund	70,019		7,048	(62,971)	
Off Street Parking Fund	234,504		1,096,455	861,951	
Redevelopment Fund	2,416,093		5,830,527	3,414,434	Unexpended Bond Proceeds
Police Academy	26,360		90,800	64,440	
TIF 1A	(3,420)		5,523	8,943	
TIF 1B	(19,136)		(19,136)	(0)	
Sewer Reserve Fund	1,944,692		1,212,583	(732,109)	
Qualified Sinking Fund	551,125		100,953	(450,172)	
Net Fund Balance	16,100,226	-	21,408,358	5,308,132	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

General Fund						
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget	<u>Used</u>
REVENUES						
Property Taxes	\$ 8,673,516	\$ 531,054	\$ 725,470	\$ (7,948,046)	8%	
Sales and use taxes	4,691,663	424,205	1,109,245	(3,582,418)	24%	
Payments in Lieu of taxes	288,922	-	-	(288,922)	0%	
State revenue	1,958,268	180,097	681,152	(1,277,116)	35%	
Occupation and franchise taxes	883,900	267,622	480,395	(403,505)	54%	
Hotel Occupation Tax	1,017,550	48,536	356,195	(661,355)	35%	
Licenses and permits	440,250	55,164	137,087	(303,163)	31%	
Interest income	28,708	3,416	18,466	(10,242)	64%	
Recreation fees	172,710	4,841	46,506	(126,204)	27%	
Special Services	19,500	802	7,719	(11,781)	40%	
Grant Income	150,575	2,882	21,996	(128,579)	15%	
Other	943,213	104,766	307,405	(635,808)	33%	
Total Revenues	19,268,775	1,623,384	3,891,637	(15,377,138)	20%	
EXPENDITURES						
Administrative Services	555,523	40,046	180,008	(375,515)	32%	
Mayor and Council	258,001	13,185	80,904	(177,097)	31%	
Boards & Commissions	10,544	41	1,145	(9,399)	11%	
Public Buildings & Grounds	666,644	30,189	118,574	(548,070)	18%	
Administration	814,815	47,964	243,673	(571,142)	30%	
Police and Animal Control	5,316,825	413,503	1,781,637	(3,535,188)	34%	
Fire	2,181,863	180,318	720,312	(1,461,551)	33%	
Community Development	687,211	42,613	187,645	(499,566)	27%	
Public Works	3,982,560	241,517	1,084,809	(2,897,751)	27%	
Recreation	887,273	46,430	199,403	(687,870)	22%	
Library	908,468	60,740	281,692	(626,776)	31%	
Information Technology	289,745	70,313	131,489	(158,256)	45%	
Human Resources	1,023,722	56,008	209,743	(813,979)	20%	
Public Transportation	109,385	9,171	31,314	(78,071)	29%	
Finance	489,213	30,587	119,130	(370,083)	24%	
Capital outlay	750,807	38,086	97,123	(653,684)	13%	
Total Expenditures	18,932,599	1,320,710	5,468,604	(13,463,995)	29%	
REVENUES NET OF EXPENDITURES	336,176	302,675	(1,576,967)	(1,913,143)		
OTHER FINANCING SOURCES (USES)						
Operating transfers in (Lottery)	100,293	-	-	(100,293)	0%	
Operating transfers out (DSF, OSP, CIP)	(1,430,161)	(2,377)	(140,608)	1,289,553	10%	
Total other Financing Sources (Uses)	(1,329,868)	(2,377)	(140,608)	1,189,260		
NET FUND ACTIVITY	\$ (993,692)	\$ 300,298	\$ (1,717,574.7)	\$ (723,883)		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

Sewer Fund						
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>(Under) Budget</u>	<u>% of Budget Used</u>	
REVENUES						
User fees	\$ 4,277,805	\$ 303,937	\$ 1,343,625	\$ (2,934,180)	31%	
Service charge and hook-up fees	128,210	5,978	14,300	(113,910)	11%	
Miscellaneous	18	2	29	11		
Total Revenues	4,406,033	309,916	1,357,953	(3,048,080)	31%	
EXPENDITURES						
Personnel Services	581,719	40,613	190,450	(391,269)	33%	
Commodities	39,200	3,670	13,690	(25,511)	35%	
Contract Services	2,989,841	7,361	419,992	(2,569,849)	14%	
Maintenance	38,584	1,152	10,385	(28,199)	27%	
Other	228	-	80	(148)	35%	
Storm Water Grant	54,540	4,548	4,548	(49,992)	8%	
Capital Outlay	33,829	3,076	12,864	(20,965)	38%	
Total Expenditures	3,737,941	60,419	652,009	(3,085,932)	17%	
OPERATING INCOME (LOSS)	668,092	249,497	705,944	37,852		Note 1
NON-OPERATING REVENUE (EXPENSE)						
Interest income	4,059	898	4,908	849	121%	
	<u>4,059</u>	<u>898</u>	<u>4,908</u>	<u>849</u>	<u>121%</u>	
INCOME (LOSS) BEFORE OPERATING TRANSFERS	672,151	250,395	710,852	38,701		
OTHER FINANCING SOURCES (USES)						
Operating transfers in (Lottery Events)	3,000	-	-	(3,000)	0%	
Operating transfers out (CIP)	(728,630)	-	-	728,630	0%	
Capital Improvement	(50,000)	-	(1,189)	48,811	2%	
Total other Financing Sources (Uses)	(775,630)	-	(1,189)	774,441	0%	
NET INCOME (LOSS)	\$ (103,479)	\$ 250,395	\$ 709,663	\$ 813,142		

Note 1: Restatement of Operating Income Variance

Operating Income Variance	705,944
City of Omaha billing in arrears 2 months	(480,000)
Adjusted Operating Income Variance	<u>225,944</u>

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

Debt Service Fund						
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>	
<u>REVENUES</u>						
Property Taxes	\$ 1,004,487	\$ 59,709	\$ 68,562	\$ (935,925)	7%	
Sales and use taxes	2,345,832	212,102	554,623	(1,791,209)	24%	
Payments in Lieu of taxes	93,506	-	-	(93,506)	0%	
Other (Special Assessments; Fire Reimbursmnt)	581,714	42,222	169,185	(412,529)	29%	
Interest income	11,937	2,120	12,014	77	101%	
Total Revenues	4,037,476	316,154	804,383	(3,233,093)	20%	
<u>EXPENDITURES</u>						
Administration	12,834	6,850	6,942	(5,892)	54%	
Fire Contract Bond	121,611	10,008	40,032	(81,579)	33%	
Debt service						
Principal	2,605,000	-	1,545,000	(1,060,000)	59%	
Interest	414,237	6,038	162,304	(251,933)	39%	
Total Expenditures	3,153,682	22,896	1,754,278	(1,399,404)	56%	
REVENUES NET OF EXPENDITURES	883,794	293,259	(949,895)	(1,833,689)		
<u>OTHER FINANCING SOURCES (USES)</u>						
Operating transfers in (GF Hwy Alloc)	214,782	2,377	90,508	(124,274)	42%	
Operating transfers out (CIP, OSP)	(1,255,003)	-	(669,105)	585,898	53%	
Total other Financing Sources (Uses)	(1,040,221)	2,377	(578,598)	461,623		
NET FUND ACTIVITY	\$ (156,427)	\$ 295,636	\$ (1,528,493)	\$ (1,372,066)		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Capital Fund					% of Budget Used
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<u>REVENUES</u>						
Interest income	\$ 22,411	\$ -	\$ -	\$ (22,411)		0%
Grant Income	-	-	-	-		0%
Special Assessment	-	-	-	-		0%
Interagency	-	-	-	-		0%
Total Revenues	<u>22,411</u>	<u>-</u>	<u>-</u>	<u>(22,411)</u>		0%
<u>EXPENDITURES</u>						
Other	-	-	-	-		0%
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		0%
<u>REVENUES NET OF EXPENDITURES</u>	<u>22,411</u>	<u>-</u>	<u>-</u>	<u>(22,411)</u>		
<u>OTHER FINANCING SOURCES (USES)</u>						
Operating transfers in (GF, DSF)	1,142,500	-	203,809	(938,691)		18%
Operating transfers out (DSF)	-	-	-	-		0%
Bond/registered warrant proceeds	8,500,000	-	-	(8,500,000)		0%
Capital outlay	(9,979,512)	(1,520)	(68,640)	9,910,872		1%
Total other Financing Sources (Uses)	<u>(337,012)</u>	<u>(1,520)</u>	<u>135,169</u>	<u>472,181</u>		-40%
<u>NET FUND ACTIVITY</u>	<u>\$ (314,601)</u>	<u>\$ (1,520)</u>	<u>\$ 135,169</u>	<u>\$ 449,770</u>		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Lottery Fund					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>		
REVENUES						
Lottery Rev/Community Betterment	\$ 850,000	\$ 77,432	\$ 265,004	\$ (584,996)	31%	
Lottery Tax Form 51	340,000	25,088	100,075	(239,925)	29%	
Event Revenue	-	-	-	-	0%	
Interest income	16,420	3,023	14,354	(2,066)	87%	
Miscellaneous / Other	-	-	-	-	0%	
Total Revenues	1,206,420	105,543	379,434	(826,986)	31%	
EXPENDITURES						
Professional Services	219,149	43,245	48,023	(171,126)	22%	
Salute to Summer	33,693	169	194	(33,499)	1%	
Community Events	11,613	-	8,673	(2,940)	75%	
Events - Marketing	29,734	-	1,714	(28,020)	6%	
Recreation Events	4,642	-	139	(4,503)	3%	
Concert & Movie Nights	11,145	-	158	(10,987)	1%	
City Anniversary Celebration	50,000	300	9,300	(40,700)	19%	
Travel & Training	-	-	-	-	0%	
State Taxes	350,000	25,088	100,075	(249,925)	29%	
Other	100	-	-	(100)	0%	
Capital outlay	-	-	-	-	0%	
Total Expenditures	710,076	68,802	168,276	(541,800)	24%	
REVENUES NET OF EXPENDITURES	496,344	36,741	211,157	(285,187)		
OTHER FINANCING SOURCES (USES)						
Operating transfers in	-	-	-	-	-	
Operating transfers out (GF, SF, DSF)	(822,322)	-	(60,061)	762,261	7%	
Total other Financing Sources (Uses)	(822,322)	-	(60,061)	762,261	7%	
NET FUND ACTIVITY	\$ (325,978)	\$ 36,741	\$ 151,096	\$ 477,074		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Economic Development				
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<u>REVENUES</u>					
Other Income	\$ -	-	-	-	-
Interest income	<u>517</u>	-	6	<u>(511)</u>	
Total Revenues	<u>517</u>	-	6	<u>(511)</u>	
<u>EXPENDITURES</u>					
Professional Services	75,000	-	-	(75,000)	0%
Debt service: (Warrants)	-	-	-	-	0%
Principal	-	-	-	-	0%
Interest	<u>62,466</u>	-	-	<u>(62,466)</u>	0%
Total Expenditures	<u>137,466</u>	-	-	<u>(137,466)</u>	0%
<u>REVENUES NET OF EXPENDITURES</u>	<u>(136,949)</u>	-	6	<u>136,955</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF)	-	-	-	-	-
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	<u>3,000,000</u>	-	-	(3,000,000)	0%
Community Development - Grant	<u>(3,000,000)</u>	-	-	<u>3,000,000</u>	0%
Total other Financing Sources (Uses)	<u>-</u>	-	-	<u>-</u>	0%
<u>NET FUND ACTIVITY</u>	\$ <u>(136,949)</u>	\$ -	\$ 6	\$ <u>136,955</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

Off Street Parking					
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Interest income	\$ 771	1,278	6,442	5,671	836%
Other Income	<u>115,000</u>	<u>59</u>	<u>118</u>	<u>(114,882)</u>	<u>0%</u>
Total Revenues	<u>115,771</u>	<u>1,337</u>	<u>6,560</u>	<u>(109,211)</u>	<u>6%</u>
<u>EXPENDITURES</u>					
General & Administrative	220,518	10,620	13,639	(206,879)	6%
Professional Services	76,500	750	765	(75,735)	1%
Maintenance	48,769	-	3,733	(45,036)	8%
Debt service: (Warrants)					
Principal	685,000	-	495,000	(190,000)	72%
Interest	<u>210,911</u>	<u>76,954</u>	<u>107,311</u>	<u>(103,600)</u>	<u>51%</u>
Total Expenditures	<u>1,241,698</u>	<u>88,324</u>	<u>620,448</u>	<u>(621,250)</u>	<u>50%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>(1,125,927)</u>	<u>(86,987)</u>	<u>(613,888)</u>	<u>512,039</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF, RDF)	1,396,911	-	575,458	(821,454)	41%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	-	-	-	-	0%
Capital Improvement	(750,000)	(38,303)	(97,176)	652,824	13%
Total other Financing Sources (Uses)	<u>646,911</u>	<u>(38,303)</u>	<u>478,282</u>	<u>(168,629)</u>	<u>74%</u>
<u>NET FUND ACTIVITY</u>	<u>\$ (479,016)</u>	<u>\$ (125,290)</u>	<u>\$ (135,606)</u>	<u>\$ 343,410</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	Redevelopment Fund				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<u>REVENUES</u>					
Sales and use taxes	\$ 2,345,832	212,102	554,623	(1,791,209)	24%
Franchise Fee & Occupation Tax	29,485	-	-	(29,485)	0%
Interest income	66,252	6,119	23,318	(42,934)	35%
Total Revenues	2,441,569	218,221	577,941	(1,863,628)	24%
<u>EXPENDITURES</u>					
Community Development	-	-	-	-	0%
Professional Services	200,000	4,800	9,300	(190,700)	5%
Financial / Legal Fees	100,500	505	48,929	(51,571)	49%
Debt service: (Warrants)				-	0%
Principal	505,000	-	-	(505,000)	0%
Interest	728,187	-	315,344	(412,843)	43%
Total Expenditures	1,533,687	5,305	373,573	(1,160,114)	24%
REVENUES NET OF EXPENDITURES	907,882	212,916	204,368	(703,514)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	200,000	-	-	(200,000)	0%
Operating transfers out (OSP)	-	-	-	-	0%
Bond/registered warrant proceeds	6,500,000	-	-	(6,500,000)	0%
Capital Improvement	(10,700,000)	(12,842)	(93,349)	10,606,651	1%
Total other Financing Sources (Uses)	(4,000,000)	(12,842)	(93,349)	3,906,651	
NET FUND ACTIVITY	\$ (3,092,118)	\$ 200,074	\$ 111,019	\$ 3,203,137	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

