

## Dial-In Information

Phone Number: 1-346-248-7799  
Meeting ID: 880 7258 9360  
Password: 061620

## LA VISTA CITY COUNCIL MEETING AGENDA

June 16, 2020  
6:00 P.M.  
Virtual Meeting

<https://us02web.zoom.us/j/88072589360?pwd=eTZmWE0wcXpXYUR2N1hMTXA3QWYyQT09>

*Pursuant to Governor Rickett's "Executive Order No. 20-03 Coronavirus Public Meetings Requirement Limited Waiver," the La Vista City Council will be conducting their meetings virtually via Zoom. Members of the public and the media are welcome to attend and participate in this meeting virtually.*

- **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 June 2, 2020 City Council Meeting**
3. **Approval of the Minutes of the May 21, 2020 Planning Commission Meeting**
4. **Monthly Financial Report – April 2020**
5. **Request for Payment – City of Omaha – Construction Services – 84th St. Adaptive Signals – \$6,000.00**
6. **Request for Payment – Commercial Seeding Contractors – Construction Services – 84th St. Redevelopment – \$1,648.00**
7. **Request for Payment – Commercial Seeding Contractors – Construction Services – 84th St. Redevelopment – \$2,625.00**
8. **Request for Payment – Design Workshop, Inc. – Professional Services – 84<sup>th</sup> Streetscape Plan – \$8,167.20**
9. **Request for Payment – HDR Engineering, Inc. – Professional Services – Project Management Services for Public Improvements and Other Works – \$387.24**
10. **Request for Payment – Olsson – Professional Services – City Centre Phase I Public Infrastructure – \$1,119.00**
11. **Request for Payment – Papio-Missouri River Natural Resources District – Annual Contribution – Papillion Creek Watershed Partnership – \$10,750.00**
12. **Request for Payment – Papio-Missouri River Natural Resources District – West Papio Trail, Giles Road to Millard – \$250,000.00**
13. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking & LV Services – \$9,167.65**
14. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Phase 1 Golf Course Transformation – \$428.35**
15. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Miscellaneous Civil Engineering Services – \$1,334.50**
16. **Approval of Claims**

- **Reports from City Administrator and Department Heads**

### **B. Ordinance – Small Wireless Facilities**

### **C. Resolution – Approve Alpine Village South Addition Replat 1 – Northwest of 84th St. & Brentwood Dr.**

### **D. Resolution – Papio-Missouri River NRD Hazard Mitigation Plan Participation**

### **E. Resolution – Authorize Request for Bids – Concrete Panel Replacement 96th St. & 108th St.**

### **F. Resolution – Authorize Lease Buy-Out**

- **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

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

**LA VISTA CITY COUNCIL  
MEETING  
JUNE 2, 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 June 2, 2020. Present via teleconference and videoconference were Mayor Douglas Kindig, Councilmembers: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also present via teleconference were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Police Chief Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, City Engineer Dowse, 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 May 27, 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 via videoconference and teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the Zoom meeting link and phone number was given to the public through the publication in the Times, the City of La Vista website and through social media and was posted at the entrance to the meeting facility. 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 MAY 19, 2020 CITY COUNCIL  
MEETING**
- 3. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES –  
CITY CENTRE PARKING STRUCTURE 2 – \$50,166.40**
- 4. RESOLUTION NO. 20-053 – CHANGE ORDER – MEDIUM DUTY TRUCKS  
PURCHASE**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A CHANGE ORDER FOR THE PURCHASE OF TWO (2) F-550 MEDIUM DUTY TRUCKS FROM ANDERSON AUTO GROUP, LINCOLN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$3,495.00.

WHEREAS, the City Council of the City of La Vista determined that the purchase of two (2) medium duty trucks was necessary and approved Resolution 19-166 on December 17, 2019; and

WHEREAS, the original quote accounted for the cost of two regular cab trucks; this change order accounts for one crew cab truck and one regular cab truck; and

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

WHEREAS, this change order will increase the total amount of purchase from \$170,290.00 to \$173,785.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize a change order for the purchase of two (2) medium duty trucks from Anderson Auto Group, Lincoln, Nebraska, in an amount not to exceed \$3,495.00.

- 5. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL  
SERVICES – PLACEMAKING & LA SERVICES – \$9,167.65**
- 6. APPROVAL OF CLAIMS**

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ABM INDUSTRIES, services	22,064.20
ACTION BATTERIES, maint.	140.55
AKRS EQUIPMENT SOLUTIONS, maint.	48.45
ALFRED BENESCH & CO, services	17,132.50
ALL FLAGS ETC INC, services	598.23
ALTEC INDUSTRIES INC, maint.	172.61
AMAZON CAPITAL, supplies	345.65
ASHLEY ERICKSON, refund	22.00
AT&T MOBILITY LLC, phones	93.76
AXON ENTERPRISE INC, services	5,820.00
BAUER BUILT INC, maint.	285.24
BAXTER CHRYSLER DODGE, maint.	493.50
BERRY DUNN, services	9,700.00
BIZCO INC, supplies	285.62
BLACK HILLS ENERGY, utilities	1,050.95
BRITE IDEAS DECORATING, services	458.00
CARL JARL LOCKSMITHS, services	24.00
CENTURY LINK, phones	183.17
CENTURY LINK BUSN SVCS, phones	245.64
CHAD MICHALSKI, refund	105.00
CINTAS CORP, services	145.02
CITY OF OMAHA, services	90.00
CITY OF PAPILLION, services	195,435.74
COX COMMUNICATIONS, services	147.03
D & K PRODUCTS, supplies	238.80
DANIEL CHUMLEY, refund	75.00
DEMCO INC, supplies	221.54
DENNY DAVENPORT, refund	95.00
DESIGN WORKSHOP INC, services	48,748.05
DOUGLAS COUNTY SHERIFF'S OFC, services	350.00
DULTMEIER SALES LLC, maint.	88.00
ESTEPHANIA MONTOYA, refund	65.00
FAC PRINT & PROMO CO, services	1,422.63
FASTENAL CO, supplies	446.44
FERGUSON ENTERPRISES, bld&grnds	159.57
FIRST NATIONAL BANK OF OMAHA, bonds	91,191.25
FLINN PAVING CO INC, maint.	158.74
GENERAL FIRE & SAFETY EQUIP CO, services	214.75
GRAINGER, bld&grnds	100.79
GRETNA PUBLIC SCHOOLS, supplies	337.53
HARM'S CONCRETE INC, services	130.00
HDR ENGINEERING INC, services	704.82
HGM ASSOCIATES INC, services	1,854.73
HOPE BLAKELY, refund	45.00
INDUSTRIAL SALES CO, bld&grnds	67.30
INGRAM LIBRARY SERVICES, books	1,441.91
INTERNATIONAL CODE COUNCIL, books	415.00
ISLAND SPRINKLER SUPPLY CO, bld&grnds	175.00
J & J SMALL ENGINE, services	180.09
JAMIE CROUCH, refund	85.00
JILL GARRAH, refund	60.00
JOHNSTONE CO, supplies	39.29
KATHY ZAMORA, refund	17.00
KEYMASTERS LOCKSMITH, bld&grnds	450.00
KRIHA FLUID POWER CO, maint.	40.89
LAURA KRZYCKI, refund	135.00
LAUSTEN JR ROBERT S, services	660.00
LIBRARY IDEAS LLC, books	655.70
LOGAN CONTRACTORS SUPPLY, maint.	7.00
LOVELAND GRASS PAD, services	24.90

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LYMAN-RICHEY SAND & GRAVEL CO, services	449.37
MAMA'S PIZZA, services	40.00
MARCO INC, services	120.46
MATHESON TRI-GAS INC, supplies	443.50
MELANIE SHAFI, refund	45.00
MENARDS, maint.	80.69
METAL DOORS & HARDWARE CO, bld&grnds	857.00
METRO COMM COLLEGE, services	10,852.36
MUD, utilities	2,154.28
MIDWEST TAPE, media	553.27
MILLARD METAL SERVICES INC, maint.	130.00
MIRANDA SEARS, refund	75.00
MNJ TECHNOLOGIES DIRECT INC, services	2,970.00
MSC INDUSTRIAL SUPPLY CO, maint.	113.47
NE IOWA INDL FASTENERS INC, maint.	14.34
NE NOTARY ASSOC, services	104.00
OFFICE DEPOT INC, supplies	518.62
OLSSON INC, services	2,291.50
OMAHA WORLD-HERALD, services	11,915.64
OMNI ENGINEERING, maint.	382.20
O'REILLY AUTO PARTS, maint.	588.64
PAPILLION TIRE INC, maint.	87.67
PAPIO VALLEY NURSERY INC, bld&grnds	1,882.20
PROPHOENIX CORP, services	3,256.00
RAINBOW GLASS & SUPPLY INC, supplies	1,710.00
RALSTON ADVERTISING, supplies	686.00
RALSTON PUBLIC SCHOOLS, services	751.15
READY MIXED CONCRETE CO, maint.	273.76
RED WING BUSINESS, apparel	150.00
ROSE EQUIPMENT INC, maint.	1,813.67
SARA HEMMINGER, refund	75.00
SARA MEDINA, refund	53.00
SARPY COUNTY SHERIFF, services	2,000.00
SHERWIN-WILLIAMS, bld&grnds	51.41
SIGN IT, services	152.80
SOUTHERN UNIFORM, apparel	552.33
STAPLES INC, supplies	195.13
STEPHANIE GARDNER, refund	50.00
SUBURBAN NEWSPAPERS INC, services	512.66
T & N ACQUISITION CO, services	520.00
TAMI O'NEILL, refund	45.00
TED'S MOWER SALES, services	157.50
THOMPSON DREESSEN & DORNER INC, services	1,155.10
TINA BOWSMAN, refund	33.00
TURFWERKS, maint.	96.07
VERIZON CONNECT NWF, services	641.55
VERIZON WIRELESS, phones	289.77
Z & Z SALES LLC, supplies	76.42

Seconded by Councilmember Quick. Mayor Kindig announced that Councilmember Ronan reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Recreation Director Stopak reported that there will be additional senior parking lot events, and he encouraged residents to visit the virtual rec center on the City's website.

Police Chief Lausten reported that upon request and through the SWAT Team, the department had assisted the City of Omaha on Friday, Saturday, and Monday and had assisted the City of Bellevue on Sunday.

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Director of Public Works Soucie reported that the playgrounds are open again with COVID-19 signage in place. Restrooms will open soon. The signage for the Sports Complex is almost complete.

## **B. FIREWORKS PERMITS**

### **1. RESOLUTION – ESTABLISH NUMBER OF PERMITS**

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-054 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2020.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2020 shall not exceed eight (8).

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

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

### **2. RESOLUTION – ISSUANCE OF PERMITS**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 20-055 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATIONS OF BEAUTIFUL SAVIOR LUTHERAN CHURCH, CORNERSTONE CHURCH, LA VISTA COMMUNITY FOUNDATION, LA VISTA LANCER SOCCER CLUB, LA VISTA YOUTH COMMUNITY BETTERMENT, LA VISTA YOUTH BASEBALL ASSOCIATION, PAPILLION LA VISTA SPIRIT FOOTBALL, AND PAPILLION LA VISTA YOUTH ATHLETIC ASSOCIATION.

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits; and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, eight (8) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

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WHEREAS, City staff has reviewed all applications received in 2020 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

Beautiful Savior Lutheran Church, Cornerstone Church, La Vista Community Foundation, La Vista Lancer Soccer Club, La Vista Youth Community Betterment, La Vista Youth Baseball Association, Papillion La Vista Spirit Football, and Papillion La Vista Youth Athletic Association to sell fireworks within the City of La Vista for the 2020 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit and a representative for their fireworks supplies at a meeting with City staff (date and time to be established).

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

## **C. RESOLUTION – USE OF MUNICIPAL PROPERTY FOR ADULT AND YOUTH TEAM SPORTS**

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-056 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA NEBRASKA REGARDING USE OF MUNICIPAL PROPERTY OR PARTICIPATION IN CITY PROGRAMS OR LEAGUES FOR SPORTS OR OTHER RECREATIONAL ACTIVITIES AND COVID-19 RISKS IN CONNECTION WITH SUCH USES OR PARTICIPATION.

WHEREAS, the novel coronavirus, COVID-19, has been declared a worldwide pandemic, is extremely contagious, and is believed to spread mainly from person-to-person contact;

WHEREAS, on March 13, 2020, the Governor of the State of Nebraska declared a state of emergency related to COVID-19 within the entire State of Nebraska, and this state of emergency remains in effect;

WHEREAS, directed health measures are in effect for every County in the State of Nebraska;

WHEREAS, on May 21, 2020, the Governor announced that the directed health measure prohibiting all organized team sports, youth and adult, would be relaxed by the State of Nebraska beginning June 1, 2020, in order to permit the planned reopening of certain adult and/or youth team sports;

WHEREAS, a copy of the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines* is presented with this Resolution and incorporated herein as part of these Recitals;

WHEREAS, it is anticipated that future guidance from the State of Nebraska will permit additional team sports and other recreational activities;

WHEREAS, players, coaches, officials, and others who participate in such games, practices, programs, leagues, or other recreational activities, spectators who attend such activities, or any other person who enters the property for any other reason or comes in contact with any such players, coaches, officials, spectators, or others, risk the dangers of illness, disease, medical complications, injury or death, caused by or related to COVID-19, by voluntarily entering the municipal property and/or facilities on which such activities take place, by watching such activities, and by participating or authorizing the participation of a minor, in such games, practices, or other recreational activities, and such players, coaches, officials, spectators, and others risk exposing and spreading such dangers to others with whom they subsequently come in contact; and

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WHEREAS, the City of La Vista, its officers, agents, and employees cannot guarantee that persons who voluntarily enter La Vista's property or facilities or participate in recreational activities on La Vista's properties or facilities or in City leagues or programs, or that anyone with whom any such persons subsequently come in contact, will not become infected by COVID-19, and as a result become seriously ill, incapacitated, die, or suffer other physical or economic harm, damages, costs, or expenses; and

WHEREAS, it is the intent of the City of La Vista to permit the resumption of City leagues and programs, adult and/or youth team sports and other recreational activities on municipal property and/or facilities, in accordance with the directed health measures and other laws and guidance issued by the State of Nebraska, including, but not limited to, the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines* and such further laws and guidance that may be issued in the future, provided that every individual, organization, or group sponsoring such activities, and all participants and spectators, fully assume the health risks associated with these activities, including the inherent risk now present in any such activities as a result of the presence of COVID-19 in the State of Nebraska, and provided that participants in such activities sign an agreement that releases the City of La Vista, its elected and appointed officials and employees, and all other participants in adult and/or youth team sports or other recreational activities from liability associated with exposure to COVID-19 in the course of such activities.

NOW, THEREFORE, BE IT RESOLVED by the City Council that any individual, organization or group sponsoring adult and/or youth team sports or other recreational activities that wishes to use the playing or practice fields, courts, grounds, and/or other facilities of the City for games, practices, or other recreational activities will be required to enter into the *COVID-19: License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities* presented with this Resolution, subject to any additions, subtractions, or modifications as the City Administrator or her designee determines necessary or appropriate, or an Addendum in form and content satisfactory to the City Administrator or her designee with respect to any existing license or management agreement. These License and Management Agreements or Addendums will be maintained by the Municipal Clerk and shall constitute an addendum to any other contract, license agreement, lease, or agreement in connection with the use of the municipal property and/or facilities or participation in any leagues or programs of the City by the same individual, organization, or group.

BE IT FURTHER RESOLVED that, in order to participate in any City leagues or programs or enter the playing or practice fields, courts, grounds, and/or other facilities of the City to participate in games, practices, or other recreational activities, all players, coaches, officials and other participants must sign the agreement titled *COVID-19: Participants Agreement for Sports or Other Recreational Activities* presented with this Resolution, subject to any additions, subtractions, or modifications as the City Administrator or her designee determines necessary or appropriate. Each team wishing to participate in any City leagues or programs, or participate on or use the municipal property and/or facilities of the City must provide copies of signed *Agreements* for all participants affiliated with the team, together with a roster containing a complete list of the names of all players, coaches, officials, and others affiliated with the team. Copies of these documents must be provided to and shall be maintained by the Municipal Clerk.

BE IT FURTHER RESOLVED that, for the avoidance of doubt as to the risk assumed by participants, spectators, and others, in order to encourage compliance with directed health measures and guidelines, and in order to promote public safety, the applicable provisions of the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines*, shall be posted on all practice and playing fields, courts, grounds, and/or other facilities where adult and/or youth practices and/or games or other recreational activities

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occur. If the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines*, are subsequently modified or updated, the applicable provisions of the modified or updated guidelines shall be posted in the same manner.

BE IT FURTHER RESOLVED that all participants and spectators shall comply with all federal, state and local laws and regulations, all directed health measures and guidelines, and all security policies or procedures established by the City relating to COVID-19 or other safety or hygiene precautions while participating or present on municipal property and/or facilities, understanding that the City may elect to deny entrance to its playing or practice fields, courts, grounds, and/or other facilities to any non-complying participant, spectator, or other persons, or to require a non-complying participant, spectator, or other persons to leave the premises at any time, or as otherwise determined necessary or appropriate.

Seconded by Councilmember Thomas. There were Council questions regarding guidelines, supervision, supplies, coaches' responsibilities, signage, equipment, and waivers. Councilmembers voting aye: Sheehan, Thomas, Crawford, Quick, and Hale. Nays: Frederick and Sell. Abstain: None. Absent: Ronan. Motion carried.

## **D. RESOLUTION – CONTRACT RENEWAL – EASTERN NEBRASKA OFFICE ON AGING**

Councilmember Quick introduced and moved for the adoption of Resolution No. 20-057 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE EASTERN NEBRASKA OFFICE ON AGING FOR PROVISION OF A NUTRITION PROGRAM.

WHEREAS, the City of La Vista's Community Center has annually served as a hot meal site for senior citizens in conjunction with the Nutrition program of the Eastern Nebraska Office on Aging (ENOA); and

WHEREAS, the Mayor and City Council believe it is desirable to continue to participate in this important program;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City of La Vista be, and hereby is, authorized to execute an agreement with the Eastern Nebraska Office on Aging for provision of a nutrition program.

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

## **E. RESOLUTION – CONTRACT EXTENSION – CONCESSION STAND OPERATIONS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-058 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with HAMS Inc.; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City since 2005; and

WHEREAS, the current contract with HAMS, Inc. expired in April of 2019; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for one year; and

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WHEREAS, the contract provides for Hams Inc. to make payments of 10% of the gross revenues from all sales to the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a one-year contract with HAMS Inc., Omaha, Nebraska, in form and content satisfactory to the City Administrator or City Administrator's designee, for the operation of the concessions at the Softball Complex, Soccer Complex, City Park and Community Center.

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

## **F. RESOLUTION – STRATEGIC PLAN UPDATE**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-059 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT THE STRATEGIC PLAN UPDATE 2020.

WHEREAS, the Mayor and City Council recognize the importance and value of having a deliberate planning process to help guide all facets of city government; and

WHEREAS, the Mayor and City Council believe that it is essential to set goals and review them periodically to ensure progress; and

WHEREAS, on Saturday, January 11, 2020, the Mayor and City Council held a work session to update the City's Strategic Plan; and

WHEREAS, the attached Strategic Plan Update 2020 is developed as a collaborative effort between the Mayor and City Council and the City's leadership team and establishes the organizational priorities.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Strategic Plan Update 2020 as attached and presented at the June 2, 2020 City Council meeting.

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

## **G. SWIMMING POOL OPENING**

Councilmember Crawford made a motion to keep the pool closed this year. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **COMMENTS FROM CITIZENS**

There were no comments from citizens.

## **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Quick complimented the new Senior Services Manager and senior recreation programs.

Mayor Kindig commented that the Legislature will be back in July for 19 days.

Councilmember Frederick thanked the Library for the curbside pickup program, and he thanked the Police Department for their work.

Councilmember Sheehan encouraged everyone to think about the last line of the Pledge of Allegiance.

At 7:02 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick,

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Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None.  
Absent: Ronan. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF JUNE 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA**  
**8116 PARK VIEW BOULEVARD**  
**LA VISTA, NE 68128**  
**P: (402) 331-4343**

**PLANNING COMMISSION MINUTES**  
**MAY 21, 2020 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, May 21, 2020 via Zoom, which included video and teleconferencing options. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, Harold Sargus, Josh Frey, Jason Dale, and Patrick Coghlan. Members absent were: Circo. Also, in attendance were Bruce Fountain; Community Development Director; Chris Solberg; Deputy Community Development Director, Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician, and Pat Dowse; City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public via teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance of the meeting facility.