Police Academy Fund					
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) Budget	% of budget Used
REVENUES					
Other Income	\$ 100,000	-	100,200	200	100%
Interest income	83	-	54	(29)	65%
Total Revenues	100,083	-	100,254	171	100%
EXPENDITURES					
Personnel Services	79,672	6,145	26,882	(52,790)	34%
Commodities	3,535	-	741	(2,795)	21%
Contract Services	11,854	422	4,396	(7,458)	37%
Other Charges	3,535	2,536	3,820	285	108%
Total Expenditures	98,596	9,102	35,838	(62,758)	36%
REVENUES NET OF EXPENDITURES	1,487	(9,102)	64,415	62,928	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF)	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	-	-	-	-	
NET FUND ACTIVITY	\$ 1,487	\$ (9,102)	\$ 64,415	\$ 62,928	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

	TIF 1A				
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<u>REVENUES</u>					
Property Tax	\$ 541,612	-	-	(541,612)	0%
Interest income	-	-	-	-	0%
Total Revenues	541,612	-	-	(541,612)	0%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Contract Services	5,416	-	-	(5,416)	0%
Debt service: (Warrants)					
Principal	313,710	-	-	(313,710)	0%
Interest	222,486	-	-	(222,486)	0%
Total Expenditures	541,612	-	-	(541,612)	-
<u>REVENUES NET OF EXPENDITURES</u>					
	-	-	-	-	-
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	-	-	-	-	-
NET FUND ACTIVITY	\$ -	\$ -	\$ -	\$ -	\$ -

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

TIF 1B					
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
REVENUES					
Property Tax	\$			-	0%
Interest income				-	0%
Total Revenues	---	---	---	---	0%
EXPENDITURES					
Other	-	-	-	-	0%
Contract Services	-	-	-	-	0%
Total Expenditures	---	---	---	---	---
REVENUES NET OF EXPENDITURES					
	---	---	---	---	---
OTHER FINANCING SOURCES (USES)					
Operating transfers in				-	0%
Operating transfers out				-	0%
Total other Financing Sources (Uses)	---	---	---	---	---
NET FUND ACTIVITY					
	\$	\$	\$	\$	\$
	---	---	---	---	---

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

Sewer Reserve Fund					
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Interest income	\$ 8,937	646	2,848	(6,089)	32%
Total Revenues	\$ 8,937	646	2,848	(6,089)	32%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	-
<u>REVENUES NET OF EXPENDITURES</u>	8,937	646	2,848	(6,089)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	728,630	-	-	(728,630)	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	728,630	-	-	(728,630)	
<u>NET FUND ACTIVITY</u>	\$ 737,567	\$ 646	\$ 2,848	\$ (734,719)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the four months ending January 31, 2020
33% of the Fiscal Year 2020

Qualified Sinking Fund					
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<u>REVENUES</u>					
Interest income	\$ 625	53	237	(388)	38%
Total Revenues	\$ 625	53	237	(388)	38%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	-
<u>REVENUES NET OF EXPENDITURES</u>	625	53	237	(388)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	450,000	-	-	(450,000)	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	450,000	-	-	(450,000)	
<u>NET FUND ACTIVITY</u>	\$ 450,625	\$ 53	\$ 237	\$ (450,388)	

A-4

Invoice

olsson

601 P St Suite 200
PO Box 84608
Lincoln, NE 68501-4608
Tel 402.474.6311, Fax 402.474.5063

February 21, 2020
Invoice No: 351059

Pat Dowse
City Engineer
City of La Vista NE
8116 Park View Blvd
La Vista, NE 68128-2198

Invoice Total **\$6,714.25**

Olsson Project # B16-0546 La Vista NE City Centre Phase 1 Public Infrastructure

Professional services rendered from December 29, 2019 through February 1, 2020 for work completed in accordance with agreement dated October 7, 2016 and Amendment #1 dated July 7, 2017, Amendment #2 dated July 21, 2017, Amendment #3 dated November 21, 2017, Amendment #4 dated May 17, 2018, and Amendment #5 dated October 24, 2018.

NTP: 12.06.16
PO: 20-008346

Phase 300 Project Management (Including Amendments 2, 3, 5 & 7)

Labor

	Hours	Rate	Amount
Team/Technical Leader			
Egelhoff, Anthony	.75	185.00	138.75
Administrative			
Chambers, Veronica	.50	73.00	36.50
Totals	1.25		175.25
Total Labor			175.25
			Total this Phase \$175.25

Phase 400 Construction Services (Including Amendments 3, 5 & 7)

Labor

	Hours	Rate	Amount
Project Manager			
Markham, Matthew	5.50	115.00	632.50
Assistant Engineer			
Turek, Zachary	.50	90.00	45.00

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

Consent Agenda 03/17/2020
(ka)

Project	B16-0546	La Vista NE City Centre Phase 1 Public			Invoice	351059
Surveyor						
Hanna, Daniel		13.75	110.00	1,512.50		
Associate Surveyor						
Peterson, Drew		4.50	110.00	495.00		
2-Man Survey Crew						
Hug, Nicholas		12.50	150.00	1,875.00		
Thompson, Ryan		5.50	150.00	825.00		
Team/Technical Leader						
Egelhoff, Anthony		.75	185.00	138.75		
Team Leader						
Rothanzl, Terrence		1.50	112.00	168.00		
Totals		44.50		5,691.75		
Total Labor						5,691.75
Unit Billing						
Field Vehicle 1211			63.0 Miles @ 0.75	47.25		
Total Units				47.25		47.25
			Total this Phase			\$5,739.00
Phase	402	SWPPP Inspections (Including Amendment 5 & 7)				
Fee						
Number of Mo Insp Fees		1.00				
Fee Each		800.00				
Subtotal		800.00				
		Subtotal				800.00
			Total this Phase			\$800.00
Billing Limits		Current	Prior	To-Date		
Total Billings	6,714.25	1,137,503.42	1,144,217.67			
Limit			1,168,326.50			
Balance Remaining			24,108.83			
		AMOUNT DUE THIS INVOICE				\$6,714.25 ←
Email Invoices to:	pdowse@cityoflavista.org					OK TO PAY
Authorized By:	<u>Anthony Egelhoff</u>					3/7/2020

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

A-5



PLANNING • DESIGN

February 29, 2020

Project No: R3003.066.00

Invoice No: 46892

Rita Ramirez
Assistant City Administrator
City of La Vista
8116 Parkview Blvd
La Vista, NE 68128

Project R3003.066.00 LaVista, City of - Placemaking & LA Svcs

Professional Services through February 29, 2020

Fee

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	237,167.50	65.6576	155,718.49	149,889.86	5,828.63
Schematic Design	12,482.50	0.00	0.00	0.00	0.00
Total Fee	249,650.00		155,718.49	149,889.86	5,828.63
Total Fee					5,828.63

Reimbursable Expenses

Printing	8.40
Travel	104.85
Travel Food	50.04
Total Reimbursables	163.29
Total this Invoice	\$5,991.92

Outstanding Invoices

Number	Date	Balance
46745	1/31/2020	2,866.69
Total		2,866.69

PO Number: 20-008351

Consent Agenda 3/1/2020
(RE)

R. Ramirez
3/9/20





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

TO: Pam Buethe, City Clerk
FROM: Chief Robert S. Lausten
DATE: March 12, 2020
RE: LOCAL BACKGROUND- MANAGER
 OZZY'S ROADHOUSE
CC:

The police department reviewed the Nebraska Liquor Control Commission documents completed by the applicant and conducted a check of local records relating to the Manager Application for Halie Hulsey. Hulsey has no criminal record in Sarpy County. There is a DUI charge listed on her application from Omaha 2018.

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

**MANAGER APPLICATION
INSERT - FORM 3c**

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

Office Use

MUST BE:

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

Corporation/LLC information

Name of Corporation/LLC: RH Restaurants LLC

Premise information

Liquor License Number: 122848 Class Type C (if new application leave blank)

Premise Trade Name/DBA: Ozzy's Roadhouse

Premise Street Address: 12744 Westport pkwy Suite 1A

City: La Vista County: Sarpy Zip Code: 68138

Premise Phone Number: 402-505-9500

Premise Email address: accounts@ozzysroadhouse.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).

Save the B

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Hulsey First Name: Halie MI: L

Home Address: 4319 S 202nd Ave

City: Omaha County: Doughlas Zip Code: 68135

Home Phone Number: _____

Driver's License Number & State: _____

Social Security Number: _____

Date Of Birth: _____ Place Of Birth: _____

Email address: hhulsey1203@gmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES

NO

Spouse's information

Spouses Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____

Driver's License Number & State: _____

Date Of Birth: _____ Place Of Birth: _____

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS

APPLICANT

SPOUSE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Omaha, Ne	2018	2020			
Augusta, GA	2004	2018			

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2019	2020	Ozzy's Roadhouse	Heather Young	402-968-9199
2019	2019	Djs Dugout	Tanya Johanson	402-598-1448

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Halie Hulsey	09/2018	Omaha, Ne	DUI	Completed

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: _____ Name on Certificate: _____

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Halie Hulsey	07/2018	Responsible Beverage Service Training Nebraska

*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Halie Hulsey/Supervisor	2019-2020	Ozzy's Roadhouse 12744 Westport Pkwy La Vista, NE 68138
Halie Hulsey/Server	2019-2019	Dj's Dugout 19020 Evans St, Elkhorn, NE 68022
Halie Hulsey/Server	2018-2019	Brewsky's 15350 Weir St Omaha, NE 68137
Halie Hulsey/Supervisor	2016-2018	Playground Bar Broad St Augusta, GA
Halie Hulsey/Supervisor	2011-2016	FATZ cafe Evans, GA

5. Have you enclosed form 147 regarding fingerprints?

YES NO

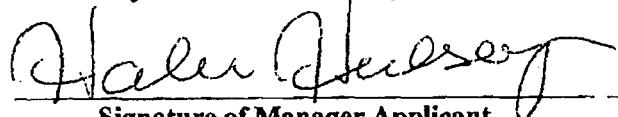
PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec 553-131.01) Nebraska Liquor Control Act.

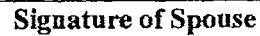
The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.



Signature of Manager Applicant

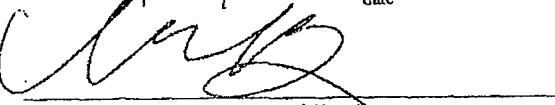


Signature of Spouse

ACKNOWLEDGEMENT

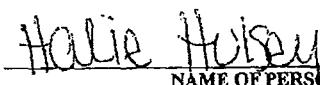
State of Nebraska

County of

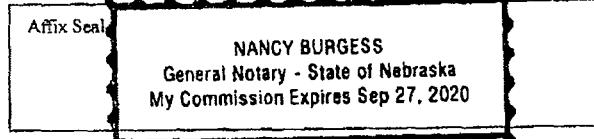

02/27/2020
date

The foregoing instrument was acknowledged before me this

by


NAME OF PERSON BEING ACKNOWLEDGED

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
131815	03/05/2020	AMAZON CAPITAL SERVICES, INC.	399.00	N
131816	03/05/2020	BLACK HILLS ENERGY	1,007.67	N
131817	03/05/2020	BUETHE, PAM	151.00	N
131818	03/05/2020	CARL, RACHEL	76.00	N
131819	03/05/2020	CARROT-TOP INDUSTRIES INC	698.99	N
131820	03/05/2020	CINTAS CORPORATION	154.61	N
131821	03/05/2020	CITY OF OMAHA	184,912.48	N
131822	03/05/2020	CITY OF PAPILLION	12,549.79	N
131823	03/05/2020	CULLIGAN OF OMAHA	18.00	N
131824	03/05/2020	FBG SERVICE CORPORATION	5,965.00	N
131825	03/05/2020	FERGUSON ENTERPRISES INC #226	8.89	N
131826	03/05/2020	GRAHAM CONSTRUCTION, INC	435,278.72	N
131827	03/05/2020	HAYES MECHANICAL LLC	513.70	N
131828	03/05/2020	HDR ENGINEERING INC	973.07	N
131829	03/05/2020	HOME DEPOT CREDIT SERVICES	18.97	N
131830	03/05/2020	HOTSY EQUIPMENT COMPANY	2,084.32	N
131831	03/05/2020	JOHNSON CONTROLS FIRE PROTECTIO	571.50	N
131832	03/05/2020	MARCO INCORPORATED	127.28	N
131833	03/05/2020	METROPOLITAN COMMUNITY COLLEG	16,852.08	N
131834	03/05/2020	METROPOLITAN UTILITIES DISTRICT	59.75	N
131835	03/05/2020	NE DEPT OF LABOR	426.00	N
131836	03/05/2020	NEBRASKA ENVIRONMENTAL PRODUC	3,510.77	N
131837	03/05/2020	NMC EXCHANGE LLC	144.84	N
131838	03/05/2020	OFFICE DEPOT INC	69.99	N
131839	03/05/2020	OMNI ENGINEERING	282.15	N
131840	03/05/2020	ONE CALL CONCEPTS INC	123.01	N
131841	03/05/2020	PAPILLION LA VISTA COMMUNITY SCH	250.00	N
131842	03/05/2020	PAPILLION SANITATION	1,079.07	N
131843	03/05/2020	PROTECH ELECTRIC SERVICES INC	1,775.00	N
131844	03/05/2020	RDG PLANNING & DESIGN	2,866.69	N
131845	03/05/2020	SUN VALLEY LANDSCAPING	2,131.59	N
131846	03/05/2020	THOMPSON DREESSEN & DORNER, IN	2,058.15	N
131847	03/05/2020	TRUCK CENTER COMPANIES	643.56	N
131848	03/05/2020	UNITED STATES POSTAL SERVICE	2,088.87	N
131849	03/17/2020	AED ZONE	120.00	N
131850	03/17/2020	AGA	140.00	N
131851	03/17/2020	AMAZON CAPITAL SERVICES, INC.	670.74	N
131852	03/17/2020	APWA-AMER PUBLIC WORKS ASSN	875.00	N
131853	03/17/2020	BADGER BODY & TRUCK EQUIP CO INC	49.00	N
131854	03/17/2020	BAUER BUILT INC	344.00	N
131855	03/17/2020	BERGANKDV LLC	2,466.00	N
131856	03/17/2020	BERRY DUNN	4,500.00	N
131857	03/17/2020	BETH GEORGE	2.88	N
131858	03/17/2020	BISHOP BUSINESS EQUIPMENT COMPA	237.91	N
131859	03/17/2020	BIZCO, INC.	1,688.15	N
131860	03/17/2020	BKD LLP	7,500.00	N
131861	03/17/2020	BOBCAT OF OMAHA	3,271.80	N
131862	03/17/2020	BRITE IDEAS DECORATING	291.99	N
131863	03/17/2020	CCH INCORPORATED	2,057.00	N
131864	03/17/2020	CENTER POINT, INC.	44.34	N
131865	03/17/2020	CENTURY LINK	584.27	N
131866	03/17/2020	CENTURY LINK BUSN SVCS	305.77	N
131867	03/17/2020	CINTAS CORPORATION	421.63	N
131868	03/17/2020	CODE 2 CANINE SERVICES, LLC	400.00	N
131869	03/17/2020	CORNHUSKER INTL TRUCKS INC	2,564.82	N
131870	03/17/2020	COX COMMUNICATIONS, INC.	282.86	N
131871	03/17/2020	CRIMINAL ADDICTION INC	300.00	N
131872	03/17/2020	CUMMINS CENTRAL POWER LLC	296.00	N
131873	03/17/2020	DELL MARKETING L.P.	319.56	N
131874	03/17/2020	DHHS REG/LIC-POOL PERMIT	240.00	N

A-7

User: mgustafson

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
131875	03/17/2020	DIGITAL EXPRESS	413.36	N
131876	03/17/2020	DOUGLAS COUNTY SHERIFF'S OFC	80.00	N
131877	03/17/2020	ENCYCLOPEDIA BRITANNICA INC	875.00	N
131878	03/17/2020	FBG SERVICE CORPORATION	5,965.00	N
131879	03/17/2020	FERGUSON ENTERPRISES INC #226	69.97	N
131880	03/17/2020	FOCUS PRINTING	7,942.49	N
131881	03/17/2020	GALE	162.68	N
131882	03/17/2020	HAWKEYE TRUCK EQUIPMENT CO INC	402.34	N
131883	03/17/2020	HEARTLAND PNEUMATIC	252.85	N
131884	03/17/2020	HEARTLAND TIRES AND TREADS	137.40	N
131885	03/17/2020	HUE LIFE LLC	4,900.00	N
131886	03/17/2020	HUNDEN STRATEGIC PARTNERS	4,900.00	N
131887	03/17/2020	INGRAM LIBRARY SERVICES	2,119.00	N
131888	03/17/2020	JONES AUTOMOTIVE INC	39.62	N
131889	03/17/2020	LARSEN SUPPLY COMPANY	941.94	N
131890	03/17/2020	LAUSTEN JR ROBERT S	930.00	N
131891	03/17/2020	LIBRARY IDEAS LLC	6.00	N
131892	03/17/2020	LOGAN CONTRACTORS SUPPLY	100.56	N
131893	03/17/2020	LOWE'S CREDIT SERVICES	137.70	N
131894	03/17/2020	MARK A KLICKER	200.00	N
131895	03/17/2020	MENARDS-RALSTON	299.35	N
131896	03/17/2020	MIDWEST TAPE	1,004.64	N
131897	03/17/2020	MISEREZ, CYNTHIA	390.18	N
131898	03/17/2020	MSC INDUSTRIAL SUPPLY CO	175.53	N
131899	03/17/2020	NEBRASKA STATE FIRE MARSHAL	30.00	N
131900	03/17/2020	NMC EXCHANGE LLC	393.00	N
131901	03/17/2020	NOBBIES INC	131.67	N
131902	03/17/2020	NU DRYWALL INC	850.00	N
131903	03/17/2020	O'REILLY AUTO PARTS	618.85	N
131904	03/17/2020	OCLC INC	161.21	N
131905	03/17/2020	ODEYS INCORPORATED	74.50	N
131906	03/17/2020	OFFICE DEPOT INC	426.19	N
131907	03/17/2020	OLD NEWS	17.00	N
131908	03/17/2020	OMAHA POLICE DEPARTMENT	59.84	N
131909	03/17/2020	OMAHA PUBLIC POWER DISTRICT	49,174.70	N
131912	03/17/2020	OMNI ENGINEERING	164.70	N
131913	03/17/2020	PAPILLION SANITATION	1,163.61	N
131914	03/17/2020	PAY-LESS OFFICE PRODUCTS INC	100.05	N
131915	03/17/2020	PLAINS EQUIPMENT GROUP	508.15	N
131916	03/17/2020	POWER DMS INC	219.66	N
131917	03/17/2020	RDG PLANNING & DESIGN	287.50	N
131918	03/17/2020	RED WING BUSINESS ADVANTAGE ACC	150.00	N
131919	03/17/2020	REDSHAW PAINT SUPPLY INC	27.20	N
131920	03/17/2020	REGAL AWARDS INC.	11.00	N
131921	03/17/2020	REPCO MARKETING INC	40.05	N
131922	03/17/2020	SARPY COUNTY COURTHOUSE	4,207.68	N
131923	03/17/2020	SARPY COUNTY FISCAL ADMINSTRN	12,103.75	N
131924	03/17/2020	SCHEMMER ASSOCIATES INC	2,115.00	N
131925	03/17/2020	SCHOLASTIC LIBRARY PUBLISHING	145.60	N
131926	03/17/2020	SOLBERG, CHRISTOPHER	22.53	N
131927	03/17/2020	SOUTHERN UNIFORM & EQUIPMENT	411.62	N
131928	03/17/2020	STONE PLANNING LLC	2,500.00	N
131929	03/17/2020	SUN VALLEY LANDSCAPING	183.52	N
131930	03/17/2020	THE HARRY A KOCH COMPANY	6,725.75	N
131931	03/17/2020	THE NEW YORK TIMES	650.00	N
131932	03/17/2020	TITAN MACHINERY	473.42	N
131933	03/17/2020	TORNADO WASH LLC	625.00	N
131934	03/17/2020	TRANE U.S. INC.	155.20	N
131935	03/17/2020	TRANS UNION RISK AND ALT. DATA S	50.00	N
131936	03/17/2020	TURFWERKS	28,256.00	N

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
131937	03/17/2020	U.S. CELLULAR	1,602.36	N
131938	03/17/2020	UTILITY EQUIPMENT COMPANY	246.12	N
131939	03/17/2020	VAL VERDE ANIMAL HOSPITAL INC	248.01	N
131940	03/17/2020	VERIZON CONNECT NWF, INC.	731.25	N
131941	03/17/2020	WELLINGTON EXPERIENCE, INC.	372.50	N
131942	03/17/2020	WESTLAKE HARDWARE INC NE-022	305.48	N
131943	03/17/2020	WINTER EQUIPMENT COMPANY INC	108.59	N
131944	03/17/2020	ZIMCO SUPPLY COMPANY	130.00	N
		TOTAL:	859,268.10	

APPROVED BY COUNCIL MEMBERS ON: 03/17/2020

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
968(E)	02/04/2020	ELAN FINANCIAL SERVICES	3,575.67	N
948(E)	02/26/2020	FIRST BANKCARD	493.79	N
949(E)	02/26/2020	FIRST BANKCARD	218.16	N
950(E)	02/26/2020	FIRST BANKCARD	6.91	N
951(E)	02/26/2020	FIRST BANKCARD	34.94	N
952(E)	02/26/2020	FIRST BANKCARD	46.70	N
953(E)	02/26/2020	FIRST BANKCARD	84.85	N
954(E)	02/26/2020	FIRST BANKCARD	13.75	N
955(E)	02/26/2020	FIRST BANKCARD	24.95	N
956(E)	02/26/2020	FIRST BANKCARD	125.00	N
957(E)	02/26/2020	FIRST BANKCARD	110.00	N
958(E)	02/26/2020	FIRST BANKCARD	1,537.80	N
959(E)	02/26/2020	FIRST BANKCARD	366.19	N
960(E)	02/26/2020	FIRST BANKCARD	404.99	N
961(E)	02/26/2020	FIRST BANKCARD	600.00	N
962(E)	02/26/2020	FIRST BANKCARD	125.00	N
963(E)	02/26/2020	FIRST BANKCARD	52.95	N
964(E)	02/26/2020	FIRST BANKCARD	450.00	N
965(E)	02/26/2020	FIRST BANKCARD	2,522.73	N
966(E)	02/26/2020	FIRST BANKCARD	125.00	N
967(E)	02/26/2020	FIRST BANKCARD	9.28	N
970(E)	02/28/2020	BLUE CROSS BLUE SHIELD OF NEBR	111,077.08	N
971(E)	02/28/2020	CCAP AUTO LEASE LTD	840.12	N
972(E)	02/28/2020	DEARBORN NATIONAL LIFE INSURANC	1,147.00	N
973(E)	02/28/2020	DEARBORN NATIONAL LIFE INSURANC	5,844.61	N
974(E)	02/28/2020	ESSENTIAL SCREENS	76.00	N
975(E)	02/28/2020	FIRST STATE BANK	2,137.23	N
976(E)	02/28/2020	FIRST STATE BANK	4,399.70	N
977(E)	02/28/2020	FIRST STATE BANK	5,668.85	N
978(E)	02/28/2020	LINCOLN NATIONAL LIFE INS CO	6,475.44	N
979(E)	02/28/2020	MID-AMERICAN BENEFITS INC	650.00	N
980(E)	02/28/2020	MID-AMERICAN BENEFITS INC	6,728.37	N
981(E)	02/28/2020	NE DEPT OF REVENUE-SALES TAX	38.17	N
982(E)	02/28/2020	PITNEY BOWES-EFT POSTAGE	1,389.00	N
983(E)	02/28/2020	TOSHIBA FINANCIAL SERVICES	224.72	N
984(E)	02/28/2020	TSYS	167.71	N
985(E)	02/28/2020	UNITED HEALTHCARE INSURANCE CO	1,000.80	N

TOTAL: 158,793.46

APPROVED BY COUNCIL MEMBERS ON: 03/17/2020

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 17, 2020 AGENDA

Subject:	Type:	Submitted By:
DECLARATION OF SURPLUS PROPERTY — PART OF TAX LOT 12 14-14-12 AND PART OF OUTLOT A LA VISTA CITY CENTRE	◆ RESOLUTION ◆ ORDINANCE ◆ RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

An ordinance has been prepared to repeal and replace Ordinance No. 1383, approved at the March 3, 2020 Council meeting, declaring a portion of Tax Lot 12 14-14-12 and a portion of Outlot A, La Vista City Centre, replatted as part of Lot 3, La Vista City Center Replat Four, as surplus property.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

An ordinance has been prepared to repeal and replace Ordinance No. 1383, approved at the March 3, 2020 City Council meeting, declaring a portion of Tax Lot 12 14-14-12 and a portion of Outlot A, La Vista City Centre (replatted as part of Lot 3, La Vista City Center Replat Four, described in the Ordinance and shown on updated Exhibit A) as surplus property. Updated Exhibit A shows boundaries of the surplus parcels.

ORDINANCE NO.

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 1383 MAKING FINDINGS AND DETERMINATIONS AND DECLARING A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, (BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR) AS SURPLUS PROPERTY; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

SECTION 1. Repeal and Replacement of Ordinance No. 1383. Ordinance No. 1383 is hereby repealed and replaced in its entirety by this Ordinance.