**1. Call to Order**

The meeting was called to order by Chairman Wetuski 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – March 19, 2020**

*Malmquist moved, seconded by Sargus, to approve the March 19th minutes. Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Dale, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)*

**3. Old Business**

*None.*

**4. New Business**

**A. Replat – Alpine Village South Addition Replat 1 – CLR Development, LLC**

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, CLR Development LLC, is requesting a replat to redraw some property lines between 3 properties located approximately northwest of the intersection of 84<sup>th</sup> Street and Brentwood Drive. Brodersen did a share screen to show the commissioners what is being proposed. He said that the replat is essentially a land swap to redraw some of the property lines to correct a current issue where part of the parking lot and access driveway for one of the strip retail buildings currently sits on a section of the

adjacent properties. Brodersen mentioned that the applicants were present to answer questions. Brodersen stated that staff recommends approval for the Replat for Lots 21A1, 21A2, 22B, 22A1B, and 22A1A1 Alpine Village South and Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations.

- ii. **Applicant Presentation-** Steve Humphries spoke on behalf of the applicant. He said that he didn't have much to add and that what they are doing is straight-forward.
- iii. **Recommendation:** *Krzywicki moved, seconded by Malmquist, to recommend for approval the Replat for Lots 21A1, 21A2, 22B, 22A1B, and 22A1A1 Alpine Village South and Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations. Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Dale, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)*

## 5. Comments from the Floor

No members of the public were present.

## 6. Comments from the Planning Commission

Krzywicki asked how we knew if members of the public were present during the Zoom meeting.

Brodersen said anytime anyone wants to join, he will admit them into the meeting and they would be shown on the screen.

Sargus asked if members of the public would be announced if present.

Brodersen said that he would be sure to do that if there are members of the public present at the meeting.

Fountain added that he believed that members of the public would be muted until it was opened for public comment.

Krzywicki asked if there are any changes coming up to the directives for the City of La Vista regarding park accesses or anything like that they need to be aware of.

Fountain said that they have been getting new directives from the State that are being reviewed, so new information should be coming out shortly.

Solberg said that it will probably just be a slow rollout and that it sounds like the state has some things planned to start opening in late May and the month of June. He said that he feels that the city will be the same way. Solberg mentioned that one of the things being looked at is youth

activities and restroom accessibility. He said that there are probably going to be some best practices coming down from the State as well.

Sargus asked if the construction at City Centre is still on track or if it has slowed down because of Covid-19.

Solberg said that it did take a little bit of a dip, but that the current construction has kept going and hasn't slowed down much. He said that some planned projects took a little bit of a dip with financing, especially the event center because of the uncertainty of building something that holds thousands of people, but from recent discussions that have been had, it sounds like lenders are sounding optimistic and hopefully we will see that project being started soon. He said that the developer just received approval for TIF financing for a couple of new buildings over by the First National Bank and is hoping to start construction in early June.

Krzywicki asked if there was any estimate on when Chili's will be starting construction on their building.

Solberg said that the new Chili's facility was one of the items that was approved for TIF financing and should begin construction soon.

## **7. Comments from the Staff**

Brodersen said that there will not be a meeting on June 4<sup>th</sup>, so the next meeting will be on June 18<sup>th</sup>.

Solberg said that he appreciated the commission's ability to be flexible in doing the meeting via Zoom.

## **8. Adjournment**

Wetuski adjourned the meeting at 6:46 p.m.

Reviewed by Planning Commission:

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Planning Commission Secretary

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Planning Commission Chair

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Date

CITY OF LAVISTA, NEBRASKA  
COMBINED STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES  
For the seven months ending April 30, 2020  
58% of the Fiscal Year 2020

	Total All Funds					% of Budget Used
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget		
<b><u>OPERATING REVENUES</u></b>						
General Fund	\$ 19,268,775	\$ 3,591,873	\$ 10,037,701	\$ (9,231,074)		52%
Sewer Fund	4,410,092	388,395	2,353,203	(2,056,889)		53%
Debt Service Fund	4,037,476	561,410	2,014,293	(2,023,183)		50%
Capital Improvement Program Fund	22,411	-	96	(22,315)		0%
Lottery Fund	1,206,420	84,382	693,481	(512,939)		57%
Economic Development Fund	517	-	13	(504)		2%
Off Street Parking Fund	115,771	3,808	7,229	(108,542)		6%
Redevelopment Fund	2,441,569	185,578	1,252,929	(1,188,640)		51%
Police Academy	100,083	2,205	102,545	2,462		102%
TIF 1A	541,612	-	-	(541,612)		0%
TIF 1B	-	-	-	-		0%
Sewer Reserve Fund	8,937	506	4,703	(4,234)		53%
Qualified Sinking Fund	625	41	390	(235)		62%
<b>Total Operating Revenues</b>	<b>32,154,288</b>	<b>4,818,197</b>	<b>16,466,584</b>	<b>(15,687,704)</b>		<b>51%</b>

**OPERATING EXPENDITURES**

General Fund	18,932,599	1,128,850	9,476,657	(9,455,942)	50%
Sewer Fund	3,737,941	59,348	1,054,897	(2,683,044)	28%
Debt Service Fund	3,153,682	3,302	2,129,808	(1,023,874)	68%
Capital Improvement Program Fund	-	-	-	-	0%
Lottery Fund	710,076	48,701	321,482	(388,594)	45%
Economic Development Fund	137,466	-	-	(137,466)	0%
Off Street Parking Fund	1,241,698	12,934	688,726	(552,972)	55%
Redevelopment Fund	1,533,687	15	454,325	(1,079,362)	30%
Police Academy	98,596	6,957	58,842	(39,754)	60%
TIF 1A	541,612	-	-	(541,612)	0%
TIF 1B	-	-	-	-	0%
Sewer Reserve Fund	-	-	-	-	0%
Qualified Sinking Fund	-	-	-	-	0%
<b>Total Operating Expenditures</b>	<b>30,087,357</b>	<b>1,260,107</b>	<b>14,184,737</b>	<b>(15,902,620)</b>	<b>47%</b>

**OPERATING REVENUES NET OF EXPENDITURES**

General Fund	336,176	2,463,022	561,044	224,868
Sewer Fund	672,151	329,047	1,298,306	626,155
Debt Service Fund	883,794	558,108	(115,515)	(999,309)
Capital Improvement Program Fund	22,411	-	96	(22,315)
Lottery Fund	496,344	35,681	371,999	(124,345)
Economic Development Fund	(136,949)	-	13	136,962
Off Street Parking Fund	(1,125,927)	(9,125)	(681,497)	444,430
Redevelopment Fund	907,882	185,563	798,604	(109,278)
Police Academy	1,487	(4,752)	43,703	42,216
TIF 1A	-	-	-	-
TIF 1B	-	-	-	-
Sewer Reserve Fund	8,937	506	4,703	(4,234)
Qualified Sinking Fund	625	41	390	(235)
<b>Operating Revenues Net of Expenditures</b>	<b>2,066,931</b>	<b>3,558,090</b>	<b>2,281,847</b>	<b>214,916</b>
				0

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the seven months ending April 30, 2020  
58% of the Fiscal Year 2020

	<b>Total All Funds</b>				
	<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>
<b><u>OTHER FINANCING SOURCES &amp; USES</u></b>					
<b><u>TRANSFERS IN</u></b>					
General Fund	100,293	-	-	(100,293)	0%
Sewer Fund	3,000	-	-	(3,000)	0%
Debt Service Fund	214,782	-	90,508	(124,274)	42%
Capital Improvement Program Fund	1,142,500	118,906	322,715	(819,785)	28%
Lottery Fund	-	-	-	-	-
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	1,396,911	200	576,058	(820,854)	41%
Redevelopment Fund	200,000	-	940,110	740,110	470%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	728,630	-	-	(728,630)	0%
Qualified Sinking Fund	450,000	-	-	(450,000)	0%
<b>Total Transfers In</b>	<b>4,236,116</b>	<b>119,106</b>	<b>1,929,390</b>	<b>(2,306,726)</b>	<b>46%</b>

**TRANSFERS OUT**

General Fund	(1,430,161)	(200)	(141,208)	1,288,953	10%
Sewer Fund	(728,630)	-	-	728,630	0%
Debt Service Fund	(1,255,003)	(70,974)	(740,080)	514,923	59%
Capital Improvement Program Fund	-	-	-	-	-
Lottery Fund	(822,322)	(47,932)	(107,993)	714,329	13%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	(940,110)	(940,110)	-
Redevelopment Fund	-	-	-	-	-
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	-	-	-	-	-
Qualified Sinking Fund	-	-	-	-	-
<b>Total Transfers Out</b>	<b>(4,236,116)</b>	<b>(119,106)</b>	<b>(1,929,390)</b>	<b>2,306,726</b>	<b>46%</b>

**NET TRANSFERS**

General Fund	(1,329,868)	(200)	(141,208)	1,188,660	11%
Sewer Fund	(725,630)	-	-	725,630	0%
Debt Service Fund	(1,040,221)	(70,974)	(649,572)	390,649	62%
Capital Improvement Program Fund	1,142,500	118,906	322,715	(819,785)	28%
Lottery Fund	(822,322)	(47,932)	(107,993)	714,329	13%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	1,396,911	200	(364,053)	(1,760,964)	-
Redevelopment Fund	200,000	-	940,110	740,110	470%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	728,630	-	-	(728,630)	0%
Qualified Sinking Fund	450,000	-	-	(450,000)	0%
<b>Total Net Transfers</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the seven months ending April 30, 2020  
58% of the Fiscal Year 2020

	<b>Total All Funds</b>				% of Budget <u>Used</u>
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over( <u>under</u> ) <u>Budget</u>	
Sewer Fund	-	-	-	-	0%
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	-	-	-	-	0%
Redevelopment Fund	6,500,000	-	-	(6,500,000)	0%
<b>Total Bond Proceeds</b>	<b>18,000,000</b>	<b>-</b>	<b>-</b>	<b>(18,000,000)</b>	<b>0%</b>

**OTHER REVENUE: BOND PROCEEDS**

Sewer Fund	-	-	-	-	0%
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	-	-	-	-	0%
Redevelopment Fund	6,500,000	-	-	(6,500,000)	0%
<b>Total Bond Proceeds</b>	<b>18,000,000</b>	<b>-</b>	<b>-</b>	<b>(18,000,000)</b>	<b>0%</b>

**OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM**

Sewer Fund	50,000	34,161	35,349	(14,651)	71%
Capital Improvement Program Fund	9,979,512	296,507	415,612	(9,563,900)	4%
Off Street Parking Fund	750,000	129,575	235,942	(514,058)	31%
Redevelopment Fund	10,700,000	17,153	2,683,333	(8,016,667)	25%
<b>Total Capital Improvement Program</b>	<b>21,479,512</b>	<b>477,396</b>	<b>3,370,237</b>	<b>(18,109,275)</b>	<b>16%</b>

**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)	2,462,822	419,836	1,413,528	
Sewer Fund	(103,479)	294,887	1,262,957	1,366,436	
Debt Service Fund	(156,427)	487,134	(765,087)	(608,660)	
Capital Improvement Program Fund	(314,601)	(177,601)	(92,801)	221,800	
Lottery Fund	(325,978)	(12,251)	264,006	589,984	
Economic Development Fund	(136,949)	-	13	136,962	
Off Street Parking Fund	(479,016)	(138,500)	(1,281,492)	(802,476)	
Redevelopment Fund	(3,092,118)	168,410	(944,619)	2,147,499	
Police Academy	1,487	(4,752)	43,703	42,216	
TIF 1A	-	-	-	-	
TIF 1B	-	-	-	-	
Sewer Reserve Fund	737,567	506	4,703	(732,864)	
Qualified Sinking Fund	450,625	41	390	(450,235)	
<b>Net Activity</b>	<b>\$ (4,412,581)</b>	<b>3,080,695</b>	<b>(1,088,390)</b>	<b>3,324,191</b>	<b>0</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the seven months ending April 30, 2020  
58% of the Fiscal Year 2020

	<b>Total All Funds</b>				
	<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><b>FUND BALANCE</b></u>	<u>As of FYE 9/30/2020</u>	<u>As of 4/30/2020</u>	<u>Variance</u>	<u>Notes</u>	
General Fund	4,688,168	7,300,434	2,612,266		
Sewer Fund	978,985	2,357,244	1,378,259	trf to SRF	
Debt Service Fund	2,354,279	3,027,095	672,816		
Capital Improvement Program Fund	(41,847)	(68,616)	(26,769)		
Lottery Fund	2,900,404	3,775,007	874,603		
Economic Development Fund	70,019	7,055	(62,964)		
Off Street Parking Fund	234,504	(49,431)	(283,935)		
Redevelopment Fund	2,416,093	4,774,889	2,358,796		
Police Academy	26,360	70,088	43,728		
TIF 1A	(3,420)	17,886	21,306		
TIF 1B	(19,136)	-	19,136		
Sewer Reserve Fund	1,944,692	1,214,437	(730,255)	trf from SF	
Qualified Sinking Fund	551,125	101,106	(450,019)		
<b>Net Fund Balance</b>	<b>16,100,226</b>	<b>-</b>	<b>22,527,195</b>	<b>6,426,969</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the seven months ending April 30, 2020**  
**58% of the Fiscal Year 2020**

<b>General Fund</b>						
	<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>	
<b>REVENUES</b>						
Property Taxes	\$ 8,673,516	\$ 2,764,373	\$ 4,272,728	\$ (4,400,788)	49%	
Sales and use taxes	4,691,663	363,745	2,417,756	(2,273,907)	52%	
Payments in Lieu of taxes	288,922	-	-	(288,922)	0%	
State revenue	1,958,268	187,070	1,177,194	(781,074)	60%	
Occupation and franchise taxes	883,900	131,031	646,047	(237,853)	73%	
Hotel Occupation Tax	1,017,550	41,714	523,100	(494,450)	51%	
Licenses and permits	440,250	38,790	250,505	(189,745)	57%	
Interest income	28,708	3,188	32,158	3,450	112%	
Recreation fees	172,710	(4,209)	61,338	(111,372)	36%	
Special Services	19,500	992	12,403	(7,097)	64%	
Grant Income	150,575	3,495	57,219	(93,356)	38%	
Other	943,213	61,683	587,255	(355,958)	62%	
<b>Total Revenues</b>	<b>19,268,775</b>	<b>3,591,873</b>	<b>10,037,701</b>	<b>(9,231,074)</b>	<b>52%</b>	
<b>EXPENDITURES</b>						
Administrative Services	555,523	38,898	299,127	(256,396)	54%	
Mayor and Council	258,001	13,357	131,689	(126,312)	51%	
Boards & Commissions	10,544	601	2,977	(7,567)	28%	
Building Maintenance	666,644	30,645	231,993	(434,651)	35%	
Administration	814,815	48,916	392,423	(422,392)	48%	
Police and Animal Control	5,316,825	369,945	2,908,968	(2,407,857)	55%	
Fire	2,181,863	(235)	1,260,887	(920,976)	58%	
Community Development	687,211	44,166	326,014	(361,197)	47%	
Public Works	3,982,560	240,093	1,808,910	(2,173,650)	45%	
Recreation	887,273	40,258	331,340	(555,933)	37%	
Library	908,468	56,012	481,868	(426,601)	53%	
Information Technology	289,745	34,031	210,715	(79,030)	73%	
Human Resources	1,023,722	70,353	497,336	(526,386)	49%	
Public Transportation	109,385	5,473	50,005	(59,380)	46%	
Finance	489,213	62,403	291,290	(197,923)	60%	
Capital outlay	750,807	73,935	251,116	(499,691)	33%	
<b>Total Expenditures</b>	<b>18,932,599</b>	<b>1,128,850</b>	<b>9,476,657</b>	<b>(9,455,942)</b>	<b>50%</b>	
<b>REVENUES NET OF EXPENDITURES</b>	<b>336,176</b>	<b>2,463,022</b>	<b>561,044</b>	<b>224,868</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (Lottery)	100,293	-	-	(100,293)	0%	
Operating transfers out (DSF, OSP, CIP)	(1,430,161)	(200)	(141,208)	1,288,953	10%	
<b>Total other Financing Sources (Uses)</b>	<b>(1,329,868)</b>	<b>(200)</b>	<b>(141,208)</b>	<b>1,188,660</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ (993,692)</b>	<b>\$ 2,462,822</b>	<b>\$ 419,836.2</b>	<b>\$ 1,413,528</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
For the seven months ending April 30, 2020  
58% of the Fiscal Year 2020

	<b>Sewer Fund</b>					
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>(Under) Budget</u>	<u>% of Budget Used</u>	
<b><u>REVENUES</u></b>						
User fees	\$ 4,277,805	\$ 386,519	\$ 2,317,995	\$ (1,959,810)	54%	
Service charge and hook-up fees	128,210	1,138	26,285	(101,925)	21%	
Miscellaneous	18	1	38	20		
<b>Total Revenues</b>	<b>4,406,033</b>	<b>387,657</b>	<b>2,344,317</b>	<b>(2,061,716)</b>	<b>53%</b>	
<b><u>EXPENDITURES</u></b>						
Personnel Services	581,719	39,238	305,124	(276,595)	52%	
Commodities	39,200	3,227	18,419	(20,781)	47%	
Contract Services	2,989,841	12,600	686,945	(2,302,896)	23%	
Maintenance	38,584	1,207	16,312	(22,272)	42%	
Other	228	-	1,458	1,230	640%	
Storm Water Grant	54,540	-	4,548	(49,992)	8%	
Capital Outlay	33,829	3,076	22,091	(11,738)	65%	
<b>Total Expenditures</b>	<b>3,737,941</b>	<b>59,348</b>	<b>1,054,897</b>	<b>(2,683,044)</b>	<b>28%</b>	
<b>OPERATING INCOME (LOSS)</b>	<b>668,092</b>	<b>328,310</b>	<b>1,289,420</b>	<b>621,328</b>	<b>Note 1</b>	
<b><u>NON-OPERATING REVENUE (EXPENSE)</u></b>						
Interest income	4,059	738	8,886	4,827	219%	
	<u>4,059</u>	<u>738</u>	<u>8,886</u>	<u>4,827</u>	<u>219%</u>	
<b><u>INCOME (LOSS) BEFORE OPERATING TRANSFERS</u></b>	<b>672,151</b>	<b>329,047</b>	<b>1,298,306</b>	<b>626,155</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in (Lottery Events)	3,000	-	-	(3,000)	0%	
Operating transfers out (CIP)	(728,630)	-	-	728,630	0%	
Capital Improvement	(50,000)	(34,161)	(35,349)	14,651	71%	
<b>Total other Financing Sources (Uses)</b>	<b>(775,630)</b>	<b>(34,161)</b>	<b>(35,349)</b>	<b>740,281</b>	<b>5%</b>	
<b>NET INCOME (LOSS)</b>	<b>\$ (103,479)</b>	<b>\$ 294,887</b>	<b>\$ 1,262,957</b>	<b>\$ 1,366,436</b>		

**Note 1: Restatement of Operating Income Variance**

Operating Income Variance	1,289,420
City of Omaha billing in arrears 4 months	(960,000)
Adjusted Operating Income Variance	<u><b>329,420</b></u>

**CITY OF LAVISTA, NEBRASKA**  
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**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
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**58% of the Fiscal Year 2020**

	<b>Debt Service Fund</b>					
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>	
<b>REVENUES</b>						
Property Taxes	\$ 1,004,487	\$ 334,423	\$ 490,688	\$ (513,799)	49%	
Sales and use taxes	2,345,832	181,872	1,208,878	(1,136,954)	52%	
Payments in Lieu of taxes	93,506	-	-	(93,506)	0%	
Other (Special Assessments; Fire Reimbursmnt)	581,714	43,357	296,986	(284,728)	51%	
Interest income	11,937	1,758	17,741	5,804	149%	
<b>Total Revenues</b>	<b>4,037,476</b>	<b>561,410</b>	<b>2,014,293</b>	<b>(2,023,183)</b>	<b>50%</b>	
<b>EXPENDITURES</b>						
Administration	12,834	3,302	10,859	(1,975)	85%	
Fire Contract Bond	121,611	-	70,056	(51,555)	58%	
Debt service						
Principal	2,605,000	-	1,850,000.00	(755,000)	71%	
Interest	414,237	-	198,893.00	(215,344)	48%	
<b>Total Expenditures</b>	<b>3,153,682</b>	<b>3,302</b>	<b>2,129,808</b>	<b>(1,023,874)</b>	<b>68%</b>	
<b>REVENUES NET OF EXPENDITURES</b>	<b>883,794</b>	<b>558,108</b>	<b>(115,515)</b>	<b>(999,309)</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (GF Hwy Alloc)	214,782	-	90,508	(124,274)	42%	
Operating transfers out (CIP, OSP)	(1,255,003)	(70,974)	(740,080)	514,923	59%	
<b>Total other Financing Sources (Uses)</b>	<b>(1,040,221)</b>	<b>(70,974)</b>	<b>(649,572)</b>	<b>390,649</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ (156,427)</b>	<b>\$ 487,134</b>	<b>\$ (765,087)</b>	<b>\$ (608,660)</b>		

**CITY OF LAVISTA, NEBRASKA**  
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**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the seven months ending April 30, 2020**  
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<b>Capital Fund</b>						
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>	
<b><u>REVENUES</u></b>						
Interest income	\$ 22,411	\$ -	\$ 96	\$ (22,315)		0%
Grant Income	-	-	-	-		0%
Special Assessment	-	-	-	-		0%
Interagency	-	-	-	-		0%
<b>Total Revenues</b>	<b>22,411</b>	<b>-</b>	<b>96</b>	<b>(22,315)</b>		<b>0%</b>
<b><u>EXPENDITURES</u></b>						
Other	-	-	-	-		0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>0%</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b>22,411</b>	<b>-</b>	<b>96</b>	<b>(22,315)</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in (GF, DSF)	1,142,500	118,906	322,715	(819,785)		28%
Operating transfers out (DSF)	-	-	-	-		0%
Bond/registered warrant proceeds	8,500,000	-	-	(8,500,000)		0%
Capital outlay	(9,979,512)	(296,507)	(415,612)	9,563,900		4%
<b>Total other Financing Sources (Uses)</b>	<b>(337,012)</b>	<b>(177,601)</b>	<b>(92,897)</b>	<b>244,115</b>		<b>28%</b>
<b><u>NET FUND ACTIVITY</u></b>	<b>\$ (314,601)</b>	<b>\$ (177,601)</b>	<b>\$ (92,801)</b>	<b>\$ 221,800</b>		

**CITY OF LAVISTA, NEBRASKA**  
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**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
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	<b>Lottery Fund</b>					<b>% of Budget Used</b>
	<b>Budget (12 month)</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>		
<b>REVENUES</b>						
Lottery Rev/Community Betterment	\$ 850,000	\$ 50,650	\$ 487,600	\$ (362,400)		57%
Lottery Tax Form 51	340,000	20,260	170,702	(169,298)		50%
Event Revenue	-	-	-	-		0%
Interest income	16,420	13,472	35,179	18,759		214%
Miscellaneous / Other	-	-	-	-		0%
<b>Total Revenues</b>	<b>1,206,420</b>	<b>84,382</b>	<b>693,481</b>	<b>(512,939)</b>		<b>57%</b>
<b>EXPENDITURES</b>						
Professional Services	160,735	5,766	46,456	(114,279)		29%
Salute to Summer	56,848	2,905	4,678	(52,170)		8%
Community Events	20,027	-	9,180	(10,847)		46%
Events - Marketing	59,747	1,545	48,587	(11,160)		81%
Recreation Events	1,474	-	-	(1,474)		0%
Concert & Movie Nights	11,145	-	158	(10,987)		1%
City Anniversary Celebration	50,000	18,225	41,620	(8,380)		83%
Travel & Training	-	-	-	-		0%
State Taxes	350,000	20,260	170,702	(179,298)		49%
Other	100	-	100	-		100%
Capital outlay	-	-	-	-		0%
<b>Total Expenditures</b>	<b>710,076</b>	<b>48,701</b>	<b>321,482</b>	<b>(388,594)</b>		<b>45%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>496,344</b>	<b>35,681</b>	<b>371,999</b>	<b>(124,345)</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in	-	-	-	-		
Operating transfers out (GF, SF, DSF)	(822,322)	(47,932)	(107,993)	714,329		13%
<b>Total other Financing Sources (Uses)</b>	<b>(822,322)</b>	<b>(47,932)</b>	<b>(107,993)</b>	<b>714,329</b>		<b>13%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (325,978)</b>	<b>\$ (12,251)</b>	<b>\$ 264,006</b>	<b>\$ 589,984</b>		

**CITY OF LAVISTA, NEBRASKA**  
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**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
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	<b>Economic Development</b>				
	<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>
<b>REVENUES</b>					
Other Income	\$ -	\$ -	\$ -	\$ -	0%
Interest income	517	-	13	(504)	0%
<b>Total Revenues</b>	<b>517</b>	<b>-</b>	<b>13</b>	<b>(504)</b>	<b>0%</b>
<b>EXPENDITURES</b>					
Professional Services	75,000	-	-	(75,000)	0%
Debt service: (Warrants)	-	-	-	-	0%
Principal	-	-	-	-	0%
Interest	62,466	-	-	(62,466)	0%
<b>Total Expenditures</b>	<b>137,466</b>	<b>-</b>	<b>-</b>	<b>(137,466)</b>	<b>0%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(136,949)</b>	<b>-</b>	<b>13</b>	<b>136,962</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (GF, DSF)	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	3,000,000	-	-	(3,000,000)	0%
Community Development - Grant	(3,000,000)	-	-	3,000,000	0%
<b>Total other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (136,949)</b>	<b>\$ -</b>	<b>\$ 13</b>	<b>\$ 136,962</b>	

**CITY OF LAVISTA, NEBRASKA**  
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	<b>Off Street Parking</b>				
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> Budget	<u>% of Budget</u> Used
<b><u>REVENUES</u></b>					
Interest income	\$ 771	\$ 149	\$ 3,374	\$ 2,603	438%
Other Income	<u>115,000</u>	<u>3,660</u>	<u>3,855</u>	<u>(111,146)</u>	3%
<b>Total Revenues</b>	<b><u>115,771</u></b>	<b><u>3,808</u></b>	<b><u>7,229</u></b>	<b><u>(108,542)</u></b>	<b>6%</b>
<b><u>EXPENDITURES</u></b>					
General & Administrative	220,518	12,579	79,357	(141,161)	36%
Professional Services	76,500	15	780	(75,720)	1%
Maintenance	48,769	339	6,278	(42,491)	13%
Debt service: (Warrants)					
Principal	685,000	-	495,000	(190,000)	72%
Interest	210,911	-	107,311	(103,600)	51%
<b>Total Expenditures</b>	<b><u>1,241,698</u></b>	<b><u>12,934</u></b>	<b><u>688,726</u></b>	<b><u>(552,972)</u></b>	<b>55%</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b><u>(1,125,927)</u></b>	<b><u>(9,125)</u></b>	<b><u>(681,497)</u></b>	<b><u>444,430</u></b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (GF, DSF, RDF)	1,396,911	200	576,058	(820,854)	41%
Operating transfers out	-	-	(940,110)	(940,110)	0%
Bond/registered warrant proceeds	-	-	-	-	0%
Capital Improvement	(750,000)	(129,575)	(235,942)	514,058	31%
<b>Total other Financing Sources (Uses)</b>	<b><u>646,911</u></b>	<b><u>(129,375)</u></b>	<b><u>(599,994)</u></b>	<b><u>(1,246,905)</u></b>	<b>-93%</b>
<b><u>NET FUND ACTIVITY</u></b>	<b><u>\$ (479,016)</u></b>	<b><u>\$ (138,500)</u></b>	<b><u>\$ (1,281,492)</u></b>	<b><u>\$ (802,476)</u></b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
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<b>Redevelopment Fund</b>						
	<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>	
<b>REVENUES</b>						
Sales and use taxes	\$ 2,345,832	\$ 181,872	\$ 1,208,878	\$ (1,136,954)	52%	
Franchise Fee & Occupation Tax	29,485	-	-	(29,485)	0%	
Interest income	66,252	3,705	44,051	(22,201)	66%	
<b>Total Revenues</b>	<b>2,441,569</b>	<b>185,578</b>	<b>1,252,929</b>	<b>(1,188,640)</b>	<b>51%</b>	
<b>EXPENDITURES</b>						
Community Development	-	-	-	-	0%	
Professional Services	200,000	15	23,922	(176,078)	12%	
Financial / Legal Fees	100,500	-	115,059	14,559	114%	
Debt service: (Warrants)					0%	
Principal	505,000	-	-	(505,000)	0%	
Interest	728,187	-	315,344	(412,843)	43%	
<b>Total Expenditures</b>	<b>1,533,687</b>	<b>15</b>	<b>454,325</b>	<b>(1,079,362)</b>	<b>30%</b>	
<b>REVENUES NET OF EXPENDITURES</b>	<b>907,882</b>	<b>185,563</b>	<b>798,604</b>	<b>(109,278)</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in	200,000	-	940,110	740,110	470%	
Operating transfers out (OSP)	-	-	-	-	0%	
Bond/registered warrant proceeds	6,500,000	-	-	(6,500,000)	0%	
Capital Improvement	(10,700,000)	(17,153)	(2,683,333)	8,016,667	25%	
<b>Total other Financing Sources (Uses)</b>	<b>(4,000,000)</b>	<b>(17,153)</b>	<b>(1,743,223)</b>	<b>2,256,777</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ (3,092,118)</b>	<b>\$ 168,410</b>	<b>\$ (944,619)</b>	<b>\$ 2,147,499</b>		

**CITY OF LAVISTA, NEBRASKA**  
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<b>Police Academy Fund</b>						
	<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>	
<b>REVENUES</b>						
Other Income	\$ 100,000	\$ 2,205	\$ 102,405	\$ 2,405		102%
Interest income	83	-	140	57		169%
<b>Total Revenues</b>	<b>100,083</b>	<b>2,205</b>	<b>102,545</b>	<b>2,462</b>		<b>102%</b>
<b>EXPENDITURES</b>						
Personnel Services	79,672	6,145	45,316	(34,356)		57%
Commodities	3,535	207	1,789	(1,746)		51%
Contract Services	11,854	216	6,466	(5,388)		55%
Other Charges	3,535	390	5,271	1,736		149%
<b>Total Expenditures</b>	<b>98,596</b>	<b>6,957</b>	<b>58,842</b>	<b>(39,754)</b>		<b>60%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>1,487</b>	<b>(4,752)</b>	<b>43,703</b>	<b>42,216</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (GF)	-	-	-	-		0%
Operating transfers out	-	-	-	-		0%
<b>Total other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ 1,487</b>	<b>\$ (4,752)</b>	<b>\$ 43,703</b>	<b>\$ 42,216</b>		

**CITY OF LAVISTA, NEBRASKA**  
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	<b>TIF 1A</b>				
	<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>
<b><u>REVENUES</u></b>					
Property Tax	\$ 541,612	\$ -	\$ -	\$ (541,612)	0%
Interest income	-	-	-	-	0%
<b>Total Revenues</b>	<b>541,612</b>	<b>-</b>	<b>-</b>	<b>(541,612)</b>	<b>0%</b>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
Contract Services	5,416	-	-	(5,416)	0%
Debt service: (Warrants)					
Principal	313,710	-	-	(313,710)	0%
Interest	222,486	-	-	(222,486)	0%
<b>Total Expenditures</b>	<b>541,612</b>	<b>-</b>	<b>-</b>	<b>(541,612)</b>	<b>-</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>					
	-	-	-	-	-
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b><u>NET FUND ACTIVITY</u></b>					
	\$ -	\$ -	\$ -	\$ -	\$ -

**CITY OF LAVISTA, NEBRASKA**  
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**TIF 1B**

	<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>
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**REVENUES**

Property Tax	\$	\$	\$	\$	-	0%
Interest income						0%
<b>Total Revenues</b>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<b>0%</b>

**EXPENDITURES**

Other	-	-	-	-	-	0%
Contract Services						0%
<b>Total Expenditures</b>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

**REVENUES NET OF EXPENDITURES**      —      —      —      —

**OTHER FINANCING SOURCES (USES)**

Operating transfers in	-	-	-	-	0%
Operating transfers out					0%
<b>Total other Financing Sources (Uses)</b>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

**NET FUND ACTIVITY**      \$ —      \$ —      \$ —      \$ —

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
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<b>Sewer Reserve Fund</b>					
	<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>
<b><u>REVENUES</u></b>					
Interest income	\$ 8,937	\$ 506	\$ 4,703	\$ (4,234)	53%
<b>Total Revenues</b>	<b>\$ 8,937</b>	<b>\$ 506</b>	<b>\$ 4,703</b>	<b>\$ (4,234)</b>	<b>53%</b>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>8,937</b>	<b>506</b>	<b>4,703</b>	<b>(4,234)</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	728,630	-	-	(728,630)	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>728,630</b>	<b>-</b>	<b>-</b>	<b>(728,630)</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ 737,567</b>	<b>\$ 506</b>	<b>\$ 4,703</b>	<b>\$ (732,864)</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the seven months ending April 30, 2020**  
**58% of the Fiscal Year 2020**

<b>Qualified Sinking Fund</b>					
	<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>

**REVENUES**

Interest income	\$ 625	\$ 41	\$ 390	\$ (235)	62%
<b>Total Revenues</b>	<b><u>625</u></b>	<b><u>41</u></b>	<b><u>390</u></b>	<b><u>(235)</u></b>	<b><u>62%</u></b>

**EXPENDITURES**

Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>

<b>REVENUES NET OF EXPENDITURES</b>	<b><u>625</u></b>	<b><u>41</u></b>	<b><u>390</u></b>	<b><u>(235)</u></b>	
-------------------------------------	-------------------	------------------	-------------------	---------------------	--

**OTHER FINANCING SOURCES (USES)**

Operating transfers in	450,000	-	-	(450,000)	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b><u>450,000</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>(450,000)</u></b>	
<b>NET FUND ACTIVITY</b>	<b><u>\$ 450,625</u></b>	<b><u>\$ 41</u></b>	<b><u>\$ 390</u></b>	<b><u>\$ (450,235)</u></b>	

**City of Omaha**Date: 07-MAY-20  
Page 1 of 11819 Farnam St. Billing Div.  
Omaha NE 68183  
Contact : (402) 444-5453**Remit To :**City of Omaha Cashier  
RM H10  
1819 Farnam St.  
Omaha NE 68183**Bill To :**CITY OF LAVISTA  
JOE SOUCIE  
9900 PORTAL ROAD  
LAVISTA NE 68128**Ship To :**

Customer Number : 28660

Invoice Number : 184431 Terms : 30 NET

Transaction Type : PUBLIC WORKS Total due : \$ 6,000.00

**PLEASE RETURN TOP PORTION WITH REMITTANCE**

Item No	Description	Qty Invoiced	Unit Price	Extended Price
1	PROJECT: OPW 52948 84TH ST ASCT - 2020 OPERATIONS	1	6000.00	6000.00
	<b>SPECIAL INSTRUCTIONS</b>		<b>DUE DATE</b>	<b>TOTAL DUE</b>
	Invoice Number : 184431	06-JUN-20		\$6,000.00

*PmP  
6/2/2020**05.71.0917.000-**STRT20005*

Commercial Seeding Contractors  
26365 Reichmuth Circle  
Valley, NE 68064

# Invoice

Date	Invoice #
5/11/2020	23015

Bill To
City of LaVista Attn: Pat Dowse 8116 Park View Boulevard LaVista, NE 68128



P.O. No.	Terms				
			84th St Redevelopment		
Quantity	Description		U/M	Rate	Amount
1	Work performed as requested by Jason Allen				
1	Mobilization (Each) - 5/6/20			500.00	500.00
48	Silt Fence (LF) installed - 5/6/20			2.25	108.00
10	Laborers (Hours) to repair silt fence - 5/6/20			40.00	400.00
1	Materials used in silt fence repairs - 5/6/20			80.00	80.00
1	Clean Inlet Filter (Each) - 5/11/20			50.00	50.00
6	EXTRA WORK - Grate Inlet Wrapped with Fabric - 5/11/20			85.00	510.00
				<b>Total</b>	\$1,648.00

04/10/2021  
PMS 6/11/2020  
16.71.0917.000-PARK1705

Commercial Seeding Contractors  
26365 Reichmuth Circle  
Valley, NE 68064

# Invoice

Date	Invoice #
6/8/2020	23160

Bill To
City of LaVista Attn: Pat Dowse 8116 Park View Boulevard LaVista, NE 68128



P.O. No.	Terms	Project		
		84th St Redevelopment		
Quantity	Description	U/M	Rate	Amount
1.5	Billing for seeding missed on invoice 22900 Seeding Omaha B (Acres) Lot 16 and SB #3		1,750.00	2,625.00
			<b>Total</b>	\$2,625.00

Ch 70 Pay  
Pmt 6/9/2020  
16.710917000-PAH17005

Design Workshop, Inc.  
Landscape Architecture  
Planning  
Urban Design

**APPROVED**  
RF 6/3/2020  
16.71.0935.001

June 1, 2020  
Invoice No: 0064500

Cindy Miserez  
City of La Vista  
8116 Parkview Blvd.  
La Vista, NE 68128

**Current Invoice Total** \$8,167.20

Project 005806.00 84th Streetscape Plan  
Professional Planning and Design Services.

**Professional Services from May 1, 2020 to May 31, 2020**

Task 010 Existing Context Survey & Mapping  
Fee

Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
48,920.00	100.00	48,920.00	48,920.00	0.00

**Total Fee** 0.00

**Total this Task** 0.00

Task 020 Meetings  
Fee

Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
73,130.00	100.00	73,130.00	73,130.00	0.00

**Total Fee** 0.00

**Total this Task** 0.00

Task 030 Conceptual Illustrative Plan  
Fee

Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
63,740.00	100.00	63,740.00	63,740.00	0.00

**Total Fee** 0.00

**Total this Task** 0.00

Task 040 Selection of Preferred Streetscape Plan

**DESIGNWORKSHOP**

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Shanghai  
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303.623.5186 • 303.623.2260 (fax)

Project	005806.00	84th Streetscape Plan			Invoice	0064500
<b>Fee</b>						
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		55,245.00	100.00	55,245.00	55,245.00	0.00
<b>Total Fee</b>					<b>0.00</b>	
<b>Total this Task</b>					<b>0.00</b>	
Task Fee	041	Additional Services #1 (Phase I)				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		4,999.00	100.00	4,999.00	4,999.00	0.00
<b>Total Fee</b>					<b>0.00</b>	
<b>Total this Task</b>					<b>0.00</b>	
Task Fee	043	Additional Services-Supplemental Survey				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		42,235.00	90.2007	38,096.28	38,096.28	0.00
<b>Total Fee</b>					<b>0.00</b>	
<b>Total this Task</b>					<b>0.00</b>	
Task Fee	044	AS-85th Street Connectivity Realignment				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		4,200.00	0.00	0.00	0.00	0.00
<b>Total Fee</b>					<b>0.00</b>	
<b>Total this Task</b>					<b>0.00</b>	
Task Fee	050	Meetings and Project Management				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		34,360.00	100.00	34,360.00	33,329.20	1,030.80

**DESIGNWORKSHOP**

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Shanghai  
1390 Lawrence Street, Suite 100, Denver, Colorado 80201 • 303.623.5186 • 303.623.2260 (fax)

Project	005806.00	84th Streetscape Plan			Invoice	0064500
		<b>Total Fee</b>				<b>1,030.80</b>
		<b>Total this Task</b>				<b>\$1,030.80</b>
<hr/>						
Task Fee	060	Design Development				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		240,880.00	100.00	240,880.00	240,880.00	0.00
		<b>Total Fee</b>				<b>0.00</b>
		<b>Total this Task</b>				<b>0.00</b>
<hr/>						
Task Fee	070	Construction Documentation (Phase I)				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		118,940.00	6.00	7,136.40	0.00	7,136.40
		<b>Total Fee</b>				<b>7,136.40</b>
		<b>Total this Task</b>				<b>\$7,136.40</b>
<hr/>						
Task Fee	080	Bidding and Negotiation				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		22,935.00	0.00	0.00	0.00	0.00
		<b>Total Fee</b>				<b>0.00</b>
		<b>Total this Task</b>				<b>0.00</b>
<hr/>						
Task Fee	099	Reimbursable Expenses				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		33,250.00	98.0494	32,601.43	32,601.43	0.00
		<b>Total Fee</b>				<b>0.00</b>
		<b>Total this Task</b>				<b>0.00</b>
		<b>Total this Invoice</b>				<b><u>\$8,167.20</u></b>

**DESIGNWORKSHOP**

Aspen Austin Chicago Denver Houston Lake Tahoe Los Angeles Shanghai  
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 303.623.5186 303.623.2260 (fax)

Project	005806.00	84th Streetscape Plan	Invoice	0064500
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Please include invoice number on remittance to: 1390 Lawrence Street, Suite 100, Denver, CO 80204

**DESIGNWORKSHOP**

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Shanghai  
1390 Lawrence Street, Suite 100, Denver, Colorado 80201 • 303.623.5186 • 303.623.2260 (fax)



# Invoice

Reference Invoice Number with Payment

**HDR Engineering Inc.**  
Omaha, NE 68106-2973  
Phone: (402) 399-1000

HDR Invoice No. 1200271011  
Invoice Date 01-JUN-2020  
Invoice Amount Due \$387.24  
Payment Terms 30 NET

**City of La Vista**  
Rita Ramirez  
8116 Park View Blvd  
La Vista, NE 68128

Remit To PO Box 74008202  
Chicago, IL 60674-8202  
ACH/EFT Payments Bank of America ML US  
ABA# 081000032  
Account# 355004076604

Project Management for Services for Public Improvements and Other Works.