SECTION 2. Findings and Determinations. The Mayor and City Council hereby make and approve the following findings and determinations as necessary, proper, expedient, and in the best interests and general welfare of the City and its residents:

1. The City of La Vista ("City") owns the following property ("Property"):

"Parcel 1" (Portion of Tax Lot 12 14-14-12)

A PORTION OF TAX LOT 12 14-14-12, BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR, IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ON THE EAST LINE OF SAID LOT 3 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) ON AN ASSUMED BEARING OF N02°37'08"E, 115.96 FEET; (2) N02°22'52"W, 11.17 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON SAID NORTH LINE OF THE SOUTHWEST QUARTER, S87°27'28"W, 179.76 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE ON THE LINE OF LOT 3 FOR THE FOLLOWING TWENTY-FOUR (24) DESCRIBED COURSES: (1) N32°51'32"W, 41.46 FEET; (2) N39°33'31"W, 21.75 FEET; (3) N53°34'53"W, 82.42 FEET; (4) N33°37'10"E, 55.92 FEET; (5) N56°22'50"W, 15.21 FEET; (6) N33°37'10"E, 24.00 FEET; (7) S56°22'50"E, 6.31 FEET; (8) N49°10'45"E, 51.76 FEET; (9) N56°32'55"E, 66.27 FEET; (10) N61°02'30"E, 12.09 FEET; (11) N68°31'09"E, 11.30 FEET; (12) N77°58'40"E, 43.66 FEET; (13) S87°06'38"E, 29.01 FEET; (14) S79°32'17"E, 11.88 FEET; (15) S71°56'29"E, 86.35 FEET; (16) N18°03'31"E, 1.69 FEET; (17) S71°56'29"E, 10.91 FEET TO A POINT OF CURVATURE; (18) ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 36.85 FEET (LONG CHORD BEARS S19°09'41"E, 31.85 FEET); (19) S33°37'06"W, 41.61 FEET; (20) S18°13'25"W, 26.66 FEET; (21) S61°22'02"E, 50.32 FEET; (22) S31°23'44"E, 41.87 FEET; (23) S58°36'05"W, 108.01 FEET; (24) S02°22'52"E, 15.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 67,418.16 SQUARE FEET OR 1.548 ACRES, MORE OR LESS; and

"Parcel 2" (Portion of Outlot A, La Vista City Centre)

A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR, IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ON THE SOUTH LINE OF SAID LOT 3 ON AN ASSUMED BEARING OF S87°37'07"W, 35.08 FEET; THENCE N02°22'53"W, 56.05 FEET; THENCE S87°37'07"W, 80.00 FEET; THENCE S02°22'53"E, 56.05 FEET TO A POINT ON SAID SOUTH LINE OF LOT 3; THENCE ON SAID SOUTH LINE OF LOT 3 S87°37'07"W, 35.76 FEET

TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE ON THE WEST LINE OF SAID LOT 3 FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: (1) N07°22'52"W, 123.61 FEET; (2) S87°37'08"W, 6.25 FEET; (3) N32°51'32"W, 3.53 FEET; THENCE N87°27'28"E, 179.76 FEET TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE ON SAID EAST LINE OF LOT 3 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) S02°22'52"E, 11.17 FEET; (2) S02°37'08"W, 115.96 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 16,003.10 SQUARE FEET OR 0.367 ACRES, MORE OR LESS.

The foregoing descriptions shall be subject to any additions, subtractions, or modifications as the City Engineer or his designee determines necessary or appropriate pursuant to an accurate survey. Attached as Exhibit A and incorporated herein by this reference is a general depiction of the part of Lot 3, La Vista City Centre Replat Four, constituting Parcel 1, and a general depiction of the part of Lot 3, La Vista City Centre Replat Four, constituting Parcel 2. La Vista City Centre Replat Four, as approved, is on file with the La Vista City Clerk.

2. The Property has ceased being used and no longer is needed for recreational, park, or any other municipal purpose or use of the City.
3. The City desires to declare and designate the Property as surplus property to be held, transferred, and/or conveyed in whole or in part in such manner, on such terms, and for such purposes, uses, and consideration as the Mayor and City Council determine necessary or appropriate.

SECTION 3. Declaration Surplus Property. The Property is hereby declared and designated surplus property and shall be held, transferred, and/or conveyed in whole or in part in such manner, on such terms, and for such purposes, uses, and consideration as the Mayor and City Council determine necessary or appropriate in their sole discretion.

SECTION 4. Repeal of Conflicting Ordinances. Ordinance No. 1383, and any ordinances or parts of ordinances as previously enacted that are in conflict with this Ordinance or parts of this Ordinance, are hereby repealed.

SECTION 5. Authorization of Further Actions. The Mayor, City Administrator, City Engineer, City Clerk, and any designee of any of the foregoing, each shall be authorized to take such further actions, including without limitation preparing, executing, and filing such documents and instruments, as he or she determines necessary or appropriate to carry out the actions approved in this Ordinance.

SECTION 6. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 7. Effective Date. This ordinance shall be in full force and effective as of March 3, 2020, subject to passage, approval and publication in accordance with applicable law.

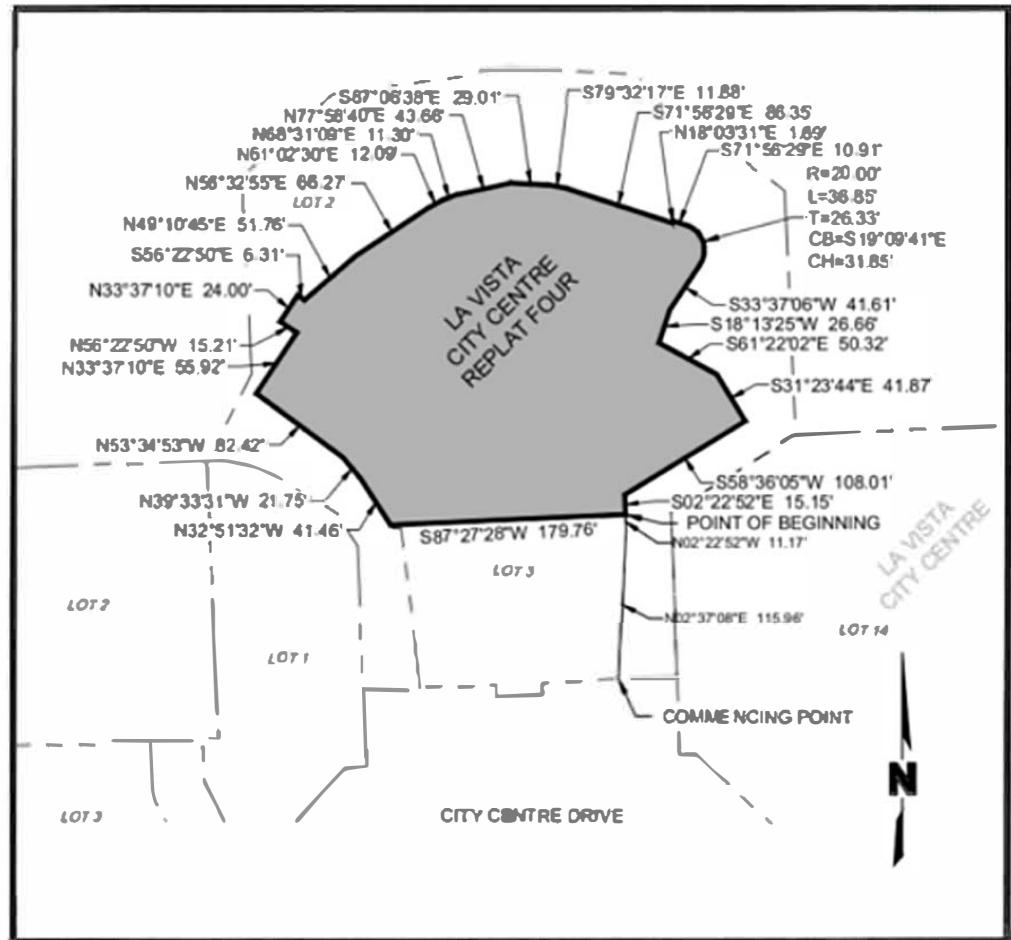
CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

Parcel 1



EXHIBIT

A

1/2

PARCEL 2

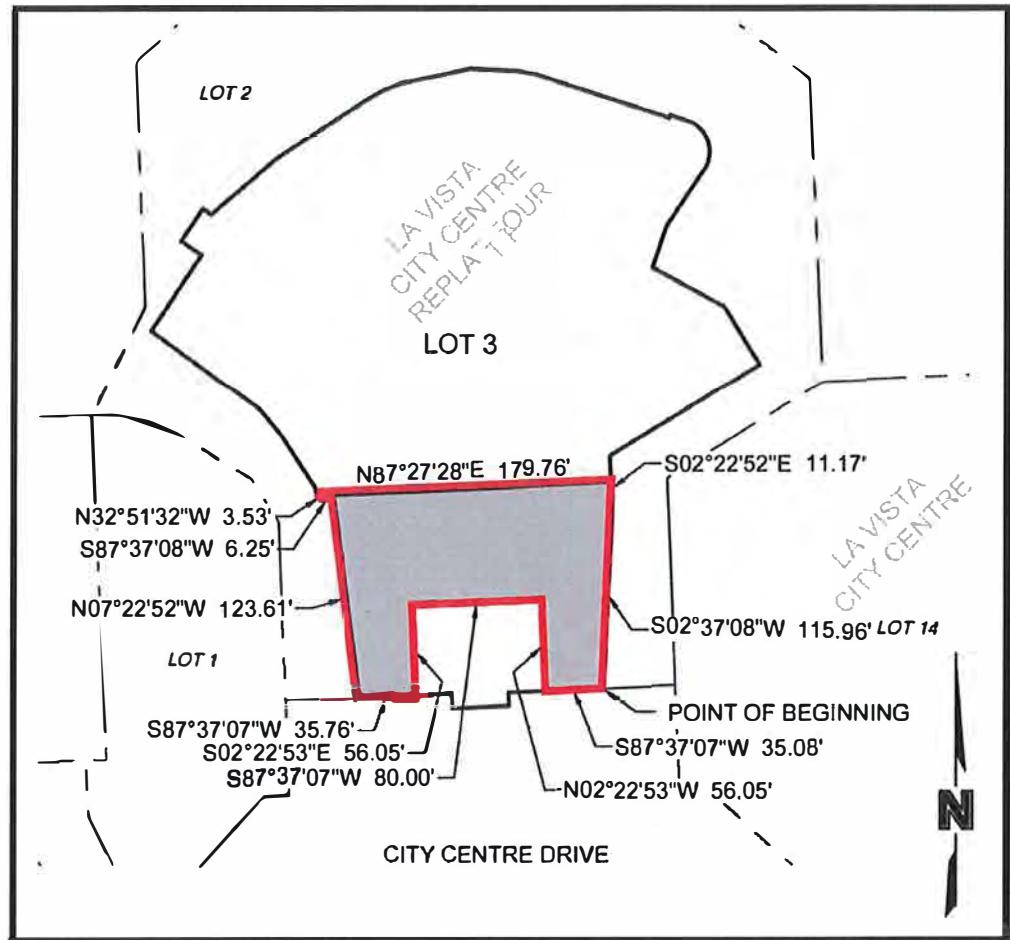


EXHIBIT
A

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 17, 2020 AGENDA

Subject:	Type:	Submitted By:
DIRECTING CONVEYANCE — PART OF TAX LOT 12 14-14-12 AND PART OF OUTLOT A LA VISTA CITY CENTRE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

An ordinance has been prepared to repeal and replace Ordinance No. 1384, approved at the March 3, 2020 Council meeting, directing the conveyance of part of Tax Lot 12 14-14-12 and Part of Outlot A La Vista City Centre, replatted as part of Lot 3, La Vista City Center Replat Four, and manner and terms thereof.

FISCAL IMPACT

Consideration is anticipated to be primarily receipt by the City of real property required for public improvements.

RECOMMENDATION

Approval.

BACKGROUND

An ordinance has been prepared to repeal and replace Ordinance No. 1384, approved at the March 3, 2020 City Council meeting, directing the conveyance of part of Tax Lot 12 14-14-12 and Part of Outlot A La Vista City Centre (replatted as part of Lot 3, La Vista City Center Replat Four, described in the Ordinance and shown on updated Exhibit A), and manner and terms thereof. Consideration is anticipated to be primarily receipt by the City of real property required for public improvements. Updated Exhibit A shows boundaries of the parcels to be conveyed.

ORDINANCE NO.

AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 1384 DIRECTING CONVEYANCE OF REAL ESTATE, A PORTION OF TAX LOT 12 14-14-12 AND A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, (BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR) AND THE MANNER AND TERMS THEREOF; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORIZATION OF FURTHER ACTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

Section 1. Repeal and Replacement of Ordinance No. 1384. Ordinance No. 1384 is hereby repealed and replaced in its entirety by this Ordinance.

Section 2. Findings and Determinations. The Mayor and City Council hereby make and approve the following findings and determinations as necessary, proper, expedient, and in the best interests and general welfare of the City and its residents:

1. The Mayor and City Council by separate action found, determined, and declared the following property owned by the City ("Surplus Property") as surplus property and not needed for any municipal purpose or use of the City, to be held, transferred, and/or conveyed in whole or in part as the Mayor and City Council determines necessary or appropriate in their sole discretion:

"Parcel 1" (Portion of Tax Lot 12 14-14-12)

A PORTION OF TAX LOT 12 14-14-12, BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR, IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ON THE EAST LINE OF SAID LOT 3 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) ON AN ASSUMED BEARING OF N02°37'08"E, 115.96 FEET; (2) N02°22'52"W, 11.17 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ON SAID NORTH LINE OF THE SOUTHWEST QUARTER, S87°27'28"W, 179.76 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE ON THE LINE OF LOT 3 FOR THE FOLLOWING TWENTY-FOUR (24) DESCRIBED COURSES: (1) N32°51'32"W, 41.46 FEET; (2) N39°33'31"W, 21.75 FEET; (3) N53°34'53"W, 82.42 FEET; (4) N33°37'10"E, 55.92 FEET; (5) N56°22'50"W, 15.21 FEET; (6) N33°37'10"E, 24.00 FEET; (7) S56°22'50"E, 6.31 FEET; (8) N49°10'45"E, 51.76 FEET; (9) N56°32'55"E, 66.27 FEET; (10) N61°02'30"E, 12.09 FEET; (11) N68°31'09"E, 11.30 FEET; (12) N77°58'40"E, 43.66 FEET; (13) S87°06'38"E, 29.01 FEET; (14) S79°32'17"E, 11.88 FEET; (15) S71°56'29"E, 86.35 FEET; (16) N18°03'31"E, 1.69 FEET; (17) S71°56'29"E, 10.91 FEET TO A POINT OF CURVATURE; (18) ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 36.85 FEET (LONG CHORD BEARS S19°09'41"E, 31.85 FEET); (19) S33°37'06"W, 41.61 FEET; (20) S18°13'25"W, 26.66 FEET; (21) S61°22'02"E, 50.32 FEET; (22) S31°23'44"E, 41.87 FEET; (23) S58°36'05"W, 108.01 FEET; (24) S02°22'52"E, 15.15 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 67,418.16 SQUARE FEET OR 1.548 ACRES, MORE OR LESS; and

"Parcel 2" (Portion of Outlot A, La Vista City Centre)

A PORTION OF OUTLOT A, LA VISTA CITY CENTRE, BEING REPLATTED AS PART OF LOT 3, LA VISTA CITY CENTRE REPLAT FOUR, IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE ON THE SOUTH LINE OF SAID LOT 3 ON AN ASSUMED BEARING OF S87°37'07"W, 35.08 FEET; THENCE N02°22'53"W, 56.05 FEET; THENCE S87°37'07"W, 80.00 FEET; THENCE S02°22'53"E, 56.05 FEET TO A POINT ON SAID SOUTH LINE OF LOT 3; THENCE ON SAID SOUTH LINE OF LOT 3 S87°37'07"W, 35.76 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE ON THE WEST LINE OF SAID LOT 3 FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: (1) N07°22'52"W, 123.61 FEET; (2) S87°37'08"W, 6.25 FEET; (3) N32°51'32"W, 3.53 FEET; THENCE N87°27'28"E, 179.76 FEET TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE ON SAID EAST LINE OF LOT 3 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) S02°22'52"E, 11.17 FEET; (2) S02°37'08"W, 115.96 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 16,003.10 SQUARE FEET OR 0.367 ACRES, MORE OR LESS;

subject to any additions, subtractions, or modifications as the City Engineer or his designee determines necessary or appropriate pursuant to an accurate survey, which findings, determinations, and declarations are hereby ratified, affirmed, and approved. Attached as Exhibit A and incorporated herein by this reference is a general depiction of the part of Lot 3, La Vista City Centre Replat Four, constituting Parcel 1, and a general depiction of the part of Lot 3, La Vista City Centre Replat Four, constituting Parcel 2. La Vista City Centre Replat Four, as approved, is on file with the La Vista City Clerk.

2. The City desires to construct additional public improvements for which additional real property is needed ("Property Needed for Public Improvements").
3. The City desires to transfer and convey the Surplus Property in consideration and exchange for Property Needed for Public Improvements.

Section 3. Directing Conveyance. It is hereby declared necessary, expedient, proper and for the public good for the City, upon payment or provision of applicable consideration, to sell and convey the Surplus Property in exchange for Property Needed for Public Improvements and according to the following manner and terms of conveyance ("Manner and Terms of Conveyance"):

Manner of Sale: Deed or other appropriate instrument of conveyance from City.

Terms of Sale:

- 1) Property Description: See Section 2 above.
- 2) Consideration to be paid or provided to City: Consideration is anticipated to be receipt by the City of equivalent real property in exchange for public uses to the south, the location and boundaries of which to be determined by survey and subject to approval of the City Administrator; or such other appropriate equivalent consideration as approved by the City Administrator.
- 3) Method of Payment: Delivery and exchange of deeds or other appropriate instruments of conveyance or equivalent consideration at closing.
- 4) Closing Date: As the parties agree.
- 5) Purchaser: City Centre Music Venue, LLC or its assignee,

in addition to any other provisions of this Ordinance or agreed by any party authorized in Section 5 below, which sale, conveyance and Manner and Terms of Conveyance are hereby found and deemed to be in the best interests of the City. It is hereby directed that the Surplus Property be conveyed according to the Manner and Terms of Conveyance. Provided, however, notwithstanding anything in this Ordinance to the contrary, the direction, sale, conveyance, and use of the Surplus Property by the grantee or the grantee's successors or assigns pursuant to this Ordinance shall be subject to any required relocation or consent of the owner of any utilities using the Surplus Property, and adoption and satisfaction of all amendments and conditions of the La Vista Redevelopment Plan for the 84th Street Redevelopment Area, Comprehensive Development Plan, and any applicable redevelopment contract, subdivision agreement,

or other documents, agreements, or instruments now or hereafter adopted, amended, governing or otherwise relating to redevelopment or use of the Surplus Property, in form and content satisfactory to the City Administrator, and satisfaction of any other applicable requirements of the Community Development Law or other applicable laws.

Section 4. Repeal of Conflicting Ordinances. Ordinance No. 1384, and any other ordinances or parts of ordinances as previously enacted that are in conflict with this Ordinance or parts of this Ordinance, are hereby repealed.

Section 5. Further Actions. The Mayor, City Administrator, City Clerk, or such other persons as the City Administrator may designate, each shall have full power and authority to take all actions as necessary or appropriate to carry out this Ordinance and the sale and conveyance of the Surplus Property, including without limitation, publishing any notice required by Neb. Rev. Stat. Section 16-202 and executing and delivering all deeds or other instruments or documents on behalf of the City in form and content he or she determines satisfactory.

Section 6. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 7. Effective Date. This Ordinance shall be in full force and effective as of March 3, 2020, subject to its passage, approval and publication in accordance with applicable law.

PASSED AND APPROVED THIS 17TH DAY OF MARCH, 2020.

CITY OF LA VISTA

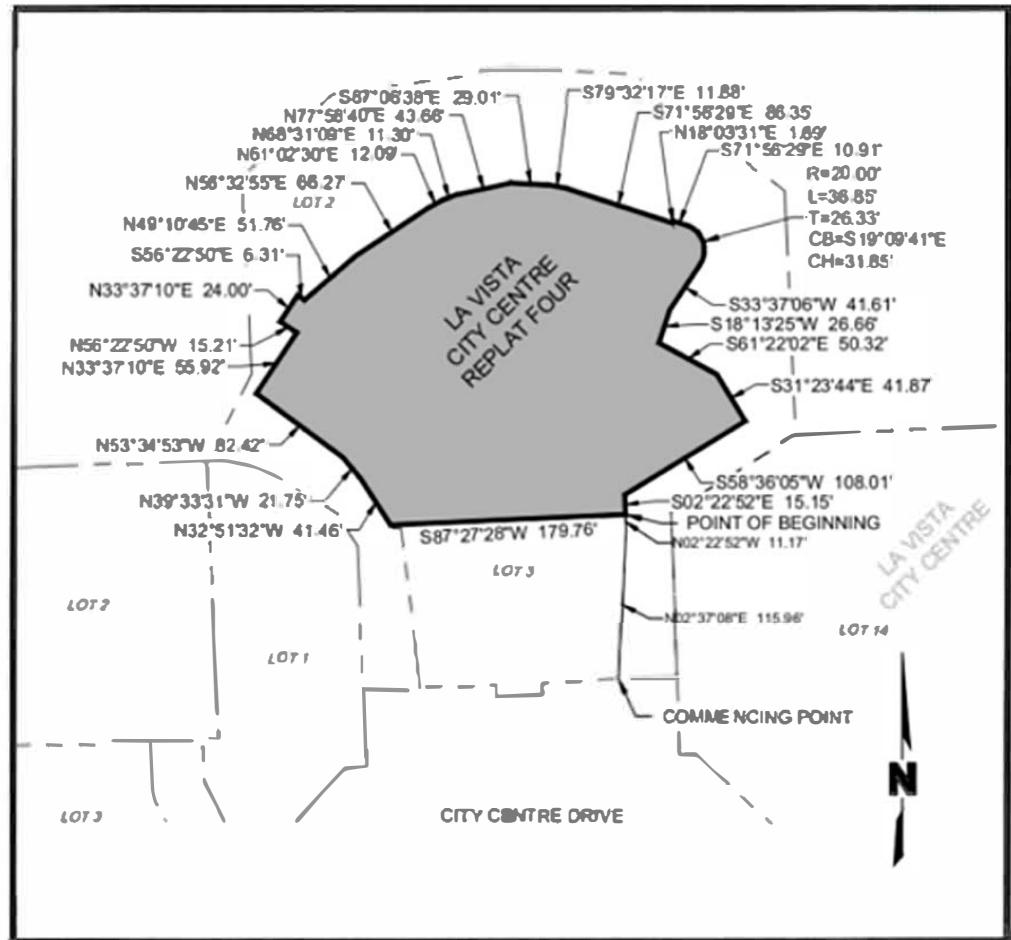
ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

EXHIBIT A

Parcel 1



EXHIBIT

A

1/2

PARCEL 2

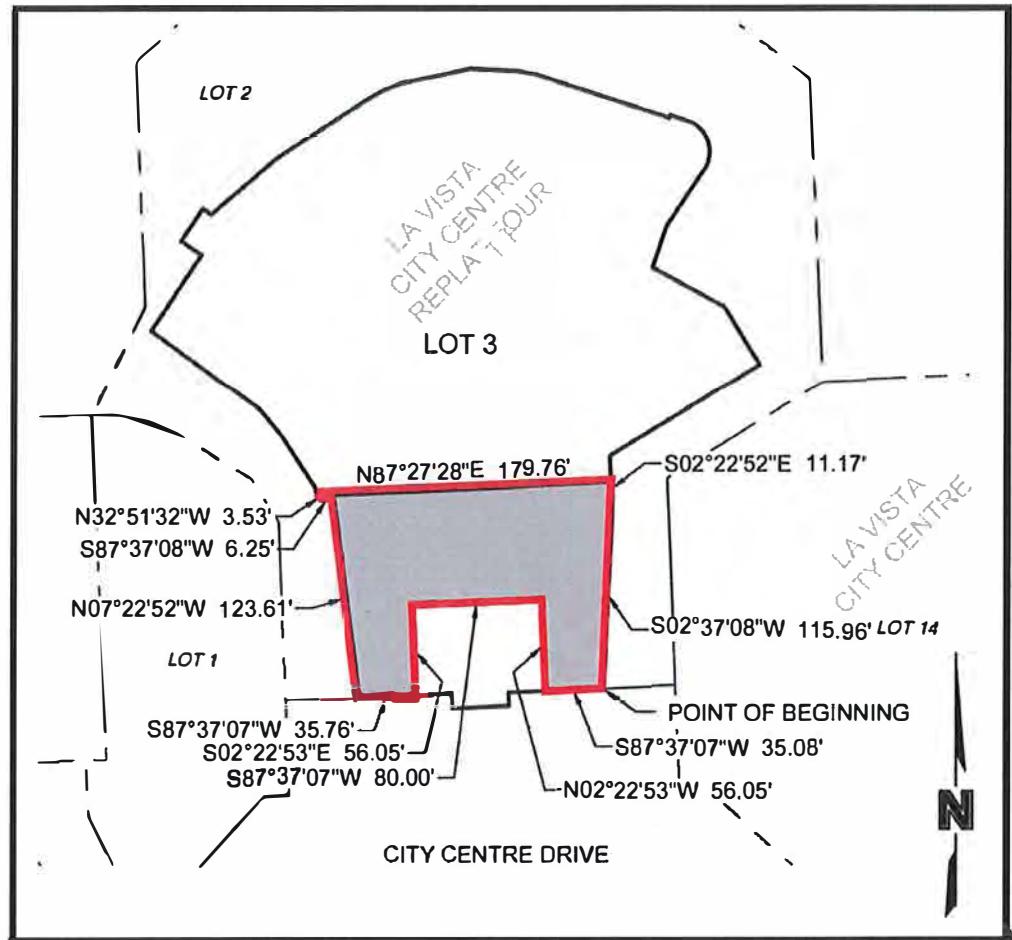


EXHIBIT
A

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 17, 2020 AGENDA

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT – SUPPLEMENT NO. 1 – APPLEWOOD CREEK TRAIL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve Supplement No. 1 to the original agreement between Alfred Benesch & Co. and the City for environmental services related to the Applewood Creek Trail Project in an additional amount not to exceed \$62.84.

FISCAL IMPACT

The FY19/20 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval.

BACKGROUND

Supplement No. 1 is to be incorporated into the original Professional Services Agreement for the Applewood Creek Trail Project, TAP-77(61) CN 22757 to correct a minor error in the project workbook of the original agreement. The supplement increases the indirect labor and expenses by \$62.84 to a total not to exceed cost of \$59,349.68.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF SUPPLEMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ALFRED BENESCH & COMPANY FOR THE PROVISION OF ENVIRONMENTAL SERVICES FOR THE APPLEWOOD CREEK TRAIL PROJECT.

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

WHEREAS, City of La Vista as a 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, City of La Vista and Alfred Benesch & Company, wish to enter into a Professional Services Agreement to provide environmental services for the Federal-aid project;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of La Vista that Douglas Kindig, Mayor of the City of La Vista City Council, is hereby authorized to sign the attached environmental services agreement between City of La Vista, Nebraska and Alfred Benesch & Company.

PASSED AND APPROVED THIS 17TH DAY OF MARCH 2020.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

Agreement No.	BK1916
Effective (NTP) Date	08/30/2019
Supplement Amount	\$62.84
Total Agreement Amount	C+FF \$59,349.68

PROFESSIONAL SERVICES AGREEMENT

SUPPLEMENT NO. 1

CITY OF LA VISTA, NEBRASKA
 ALFRED BENESCH & COMPANY, INC.
 PROJECT NO. TAP-77(61)
 CONTROL NO. 22757
 APPLEWOOD CREEK TRAIL

THIS SUPPLEMENTAL AGREEMENT is between the CITY OF LA VISTA, NEBRASKA ("LPA") and ALFRED BENESCH & COMPANY, INC. ("Consultant"), collectively referred to as the "Parties".