Purchase Order : 20-008348

Professional Services  
From: 26-APR-2020 To: 23-MAY-2020

Professional Services Summarization	Hours	Billing Rate	Amount
Communications Coordinator	1.00		93.96
Graphic Designer	0.50		49.68
Project Manager	1.00		243.60
	<b>2.50</b>		<b>\$387.24</b>
		<b>Total Professional Services</b>	<b>\$387.24</b>

Amount Due This Invoice (USD)	\$387.24
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Fee Amount	\$670,695.00
Fee Invoiced to Date	\$499,870.95
Fee Remaining	\$170,824.05

HDR Internal Reference Only	
Client Number	41331
Cost Center	10134
Project Number	10053040

R. Ramirez  
6/18/20

Consent Agenda 6/19/2020  
(P)

# Invoice

HDR Invoice No. 1200271011  
Invoice Date 01-JUN-2020

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs
Task Number:	1.0	Task Description:	Project Management
<b>Professional Services</b>			
Project Manager	Koenig, Christopher J	Hours	Billing Rate
		1.00	243.60
		<b>1.00</b>	<b>\$243.60</b>
		<b>Total Professional Services</b>	<b>\$243.60</b>
		<b>Total Task</b>	<b>\$243.60</b>

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs
Task Number:	3.0	Task Description:	Public Outreach
<b>Professional Services</b>			
Communications Coordinator	Veldhouse, Kristen Lynn	Hours	Billing Rate
Graphic Designer	Rodriguez, Christina Anne Rolfes	1.00	93.96
		0.50	99.36
		<b>1.50</b>	<b>\$143.64</b>
		<b>Total Professional Services</b>	<b>\$143.64</b>
		<b>Total Task</b>	<b>\$143.64</b>

**Invoice**

# olsson

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

May 22, 2020  
 Invoice No: 357953

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

**Invoice Total** **\$1,119.00**

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

Professional services rendered from March 8, 2020 through May 9, 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
<b>Total Labor</b>			<b>175.25</b>
		<b>Total this Phase</b>	<b>\$175.25</b>

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

**Labor**

	Hours	Rate	Amount
Project Manager			
Markham, Matthew	1.25	115.00	143.75
Totals	1.25		143.75
<b>Total Labor</b>			<b>143.75</b>

Project	B16-0546	La Vista NE City Centre Phase 1 Public	Invoice	357953
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**Total this Phase** **\$143.75**

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**

Total Billings	Current	Prior	To-Date
Limit	1,119.00	1,148,633.17	1,149,752.17
Balance Remaining			1,168,326.50
			18,574.33

**AMOUNT DUE THIS INVOICE**

**\$1,119.00**

**Outstanding Invoices**

Number	Date	Balance
356259	4/29/2020	2,291.50
<b>Total</b>		<b>2,291.50</b>

Email Invoices to: pdowse@cityoflavista.org

Authorized By: Anthony Egelhoff

*Ok To Pay  
 Pmt 6/1/2020*

**INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS**

June 3, 2020

Mr. Pat Dowse  
City of LaVista Public Works  
9900 Portal Rd.  
La Vista, Nebraska 68128



Re: Papillion Creek Watershed Partnership Invoice

Dear Mr. Dowse:

The District is invoicing all Partnership members for their yearly contributions per the 5-year Inter-Local Agreement for the Papillion Creek Watershed Partnership. According to the agreement, payment is due prior to July 1, 2020. The annual contributions are listed below for each of the Partnership members:

Entity	FY 2020 Contribution	Percent (%)
Bellevue	\$36,400	9.9%
Boys Town	\$750	0.2%
Gretna	\$5,700	1.6%
La Vista	\$10,750	2.9%
Omaha	\$184,400	50.0%
Papillion	\$23,250	6.3%
Ralston	\$2,250	0.6%
Sarpy County	\$15,500	4.2%
Papio NRD	\$90,000	24.3%
<b>Total</b>	<b>\$369,000</b>	<b>100.0%</b>

Please make a check payable to the Papio-Missouri River Natural Resources District for the amount of \$10,750 and send to my attention. Also a summary listing past contributions as well as previous expenses and projected expenses is enclosed for your information.

If you have any questions or concerns, please contact me at (402) 444-6222 or [llaster@papionrd.org](mailto:llaster@papionrd.org).

Sincerely,

OH TO PAY  
PMD 6/1/2020  
02.43.0505.000

Lori Ann Laster, PE, CFM  
Stormwater Management Engineer

Enclosure



PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT		INVOICE	
Papio-Missouri River NRD 8901 S. 154th Street Omaha, NE 68138 (402) 444-6222		INVOICE NUMBER	20200608-01

**TO: City of La Vista  
Attn: Pat Dowse  
9900 Portal Road  
La Vista, NE 68128**

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	West Papio Trail, Giles Road to Millard per La Vista/Omaha/NRD construction agreement Executed October 26, 2017		
1	Construction Administration - Big Muddy Workshop	total cost	231,113.01
1	Construction - Valley Corp	total cost	2,712,822.38
1	Chang Order, Bank Stabilization Construction	total cost	273,170.93
1	Chang Order, Bank Stabilization Construction Admin.	total cost	26,855.00
	Total construction cost for project and change order La Vista reimbursement on Bank Stabilization is 40%		3,243,961.32
	Total amount to be reimbursed		708,797.45
	Previous reimbursement		250,000.00
	Total remaining		458,797.45
	Amount requested now, per Interlocal Agreement	SUBTOTAL	\$250,000.00
		TAX	0.00
	NOTE: Remainder will be requested after Oct 1, 2020	FREIGHT	

DIRECT ALL INQUIRIES TO:

Carey Fry  
402 444-6222  
email: cfry@papionrd.org

MAKE ALL CHECKS PAYABLE TO:

Papio-Missouri River NRD  
8901 S. 154th Street  
Omaha, NE 68138

**\$250,000.00**  
PAY THIS AMOUNT

OK TO PAY  
PMD 6/8/2020  
PO# 20-008359

THANK YOU!

-2nd INSTALLMENT OF INTERLOCAL  
AGREEMENT APPROVED 11/8/2017



April 30, 2020  
 Project No: R3003.066.00  
 Invoice No: 47175

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 April 30, 2020**

**Fee**

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	237,167.50	71.89	170,499.71	161,515.81	8,983.90
Schematic Design	12,482.50	0.00	0.00	0.00	0.00
Total Fee	249,650.00		170,499.71	161,515.81	8,983.90
<b>Total Fee</b>					<b>8,983.90</b>

**Reimbursable Expenses**

Printing	183.75
<b>Total Reimbursables</b>	<b>183.75</b>
	<b>183.75</b>

**Total this Invoice** **\$9,167.65**

**Outstanding Invoices**

Number	Date	Balance
47066	3/31/2020	5,848.60
<b>Total</b>		<b>5,848.60</b>

PO Number: 20-008351

*R. Ramirez*  
 5/28/20





Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

INVOICE

Please remit to:

TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
PAT DOWSE  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 137479  
Date 05/27/2020  
Project 0171-417 LA VISTA PHASE 1 GOLF  
COURSE TRANSFORMATION -  
PROPOSED LAKE IMPROVEMENTS

Professional Services from April 20, 2020 through May 17, 2020

PO #20-008354

Description	Contract Amount	Prior Billed	Remaining	Current Billed
Interface Area Topographic Survey	6,700.00	6,700.00	0.00	0.00
Construction Staking - Sanitary Sewer Relocation Phase 2	3,000.00	3,000.00	0.00	0.00
Construction Staking - Trail Phase 2	5,000.00	4,882.55	117.45	0.00
Pre-Construction "As-Built" Survey Phase 2	7,500.00	3,602.50	3,897.50	0.00
Post Construction "As-Built Survey Phase 2	0.00	0.00	0.00	0.00
Construction Administration - Sanitary Sewer Relocation Ph 2	7,500.00	7,457.65	42.35	0.00
Meetings	8,000.00	6,198.00	1,802.00	0.00
Construction Testing - Sanitary Sewer Relocation Phase 2	25,000.00	23,524.69	1,475.31	0.00
Construction Testing - Trail Phase 2	15,000.00	14,990.07	9.93	0.00
Erosion Control Monitoring and Reporting Services	16,500.00	10,524.15	5,547.50	428.35
3D Video Update Phase 2	5,500.00	5,229.39	270.61	0.00
Total	99,700.00	86,109.00	13,162.65	428.35

Invoice total 428.35

## Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
137479	05/27/2020	428.35	428.35	0.00	0.00	0.00	0.00
	Total	428.35	428.35	0.00	0.00	0.00	0.00

OK TO PAY  
PMO 6/1/2020

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.



Thompson, Dreessen & Dorner, Inc.  
Consulting Engineers & Land Surveyors

INVOICE

Please remit to:  
TD2 Nebraska Office  
10836 Old Mill Road; Omaha, NE 68154  
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office  
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108  
Office: 605/951-0886

CITY OF LA VISTA  
PAT DOWSE  
9900 PORTAL ROAD  
LA VISTA, NE 68128

Invoice number 137585  
Date 06/02/2020  
Project 0171-400 CITY OF LA VISTA -  
MISCELLANEOUS SERVICES 2012-  
CURRENT, CIVIL

Professional Services from April 13, 2020 through May 10, 2020

Description	Current Billed
<b>Civil Engineering Services</b>	937.50
Answer miscellaneous questions about prior projects and practices.	112.50
Review and communications about City Centre Lot 14 retaining wall proposals,	525.00
Attend Community Development staff meeting via remote method.	150.00
Efforts to communicate with BNSF about Cimarron Woods drainage improvements.	150.00
<b>Construction Materials Testing and Special Inspections</b>	397.00
Bridge Repair 118th and Harrison see attached for detail	
	<b>Total</b> 1,334.50

Invoice total 1,334.50 

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
136903	04/23/2020	337.50		337.50			
137585	06/02/2020	1,334.50	1,334.50				
	Total	1,672.00	1,334.50	337.50	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

CH To Pay  
PM 06/02/2020  
01.19.0303.00

User: mgustafson

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
132529	06/03/2020	CINTAS CORPORATION	263.22	N
132530	06/03/2020	DLR GROUP	50,166.40	N
132531	06/03/2020	RDG PLANNING & DESIGN	9,167.65	N
132532	06/03/2020	TRAFCON INDUSTRIES, INC	3,209.63	N
132533	06/03/2020	UNIVERSITY OF NEBRASKA-OMAHA	50.00	N
132534	06/11/2020	911 CUSTOM LLC	756.08	N
132535	06/11/2020	A-1 BODY, INC.	2,251.69	N
132536	06/11/2020	ACTION BATTERIES UNLTD INC	112.71	N
132537	06/11/2020	AKRS EQUIPMENT SOLUTIONS, INC.	794.59	N
132538	06/11/2020	ALTEC INDUSTRIES INCORPORATED	64.20	N
132539	06/11/2020	AMAZON CAPITAL SERVICES, INC.	1,033.76	N
132540	06/11/2020	AMERICA'S FENCE STORE INC	4,999.79	N
132541	06/11/2020	ASPEN EQUIPMENT COMPANY	762.25	N
132542	06/11/2020	AXON ENTERPRISE INC	2,322.50	N
132543	06/11/2020	BISHOP BUSINESS EQUIPMENT COMPA	796.77	N
132544	06/11/2020	BJORKLUND COMPENSATION CONSUL	240.00	N
132545	06/11/2020	BLACK HILLS ENERGY	775.62	N
132546	06/11/2020	BOOT BARN	243.49	N
132547	06/11/2020	BRIAN HENNING	215.00	N
132548	06/11/2020	BUETHE, PAM	50.00	N
132549	06/11/2020	CENTURY LINK	674.13	N
132550	06/11/2020	CENTURY LINK BUSN SVCS	105.11	N
132551	06/11/2020	CINTAS CORPORATION	320.04	N
132552	06/11/2020	CITY OF PAPILLION	3,250.00	N
132553	06/11/2020	CONTINENTAL RESEARCH CORPORATI	783.94	N
132554	06/11/2020	COX COMMUNICATIONS, INC.	589.14	N
132555	06/11/2020	CULLIGAN OF OMAHA	28.00	N
132556	06/11/2020	D & K PRODUCTS	1,935.15	N
132557	06/11/2020	DIAMOND VOGEL PAINTS	207.45	N
132558	06/11/2020	DOG WASTE DEPOT	604.40	N
132559	06/11/2020	DOUGLAS COUNTY SHERIFF'S OFC	912.50	N
132560	06/11/2020	DULTMEIER SALES LLC	14.16	N
132561	06/11/2020	EDGEWEAR SCREEN PRINTING	120.00	N
132562	06/11/2020	FBG SERVICE CORPORATION	11,930.00	N
132563	06/11/2020	FERGUSON ENTERPRISES INC #226	37.98	N
132564	06/11/2020	FIRST WIRELESS INC	560.00	N
132565	06/11/2020	FITZGERALD SCHORR BARMETTLER	34,222.30	N
132566	06/11/2020	GENUINE PARTS COMPANY-OMAHA	913.22	N
132567	06/11/2020	GRAINGER	8.52	N
132568	06/11/2020	GREAT PLAINS UNIFORMS	2,220.00	N
132569	06/11/2020	GREATAMERICA FINANCIAL SERVICES	1,127.00	N
132570	06/11/2020	HANEY SHOE STORE	150.00	N
132571	06/11/2020	HARM'S CONCRETE INC	130.00	N
132572	06/11/2020	HAWKEYE TRUCK EQUIPMENT CO INC	754.51	N
132573	06/11/2020	HEIM, JAMES A	3,354.00	N
132574	06/11/2020	HUNTEL COMMUNICATIONS, INC	115.00	N
132575	06/11/2020	HY-VEE INC	275.00	N
132576	06/11/2020	INDUSTRIAL SALES COMPANY INC	88.67	N
132577	06/11/2020	J & J SMALL ENGINE SERVICE	561.42	N
132578	06/11/2020	J RETZ LANDSCAPE, INC	1,640.00	N
132579	06/11/2020	JOHN MADSEN	215.00	N
132580	06/11/2020	JOHNSTONE SUPPLY CO	69.74	N
132581	06/11/2020	KRIHA FLUID POWER CO INC	78.92	N
132582	06/11/2020	LA VISTA COMMUNITY FOUNDATION	60.00	N
132583	06/11/2020	LARSEN SUPPLY COMPANY	79.94	N
132584	06/11/2020	LOGAN CONTRACTORS SUPPLY	81.65	N
132585	06/11/2020	LOU'S SPORTING GOODS	269.82	N
132586	06/11/2020	MARK A KLICKER	200.00	N
132587	06/11/2020	MENARDS-RALSTON	1,322.55	N
132589	06/11/2020	METRO LANDSCAPE MATERIALS &	240.00	N

User: mgustafson

DB: La Vista

Check #

Check Date

Vendor Name

Amount

Voided

132590	06/11/2020	METROPOLITAN COMMUNITY COLLEG	19,931.57	N
132591	06/11/2020	METROPOLITAN UTILITIES DISTRICT	224.61	N
132592	06/11/2020	MIDLANDS LIGHTING & ELECTRIC SUP	9.65	N
132593	06/11/2020	MIDWEST SERVICE AND SALES CO	678.00	N
132594	06/11/2020	MIRACLE RECREATION EQUIPMENT	334.00	N
132595	06/11/2020	NEBRASKA IOWA INDL FASTENERS INC	19.84	N
132596	06/11/2020	NEBRASKA LAKE MANAGEMENT, LLC	590.00	N
132597	06/11/2020	O'REILLY AUTO PARTS	280.23	N
132598	06/11/2020	OFFICE DEPOT INC	122.32	N
132599	06/11/2020	OMAHA PUBLIC POWER DISTRICT	47,666.36	N
132602	06/11/2020	OMAHA TACTICAL LLC	143.00	N
132603	06/11/2020	OMAHA WINNELSON SUPPLY	49.36	N
132604	06/11/2020	OMNI ENGINEERING	429.10	N
132605	06/11/2020	ONE CALL CONCEPTS INC	376.59	N
132606	06/11/2020	OVERHEAD DOOR COMPANY OF OMA	4,467.00	N
132607	06/11/2020	PAPILLION SANITATION	1,163.61	N
132608	06/11/2020	PAPILLION TIRE INCORPORATED	12.75	N
132609	06/11/2020	PER MAR SECURITY SERVICES	924.00	N
132610	06/11/2020	RAINBOW GLASS & SUPPLY INC	855.00	N
132611	06/11/2020	READY MIXED CONCRETE COMPANY	1,886.96	N
132612	06/11/2020	RED MUNICIPAL & INDUSTRIAL EQUIP	5,547.02	N
132613	06/11/2020	RON TURLEY ASSOCIATES INC	1,700.00	N
132614	06/11/2020	SARPY COUNTY COURTHOUSE	4,207.68	N
132615	06/11/2020	SIGN IT	2,705.60	N
132616	06/11/2020	SIGN-O-VATION, INC.	427.33	N
132617	06/11/2020	SOUTHERN UNIFORM & EQUIPMENT	349.70	N
132618	06/11/2020	STAPLES, INC.	104.42	N
132619	06/11/2020	STOLTENBERG NURSERIES	1,618.70	N
132620	06/11/2020	SUN VALLEY LANDSCAPING	263.59	N
132621	06/11/2020	T & N ACQUISITION COMPANY	528.50	N
132622	06/11/2020	TED'S MOWER SALES & SERVICE INC	160.08	N
132623	06/11/2020	THE HARRY A KOCH COMPANY	6,725.75	N
132624	06/11/2020	THE SCHEMMER ASSOCIATES INC	3,971.30	N
132625	06/11/2020	TOSHIBA FINANCIAL SERVICES	138.00	N
132626	06/11/2020	TRAFFIX DEVICES, INC.	21,720.20	N
132627	06/11/2020	TRANS UNION RISK AND ALT. DATA S	50.00	N
132628	06/11/2020	TURFWERKS	83.22	N
132629	06/11/2020	U.S. CELLULAR	1,688.72	N
132630	06/11/2020	UNITE PRIVATE NETWORKS LLC	4,400.00	N
132631	06/11/2020	UNITED STATES POSTAL SERVICE	1,396.22	N
132632	06/11/2020	VERIZON WIRELESS	289.77	N
132633	06/11/2020	VOIANCE LANGUAGE SERVICES, LLC	22.31	N
132634	06/11/2020	WALMART COMMUNITY BRC	417.44	N
132635	06/11/2020	WESTLAKE HARDWARE INC NE-022	825.96	N
132636	06/11/2020	WHITE CAP CONSTR SUPPLY/HDS	164.70	N
132637	06/11/2020	WOODHOUSE LINCLN-MAZDA-PORSC	38.96	N

TOTAL:

288,233.73

APPROVED BY COUNCIL MEMBERS ON: 06/16/2020

COUNCIL MEMBER

COUNCIL MEMBER

06/11/2020 05:34 PM

ACCOUNTS PAYABLE CHECK REGISTER

Page: 3/3

User: mgustafson

DB: La Vista

Check #

Check Date

Vendor Name

Amount

Voided

COUNCIL MEMBER

COUNCIL MEMBER

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COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
1032(E)	05/05/2020	FIRST NATIONAL BANK OF OMAHA	90,309.38	N
1062(E)	05/31/2020	FIRST BANKCARD	3,525.64	N
1065(E)	05/31/2020	3C PAYMENT USA CORPORATION	100.00	N
1066(E)	05/31/2020	AMERICAN HERITAGE LIFE INSURANCE	1,461.56	N
1067(E)	05/31/2020	BLUE CROSS BLUE SHIELD OF NEBR	112,077.30	N
1068(E)	05/31/2020	CCAP AUTO LEASE LTD	391.12	N
1069(E)	05/31/2020	CCAP AUTO LEASE LTD	449.00	N
1070(E)	05/31/2020	DEARBORN NATIONAL LIFE INSURANC	1,147.00	N
1071(E)	05/31/2020	DEARBORN NATIONAL LIFE INSURANC	5,769.66	N
1072(E)	05/31/2020	ESSENTIAL SCREENS	228.00	N
1073(E)	05/31/2020	LINCOLN NATIONAL LIFE INS CO	6,475.44	N
1074(E)	05/31/2020	MID-AMERICAN BENEFITS INC	650.00	N
1075(E)	05/31/2020	NE DEPT OF REVENUE-SALES TAX	83.21	N
1076(E)	05/31/2020	TOSHIBA FINANCIAL SERVICES	127.40	N
1077(E)	05/31/2020	TSYS	169.01	N
1078(E)	05/31/2020	UNITED HEALTHCARE INSURANCE CO	974.52	N
1082(E)	05/31/2020	FIRST STATE BANK	2,137.23	N
1083(E)	05/31/2020	FIRST STATE BANK	4,399.70	N
1084(E)	05/31/2020	FIRST STATE BANK	5,668.85	N
1085(E)	05/31/2020	MID-AMERICAN BENEFITS INC	11,118.67	N
TOTAL:				247,262.69

APPROVED BY COUNCIL MEMBERS ON: 06/16/2020

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COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 16, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SMALL WIRELESS FACILITIES	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSISTANT PLANNER

#### **SYNOPSIS**

This request to amend the La Vista Municipal Code introduces a new chapter (Chapter 120) which will regulate the placement and permitting of Small Wireless Facilities in public right(s)-of-way within La Vista's planning jurisdiction. This request will bring La Vista into compliance with Nebraska Legislative Bill 184, also known as the Small Wireless Facilities Deployment Act (LB184) which was signed into law on May 21, 2019.

#### **FISCAL IMPACT**

N/A.

#### **RECOMMENDATION**

Approval.

#### **BACKGROUND**

Nebraska Legislative Bill 184 states that the deployment of small wireless facilities is a matter of statewide concern and public policy, and the bill provides access for wireless telecommunication carriers to use municipal right(s)-of-way for deployment of small wireless facilities on existing or newly installed poles. LB184 provides for uniform application review and permitting processes for municipalities within the State of Nebraska and requires compliance with FCC guidelines.

Small wireless facilities, also known as “small cells” are low-powered cellular radio access nodes involving antennas, fiber, electricity, and equipment cabinets that have a limited range in comparison with traditional cell towers, but are used to increase network capacity in specific areas. They are being deployed across the country to improve 4G and 5G access, and some have been deployed in both Omaha and Lincoln.

After being signed into law on May 21, 2019, LB184 went into effect on September 1, 2019, and this ordinance is required to bring La Vista into compliance. The proposed ordinance was modeled after those of surrounding communities such as the City of Papillion and the City of Omaha. City staff has worked with the City Attorney over the past few months to ensure that this ordinance is appropriate for La Vista and in compliance with State Statute. Attached is the ordinance containing the proposed language for La Vista Municipal Code Chapter 120.

## **ORDINANCE NO.**

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND THE LA VISTA MUNICIPAL CODE BY ADDING A NEW CHAPTER 120 REGARDING TELECOMMUNICATIONS SMALL WIRELESS FACILITIES; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA that the La Vista Municipal Code is amended by adding a new Chapter 120 entitled "Telecommunications", and a new Article I thereunder entitled "Small Wireless Facilities", consisting of Sections 120.001 through 120.013, reading as follows:

### **CHAPTER 120: TELECOMMUNICATIONS**

#### **ARTICLE I. *Small Wireless Facilities***

##### **§ 120.001. FINDINGS AND PURPOSE.**

- A. The City Council finds that it is necessary to specify requirements for the orderly, safe, and aesthetic deployment of small wireless facilities by telecommunications companies in the City.
- B. The City owns and maintains public rights of way principally for use by the City and its residents for public purposes.
- C. City rights of way are a finite resource and are subject to requests for use by others, including companies seeking use of rights of way in connection with small wireless facilities, which uses or activities can jeopardize or interfere with public health, safety, welfare, or use of rights of way by the City or its residents, and adversely affect aesthetics within the City.
- D. It is necessary to regulate such uses of rights of way in the City to ensure they are conducted in a fair, safe, and orderly manner that does not jeopardize or interfere with public health, safety, welfare, or uses of rights of way by the City or its residents, and that minimizes potential adverse impacts on aesthetics within the City.

The City, in the interests of protecting public health, safety, and welfare, determines that it is appropriate to adopt rules and regulations governing small wireless facilities on or within public rights of way. The City through zoning also has authority to regulate uses of properties other than public rights of way in connection with small wireless facilities.

##### **§ 120.002. DEFINITIONS.**

For the purposes of this Article, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section or Neb. Rev. Stat. Section 86-1201 et seq., known as the Small Wireless Facilities Deployment Act. The purpose of these provisions is to promote consistency and precision in the interpretation of this Article. The meanings and construction of words as set forth shall apply throughout this Article, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

**ACTION or TO ACT** -- The City's grant of an application or issuance of a written decision denying an application.

**ANTENNA** -- Communications equipment that transmits or receives electromagnetic radio frequency signals used in providing wireless services.

**APPLICABLE CODES** -- Any uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to such codes so long as such amendments are not in conflict with federal, state or local law and to the extent such codes have been adopted by the

City and are generally applicable in the City.

**APPLICANT** -- Any person who submits an application and is a wireless provider.

**APPLICATION** -- A written request submitted by an applicant to the City (1) for a permit to collocate small wireless facilities on an existing utility pole or support structure or (2) for a permit for approval for the installation, modification, or replacement of a utility pole or support structure to support the installation of a small wireless facility.

**AUTHORITY POLE** – A utility pole owned, managed, or operated by or on behalf of an authority.

**AUTHORIZATION** -- Any approval that the City must issue under this article, applicable codes, or law prior to the deployment of a small wireless facility, along with any associated antenna equipment and support structure, including, but not limited to, zoning approval, building permit, and/or permit under this article.

**CANTENNA** -- means a cylindrical shaped antenna installed at the top of a pole.

**COLLOCATE or COLLOCATION** -- To install, mount, maintain, modify, operate, or replace small wireless facilities on or adjacent to a support structure or utility pole. Collocate or collocation does not include the installation of a new utility pole or new support structure in the right-of-way.

**COMMUNICATIONS FACILITY** -- Any set of equipment and network components including wires, cables, and associated facilities used by a cable operator as defined in 47 U.S.C. 522(5), as such section existed on January 1, 2019, a telecommunications carrier as defined in 47 U.S.C. 153(51), as such section existed on January 1, 2019, a provider of information service as defined in 47 U.S.C. 153(24), as such section existed on January 1, 2019, or a wireless services provider, to provide communications services, including cable service as defined in 47 U.S.C. 153(8), as such section existed on January 1, 2019, an information service as defined in 47 U.S.C. 153(24), as such section existed on January 1, 2019, wireless services, or other one-way or two-way communications service.

**COMMUNICATIONS NETWORK** -- A network used to provide communications service.

**COMMUNICATIONS SERVICE** -- A cable service as defined in 47 U.S.C. 522, as such section existed on January 1, 2019, an information service as defined in 47 U.S.C. 153, as such section existed on January 1, 2019, a telecommunications service as defined in 47 U.S.C. 153, as such section existed on January 1, 2019, or a wireless service.

**COMMUNICATIONS SERVICE PROVIDER** -- A cable operator as defined in 47 U.S.C. 522, a provider of information service as defined in 47 U.S.C. 153, or a telecommunications carrier as defined in 47 U.S.C. 153, as such sections existed on January 1, 2019. Communications service provider includes a wireless provider.

**DECORATIVE POLE** -- A pole that is specially designed and placed for aesthetic purposes.

**DEPLOYMENT** -- Placement, construction, or modification of a small wireless facility.

**FCC** -- The Federal Communications Commission.

**FEE** -- A one-time, nonrecurring charge, to be collected upon application.

**GROUND MOUNTED EQUIPMENT** – Equipment installed, affixed, placed, or situated at or below grade level, including without limitation equipment located at or below grade adjacent to sidewalks, drive aisles or streets, and is distinct from equipment mounted on existing above-ground infrastructure having a primary purpose unrelated to small wireless facilities, such as utility poles.

**HISTORIC DISTRICT** -- Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic

Places, in accordance with Stipulation VI.D.1.a (i)-(v) of the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission codified at 47 C.F.R. part 1, Appendix C, as such regulation existed on January 1, 2019, or designated pursuant to state historic preservation law if such designation exists at the time of application.

**LAW** -- Applicable federal, state, or local laws, rules or regulations as adopted or amended from time to time, including without limitation, applicable provisions of Neb. Rev. Stat. Section 86-1201 et seq., known as the Small Wireless Facilities Deployment Act.

**MAKE-READY WORK** -- All work, as reasonably determined by the City, required to accommodate a small wireless facility on a utility pole, and to comply with all the City's applicable codes. Such work includes, but is not limited to, modification or replacement of utility poles or lines, installation of guys and anchors, rearrangement of existing equipment, inspections, reasonable consultant fees or expenses, permitting work, design, planning, construction, materials, cost of removal (less any salvage value), tree trimming (other than tree trimming performed for normal maintenance purposes), facility construction, or conduit system clearing, but does not include ordinary maintenance.

**MICROWIRELESS FACILITY** -- Any small wireless facility that is not larger in dimension than twenty-four inches in length, fifteen inches in width, and twelve inches in height and with any exterior antenna no longer than eleven inches.

**ORDINARY MAINTENANCE AND REPAIR** -- Routine maintenance and/or repairs that maintain functional capacity, aesthetic and structural integrity of a facility and do not increase the usefulness or life of the facility..

**PERMIT** -- A written authorization, in electronic or hard copy format required by the City to perform an action, initiate, continue, or complete installation of a small wireless facility on an existing utility pole or an existing support structure, or to install, modify, or replace a utility pole or support structure to support installation of a small wireless facility.

**PERMITTEE** -- An applicant that has received a permit under this article, and its successors and assignees.

**PERSON** -- An individual, a corporation, a limited liability company, a partnership, an association, a trust, or any other entity or organization.

**PUBLIC POWER SUPPLIER** -- A public power district or any other governmental entity providing electric service. Public power supplier includes a municipal electric utility or a rural public power supplier.

**RATE** -- A recurring charge, collected on a regular basis such as annually.

**REPLACE or REPLACEMENT** -- In connection with an existing utility pole or support structure, to replace (or the replacement of) same with a new pole or structure, substantially similar in design, size and scale to the existing pole or structure and in conformance with this article and any other applicable codes, in order to address limitations of the existing pole or structure to structurally support collocation of a small wireless facility.

**RIGHT OF WAY** -- The area on, below, or above a public roadway, highway, street, sidewalk, alley, dedicated utility easement, or similar property, but not including a freeway as defined in § 39-1302, the National System of Interstate and Defense Highways, or a private easement.

**RURAL PUBLIC POWER SUPPLIER** -- A public power district, a public power and irrigation district, an electric cooperative, or an electric membership association, that does not provide electric service to any city of the metropolitan class, city of the primary class, or city of the first class.

**SIGHT TRIANGLE ZONE** -- An area at a street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two-and-a-half (2 ½) feet and ten (10) feet

above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, sixty (60) feet in each direction along the centerline of the streets. At the intersection of major or other arterial streets, the sixty (60) foot distance shall be increased to ninety (90) feet for each arterial leg of the intersection.

**SHOT CLOCK** -- The period of time in which the City is required to act on an application.

**SMALL WIRELESS FACILITY** -- Any wireless facility that meets each of the following conditions: (1) The facilities (a) are mounted on structures fifty feet or less in height including the antennas or (b) are mounted on structures no more than ten percent taller than other adjacent structures; (2) each antenna associated with the deployment is no more than three cubic feet in volume; (3) all other equipment associated with the structure, whether ground-mounted or pole-mounted, is no more than twenty-eight cubic feet in volume; (4) the facilities do not require antenna structure registration under 47 C.F.R. part 17, as such regulation existed on January 1, 2019; (5) the facilities are not located on tribal lands, as defined in 36 C.F.R. 800.16(x), as such regulation existed on January 1, 2019; and (6) the facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 C.F.R. 1.1307(b), as such regulation existed on January 1, 2019.

**SUPPORT STRUCTURE** -- Any structure such as a guyed or self-supporting tower, billboard, building, or other existing or proposed structure designed to support or capable of supporting wireless facilities other than a structure designed solely for the collocation of small wireless facilities. "Support structure" does not include a utility pole.

**TECHNICALLY FEASIBLE** -- By virtue of engineering or spectrum usage, the proposed placement for a small wireless facility, or its design or site location, can be implemented without a material reduction in the functionality of the small wireless facility.

**UTILITY POLE or POLE** -- A pole located in the right-of-way that is used for wireline communications, lighting, the vertical portion of support structures for traffic control signals or devices or a similar function, or for the collocation of small wireless facilities and located in the right-of-way. Utility pole does not include (1) support structures, (2) any transmission infrastructure owned or operated by a public power supplier or rural public power supplier, and (3) any distribution or communications infrastructure owned or operated by a rural public power supplier.

**WIRELESS FACILITY** -- Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (a) equipment associated with wireless communications and (b) radio transceivers, antennas, coaxial or fiber-optic cable, regular power supply, and small back-up battery, regardless of technological configuration. Wireless facility includes small wireless facilities. "Wireless facility" does not include (a) the structure or improvements on, under, or within the equipment which is collocated, (b) coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to, or directly associated with, a particular antenna, or (c) a wireline backhaul facility.

**WIRELESS INFRASTRUCTURE PROVIDER** -- Any person, including a person authorized to provide telecommunications service in the State of Nebraska, when acting to build or install wireless communication transmission equipment, wireless facilities, or support structures, but that is not a wireless services provider.

**WIRELESS PROVIDER** -- A wireless services provider or a wireless infrastructure provider when acting as a coapplicant for a wireless services provider.

**WIRELESS SERVICES** -- Any services using licensed or unlicensed spectrum, including the use of Wi-Fi, whether mobile or at a fixed location, provided to the public using wireless facilities.

**WIRELESS SERVICES PROVIDER** -- A person who provides wireless services.

**WIRELINE BACKHAUL FACILITY** -- An above-ground or underground facility used to transport communications services from a wireless facility to a communications network.

#### **§ 120.003. APPLICABILITY.**

This article shall apply to all deployments of small wireless facilities on rights of way within the City and its two mile extraterritorial jurisdiction, as amended or annexed from time to time, except as specifically excluded in this section or in this article. With respect to deployments on rights of way which are owned by another jurisdiction, the city shall coordinate its regulation under this article with such jurisdiction, by agreement or otherwise, so that only one of the jurisdictions regulates the same. This article shall not apply to any facility that was in existence and authorized by an agreement with the City as of the effective date of this article. Notwithstanding this section, the shot clock for an application shall be governed by this article or by an existing agreement, whichever provides for a shorter shot clock. Notwithstanding this section, application fees and yearly rates shall be governed by this article or by an existing agreement, whichever provides for smaller fees or rates. Small wireless facilities shall be governed by this article, and not by other lease requirements of the City or this Code. This article shall not apply to the design, engineering, construction, installation, or operation of any small wireless facility located in the interior structure or upon the site of any college or university campus, stadium, or athletic facility not owned or controlled by the City, other than to comply with applicable codes, laws, or as otherwise agreed by the person or entity owning or controlling the college or university campus, stadium, or athletic facility. For an application submitted to the State of Nebraska regarding a location within right of way or other property owned or controlled by the State, to the extent that the State seeks a recommendation from the City regarding such application, the City shall apply the location and design standards of section 120.011. The applicant for a location on such State right of way or other property shall provide to the City a copy of the application submitted to the State. City shall not require an application, permit, or other approval or charge fees or rates for ordinary maintenance of small wireless facilities, replacement of small wireless facilities with small wireless facilities that are substantially similar in weight or windage or the same size or smaller, or for the installation, placement, maintenance, operation or replacement of microwireless facilities that are strung on cables between existing utility poles in compliance with the National Electrical Safety Code. Except as otherwise provided in this Article, City requires a permit for all other work, and for any work that requires excavation or closing of sidewalks or any vehicular lanes within the right of way.

#### **§ 120.004. PERMIT REQUIRED.**

It shall be unlawful for any person to install, maintain, or operate a small wireless facility, unless such person shall have previously obtained a permit under this article from the City expressly authorizing such small wireless facility. It shall be unlawful for any person to collocate a small wireless facility on or associated with an existing utility pole or support structure, unless such person shall have previously obtained a permit under this article from the City expressly authorizing the attachment or association of that specific small wireless facility. It shall be unlawful for any person to

construct, install, replace, maintain, or operate a new utility pole or support structure to which will be attached or associated a small wireless facility, unless such person shall have previously obtained a permit under this article.

#### **§ 120.005. APPLICATION.**

A. Form and content. Application for a permit under this article shall be filed with the Planning Department, on a form provided by that Department. On or in addition to that form, an application shall include the following:

- (1) The applicant's name, address, telephone number, and e-mail address, including emergency contact information for the applicant.
- (2) The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the applicant with respect to the application.
- (3) A description of the proposed work and the purposes and intent of the proposed small wireless facility.
- (4) If applicable, written authorization from the owner of the utility pole or support structure on which the small wireless facility will be placed or attached, if not the City. For a utility pole or support structure owned or controlled by the Omaha Public Power District or other owner, the applicant shall provide proof of approval of the specific plans by that District or owner.
- (5) Detailed construction drawings regarding the proposed small wireless facility, and any associated equipment and utility pole or support structure. The drawings shall show the location, dimensions, elevations, equipment specifications, and attachment methods for the small wireless facility, all equipment, and the utility pole or support structure.
- (6) To the extent the proposed small wireless facility involves collocation on a utility pole or support structure, a structural report performed by a duly licensed engineer evidencing that the pole or support structure will structurally support the collocation (or proposed modifications to the pole or support structure to meet structural requirements) in accordance with applicable codes.
- (7) For any new above ground antenna or other equipment, a conceptual rendering of the said equipment, including accurate visual depictions and locations, if not included in the construction drawings.
- (8) A full description of any proposed make-ready work to be performed in preparation for the proposed installation and use of the small wireless facility, associated equipment and utility pole or support structure.
- (9) The application fee as required by this article.
- (10) Bond and certificate of insurance as required by this article.

(11) The application shall include:

- (a) Language providing for the indemnification of the City by the applicant as required by this article; and
- (b) An attestation by the applicant that the small wireless facility shall be operational for use by a wireless services provider within nine months after the later of the completion of all make-ready work or the permit issuance date, unless a delay is caused by lack of commercial power or communications transport facilities to the site, in which case the deadline shall be extended for a period of up to nine months, equal to the period of the delay.
- (c) The applicant's signature on and submittal of the application shall constitute agreement to subsections (a) and (b) above.

B. Batching. An applicant may apply for more than one but no more than five small wireless facilities in a single application, provided that all information required by this section is provided for each separate small wireless facility. Application fees shall be paid for each small wireless facility, as provided in this article.

Each small wireless facility within a consolidated application is subject to individual review, except that the denial of one or more small wireless facilities in a consolidated application shall not delay processing of any other small wireless facilities in the same application or be a basis upon which to deny the consolidated application as a whole. If an applicant applies to construct or collocate several small wireless facilities within the jurisdiction of the City, the City shall:

- (1) Allow the applicant, at the applicant's discretion, to file a single set of documents that apply to all of the applicant's small wireless facilities; and
- (2) Render a decision regarding all of the applicant's small wireless facilities in a single administrative proceeding.