WHEREAS, Consultant and LPA entered into an agreement ("Original Agreement") executed by LPA on May 28, 2019 for Consultant to provide Environmental Services for LPA's project, and

WHEREAS, it is necessary that Environmental Services be added under this Supplemental Agreement to correct an error in workbook in original agreement, and

WHEREAS, the indirect labor cost and direct expenses have increased by \$62.84, and

WHEREAS, it is necessary to increase Consultant's compensation by this Supplemental Agreement for the additional work necessary to complete the services under this Agreement, and

WHEREAS, LPA desires that this project be developed and constructed under the designation of Project No. TAP-77(61) and formally authorizes the signing of this Agreement, as evidenced by the Resolution of LPA dated _____ day of _____, 2020, attached as Exhibit "A" and incorporated herein by this reference.

NOW THEREFORE, in consideration of these facts and mutual promises, the Parties agree as follows:

SECTION 1. SCOPE OF SERVICES

Consultant will perform the additional work as set out in Exhibit "B", Scope of Services, amended to show entire corrected agreement amount, attached and incorporated herein by this reference.

SECTION 2. NOTICE TO PROCEED AND COMPLETION

- 2.1 LPA issued Consultant a written Notice-to-Proceed on August 30, 2019. Any work or services performed by Consultant on the project prior to the date specified in the written Notice-to-Proceed is not eligible for reimbursement.
- 2.2 Consultant will complete all work stipulated in the Original Agreement, and this Supplemental Agreement by December 31, 2021.

SECTION 3. FEES AND PAYMENTS

Section 2. in Exhibit "B" of the Original Agreement is hereby amended in accordance with Exhibit "B" and as shown below.

Previous Amount*	This Supplement Amount	Amended Agreement Amount	
\$ 17,600.50	\$ 0	\$17,600.50	For actual direct labor costs
\$ 35,596.20	\$ 62.84	\$35,659.04	For indirect labor costs & direct expenses
\$ 6,090.14	\$ 0	\$6,090.14	For a fixed fee for profit
\$ 59,286.84	\$62.84	\$59,349.68	Total agreement amount

*includes all prior supplements

SECTION 4. CONFIDENTIAL INFORMATION

Documents submitted to LPA, including invoices, supporting documentation, and other information are subject to disclosure by LPA under the Nebraska Public Records Act found at Neb.Rev.Stat. § 84-712 et.seq. Accordingly, Consultant shall redact or not submit to LPA information that is confidential, including, but not limited to, financial information such as social security numbers, tax ID numbers, or bank account numbers. Consultant understands that LPA does not have sufficient resources to review and redact confidential information submitted by Consultant. If such confidential information is submitted, Consultant shall have no right of action of any kind against LPA for the disclosure of such information.

SECTION 5. CONSULTANT CERTIFICATION AND REAFFIRMATION

The undersigned duly authorized representative of Consultant, by signing this Supplemental Agreement, hereby reaffirms, under penalty of law, the truth of the certifications set out in the Original Agreement and all Supplements thereto, including this Supplement. Further, Consultant has a duty to inform LPA of any material changes in the accuracy of all assertions set out in the Original Agreement and all Supplements thereto.

SECTION 6. CERTIFICATION BY LPA

By signing this Supplemental Agreement, I do hereby certify that, to the best of my knowledge, Consultant or its representative has not been required, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this agreement to:

- (a) employ or retain, or agree to employ or retain, any firm or person, or
- (b) pay or agree to pay to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this certification is to be furnished to the FHWA, upon their request, in connection with this agreement involving participation of Federal-Aid highway funds and is subject to applicable state and federal laws, both criminal and civil.

SECTION 7. ENTIRE AGREEMENT

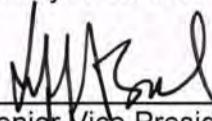
The Original Agreement, any and all other previous supplements thereto, and this Supplemental Agreement, constitute the entire agreement ("The Agreement") between the Parties. The Agreement supersedes any and all other previous communications, representations, or other understandings, either oral or written; all terms and conditions of the Original Agreement and all previous supplements thereto, to the extent not superseded, remain in full force and effect, and are incorporated herein as if set forth in their entirety.

PROFESSIONAL SERVICES AGREEMENT – SUPPLEMENT

IN WITNESS WHEREOF, the Parties hereby execute this Supplemental Agreement pursuant to lawful authority as of the date signed by each party. Further, the Parties, by signing this Supplemental Agreement, attest and affirm the truth of each and every certification and representation set out herein.

EXECUTED by Consultant this 28 day of February, 2020.

ALFRED BENESCH & COMPANY
Jeffery A. Sockel



Senior Vice President

STATE OF NEBRASKA)
)
DOUGLAS COUNTY)

SUBSCRIBED AND SWORN to before me this 28 day of February, 2020.





Notary Public

EXECUTED by LPA this _____ day of _____, 2020.

CITY OF LA VISTA
Douglas Kindig

Mayor

Subscribed and sworn to before me this _____ day of _____, 2020.

Clerk

STATE OF NEBRASKA
DEPARTMENT OF TRANSPORTATION
Form of Agreement Approved for
Federal Funding Eligibility:

Date

Staffing Plan**Environmental Services**

Project Name: Applewood Trail

Project Number: TAP-77(61)

Consultant: Alfred Benesch & Company

Control Number: 22757

Consultant PM: Craig Mielke, 402-333-5792, cmielke@benesch.com

LPA RC/PL: John Kottman, (402) 331 8927, jkottmann@cityoflavista.org

NDOR PC/RC:

Date: March 1, 2019

CONSULTANT

#	Code	Classification	#	Code	Classification
1	PR	Principal	6	DES	Designer/Techinician
2	PM	Project Manager	7	ADM	Administrative
3	SENV	Sr. Environmental Scientist	8	PI	Public Involvement Specialist
4	ENV	Environmental Scientist	9	UD3	User Defined 3
5	ENG	Engineer	10	UD4	User Defined 4

Overhead Rate^[1]

166.17%

Fee for Profit Rate^[2]

13.00%

FCCM (if applicable)

0.48%

BLENDED RATES TABLE

Template: T-WB-V1b Consult CAT EX LPA projects (rev GDW 7-14-17)

Employee Name	Job Title & Certifications	Hourly Salary Rate	% Assigned
Project Manager			
Craig Mielke, PWS	Group Manager	\$54.00	100%
Blended Rate:		\$54.00	
Sr. Environmental Scientist			
Andy Miller, PWS	Project Manager	\$52.00	40%
Craig Mielke, PWS	Group Manager	\$54.00	60%
Blended Rate:		\$53.20	
Environmental Scientist			
Chase Jelden	Project Scientist I	\$25.00	50%
Brian Fettin	Project Scientist III	\$38.50	50%
Blended Rate:		\$31.75	

Estimate of Hours

Environmental Services

Project Name: Applewood Trail
 Consultant: Alfred Benesch & Company
 Consultant PM: Craig Mielke, 402-333-5792, cmielke@benesch.com
 LPA RC/PL: John Kottman, (402) 331 8927, jkottmann@cityoflavista.org
 NDOR PC/RC:
 Date: March 1, 2019

Project Number: TAP-77(61)
 Control Number: 22757
 NDOT NEPA Proj Mgr: Luke Pitts, Caroline Jezierski, or Christina Bavoogian
 Wetlands Project Mgr: Roger Yerdon

CONSULTANT

SOS Sec	Description	PERSONNEL CLASSIFICATIONS										Total
		PR	PM	SENV	ENV	ENG	DES	ADM	PI	UD3	UD4	
	General Environmental Services and Coordination											
	a. Review of NEPA documents and commitments											
	b. NEPA exhibits											
	c. Preliminary Waterway Permit Data Sheet											
	d. Wetlands Impacts											
	e. Permits											
	a. Floodplain Permit											
	b. National Pollution Discharge Elimination System											
	c. Activity Checklists											
	d. NEPA Coordination											
	e. Wetland Impact											
	f. Nebraska Department of Environmental Quality											
	g. City/County Health Department											
	h. Potential need for a FAA Form 7460-1											
	1. Categorical Exclusion Document and Resource Reviews	24	28	68								120
	a. Project Description and Purpose & Need		4	8								
	b. CE Determination Form for Federal-Aid Projects		15	40								
	c. Prepare Maps and Figures			8								
	d. Documentation and Revisions			8	12							
	e. CE Quality Control			12								
	f. CE Comment Tracking Table			12								
	2. Farmland											
	a. Farmland Conversion Form											
	3. Section 106 SHPO/THPO				12							12
	a. Section 106 Review Request Letter				12							
	4. Section 4(f) De Minimis or exception				40							40
	a. Section 4(f) Initial Assessment Form				8							
	b. Section 4(f) Documentation				32							
	c. Individual Section 4(f) Evaluation, (Sup. to Agreement)											
	5. Section 6(f) Analysis				2							2
	a. Determine if Section 6(f) are present				2							
	Section 6(f) conversion or coordination (Sup. to Agreement)											
	6. Floodplain Review				1							1
	a. Determine if proj. is in a Zone A floodplain				1							
	b. Floodplain permitting (Sup. to Agreement)											
	7. Water Quality Review				2	2						4
	a. Determine if impaired water are in proj area				2							
	b. Coordination with NDEQ				2							
	c. NPDES permit											
	8. T&E Review				10							10
	a. Biological Evaluation (BE) Review Request Letter				6							
	b. Field Review				4							
	9. Hazardous Materials Review				2	38						40
	a. Database review					6						
	b. Site visit					4						
	c. Complete the HMR Visual Reconnaissance Form					4						
	d. Conduct analysis per the Hazardous Materials Review manual					12						
	e. Subsurface investigation, (Sup. to Agreement)											
	f. Prepare a written Hazardous Materials Review Report					12						
	g. Quality Control					2						
	10. Noise Study and Report											
	a. Determine if a noise study is required											
	b. Conduct noise study											

SOS Sec		PERSONNEL CLASSIFICATIONS										
		PR	PM	SENV	ENV	ENG	DES	ADM	PI	UD3	UD4	Total
11. Wetland and Stream Delineation Services				6	74							80
a. Site Visit					10							
b. Review Existing Resources/Databases					2							
c. Farm Service Agency (FSA) Wetland Review, (Sup. to Agreement)												
d. Delineation Limits					2							
e. Estimated Delineation Project Size												
Small Del. (< 1 day of field activities)						20						
Medium Del. (1-3 days of field activities)												
Large Del. (> 3 days of field activities)												
f. Plot Boundaries						8						
g. Documentation of Findings						24						
h. Quality Control					6							
i. Electronic Files and Transmittal Letter or Email						8						
12. Section 404 Nationwide Permitting Services				12	28							40
a. Pre-Application Meeting				4								
b. 404 Nationwide Permit Application Package					24							
c. Jurisdictional Determination (JD) from the USACE, (Sup. to Agreement)												
d. Agency Coordination				4								
e. Final Deliverables				4	4							
13. Section 404 Individual Permitting Application												
a. Alternatives Analysis and Sequencing Demonstration												
14. Mitigation Plan												
a. Mitigation Documentation												
b. Mitigation Plan, (Sup. to Agreement)												
15. Preparation of Public Involvement Materials				12	12							24
a. General services related to PI				12	12							
b. Information Packet												
c. Official Legal Notice												
d. Packet Distribution												
e. Draft responses to comments received from the public												
f. Summary Memo and Report												
g. Additional materials for increased Public Involvement, (Sup. to Agreement)												
16. Environmental Re-evaluation, after ROW Design						30						30
a. NEPA Re-evaluation after the ROW Cost Estimate						6						
b. NEPA Re-evaluation after ROW Acquisition						24						
17. Green Sheet						6						6
a. Green Sheet						6						
18. Project Management				44								44
a. Project Management				20								
b. Schedule				6								
c. Plan in Hand				6								
d. Progress Meetings				12								
19. Travel Time				5	3							8
a. Site Visit				5	3							
b. Other												
Total Days				12.1	7.1	46.6						65.7
Total Hours				85	50	326						460

Subtotal Cat Ex	179
Subtotal Technical Documents	50
Subtotal Wetlands	120

Direct Expenses**Environmental Services**

Project Name: Applewood Trail
 Consultant: Alfred Benesch & Company
 Consultant PM: Craig Mielke, 402-333-5792, cmielke@benesch.com
 LPA RC/PL: John Kottman, (402) 331 8927, jkottmann@cityoflavista.org
 NDOR PC/RC: _____
 Date: March 1, 2019

Project Number: TAP-77(61)
 Control Number: 22757

CONSULTANT

Subconsultants:	Qty	Unit Cost	Amount
Historic Resources Group, Inc.			<u>\$5,749.50</u>
			Subtotal <u>\$5,749.50</u>
Printing and Reproduction:	Qty	Unit Cost	Amount
B&W copies	1000	\$0.05	<u>\$50.00</u>
Color copies	400	\$0.50	<u>\$200.00</u>
Postage for targeted mailer	50	\$0.55	<u>\$27.50</u>
			Subtotal <u>\$277.50</u>
Mileage/Travel:	Qty	Unit Cost	Amount
3 site visits (20 miles x 3 trips = 60 miles)	60	\$0.580	<u>\$34.80</u>
2 trips to Lincoln (100 miles x 2 trips = 200 miles)	200	\$0.580	<u>\$116.00</u>
			Subtotal <u>\$150.80</u>
Lodging/Meals:	Qty	Unit Cost	Amount
			Subtotal
Other Miscellaneous Costs:	Qty	Unit Cost	Amount
GPS Rental	1	\$150.00	<u>\$150.00</u>
			Subtotal <u>\$150.00</u>
TOTAL DIRECT EXPENSES			<u>\$6,327.80</u>

Project Cost Breakdown**Environmental Services**

Project Name: Applewood Trail
 Consultant: Alfred Benesch & Company
 Consultant PM: Craig Mielke, 402-333-5792, cmielke@benesch.com
 NDOR PC/RC:
 Date: March 1, 2019