C. Replacement or modification. A permittee shall be required to file an application and pay an application fee for the proposed replacement or modification of an existing small wireless facility, antenna equipment, or associated utility pole or support structure. In such case, the application shall include updated drawings of the facilities showing such replacement or modification. Such proposed replacement or modification shall be reviewed and acted upon by the City as if it were an initial application. This subsection C does not apply, and no permit, application, or fee will be required, with respect to the replacement of a small wireless facility with a small wireless facility that is substantially similar in weight or windage or the same size or smaller, unless excavation or closing of sidewalks or any vehicular lanes within the right of way is required.

D. Shot clock. The City shall act on a filed application, and all associated requests, on or before the expiration of the shot clock period.

(1) The shot clock period for an application is the sum of:

- (a) Ninety days, plus an additional ten business days if requested in

writing by the City prior to the expiration of the ninety days, plus,

- (b) Such additional number of days of the tolling period, if any, pursuant to subsection (D)(2) below.
- (2) Unless a written agreement between the applicant and the City provides otherwise, the tolling period for an application, if any, is as set forth below:
  - (a) If the City notifies the applicant in writing on or before the twentieth day after submission that the application is incomplete, and specifically identifies the missing documents or information, the shot clock date calculation shall restart at zero on the date on which the applicant submits all the documents and information identified by the City to render the application complete.
  - (b) Subsequent findings of incompleteness shall further toll the shot clock from the time the City sends written notice of incompleteness until the time the applicant provides the missing information.
  - (c) If the applicant submits new or additional documents or information that include material changes not otherwise required by the City, a new application and application fee shall be submitted, which will restart the shot clock at zero
- (3) The shot clock deadline for an application is determined by counting forward, beginning on the day after the date when the application or any missing or additional information or documents, as the case may be, is submitted, by the number of calendar days of the shot clock period identified pursuant to this subsection (D); provided, that if the deadline calculated in this manner falls on a weekend or holiday, the deadline shall be the next business day after such date. The term "business day" means any day that is not a weekend day or holiday.

- E. Permit issuance. Approval of an application authorizes the permittee to deploy, maintain and operate the small wireless facilities and any associated utility pole covered by the permit for a period of five years in accordance with this article, subject to applicable relocation requirements and the permittee's right to terminate at any time. At the end of each such term, such permit shall be considered automatically renewed for an equivalent duration so long as the permittee is in compliance with applicable requirements. Application review and permit issuance shall be conducted administratively by the City Administrator or the City Administrator's designee.

## **§ 120.006. FEES & COSTS.**

### **A. Application fees.**

- (1) An application for a permit under this article for the collocation of a small wireless facility on an existing utility pole or support structure shall be accompanied by an application fee in the amount of \$500.00 for up to five small wireless facilities on the same application.

(2) An application for a permit for a new, modified, or replacement utility pole or support structure intended to support one or more small wireless facilities, and for one small wireless facility to be placed on such pole or structure, shall be accompanied by an additional application fee of \$250.00.

B. Annual fees.

- (1) A permittee who is charged City occupation taxes under Neb. Rev. Stat. §86-704 shall pay such occupation taxes and shall not be charged any additional amount for use of the right of way.
- (2) A permittee who does not pay the City occupation taxes under Neb. Rev. Stat. Section §86-704 shall pay to the City an annual rate of \$250.00 for each small wireless facility each year, or any applicable occupation taxes from time to time specified by City Ordinance under Neb. Rev. Stat. §16-205.
- (3) For collocations of small wireless facilities on City poles in City right of way, permittee will pay City \$20.00 per pole per year.
- (4) The annual amounts described in subsection 120.006B(2) or B(3) above shall be determined on a calendar year basis and paid on or before January 1 of the calendar year to which they relate.

C. Costs. In addition to fees specified in this §120.006 above, applicant or permittee shall be liable for and pay all costs and expenses specified by §§ 120.001 through 120.013, or otherwise incurred in connection with facilities, poles, equipment, or actions of applicant or permittee, including without limitation, the obligation of the applicant or permittee to reimburse to the City the actual cost of repair as provided in § 120.010.

**§ 120.007. INTERFACE, REMOVAL, AND ABANDONMENT.**

A. In the event that any facility of a permittee on City right of way or City property obstructs or hinders travel or public safety or obstructs or interferes with the legal use of such right of way or property by the City, utilities or other authorized users, as determined at the sole discretion of the City Engineer or any designee of the City Engineer ("City Engineer"), the City may provide written notice to the permittee of such interference, obstruction, or hindrance and of the need to resolve such interference, obstruction, or hindrance. Not in limitation of the immediately preceding sentence, in the event that any such facility of the permittee causes any radiofrequency interference to any City facilities or other uses of City right of way or City property, the City may notify the permittee in writing of such interference and the need to resolve such interference. Upon service of any notice under this subsection, the permittee shall remedy such interference, obstruction, or hindrance within 90 days or, in the case of an emergency, within such shorter time period as directed by the City. If such interference, obstruction, or hindrance is not resolved in a timely manner, the permittee shall, at its own expense, remove its facilities from that location and restore the location to a condition equal to or better than the condition before construction or installation of the facilities. In such case, the permittee may apply for the relocation of similar facilities at another location satisfactory to the City Engineer, without payment of an application fee.

- B. Within 90 days following written notice from the City, the permittee shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any of its facilities, whenever the City has determined, in its sole discretion, that such removal, relocation, change or alteration is necessary for the construction, repair, maintenance or installation of any City improvement in, under or upon the public right of way. The permittee shall be responsible to the City for any damages or penalties the City may incur as a result of the permittee's failure to remove or relocate the facilities as required in this subsection.
- C. The City retains the right and privilege to cut or move any facility of the permittee located within the public right of way or on City property, as the City may determine in its sole discretion to be necessary, appropriate or useful in response to any public emergency, and the permittee will pay the cost. If circumstances permit, the City shall notify the permittee and give the permittee an opportunity to move its own facilities prior to cutting or removing the facilities. In all cases the City shall notify the permittee after cutting or removing the facilities as promptly as reasonably possible.
- D. The permittee may cease using its facilities at a location. The permittee shall notify the City of its intent to cease using any facility at the time the decision is made, but in no case shall such notification be made later than 30 days prior to the date the use ceases. The permittee shall, within 30 days of such notice, remove its facilities at the permittee's own expense, unless the City determines and states in writing, in its sole discretion, that any part of the facilities may be abandoned in place. The permittee shall remain solely responsible and liable for all of its facilities until they are removed from the public right of way unless the City agrees in writing to take ownership of the abandoned facilities. For the purpose of this subsection, abandonment of facilities and cancellation of the related permit shall be deemed to have occurred after such facilities are not used for a period of 90 days.
- E. If the permittee fails to timely protect, support, temporarily or permanently disconnect, remove, relocate, change or alter any of its facilities or remove any of its abandoned or unused facilities or otherwise take any action as required in this section, the City or its contractor may do so. In such case, the permittee shall pay all costs related to such work.

#### **§ 120.008. INDEMNIFICATION.**

In submitting an application and maintaining and operating its facilities, the permittee agrees to indemnify, defend and hold harmless the City, and all officers, officials, employees, and agents of the City, and each of them, from and against all claims, causes of action, costs, damages, demands, suits, judgments, and expenses, including without limitation court costs, costs of defense, and attorney fees, arising out of or resulting from, in whole or in part, any acts or omissions of permittee or any owner, director, officer, manager, partner, employee, contractor, agent, successor or assign of permittee (each referred to as "Affiliated Party") in connection with a permit, this article, use of City rights of way, or the installation, construction, operation, maintenance, replacement, modification, or repair of facilities, whether or not any act or omission complained of is authorized, allowed, or prohibited by the permit or this article. Execution and submission of an application by the applicant shall be deemed to constitute an agreement to the provisions of this section.

## **§ 120.009. INSURANCE.**

- A. Upon and after application, the permittee, at permittee's cost and expense, shall obtain and maintain during the term of the permit and completion of all work on City property, the type and amount of insurance as specified by the City Engineer in accordance with City policies at the time an application is submitted, and at a minimum including the following: (1) commercial general liability ("CGL") with a limit of \$1,000,000 per occurrence for bodily injury (including death) and property damage liability and \$5,000,000 general aggregate including products/completed operations and explosion, collapse and underground hazards, and completed operations and waiver of subrogation in favor of City, (2) commercial automobile liability insurance with limits of \$1,000,000 Combined Single Limit ("CSL") each accident for bodily injury and property damage covering all owned, hired, and non-owned motor vehicles, (3) workers' compensation insurance in compliance with the statutory requirements of the state(s) of operation and employer's liability with a limit of \$500,000, each accident/disease/policy limit. On all such policies and certificates of insurance other than workers compensation and employer's liability coverages, permittee shall cause City to be included as an additional insured on such coverages on a primary and non-contributory basis for the duration of the permit and completion of all work on City property, and shall waive subrogation of claims against City as an additional insured. All such policies and certificates of insurance shall be issued by companies authorized to do business in the State of Nebraska. A certificate of insurance shall be filed with the City Clerk's office prior to commencement of any construction or installation or other work or activity under a permit.
- B. Upon and after application, the permittee of a permit located on right of way or other City property shall provide and maintain in effect a bond with a surety, in favor of the City, in the minimum amount of \$50,000, to cover all permitted sites of the permittee. The exact amount of the surety bond is to be determined by the City Engineer based upon factors, including without limitation, the number of locations and volume of work. The surety of the bond shall be a surety company licensed to do business in Nebraska. The bond shall be conditioned:
  - (1) That the permittee and its successors or assigns shall indemnify, defend, and hold harmless the City and City officers, officials, employees, and agents as set forth in 120.008.
  - (2) For the maintenance of the sidewalk or public right of way.
  - (3) For the compliance with the permit, this article, and all applicable laws regarding the permitted facilities and the use of the City right of way or other property.
  - (4) For the return of the sidewalk, street, right of way or other public property to equal or better condition as existing prior to commencement of any work pursuant to the permit.

## **§ 120.010. PERMITTEE DUTIES.**

As a condition of the issuance of a permit under this article, the permittee shall perform

the following duties:

- A. Small wireless facilities and associated communications facilities, utility poles and support structures shall be located, installed and maintained so that they do not endanger the lives, health or safety of persons, or interfere with any public improvements the City or other governmental entities (including any traffic control devices or signs, gas, electric, storm water, sanitary sewer or water utilities or enterprises) now or hereafter have in place or may deem proper to make. The location, installation or maintenance of the small wireless facility and associated communications facilities, utility pole and support structure shall not hinder or obstruct the usual travel or public safety on right of way, or obstruct the legal use of right of way by utilities or the safe operation of their systems or provision of service.
- B. All construction, excavation, maintenance and repair work done by the permittee shall be done in a safe, workmanlike and expeditious manner which minimizes inconvenience and danger to the City, the general public and individuals. All such construction, excavation, maintenance and repair work done by the permittee shall comply with all applicable codes and laws. The City shall have the right to inspect all construction or excavation work to ensure compliance with applicable codes, laws, and permits, and may order the permittee to perform corrective work. All right of way or other City property disturbed by permittees' activities shall be promptly restored by the permittee at its expense to its former condition, subject to inspection by the City. If the permittee fails to make or perform required repairs, correction, or restoration, the City may give the permittee written notice of the required work. If after such notice the permittee fails to do the required work within fourteen days, the City may do the work, and permittee shall pay the City the reasonable cost of such work. The City shall grant the permittee a ten day extension to perform work if requested by the permittee within the original fourteen day period. In the event of immediate threat to life, safety, or to prevent serious injury, the City may immediately undertake to do the work and then notify the permittee and charge the permittee for all applicable costs.
- C. All small wireless facilities and associated communications facilities, utility poles, support structures, improvements, and work shall be installed, constructed, maintained, operated, modified, repaired, replaced, and carried out in a safe, workmanlike, and expeditious manner, in accordance with all applicable law, and providing reasonable protection against injury or damage to any and all persons or property.
- D. Unless otherwise specified in the permit, the permittee shall erect a barrier around the perimeter of any excavation and provide appropriate traffic control and other devices, signs, lights, and precautions to protect, warn and guide the public (vehicular and pedestrian) through the work zone or as otherwise appropriate in connection with permitted work or improvements. The manner and use of any traffic control devices, signs, lights, or precautions shall be described within a traffic control plan in accordance with the Manual on Uniform Traffic Control Devices. The permittee shall maintain all barriers and other traffic control and safety devices related to an open excavation until the excavation is filled and finished to the satisfaction of the City, or as otherwise directed by the City.
- E. All construction and use of the small wireless facilities and associated communication facilities, utility poles, and support structures shall comply with the permit and approved final plans and specifications. Upon completion of installation of the small wireless

facilities and associated communication facilities, utility poles and support structures, the permittee shall notify the Planning Department within three (3) business days of the completion of said work so that the City may conduct an inspection as provided for above. Any construction that does not conform to the permit and approved final plans and specifications, or applicable law, shall be reconstructed or repaired to conform to such requirements within five (5) business days. If permittee fails to satisfy such requirements within five (5) business days, the City may revoke the associated permit.

F. If a new utility pole or support structure is to be built or installed for the sole or primary purpose of supporting a small wireless facility, such pole or structure shall comply with all applicable codes and law.

#### **§ 120.011. LOCATION AND AESTHETIC STANDARDS.**

The City desires to promote aesthetically acceptable and area conforming wireless facilities. Wireless facilities deployed in the City shall use equipment and techniques that minimize visibility and perceptibility of small wireless facilities to the greatest extent feasible, including without limitation, using the smallest and least intrusive equipment, shapes, colors, placements, and other camouflaging techniques available with respect to small wireless facilities. All facilities in the public right of way must comply with all applicable provisions in this section.

A. All small wireless facilities shall meet the following requirements:

- (1) Concealment elements must be incorporated into the proposed design of the small wireless facility installation and must include approved camouflaging or shrouding techniques.
- (2) Antennas must be top-mounted and concealed within a radome (a structural, weatherproof enclosure that protects an antenna and is constructed of material that minimally attenuates the signal transmitted/received by such antenna) or otherwise concealed to the greatest extent technically feasible. Cable connections, antenna mounts and other hardware must also be concealed. The radome or other concealment elements must be non-reflective and painted or otherwise colored the same as the existing support structure;
- (3) The antenna shall be no more than three cubic feet in volume. All other equipment associated with a small wireless facility, whether ground-mounted or pole-mounted, together, shall be no more than twenty-eight cubic feet in volume. The antenna and related equipment must be the smallest size technically feasible with substantially the same performance as larger alternatives;
- (4) The color of the small wireless facility shall be the same as the color of the utility pole or support structure upon which it is attached;
- (5) There shall be no advertising or signs on the small wireless facility, except for equipment logos, specifications, or maintenance instructions that are generally not readable from the ground or from ten feet away, and except for signage required by the FCC;

- (6) A small wireless facility shall be mounted at a height no more than the greater of (A) 50 feet, including the antenna, or (B) five feet above an existing utility pole in place as of the effective date of this article and located within five hundred feet in the same right of way;
- (7) Cantennas shall be no more than 12 inches in diameter and 48 inches in height;
- (8) If the antenna of the small wireless facility is side-mounted, it shall not protrude more than eighteen inches beyond the side of the pole, and shall not extend beyond the height of the pole;
- (9) Collocations between wireless service providers on the same support structure is required wherever technically feasible. If an applicant proposes not to collocate in areas where options are or appear to be available, the applicant must document why the collocation is infeasible;
- (10) Cabling shall be located within conduit or inside the pole or support structure to as great a degree as possible, and otherwise shall be as flush to the pole or support structure as possible. Any support arms shall use flanges or channels to conceal exterior cables and passive radiofrequency gear. Shrouds, sleeves, or ninety degree connectors shall be used to prevent exposed cables;
- (11) When facilities are permitted to be pole-mounted, facilities other than the antenna(s), electric meter and disconnect switch must be concealed within an equipment shroud. The facilities must be installed at a height that presents the least aesthetic impact, but in no event lower than 20 feet above ground level, except for the disconnect switch. The equipment shroud must be non-reflective and painted, wrapped or otherwise colored to match the support structure. Shrouds must be mounted flush to the support where feasible. Standoff mounts must provide the minimum separation distance from the support structure necessary for feasibility;
- (12) A small wireless facility shall include a disconnect switch. The disconnect switch shall be no more than twelve cubic inches in size, shall be painted the same color as the pole or support structure, and shall be mounted on the pole or support structure at a maximum of six feet above grade, unless otherwise directed by the City Chief Building Official;
- (13) Unless otherwise required by the City, or for compliance with FAA or FCC regulations, small wireless facilities shall not include any lights or lighting;
- (14) City may request technically feasible alternative locations for the collocation of small wireless facilities pursuant to Section 86-1237(5)(d) of the Act, and the applicant will cooperate with the City to address the City's request. If an applicant reasonably believes an alternative location is infeasible, it must document to the City the basis for the applicant's belief;
- (15) By publication of this Chapter, all Applicants are notified that the City desires to reserve space on Authority Poles in the City for such uses or purposes from time to time determined in the sole discretion of the City Administrator or any designee of the City Administrator. Not in limitation of the foregoing, all wireless

facilities located or collocated on a City-owned pole on which a decorative banner may be placed, or located or collocated on any other pole in City right of way on which City has the right to place a decorative banner, must be placed above the banner or place designated by the City for a banner for that specific pole;

- (16) All wireless facilities located or collocated on City-owned or other poles in right of way must be placed on the backside of the pole, facing away from the nearest street;
- (17) If decorative street lights and poles have been installed in a neighborhood or district, small wireless facilities shall only be installed at intersections as combination poles designed for mounting street lights and small wireless facilities and matching the decorative street lights and poles. The purpose of this is to eliminate the removal of decorative street lights mid-block and to preserve the intended decorative aesthetics of the neighborhood or district;
- (18) If wireless equipment for both 4g and 5g technology is to be collocated on the same pole, the City requires a cantenna for the 4g equipment where technically feasible, and a maximum of 3 antennas per pole aside from the cantenna;
- (19) Small wireless facilities must not be installed or strung up using cables or wires between poles or structures when technically feasible alternatives exist, such as collocating to a pole or mounting on the ground;
- (20) Small wireless facilities shall not be allowed on traffic signal systems; and
- (21) Such other requirements as established and published by the City Administrator from time to time, which other requirements shall be effective with respect to applications filed on or after the publication date. For this purpose, publication shall mean posting by the City Administrator or the City Administrator's designee in three public places in the City, or publication by such other method as specified by the City Administrator or City Administrator's designee from time to time.

B. A new or replacement utility pole for a small wireless facility, referred to in this subsection as a "new pole," shall be subject to the following requirements:

- (1) The new pole shall meet the generally applicable standards for such poles as established by the owner of such poles or applicable law.
- (2) The new pole shall comply with applicable codes of general applicability.
- (3) The new pole shall be substantially similar in color, diameter, material, style, design characteristics, and arm structure of the nearest adjacent existing poles; provided, that there shall be no new installations of wooden poles.
- (4) A new decorative pole replacing an existing decorative pole shall conform to all applicable design aesthetic features of the decorative pole being replaced, including concealing all equipment and wiring within the replacement pole.