Project Number: TAP-77(61)
 Control Number: 22757

CONSULTANT**DIRECT LABOR COSTS**

Classification	Hours	Rate	Amount
Principal			
Project Manager	85	\$54.00	\$4,590.00
Sr. Environmental Scientist	50	\$53.20	\$2,660.00
Environmental Scientist	326	\$31.75	\$10,350.50
Engineer			
Designer/Technician			
Administrative			
Public Involvement Specialist			
User Defined 3			
User Defined 4			
	461	Subtotal	\$17,600.50

DIRECT EXPENSES

	Amount
Subconsultants:	\$5,749.50
Printing And Reproduction:	\$277.50
Mileage/Travel:	\$150.80
Lodging/Meals:	
Other Miscellaneous Costs:	\$150.00
	Subtotal
	\$6,327.80

TOTAL PROJECT COSTS

	Amount
Direct Labor Costs	\$17,600.50
Overhead @ 166.17%	\$29,246.75
Total Labor Costs	\$46,847.25
Fee for Profit Rate @ 13.00%	\$6,090.14
Facility Capital Cost of Money (FCCM) @ 0.480% (direct labor cost x FCCM%)	\$84.48
Direct Expenses	\$6,327.80
TOTAL COST	\$59,349.68

**Directions for Completing
Consultant's Fee Proposal**

Project Name: Applewood Trail Project Number: TAP-77(61)
Consultant: Alfred Benesch & Company Control Number: 22757
Consultant PM: Craig Mielke, 402-333-5792, cmielke@benesch.com
LPA RC/PL: John Kottman, (402) 331 8927, jkottmann@cityoflavista.org
NDOR PC/RC:
Date: March 1, 2019

Notes & Assumptions

Travel Calculations & Notes

Environmental Services

Project Name:

Project Number:

Consultant: _____

Control Number: _____

Consultant PM: _____

LPA RC/PL: _____

NDOR PC/RC: _____

Date: _____

Trip Mileage and Time Calculations

Starting Location:				
Ending Location:				
<u>Roundtrip distance to/from (miles):</u>				Travel Summary
<u>Roundtrip travel time (minutes):</u>				Miles
# of Roundtrips/Staff -->	PR			0
	--> PM			0
	--> SENV			0
	--> ENV			0
	--> ENG			0
	--> DES			0
	--> ADM			0
	--> PI			0
	--> UD3			0
	--> UD4			0
				Total: 0 0.0

Note: Total miles assumes each staff travels separately.

Notes & Assumptions

RESOLUTION

SIGNING OF ENVIRONMENTAL SERVICES AGREEMENT – BK1916

City of La Vista

Resolution No. _____

Whereas: City of La Vista is developing a transportation project for which it intends to obtain Federal funds;

Whereas: City of La Vista as a 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;

Whereas: City of La Vista and Alfred, Benesch & Company, wish to enter into a Professional Services Agreement to provide environmental services for the Federal-aid project.

Be It Resolved: by the City Council of the City of La Vista that:

Douglas Kindig, Mayor of the City of La Vista City Council, is hereby authorized to sign the attached environmental services agreement between City of La Vista, Nebraska and Alfred, Benesch & Company

NDOT Project Number: TAP-77(61)

NDOT Control Number: 22757

NDOT Project Description: Applewood Creek Trail

Adopted this _____ day of _____, 2020 at _____ Nebraska.
(Month)

The City Council of City of La Vista, Nebraska

Board/Council Member _____

Moved the adoption of said resolution

Member _____ Seconded the Motion

Roll Call: _____ Yes _____ No _____ Abstained _____ Absent

Resolution adopted, signed and filed as adopted

Attest:

Signature City Clerk

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 3, 2020 AGENDA

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT – ◆ 96 TH STREET AND 108 TH STREET PAVEMENT REHABILITATION	RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared to authorize a Professional Services Agreement with Alfred Benesch and Company (Benesch), Omaha, Nebraska in an amount not to exceed \$116,995.00.

FISCAL IMPACT

The FY19/20 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval.

BACKGROUND

Public Works received seven (7) proposals for the 96th Street and 108th Street Pavement Rehabilitation Project. Benesch was selected based upon the specifications outlined in the request for proposals including qualifications and similar project experience. The project scope includes analysis of the pavement, bridge deck, curb inlet, and handicap ramp conditions, review of CCTV of the subsurface piping, production of plans and specifications, and utility coordination. The project team will work to reasonably accommodate businesses and adjoining property owners while also working to reduce impacts to the traveling public.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ALFRED BENESCH AND COMPANY, OMAHA, NEBRASKA FOR ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$116,995.00.

WHEREAS, the Mayor and City Council have determined that engineering services are necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the proposed services;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Alfred Benesch and Company, Omaha, Nebraska for the provision of engineering services in an amount not to exceed \$116,995.00.

PASSED AND APPROVED THIS 17TH DAY OF MARCH 2020.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 17, 2020 AGENDA

Subject:	Type:	Submitted By:
INTERLOCAL COOPERATION ACT AGREEMENT – MAINTENANCE & ACCESS ROAD – SID 237	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing an interlocal agreement with Sanitary & Improvement District No 237 of Sarpy County (SID237) for the construction of a maintenance and access road and other work in the vicinity of a culvert under the BNSF railroad tracks and open drainageway, Outlot “E”, Cimarron Woods and Outlot “E”, Val Vista in an amount not to exceed \$25,000.

FISCAL IMPACT

The FY19/20 Biennial Budget includes funding for this project.

RECOMMENDATION

Approval

BACKGROUND

An Interlocal Agreement is being presented for the City and SID 237 for phase 1 construction of a maintenance and access road and other work in the vicinity of a culvert under the BNSF and open drainageway, Outlot “E”, Cimarron Woods and Outlot “E”, Val Vista. The second phase of improvements is anticipated to construct an axillary culvert under the BNSF to convey stormwater, which would be the subject of a future interlocal agreement. For the first phase of the project, the City is anticipated to contribute a fixed contribution to the project costs in the amount of \$25,000.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SANITARY & IMPROVEMENT DISTRICT NO. 237 OF SARPY COUNTY FOR THE CONSTRUCTION OF A MAINTENANCE AND ACCESS ROAD AND OTHER WORK IN AN AMOUNT NOT TO EXCEED \$25,000.

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and

WHEREAS, the Mayor and City Council have determined that the construction of a maintenance and access road and other work in the vicinity of a culvert under the BNSF railroad tracks and open drainageway, Outlot E, Cimarron Woods and Outlot E, Val Vista are necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for this project;

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with Sanitary & Improvement District No. 237 of Sarpy County for the construction of a maintenance and access road and other work in an amount not to exceed \$25,000.

PASSED AND APPROVED THIS 17TH DAY OF MARCH, 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

INTERLOCAL AGREEMENT

OPEN DRAINAGEWAY IMPROVEMENTS

MAINTENANCE & ACCESS

This Interlocal Agreement ("Agreement") is made, entered into, and effective as of the ____ day of _____, 2020 by and between the CITY OF LA VISTA, a Municipal Corporation of the State of Nebraska, hereinafter referred to as "La Vista" or "City"; and SANITARY & IMPROVEMENT DISTRICT NO. 237 of Sarpy County, Nebraska, hereinafter referred to as "SID 237" or "District" (hereinafter collectively referred to as "Agencies" or individually as "Agency").

PRELIMINARY STATEMENT

WHEREAS, La Vista and SID 237 are both duly existing bodies, corporate and politic in accordance with and by virtue of the laws of the State of Nebraska; and

WHEREAS, the Agencies are desirous of making/constructing certain improvements in connection with an open drainage way located on Outlot "E" of Cimarron Woods (located within SID 237) and continuing on Outlot "E" in Val Vista (located within the City of La Vista) to and including a maintenance access to an existing culvert under the BNSF Railroad adjacent to said Outlots; and

WHEREAS, there are two separate phases to the improvements. Phase 1 shall consist of providing maintenance access to the BNSF culvert on Outlot "E", Val Vista; and clearing and removal of debris, dead and fallen vegetation in the open drainageway on Outlot "E", Val Vista (hereinafter, the "Project"). A general depiction/description of the Project is illustrated on Exhibit "A". Phase 2 is anticipated to consist of constructing an auxiliary culvert to convey storm water flows in the open drainageway in a more reliable manner under the BNSF Railroad and will be addressed in a future interlocal agreement. The estimated total project costs of the Project are set forth in Exhibit "B"; and

WHEREAS, Outlot "E" in Val Vista is owned by Pedcor Investments 2008 CXVIII LP and there is a Storm Sewer and Drainageway Easement granted to the City over all of said Outlot "E"; and

WHEREAS, Agencies desire to describe and define the Project, as well as their respective contributions, work, and responsibilities regarding the Project in order to enable them to jointly undertake the Project in the manner described as follows.

NOW THEREFORE, in consideration of, and based on, the foregoing Preliminary Statement and the mutual promises and agreements set forth below, the Agencies agree as follows:

1. Authority. This Agreement is made pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq.
2. Duration. This Agreement shall remain in effect until all performance has been satisfactorily completed or the Agreement is terminated by mutual agreement of the parties, or by any party for cause, including without limitation nonperformance of a party and failure to cure within 30 days. Upon termination, any unexpended contributions of a party under this Agreement shall be returned to the party.

3. **No Administrative Entity.** This Agreement shall be administered on behalf of the parties by the persons identified in Section 14. There shall be no separate legal or administrative entity created to administer this Agreement. Accordingly, no separate budget needs to be established.
4. The parties agree to carry out Phase 1 work and improvements described or depicted in Exhibits A and B, which are incorporated into this Agreement by reference, ("Project") in accordance with this Agreement.
5. **City Responsibilities.** The City shall have the following responsibilities:
 - a. City agrees to contribute an amount equal to \$25,000 towards the costs of the Project. City shall pay the first half of this contribution (\$12,500) to the District within 45 days of the execution of this Agreement by both Agencies and recording of an easement by the District for maintenance access rights. The City shall pay the second half (\$12,500) to the District within 60 days after satisfactory completion of the Project.
 - b. City, if it determines necessary or advisable, will request permission from the owner of Outlot "E", Val Vista to perform the clearing and removal of debris and maintaining an access to the BNSF culvert.
 - c. City is to coordinate with the District in obtaining required permits such as grading and erosion control, and environmental permits, and other such permits as may be required.

6. **District Responsibilities.** The District shall have the following responsibilities:

- a. District shall serve as the lead agent for the Project. The District will retain E&A Consulting Group for the preparation of plans and specifications for the work in accordance with applicable requirements, including without limitation requirements applicable to management of storm water. The District shall negotiate and enter into contracts for the construction of the Project and scope of work, subject to City Engineer approval of the costs prior to construction. The District will have the construction work inspected and confirm that it has been satisfactorily completed in accordance with applicable requirements including without limitations applicable plans and specifications. City Engineer, or City Engineer's designee, shall have the right, but not the obligation, to review any plans, specifications, designs, addenda, work, or any other performance in connection with this Agreement to the City Engineer's or such designee's satisfaction at any time at its sole cost. Any such review by the City Engineer, or City Engineer's designee, shall not constitute an assumption of responsibility by the City, or a waiver or release by the City of any claim or any other party from its responsibility, for any plans, specifications, designs, addenda, work, or any other performance.
- b. District shall obtain maintenance access rights across one or more lots west of Outlot "E", Val Vista. District shall conduct regular observations (not less than monthly) of the BNSF culvert shown on Exhibit "A" and shall remove debris from the inlet to said culvert if and when it occurs.
- c. District may engage the services of E&A Consulting Group to perform the duties of Project Manager. The Project Manager shall interpret and construe the plans, specifications, designs, and any addenda to those documents. All work undertaken for the Project shall

be subject to the approval of the Project Manager. The Project Manager shall make recommendations as to performance of the construction, workmanship, quality of materials, and/or acceptability of the construction is in accordance with the approved plans and specifications. The City Engineer, or City Engineer's designee, shall have the right, but not the obligation, to review and approve said recommendations prior to acceptance and final payment for the work in the Project. Any such review by the City Engineer, or City Engineer's designee, shall not constitute an assumption of responsibility by the City, or a waiver or release by the City of any claim or any other party from its responsibility, for any performance.

- d. District shall pay all costs and expenses arising out of or resulting from the Project or any other work or performance pursuant to this Agreement, subject to the City's contribution described in Section 4 above.
7. **Approvals for Project Details.** Plans, specifications, cost estimates, right of way plans, and other project information documents shall be presented to each of the Agencies for their review and approval before construction is commenced; such approval and any other approval provided for elsewhere in this Agreement shall not be unreasonably withheld. Any approval by the City shall not constitute an assumption of responsibility by the City, or a waiver or release by the City of any claim or any other party from its responsibility, for any plans, specifications, right of way plans, other project information, or any performance.
8. **Third Party Approvals.** It is the mutual desire and intention of the parties that the Project be completed as expeditiously as possible. Accordingly, the Agencies hereby agree to cooperate with each other and make reasonable, good faith efforts to perform their obligations hereunder in a timely manner so as to achieve completion of the work contemplated by this Agreement as expeditiously as possible. It is recognized that gaining approvals of third parties (property owners, Corps of Engineers, BNSF Railway, and others) is not directly under the control of the District or the City. Neither District or City shall be liable to the other for failure to obtain third party approvals.
9. **Duration.** This Agreement shall remain in effect until all performance has been satisfactorily completed, unless otherwise terminated in accordance with this Agreement.
10. **Recitals and Exhibits.** The recitals at the beginning of this Agreement and the following exhibits are incorporated hereinto by reference:
 - a. Exhibit "A" – An illustration of the Project-Maintenance Access
 - b. Exhibit "B" – An opinion of the costs of the Project.
11. **Discrimination.** The Agencies shall not in the performance of the terms of this Agreement discriminate or permit discrimination against any agency on account of race, national origin, sex, age, disability, or political or religious affiliations in violation of federal or state laws or local ordinances.