- (5) If the existing street light poles are not capable of accepting new equipment, the provider must remove and replace those poles with a combination pole designed for mounting street lights and small wireless facilities.
- (6) The height of a new pole shall not exceed the greater of (A) five feet above the tallest existing utility pole in place as of the effective date of this article located within five hundred feet of the new pole in the same right of way, or (B) fifty feet above ground level.
- (7) The diameter of the new pole shall be no more than fourteen inches; provided, that the bottom sixty-six inches of the new pole may be no more than eighteen inches in diameter.
- (8) The new pole shall be in alignment with existing trees, utility poles, and streetlights.
- (9) The new pole shall be an equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.
- (10) The new pole shall be placed with appropriate clearance from existing utilities, to accommodate the passage of traffic in the right of way and any work done on or around the facilities.
- (11) The new pole shall be placed outside of the required sight triangle zone, where pedestrian trails, sidewalks, and streets intersect(s).
- (12) The new pole shall be placed so as not to be located along the frontage of a Historic District.
- (13) The new pole shall not be placed within 50 feet of the apron of a fire station or other emergency service responder facility.
- (14) In accordance with existing standards for street light poles, and provided it does not result in an effective prohibition of service, a new pole shall be located no closer than one hundred fifty feet from an existing street light pole on an arterial or collector street, and no closer than one hundred feet from an existing street light pole on a local or residential street. This requirement shall not prevent the replacement of light poles in place as of the effective date of this articles that do not meet this spacing requirement.
- (15) A new pole shall not be located within seven feet of an electrical conductor unless the applicant obtains the written consent of the entity that owns or manages the electrical conductor.
- (16) New or existing poles, support structures, or other structures, equipment, or facilities shall not interfere with, obstruct, or obstruct access to or use of:
  - a. Any existing above ground or underground right-of-way user facilities, or public facilities
  - b. Any public infrastructure for traffic control, streetlight or public

transportation purposes, including without limitation any curb control sign, vehicular traffic sign or signal, pedestrian traffic sign or signal, or barricade reflectors

- c. Any public transportation vehicles, shelters, street furniture, or other improvements at any public transportation stop (including, without limitation, bus stops, streetcar stops, and bike sharing stations)
- d. Fire hydrants or fire escapes
- e. Any doors, gates, sidewalk doors, passage doors, stoops, or other ingress and egress points to any building appurtenant to the right-of-way

C. All small wireless facilities, and all of their associated equipment, ground equipment, communications facilities, and utility poles and support structures, shall comply with the following requirements:

- (1) So as not to impede or impair public safety or the legal use of the right of way by the traveling public, ground mounted equipment must be installed below grade, or if installation below grade is not technically feasible, concealed in a ground-mounted cabinet. If technically feasible, new ground-mounted small wireless facilities must be collocated in an existing cabinet. Ground mounted cabinets must comply with the following design standards:
  - a. In urban sections with curb and gutter, ground mounted equipment shall not be located closer than four (4) feet from the pavement or face of curb, and shall not be located closer than two (2) feet from a sidewalk, bike lane, or shared-use path as measured to the nearest part of the equipment.
  - b. In rural sections with open ditches, ground mounted equipment shall be located at least one (1) foot inside the right of way line.
  - c. Ground mounted equipment shall be placed outside of all sight triangle zone(s).
  - d. Ground mounted equipment locations shall be located a minimum of twelve (12) feet from driveway aprons as measured parallel to the right of way or as determined by the City Engineer in a field sight distance inspection.
  - e. Ground mounted equipment shall be consistent with any applicable design standards of the Omaha Guidelines and Regulations for Driveway Location, Design and Construction, most current edition at the time an application is submitted.
  - f. Ground mounted equipment must be secured to a concrete foundation or slab with a breakaway design allowing the equipment to disconnect from the foundation in the event of collision or impact.
  - g. Screening of ground mounted equipment with a variety of plant material may be required based on the characteristics of the surrounding area.
  - h. Not in limitation of immediately preceding subsection "g," all proposed ground mounted equipment shall comply with applicable design, landscape, screening, or camouflaging requirements in effect when an application is submitted, if any, including without limitation, any such requirements based on surrounding context, colors, materials, locations, plants, and planting plan.

- (2) Such items shall not materially interfere with sight lines or clear zones for air or land transportation or pedestrians.
- (3) Such items shall not obstruct or hinder the usual travel or public safety on right of way, or obstruct the legal use of right of way by utilities or the safe operation of their systems or provision of service.
- (4) Such items shall not violate or materially interfere with compliance with the federal Americans with Disabilities Act of 1990 or similar federal or state standards regarding pedestrian access or movement.
- (5) Such items shall comply with applicable design, landscape, screening, or camouflaging requirements in effect when an application is submitted, if any, including without limitation, any such requirements based on surrounding context, colors, materials, locations, plants, and planting plan.
- (6) Such items shall comply with applicable codes and laws of general applicability.

D. Regardless whether or not poles, support structures, or other infrastructure on or to which small wireless facilities will be attached are privately or publicly owned, requirements of Sections 120.001 through 120.013, including without limitation, permitting and aesthetic requirements, shall apply with respect to small wireless facilities attached on or to any poles, support structures, or other infrastructure located within City right of way, except to the extent expressly proscribed by the Small Wireless Facilities Deployment Act.

#### **§ 120.012. MAKE-READY WORK.**

- A. In its application, the applicant shall identify any make-ready work proposed to be performed by the City. Within one hundred twenty days after receipt of a completed application that includes a proposal for make-ready work that the City Engineer determines satisfactory, the City shall provide a preliminary good faith estimate of the cost of such make-ready work to be paid by the applicant to the City. The applicant shall accept such good faith estimate by paying to the City the amount of the estimated cost, after which City shall commence the make-ready work. Make-ready work to be performed by the City shall be completed within ninety days after written acceptance of the good faith estimate by the applicant, subject to any delays for causes beyond the control of City. Upon the City's completion of the make-ready work, the applicant shall pay the City, or the City shall refund to the applicant, as the case may be, the difference between the cost estimate paid and the actual cost. Total fees shall not exceed actual costs of the make-ready work. Alternatively, the City and the applicant may agree that the applicant or a party other than the City may perform the make-ready work, subject to the City's approval before and after the work.
- B. The City may require replacement of the utility pole if the City Engineer determines that the collocation would make the utility pole structurally unsound. The person owning the utility pole shall not require more make-ready work than required to meet applicable codes and industry standards.

### **§ 120.013. ASSIGNMENT.**

A permittee may assign its rights to a permit, small wireless facility, and associated equipment or structures it owns, to an assignee. Such assignment shall not be effective until closing on the permittee's conveyance of the small wireless facilities and associated equipment or structures to the assignee, and the applicant and the assignee sign and file with the Planning Department a notice of assignment, containing:

- A. The assignee's name, address, telephone number, and e-mail address, including emergency contact information;
- B. Exact location of all small wireless facilities and associated equipment or structures being assigned; and
- C. Assignee's assumption of all permittee's obligations under the permit, this article, and applicable law, in form and content satisfactory to the City Engineer.

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

**SECTION 3. Severability 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, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

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

PASSED AND APPROVED THIS 16TH DAY OF JUNE 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 16, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ALPINE VILLAGE SOUTH ADDITION REPLAT 1 CLR DEVELOPMENT, LLC NORTHWEST OF 84 <sup>TH</sup> ST & BRENTWOOD DR	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSISTANT PLANNER

**SYNOPSIS**

A resolution has been prepared to approve a replat for three previously developed properties totaling approximately 3.81 acres generally located northwest of the intersection of 84<sup>th</sup> Street and Brentwood Drive, for the purpose of adjusting the property lines. The new lots will be known as Lots 1-3 Alpine Village South Addition Replat 1.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A resolution has been prepared to approve a replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1. Part of the access driveway and parking lot for the southernmost retail strip center on Lots 22B and 21A2 Alpine Village South currently sits on part of the neighboring lots containing the car wash and Godfather's Pizza restaurant. This replat has been arranged by the property owners for the three existing lots to adjust the property lines and correct this issue.

The La Vista Planning Commission met on May 21, 2020 to review the proposal and voted unanimously to recommend approval of the replat to City Council. A more detailed staff report is attached.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 21A1, 21A2, 22B, 22A1B, & 22A1A1 ALPINE VILLAGE SOUTH & OUTLOT 1A1 GRANVILLE SOUTH, TO BE REPLATTED AS LOTS 1 THROUGH 3 ALPINE VILLAGE SOUTH ADDITION REPLAT 1, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, to be replatted as Lot 1 through 3 Alpine Village South Addition Replat 1; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on May 21, 2020, the La Vista Planning Commission reviewed the replat and unanimously voted to recommended approval to the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, to be replatted as Lot 1 through 3 Alpine Village South Addition Replat 1, a subdivision located in the Northeast Quarter of the Southeast Quarter of Section 15, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located northwest of the intersection of 84th Street and Brentwood Drive be, and hereby is, approved.

PASSED AND APPROVED THIS 16TH DAY OF JUNE, 2020.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk



CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBERS: PRP20-0001;

FOR HEARING OF: JUNE 16, 2020  
REPORT PREPARED ON: MAY 27, 2020

**I. GENERAL INFORMATION**

**A. APPLICANT:**

CLR Development, LLC  
Attn: Cliff Cole  
14804 W 114<sup>th</sup> Terrace  
Lenexa, KS 66215

**B. PROPERTY OWNERS:**

- 1) CLR Development, LLC  
Attn: Cliff Cole  
14804 W 114<sup>th</sup> Terrace  
Lenexa, KS 66215
- 2) Kenneth & Pamela Denfeld  
7920 S 84<sup>th</sup> Street  
La Vista, NE 68128
- 3) Clean Machine II, LLC  
Attn: Eli Zimmerman  
8440 Granville Parkway  
La Vista, NE 68128

**C. LOCATION:** Northwest of the intersection of 84<sup>th</sup> Street and Brentwood Drive.

**D. LEGAL DESCRIPTION:** Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South.

**E. REQUESTED ACTION(S):** Approval of a replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1.

**F. EXISTING ZONING AND LAND USE:** C-1 – Shopping Center Commercial District & Gateway Corridor District (Overlay District). Lot 22A1B is occupied by a Godfather's Pizza restaurant, Lot 22A1A1 by a car wash, and Lots 21A1, 21A2, and 22B by two strip center retail buildings.

**G. PURPOSE OF REQUEST:** The applicant wishes to clean up the property lines between the three previously developed properties. Part of the driveway and parking lot servicing the southernmost

strip center retail building currently sits on two properties not owned by CLR Development, LLC (Lot 22A1A1 & Lot 21A1 Alpine Village South). CLR Development, LLC is looking to purchase a portion of each lot to correct the issue, and all the property owners have consented to this replat to adjust the property lines to reflect this purchase.

**H. SIZE OF SITE:** Approximately 3.81 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** The property slopes downward to the north and to the west.

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

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	High-Density Residential & Parks & Recreation	R-3 High-Density Residential, Gateway Corridor Overlay District, & R-1 Single Family Residential	Shadow Ridge Apartments & La Vista Municipal Pool
East	Mixed-Use	MU-CC Mixed-Use City Centre District & Gateway Corridor Overlay District	City Centre Development
South	Commercial	C-1 Shopping Center Commercial, Gateway Corridor Overlay District	Sol's Jewelry & Loan & Lina's Mexican Restaurant
West	Commercial & High-Density Residential	C-1 Shopping Center Commercial, Gateway Corridor Overlay District, & R-3 High-Density Residential	ReRUNS R Fun & Shadow Ridge Apartments

**C. RELEVANT CASE HISTORY:**

1. Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South were created using a deed split. Since the use of deed splits are not allowed per La Vista's current subdivision regulations, the lots are not currently considered legal, developable lots. This replat will correct this issue

**D. APPLICABLE REGULATIONS:**

1. Section 5.10 of the Zoning Regulations – C-1 Shopping Center Commercial
2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)

3. Section 3.07 of the Subdivision Regulations – Replats

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

1. The Future Land Use Map of the Comprehensive Plan currently designates the lots for commercial uses.

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

**C. TRAFFIC AND ACCESS:**

1. There will be no changes regarding access and traffic circulation throughout the current lots.

**D. UTILITIES:**

1. The property has access to sanitary sewer, water, gas, power, and communication utilities.

**IV. REVIEW COMMENTS:**

A. The property owner(s) for each property affected will be required to sign the final plat to acknowledge their agreement with the altered property lines prior to its recording.

**V. STAFF RECOMMENDATION – REPLAT:**

Staff recommends approval of the Replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations.

**VI. PLANNING COMMISSION RECOMMENDATION – REPLAT:**

The Planning Commission unanimously voted to recommend approval of the Replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations.

**VII. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Review Letters
3. Preliminary Plat
4. Final Plat

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

1. Steve Humphries, Boundaryline Surveys
2. Scott Meyerson, Likes, Meyerson, Hatch, LLC
3. Public Upon Request

Cale Broderson 5/27/2020

Prepared by: Assistant Planner

Bruce Johnson 5/26/2020

Community Development Director

Date

I:\Community Development\Planning Department\City Council\Staff Reports\2020\PRP20-0001 - Alpine Village South Addition Replat 1.docx

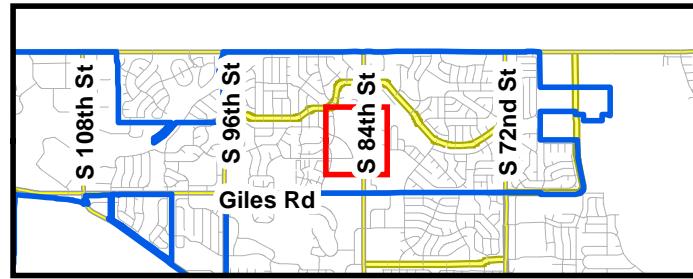


## Project Vicinity Map

### Alpine Village South Addition Replat 1 Replat

5/14/2020

CAS





March 30, 2020

Steve Humphries  
Boundaryline Surveys  
13514 Discovery Drive  
Omaha, NE 68137

RE: Administrative Plat Application – Initial Review  
Alpine Village South Addition Replat 1

Mr. Humphries,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable section of the Subdivision Regulations for the Replat, the City has the following comment:

Preliminary Plat

1. Please address the redlines submitted by Sarpy County Public Works that were sent to you on or about March 18, 2020. (see attached)
2. Section 3.03.07 – Plat indicates existing buildings are single story, but the buildings appear to be multi-story.
3. Section 3.03.09 – Lot areas should be measured in square feet.

Final Plat

1. Please address the redlines submitted by Sarpy County Public Works that were sent to you on or about March 18, 2020. (see attached)
2. Section 3.05.09 – Lot areas should be measured in square feet.

Please submit updated plat documents in digital form to the City for further review. If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,

Cale Brodersen  
Assistant Planner  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)  
(402) 593-6405

Attachments

cc:

Chris Solberg, Senior Planner  
Bruce Fountain, Community Development Director  
Scott Meyerson, Likes, Meyerson, Hatch, LLC

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

**Community Development**  
8116 Park View Blvd.  
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**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

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

# FINAL PLAT

## Alpine Village South Addition Replat 1

### Lots 1, 2 and 3

Add what's in parenthesis

#### Register of Deeds

##### SURVEYOR'S CERTIFICATION:

I hereby certify that I am a professional land surveyor, registered in compliance with the laws of the State of Nebraska, and that this plat meets or exceeds the "Minimum Standards for Surveys" adopted by the Nebraska State Board of Examiners for Land Surveyors. Further, I hereby certify that I have made a boundary survey of the subdivision described herein and that permanent markers will be set (or have been set) at all lot corners, angle points and at the ends of all curves within the subdivision to be known as Alpine Village South Addition Replat 1 (being a replatting of Lots 21A1, 21A2, 22A1B and 22A1A1, all located in Alpine Village South, an addition to the City of La Vista, Sarpy County) described as follows:

**Nebraska**

A parcel of land located in Lots 21A1, 21A2, 22A1B and 22A1A1, all located in Alpine Village South, an addition to the City of La Vista, Sarpy County, being more particularly described as follows:

BEGINNING at the Northeast corner of said Lot 21A1; thence along the East line of said Lot 21A1, Lot 21A2, and Lot 22B, said line being the West right-of-way line of 84th Street, 50 degrees 20 minutes 55 seconds E, 106.10 feet to the Northeast corner of Lot 21A1; thence 57.88 feet to the northeasterly corner of said Lot 22A1B, thence along the East line of said Lot 22A1B, S 02 degrees 21 minutes 05 seconds E, 126.18 feet; thence S 42 degrees 02 minutes 00 seconds W, 28.12 feet; thence S 87 degrees 36 minutes 06 seconds W, 136.05 feet; thence N 02 degrees 53 minutes 23 seconds E, 129.26 feet; thence S 87 degrees 36 minutes 06 seconds W, 11.81 feet to a point on the northerly right-of-way line of Granville Parkway, thence along Granville Parkway, N 27 degrees 16 minutes 06 seconds W, 103.44 feet the beginning of a curve, to the left, concave northwesterly, having a radius of 105.63 feet; thence northwesterly along said curve, an arc length of 56.15 feet, and having a chord bearing of N 78 degrees 54 minutes 53 seconds E, 56.15 feet, to the end of said curve; thence along the northerly right-of-way line of Granville Parkway, N 56 degrees 48 minutes 22 seconds E, 330.15 feet to the westerly corner of said Lot 22B; thence along the West line of said Lot 21A2, N 02 degrees 20 minutes 55 seconds E, 572.85 feet to the Northwest corner of said Lot 21A2, being the Southwest corner of said Lot 22A1A1; thence along the West line of said Lot 21A1, N 02 degrees 20 minutes 55 seconds E, 259.71 feet to a point on the North line of said Lot 21A1; thence along the North line of said Lot 21A1, N 87 degrees 21 minutes 14 seconds E, 105.10 feet to the POINT OF BEGINNING. Said parcel contains 3.81 acres, more or less.

XX/XX/2020

Date

Stephen L. Humphries LS-587

Date

Notary Public

Date

Clifton Cole, President/Manager of CLR Development, LLC

Date

Notary Public

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Notary Public

Date

Clifton Cole, President/Manager of CLR Development, LLC

Date





April 13, 2020

Steve Humphries  
Boundaryline Surveys  
13514 Discovery Drive  
Omaha, NE 68137

RE: Administrative Plat Application – Second Review  
Alpine Village South Addition Replat 1

Mr. Humphries,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable section of the Subdivision Regulations for the Replat, the City has the following comments:

**Preliminary Plat**

1. Please ensure that utilities are sufficiently represented. Electrical seems adequate, but the water service lines, hydrants, and sanitary sewer are hard to see or not present.
2. If you are having issues with legibility, you may rotate north to the left which will give more space for a larger scale/larger drawing.

**Final Plat**

1. If you are having issues with legibility, you may rotate north to the left which will give more space for a larger scale/larger drawing.
2. The signature line for the Sarpy County review block is missing in the bottom left corner.

Please submit updated plat documents in digital form to the City for further review. If you have any questions regarding these comments, please feel free to contact me at any time. If the comments in this letter are satisfactorily addressed by April 23, 2020, the Replat can be placed on the agenda for the Planning Commission meeting on Thursday, May 7<sup>th</sup> at 6:30pm in the Council Chambers at City Hall (8116 Park View Blvd). Although, it is likely that this meeting will be held over either teleconference or Zoom.

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

**Community Development**  
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f: 402-331-1051

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

We will send more details as we receive your resubmittal and as we approach the meeting. Let me know if you have any questions at this time!

Thank you,

A handwritten signature in blue ink that reads "Cale Brodersen".

Cale Brodersen  
Assistant Planner  
[cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org)  
(402) 593-6405

cc:

Chris Solberg, Senior Planner  
Bruce Fountain, Community Development Director  
Scott Meyerson, Likes, Meyerson, Hateh, LLC



# FINAL PLAT

## Alpine Village South Addition Replat 1

Lots 1, 2 and 3

### Register of Deeds

#### SURVEYOR'S CERTIFICATION:

I, Boundaryline Surveys, Inc., a licensed professional land surveyor, registered in compliance with the laws of the State of Nebraska, and that this plat meets or exceeds the "Minimum Standards for Surveys" adopted by the Nebraska State Board of Examiners for Land Surveyors. Further, I hereby certify that I have made a boundary survey of the subdivision described herein and that permanent markers will be set (or have been set) at all lot corners, angle points and at the ends of all curves within the subdivision to be known as Alpine Village South Addition Replat 1, being a replatting of Lots 21A1, 21A2, 22B, 22A1B and 22A1, all located in Alpine Village South, an addition to the City of La Vista, Sarpy County described as follows:

A parcel of land located in Lots 21A1, 21A2, 22B, 22A1B and 22A1A1, all located in Alpine Village South, an addition to the City of La Vista, Sarpy County, being more particularly described as follows:

BEGINNING at the Northeast corner of said Lot 21A1; thence along the East line of said Lot 21A1, Lot 21A2, and Lot 22B, said line being the West right-of-way line of 84th Street, 5.02 degrees 20 minutes 55 seconds E, 106.15 feet to the Northeast corner of Lot 22A1B; thence 5.02 degrees 20 minutes 55 seconds E, 133.40 feet to the Northwesterly corner of said Lot 22A1B; thence 57.88 feet to the northeasterly corner of said Lot 22A1B; thence along the East line of said Lot 22A1B, S 02 degrees 21 minutes 05 seconds E, 126.18 feet; thence S 42 degrees 02 minutes 00 seconds W, 28.12 feet; thence S 87 degrees 30 minutes 06 seconds W, 136.05 feet; thence S 87 degrees 30 minutes 06 seconds W, 13.21 feet; thence S 27 degrees 48 minutes 39 seconds E, 11.80 feet to a point on the northeasterly right-of-way line of Granville Parkway, thence along Granville Parkway, N 27 degrees 48 minutes 06 seconds W, 103.44 feet, the beginning of a curve, to the left, concave northwesterly, having a radius of 105.63 feet; thence northwesterly along said curve, an arc length of 56.15 feet, to the having a chord length of N 78 degrees, 54 minutes 53 seconds W, 56.15 feet, to the end of said curve; thence along the right-of-way line of Granville Parkway, N 27 degrees 48 minutes 39 seconds E, 11.80 feet to a point on the northeasterly right-of-way line of Granville Parkway, thence along Granville Parkway, N 56 degrees 48 minutes 39 seconds E, 330.15 feet to the Westwesterly corner of said Lot 22B; thence along the West line of said Lot 21A2, N 02 degrees 20 minutes 55 seconds W, 572.85 feet to the Northwest corner of said Lot 21A2, being the Southwest corner of said Lot 22A1A1; thence along the West line of said Lot 21A1, N 02 degrees 20 minutes 55 seconds W, 259.71 feet to a point on the North line of said Lot 21A1; thence along the North line of said Lot 21A1, N 87 degrees 21 minutes 14 seconds E, 105.10 feet to the POINT OF BEGINNING. Said parcel contains 3.81 acres, more or less.