12. Drug Free Policy. Each Agency provides assurance that it has established and maintains a drug free workplace policy.
13. Approval of Agreement. This Agreement shall be subject to approval of the governing body of each Agency.
14. Notices. Each Agency shall designate a person to be its primary point of contact for purposes of the Agency's administration of this Agreement, in addition to any other designation provided herein. The initial point of contact for each Agency shall be:

For SID 237:

Project Engineer
E&A Consulting Group
10909 Mill Valley Road
Omaha, NE 68154

For La Vista:

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

15. Entire Agreement. This Agreement contains the entire agreement of the Agencies with respect to the matters described in this Agreement and shall be binding upon the successors and assigns of the respective Agencies; provided, however, this Agreement is not intended to amend or supersede any agreement, document or instrument to which any Agency is a party, and all such agreements, documents, and instruments are intended to survive and continue in full force and effect. No amendments, deletions, or additions shall be made to this Agreement except in a writing approved by the governing body of each Agency and signed by both Agencies.
16. No Third Party Beneficiaries. This Agreement and any performance of any Agency pursuant to this Agreement are not intended to confer, and shall not confer, any benefit on any person or entity that is not a party to this Agreement.
17. Governing Law. Nebraska law shall govern in this Agreement in all respects.
18. Severability. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same instrument.
19. Savings Clause. It is understood and agreed by the Agencies that if any part, term, condition, or provision of this Agreement is held to be illegal or in conflict with any law of the State of Nebraska or of the United States, the validity of the remaining parts, terms, conditions, or provisions shall not be affected, and the rights and obligations of the Agencies shall be construed and enforced as if the Agreement did not contain the particular part, term, condition, or provisions held to be invalid.

[End of Agreement]

IN WITNESS WHEREOF, the Agencies, by our respective and duly authorized agents, hereto affix our signatures below.

Executed by Sanitary & Improvement District No. 237 of Sarpy County, Nebraska, this ____ day of _____, 2020.

Sanitary & Improvement District No. 237
Of Sarpy County, Nebraska

By: _____
Chairperson

ATTEST:

Clerk

On this _____ day of _____, 2020, before me a Notary Public duly commissioned and qualified in and for said County and State, appeared _____ and _____, personally known by me to be the Chairperson and Clerk of Sanitary and Improvement District No. 237 ("District") and authorized to act on behalf of the District, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof on behalf of the District to be their voluntary act and deed and the voluntary act and deed of said District.

Seal

Notary Public

Executed by the City of La Vista, Nebraska, this ____ day of _____, 2020.

ATTEST:

CITY OF LA VISTA, a Nebraska
Municipal Corporation

Pamela A. Buethe, City Clerk

By: _____
Douglas Kindig, Mayor

Pamela A. Buethe, City Clerk

Douglas Kindig, Mayor

On this _____ day of _____, 2020, before me a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, personally known by me to be the Mayor and City Clerk of the City of La Vista and authorized to act on behalf of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof on behalf of the City to be their voluntary act and deed and the voluntary act and deed of said City.

Seal

Notary Public

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 17, 2020 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE OF POLICE MOBILE (CAR) RADIOS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN CHIEF OF POLICE

SYNOPSIS

A resolution has been prepared to approve the purchase of three (3) Motorola APX 6500 Portable Radios and accessories from Motorola Solutions Inc., 13108 Collections Center Drive, Chicago, IL 60693, in an amount not to exceed \$15,500.

FISCAL IMPACT

The FY19/20 Biennial Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval.

BACKGROUND

In 2019, Sarpy County installed a new P25 radio system. These radios (circa 1995) are at end of life and not supported on the new system. The radios being requested will be installed in three police cars and replace mobile (car) radios which have reached end of life.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO MOTOROLA SOLUTIONS, CHICAGO, IL, FOR THE PURCHASE OF THREE (3) MOTOROLA APX 6500 PORTABLE RADIOS AND ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$15,500.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new Motorola mobile radios and accessories is necessary; and

WHEREAS, the FY20 General Fund budget does include funds for the purchase of three (3) Motorola portable radios and accessories; and

WHEREAS, Motorola Solutions is a sole source vendor and will extend that price to the City of La Vista; and

WHEREAS, Motorola Solutions is a highly qualified specialty public safety communications provider; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby accept the requisition and authorize the purchase of three (3) Motorola APX 6500 portable radios and accessories from Motorola Solutions, Chicago, IL, in an amount not to exceed \$15,500.

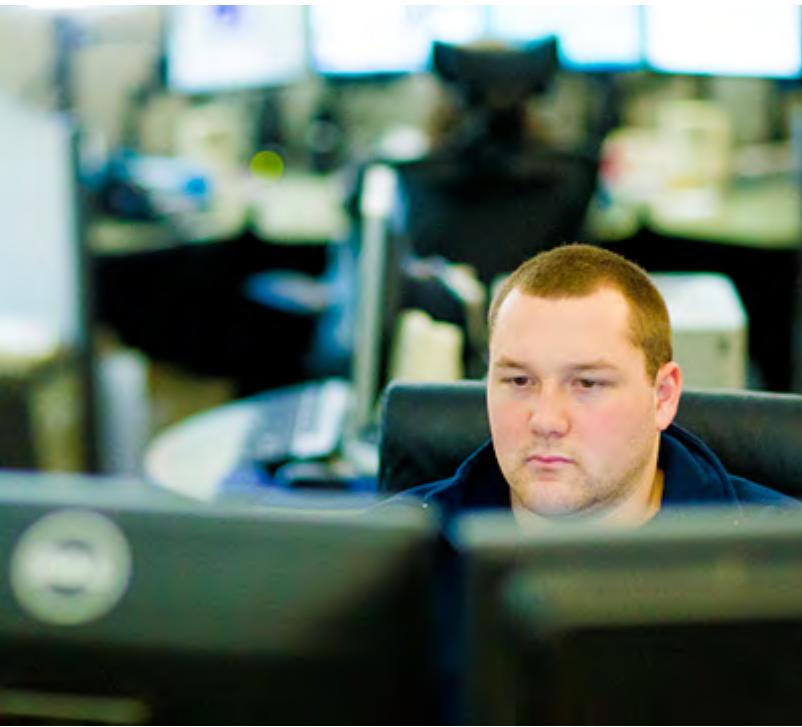
PASSED AND APPROVED THIS 17TH DAY OF MARCH, 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



LA VISTA POLICE DEPT

01/29/2020

01/29/2020

LA VISTA POLICE DEPT
8116 PARK VIEW BLVD
LA VISTA, NE 68128

Dear Brian Stolley,

Motorola Solutions, Inc. is pleased to present LA VISTA POLICE DEPT with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide LA VISTA POLICE DEPT with the best products and services available in the communications industry. Please direct any questions to Bob Stephany at bobs@firstwirelessinc.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Bob Stephany

Motorola Solutions Manufacturer's Representative

Billing Address:
 LA VISTA POLICE DEPT
 8116 PARK VIEW BLVD
 LA VISTA, NE 68128
 US

Quote Date:01/29/2020
 Expiration Date:04/28/2020
 Quote Created By:
 Bob Stephany
 bobs@firstwirelessinc.com

Customer:
 LA VISTA POLICE DEPT
 Brian Stolley
 bstolley@cityoflavista.org
 402-331-1582

Contract: 32517 - NEBRASKA ADMIN
 SERVICES
 Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 6500 Series	APX6500				
1	M25URS9PW1AN	APX6500 7/800 MHZ	3	\$7,240.00	\$5,118.40	\$15,355.20
1a	QA01648AA	ADD: HW KEY SUPPLEMENTAL DATA	3			
1b	G851AG	ADD: AES/DES-XL/DES-OFB ENCRYP APX	3			
1c	G996AS	ENH: OVER THE AIR PROVISIONING	3			
1d	G806BE	ADD: ASTRO DIGITAL CAI OPERATION	3			
1e	GA00235AA	ADD: NO GPS ANTENNA NEEDED APX	3			
1f	GA00580AA	ADD: TDMA OPERATION	3			
1g	G51AU	ENH: SMARTZONE OPERATION APX6500	3			
1h	G78AT	ENH: 3 YEAR ESSENTIAL SVC	3			
1i	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	3			



Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products.

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1j	G67BZ	ADD: REMOTE MOUNT 02 CH MID POWER	3			
1k	GA00804AA	ADD: APX O2 CH (GREY)	3			
1l	G335AW	ADD: ANT 1/4 WAVE 762-870MHZ	3			
1m	G444AE	ADD: APX CONTROL HEAD SOFTWARE	3			
1n	W22BA	ADD: STD PALM MICROPHONE APX	3			
1o	W969BG	ADD: MULTIKEY OPERATION	3			
1p	G361AH	ENH: P25 TRUNKING SOFTWARE APX	3			

Grand Total

\$15,355.20(USD)



Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products.



Purchase Order Checklist

**Marked as PO/ Contract/ Notice to Proceed on Company Letterhead
(PO will not be processed without this)**

PO Number/ Contract Number

PO Date

Vendor = Motorola Solutions, Inc.

Payment (Billing) Terms/ State Contract Number

Bill-To Name on PO must be equal to the Legal/ Bill-To Name

Bill-To Address

Ship-To Address (If we are shipping to a MR location, it must be documented on PO)

Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)

PO Amount must be equal to or greater than Order Total

Non-Editable Format (Word/ Excel templates cannot be accepted)

Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept

Ship To Contact Name & Phone #

Tax Exemption Status

Signatures (As required)

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 17, 2020 AGENDA

Subject:	Type:	Submitted By:
POSITION DESCRIPTION FOR COMMUNICATION INTERN	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA GUNN CITY ADMINISTRATOR

SYNOPSIS

A position description for a Communication Intern is presented for review.

FISCAL IMPACT

This position will be funded through budget savings for the remainder of FY20.

RECOMMENDATION

Approval.

BACKGROUND

The existing Community Relations Coordinator position is currently responsible for all of the City's communication efforts as well as managing multiple events. Recently, additional project management duties have been assigned to this position as well. Examples would be the creation of a new Community Guide and a redesign of the City's website.

A critical component of the City's vision is to engage with residents and communicate the City's attributes through multiple mediums. As the City continues to grow, the communication requirements expand as well.

In an effort to maintain the high quality of our communication pieces and continue to offer the quality of events to which residents have become accustomed, a proposal is being made to fund an intern position that will serve as an assistant to the Community Relations Coordinator.

In the past an administrative intern position has been included in the staffing chart, however funding has not been requested for several years. We are proposing to fund this position for the remainder of the fiscal year through savings in other areas of the budget. A job description is attached for your review.

Position Description City of La Vista

Position Title: Communication Intern (Student)
Position Reports To: Community Relations Coordinator
Position Supervises:

Description

Under the direction of the Community Relations Coordinator, the Communication Intern plays a supporting but critical role in the execution of the communication strategy for the City of La Vista. The intern will perform assignments in the areas of public information, marketing, media relations and community outreach.

Essential Functions (with or without reasonable accommodation)

1. Track media activity and produce periodic reports.
2. Draft social media content and graphics.
3. Assist with the coordination of the City's social medial content schedule.
4. Draft news content for the City's website.
5. Draft content and assist with the design of the weekly and quarterly newsletters.
6. Assist with video projects.
7. Assist in capturing photos and videos of department programing and special events.
8. Prepare social media and website reports.
9. Perform research projects as assigned.
10. Assist City departments with promotional materials.
11. Coordinate the promotion of programs in other departments with the overall content strategy of the City's other communication vehicles.
12. Assist with implementation of the City's brand.
13. Assist with City events, special occasions and projects as assigned.
14. Assist with special occasion events and projects as assigned.
15. Assist with maintenance of the City's website and mobile app.

Essential Physical and Environmental Demands

The following physical demands are representative of those that must be met to successfully perform the essential functions of this job.

- Work is performed primarily in an office setting, but occasionally outdoors during periods of hot, cold, windy and/or wet conditions.
- Hand-eye coordination is necessary to operate computers and various pieces of office equipment.
- Employee must be able to transport himself/herself to and from various locations to attend meetings and events.
- Employee is required to attend events that will take place outdoors in varying weather and environmental conditions. These event sites may be hot, cold, dusty and/or noisy.
- While performing the duties of this job, the employee is occasionally asked to stand or sit; walk; use hands to finger, handle, feel or operate objects, tools or controls and reach with hands and arms. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl; talk and hear.

- The employee performs some light physical labor involved in the set-up of special events including occasional lifting and/or moving of equipment up to 20 pounds including photographic equipment used to coverage of events and activities.
- Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.
- Must be able to hear and understand voices at normal conversational levels

Education, Training, License, Certification and Experience

1. Must be 18 years of age or older.
2. High school diploma or GED.
3. Senior standing or graduate level student in journalism, public relations, English, communications, public administration or business administration.
4. Must possess a valid driver's license.

Knowledge, Skills and Abilities

1. Strong research, writing, copy editing, organizational and problem-solving skills.
2. Strong Interpersonal skills.
3. Experience and knowledge of communication via social media.
4. Ability to work independently as well as a member of a team.
5. Ability to think creatively and strategically.
6. Ability to work a varied schedule as necessary to assist with special events and projects.
7. Customer service skills.
8. Excellent work habits and the ability to meet attendance expectations.
9. Knowledge of graphic design is preferred but not required.
10. Knowledge and past use of AP style standards.
11. Experience with the use of Microsoft Office, Adobe Creative Cloud applications, as well as website content management systems.
12. Ability to operate still and video cameras, including smartphone cameras.

Contributions this Position Makes to the City

This position supports the communications efforts of the City to promote activities and programs. This communication, and the activities and programs, allow us to enrich the lives of the residents of the City of La Vista.

Disclaimer

This position description does not constitute an employment agreement between the City and the employee. It is subject to change as the needs of the City and the requirements of the position change over time.

Note: Drug and background screens will follow all conditional offers of employment.

I have read and understand the requirements of this position description.

Signature

Date