XX/XX/2020

Date

Stephen L. Humphries LS-587

**OWNER DEDICATION:**  
I/we the undersigned owner(s) of the real estate shown and described herein, do hereby certify that I/we have laid out, platted and subdivided, and do hereby lay out, plat and subdivide, said real estate in accordance with this plat.

This subdivision shall be known and designated as ALPINE VILLAGE SOUTH REPLAT 1, an addition to the City of La Vista, Nebraska. Other public lands shown and not heretofore dedicated, if any, dedicated are hereby reserved for public use.

Clear title to the land contained in this plat is guaranteed. Any encumbrances or special assessments are explained as follows:

There are strips of ground shown or described on this plat and marked easement, reserved for the use of public utilities and subject to the paramount right of utility or City to install, repair, replace and maintain its installations, restrictions of record as of the last date shown hereon.

Clifton Cole, President/Manager of CLR Development, LLC Date

**OWNER DEDICATION:**  
I/we the undersigned owner(s) of the real estate shown and described herein, do hereby certify that I/we have laid out, platted and subdivided, and do hereby lay out, plat and subdivide, said real estate in accordance with this plat.

This subdivision shall be known and designated as ALPINE VILLAGE SOUTH REPLAT 1, an addition to the City of La Vista, Nebraska. All Streets and alleys shown and not heretofore dedicated are hereby dedicated to the public unless specifically noted herein. Other public lands shown and not heretofore dedicated are hereby reserved for public use.

Clear title to the land contained in this plat is guaranteed. Any encumbrances or special assessments are explained as follows:

There are strips of ground shown or described on this plat and marked easement, reserved for the use of public utilities and subject to the paramount right of utility or City to install, repair, replace and maintain its installations, restrictions of record as of the last date shown hereon.

Kenneth J. Denfeld, Trustee Date Pamela A. Denfeld, Trustee Date  
Trustees of Denfeld Revocable Living Trust

**OWNER DEDICATION:**  
I/we the undersigned owner(s) of the real estate shown and described herein, do hereby certify that I/we have laid out, platted and subdivided, and do hereby lay out, plat and subdivide, said real estate in accordance with this plat.

This subdivision shall be known and designated as ALPINE VILLAGE SOUTH REPLAT 1, an addition to the City of La Vista, Nebraska. All Streets and alleys shown and not heretofore dedicated are hereby dedicated to the public unless specifically noted herein. Other public lands shown and not heretofore dedicated are hereby reserved for public use.

Clear title to the land contained in this plat is guaranteed. Any encumbrances or special assessments are explained as follows:

There are strips of ground shown or described on this plat and marked easement, reserved for the use of public utilities and subject to the paramount right of utility or City to install, repair, replace and maintain its installations, restrictions of record as of the last date shown hereon.

President/Manager, Clean Machine II, LLC Date

**REVIEW OF SARPY COUNTY SURVEYOR:**  
This plat, ALPINE VILLAGE SOUTH ADDITION REPLAT 1, was reviewed by the office of Sarpy County Public Works on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Sarpy County Public Works

### SARPY COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due or delinquent against the property described by the Surveyor's Certificate and embraced in this plat as shown by the records of this office.

Sarpy County Treasurer Date

**BOUNDARYLINE SURVEYS  
OEHME-NIELSEN & ASSOCIATES, INC.**  
1354 Discovery Dr., Omaha, NE 68135 (402) 334-2012 - fax: 334-3646

Alpine Village South Replat 1  
CLR Development  
7504 to 7920 South 84th Street  
La Vista, NE

Project #0449

Date  
Jan. 21, 2020

Field Book  
330

Page  
5

Sheet  
1 of 1

Scale  
1" = 80'

Drawn  
SDD

Subdivision corner  
● Property corner found

○ Property corner set

○ Computed location

○ Solid iron pin

○ Concrete nail

PT Open top pipe

PT Flitch top pipe

RB Rebar

SI Solid iron pin

Pk Concrete nail

OT Open top pipe

PT Flitch top pipe

RB Rebar

SI Solid iron pin

Pk Concrete nail

Record bearing/distance

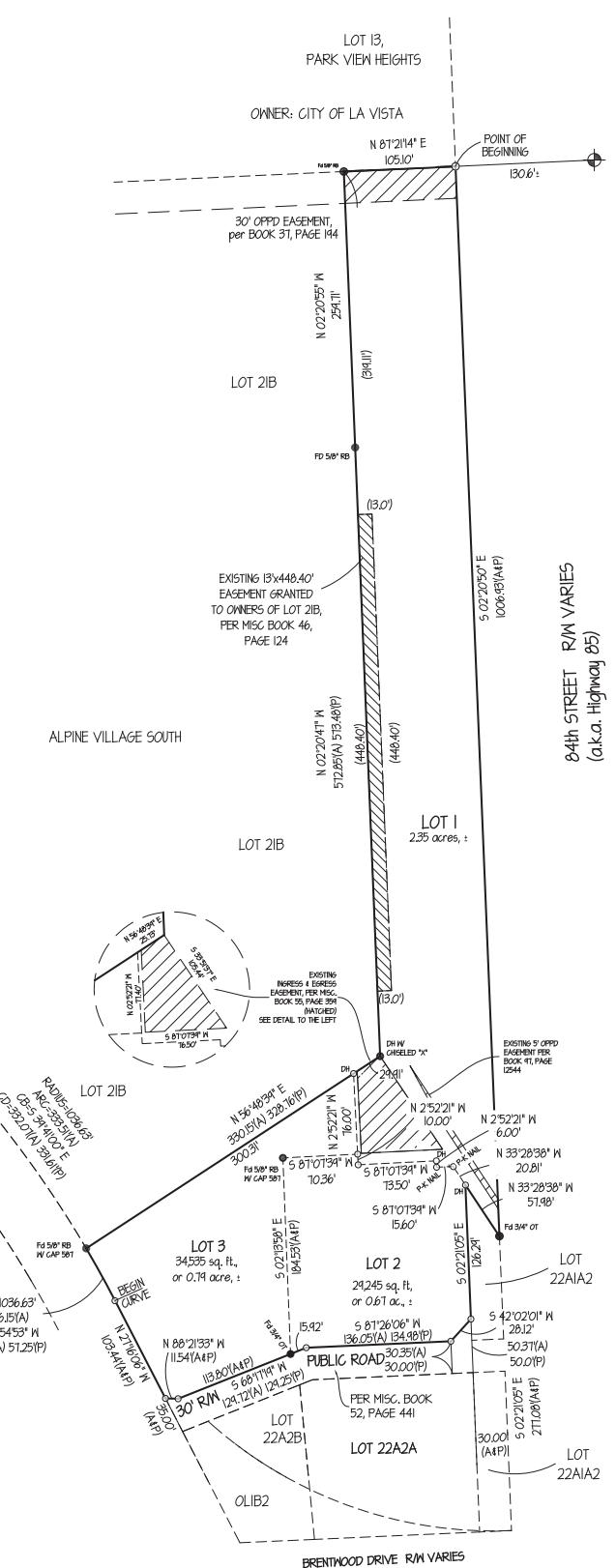
(A) Measured bearing/distance

(C) Calculated bearing/distance

(S) Previous survey bearing/distance

Set: Corners: 5/8" x 24" rebar with orange cap stamped: "LS-587" unless otherwise noted on drawing

THIS PROPERTY IS SUBJECT TO EASEMENTS  
AND RIGHTS-OF-WAY OF RECORD



E14 SEC. 15  
THIN RCD  
(SHOWN FOR  
ILLUSTRATION  
PURPOSES  
ONLY)

POINT  
OF  
BEGINNING

LOT 1B,  
PARK VIEW HEIGHTS  
OWNER: CITY OF LA VISTA

N 81°21'14" E  
105.10'

30' OPPD EASEMENT,  
per BOOK 31, PAGE 144

N 02°20'55" W  
254.11'

(3.0')

LOT 2B

Fd 587 RB

(3.0')

EXISTING 13'x48.40'  
EASEMENT GRANTED  
TO OWNERS OF LOT 2B,  
per MISC BOOK 46,  
PAGE 124

N 02°20'41" W  
572.50' (AP)

(44.84')

ALPINE VILLAGE SOUTH

LOT 1

2.35 acres, :

LOT 2B

1.00 acre, :

LOT 2

0.19 acre, :

LOT 22A1A1

0.19 acre, :

LOT 22A2

0.19 acre, :

LOT 22A2B

0.19 acre, :

LOT 22A2C

0.19 acre, :

LOT 22A2D

0.19 acre, :

LOT 22A2E

0.19 acre, :

LOT 22A2F

0.19 acre, :

LOT 22A2G

0.19 acre, :

LOT 22A2H

0.19 acre, :

LOT 22A2I

0.19 acre, :

LOT 22A2J

0.19 acre, :

LOT 22A2K

0.19 acre, :

LOT 22A2L

0.19 acre, :

LOT 22A2M

0.19 acre, :

LOT 22A2N

0.19 acre, :

LOT 22A2O

0.19 acre, :

LOT 22A2P

0.19 acre, :

LOT 22A2Q

0.19 acre, :

LOT 22A2R

0.19 acre, :

LOT 22A2S

0.19 acre, :

LOT 22A2T

0.19 acre, :

LOT 22A2U

0.19 acre, :

LOT 22A2V

0.19 acre, :

LOT 22A2W

0.19 acre, :

LOT 22A2X

0.19 acre, :

LOT 22A2Y

0.19 acre, :</p

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 16, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PAPIO-MISSOURI RIVER NRD MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN PARTICIPATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to approve participation by the City of La Vista in the Papio-Missouri River Natural Resource District Multi-Jurisdictional Hazard Mitigation Plan.

**FISCAL IMPACT**

There are no costs, other than staff time to participate in the plan update. In the future, if mitigation projects are identified and brought forward, there may be cost considerations at that time. No specific projects or funding contributions are identified at this time.

**RECOMMENDATION**

Approval.

**BACKGROUND**

This resolution is a result of a request from Papio-Missouri River Natural Resources District to participate in the update of the Multi-Jurisdictional Hazard Mitigation Plan that was last updated in 2016. The plan is required to be updated every five (5) years by FEMA and the Disaster Mitigation Act of 2000 in order to maintain eligibility for receiving federal funding for hazard mitigation projects. It is the request of the NRD that all communities within the NRD pass a resolution to indicate participation.

Participation in the plan is a prerequisite for being eligible to receive federal funding on mitigation projects for the City of La Vista. Funding sources have been utilized by La Vista in the past in relation to the Thompson Creek Project.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NRD MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Hazard Mitigation Plan identifies the vulnerability of public bodies to natural and man-made hazards and the measures that can be implemented to reduce or eliminate vulnerability exposure; and

WHEREAS, FEMA now requires that a public entity must have a current Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters; and

WHEREAS, the Papio-Missouri River Natural Resources District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including Burt, Dakota, Douglas, Sarpy, Thurston, and Washington Counties and all associated local governmental entities;

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska hereby approve participation in the proposed Hazard Mitigation Planning process described above, and pledge to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

PASSED AND APPROVED THIS 16TH DAY OF JUNE 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

RESOLUTION NO. 15-080

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Multi-Hazard Mitigation Plan identifies the vulnerability of public bodies to natural hazards and the projects that can be implemented to reduce or eliminate vulnerability exposure, and

WHEREAS, FEMA now requires that a public entity must have a current Multi-Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters, and

WHEREAS, the Papio-Missouri River Natural Resource District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including all of Sarpy, Douglas, Washington, and Dakota Counties as well as parts of Burt and Thurston Counties and all associated local governmental entities,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves participation in the proposed Multi-Hazard Mitigation Planning process described above, and pledges to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

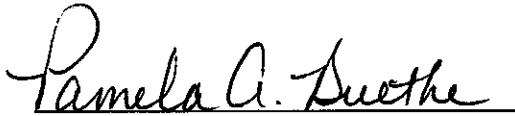
PASSED AND APPROVED THIS 16TH DAY OF JUNE, 2015.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, CMC  
City Clerk

15-080	Motion	Second	Aye	Nay	Abstain	Absent
Kindig						
Frederick			✓			
Hale	✓		✓			
Quick			✓			
Crawford			✓			
Thomas		✓	✓			
Sheehan			✓			
Ronan			✓			
Sell						✓

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 16, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ADVERTISEMENT FOR BIDS – 96 <sup>TH</sup> STREET & 108 <sup>TH</sup> STREET PAVEMENT RECONSTRUCTION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared authorizing the advertisement for bids for Concrete Pavement Reconstruction on 96<sup>th</sup> Street and 108<sup>th</sup> Street.

**FISCAL IMPACT**

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

**RECOMMENDATION**

Approval.

**BACKGROUND**

Over the past few years sections of the pavement along 96<sup>th</sup> and 108<sup>th</sup> St. have experienced severe joint spalling and damage from Akali Silica Reaction (ASR) in the panel joints. Staff recommends that repair and replacement work to the most severe sections of the roadway be completed prior to this year's winter season.

The proposed construction includes removal and replacement of the existing concrete on 96<sup>th</sup> St. from 300' south of the BNSF bridge to Harrison St. both north and southbound, and an alternate bid to include the replacement of existing concrete on 108<sup>th</sup> St. northbound from the BNSF bridge to Chandler Rd.

Preparation of plans and specifications for this project have been completed by Alfred Benesch and Company. The Engineer's Estimate for the proposed construction work is \$1,300,000.00. The recommended schedule for bidding this work is:

Publish Notice to Contractors	June 24 and July 1, 2020
Open Bids	July 10, 2020 at 10:00 am City Hall
City Council Award Contract	July 21, 2020

The Notice to Contractors will also be posted on the City's web site and at [www.standardshare.com](http://www.standardshare.com).

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CONCRETE PAVEMENT RECONSTRUCTION ON 96TH STREET AND 108TH STREET.

WHEREAS, the Mayor and Council have determined that concrete pavement reconstruction on 96th Street and 108th Street is necessary; and

WHEREAS, the FY19/FY20 Biennial Budget provides funding for the proposed project; and

WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors                    June 24 and July 1, 2020

Open Bids    July 10, 2020 at 10:00 am at City Hall

City Council Award Contract                    July 21, 2020

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for Concrete Pavement Reconstruction on 96th Street and 108th Street.

PASSED AND APPROVED THIS 16TH DAY OF JUNE, 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

## NOTICE TO CONTRACTORS

City of La Vista  
La Vista, Nebraska

### 96<sup>TH</sup> STREET & 108<sup>TH</sup> STREET PAVEMENT RECONSTRUCTION

Sealed proposals will be received by Pamela Buethe, Clerk of said City, at the City of La Vista, City Hall, 8116 Parkview Boulevard, La Vista, NE 68128, until 10:00 AM on the 10th day of July, 2020, for the furnishing of all labor, materials, use of Contractor's equipment, plant and all else necessary to construct properly all of the improvements for 96<sup>TH</sup> STREET AND 108<sup>TH</sup> STREET PAVEMENT RECONSTRUCTION, PROJECT NOS. M376(390) & M376(391).

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

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

Item	Description	Estimated Quantity
1-1	Mobilization	1 LS
1-2	Remove Pavement	7233 SY
1-3	Remove Median Surfacing	10725 SF
1-4	Remove Sidewalk	8968 SF
1-5	Remove and Replace Curb Inlet Top	7 EA
1-6	Pavement Repair Concrete-Type L85	500 SY
1-7	Construct 10" Concrete Pavement (Type L65)	7233 SY
1-8	Subgrade Preparation	7233 SY
1-9	Fly Ash	250 Ton
1-10	Construct 4" Aggregate Base Course	7233 SY
1-11	Construct PCC Median Surfacing	10725 SF
1-12	Construct 6" PCC Sidewalk	10667 SF
1-13	Construct Curb Ramp	170 SF
1-14	Detectable Warning Panel	32 SF
1-15	Install Rolled Erosion Control, Type I with Type B Seeding	1114 SY
1-16	Install Inlet Protection	7 EA
1-17	Install Silt Fence	350 LF
1-18	Adjust Manhole to Grade	2 EA
1-19	Adjust Pull Box to Grade	1 EA
1-20	Install Permanent Paint Marking - 5" White -Grooved	648 LF
1-21	Install Permanent Paint Marking - 5" White	50 LF
1-22	Install Permanent Preformed Marking Tape Symbol - Type Arrow (White)	2 EA
1-23	Provide Temporary Traffic Control (96th Street)	1 LS
1-24	Provide Temporary Traffic Control (108th Street)	1 LS

1-25	Remove & Install New Sprinkler Head	10	EA
1-26	Rental of Loader, Fully Operated	20	HR
1-27	Rental of Dump Truck, Fully Operated	20	HR
1-28	Rental of Backhoe, Fully Operated	20	HR
1-29	Unsuitable Subgrade Material	50	CY
1-30	Contractor-Provided Construction Surveying & Staking	1	LS

All work called for in the drawings and specifications shall be furnished in strict accordance with the drawings and specifications prepared by the City of La Vista, and now on file with the City Clerk.

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

The City of La Vista, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin, sex, age and disability/handicap in consideration for an award.

Drawings, Specifications and Contract Documents may be examined online at [www.standardshare.com](http://www.standardshare.com). Search for the project name in the Plan Room found at [www.standardshare.com](http://www.standardshare.com). Downloadable PDF files and hardcopy prints may be procured from StandardSHARE or the offices of Standard Digital Imaging: 4424 South 108<sup>th</sup> Street, Omaha, NE 68137, 402-592-1292. All costs associated with obtaining documents are the responsibility of the bidder and are non-refundable. Project documents may also be examined at the office of the City Clerk of the City of La Vista, 8116 Park View Blvd., La Vista, NE 68128. In order to ensure bidders are aware of all issued documents pertaining to this opportunity – bids will be accepted only from those identified on the planholders list kept at the offices of Standard Digital Imaging/StandardSHARE.

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

CITY OF LA VISTA, NEBRASKA

Pamela Buethe, Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 16, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
LEASE BUY-OUT – EXCAVATOR/TRAILER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the lease buy-out of one (1) 2016 Caterpillar 308E2 Excavator and one (1) Felling FT-30-2 LP Trailer from Nebraska Machinery Company, Omaha, Nebraska for an amount not to exceed \$70,201.24.

**FISCAL IMPACT**

The FY 19/20 biennial budget provides funding for these purchases.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On June 20, 2017 the City Council approved the lease of an excavator and trailer for a 3-year term. Funding was also included in this fiscal year to buy either a new backhoe or excavator. Upon further review by the Capital Purchasing Team, it was determined that buying out the lease on the current excavator was a more cost-effective solution than purchasing a new piece of equipment. This resulted in an updated capital outlay list for FY20 which was approved by the City Council on December 3, 2019. This purchase carries out that updated plan. The not to exceed price includes the final two months of lease payments on both the excavator and trailer, which is why that number is higher than what was approved by Council on December 3.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE BUY-OUT OF ONE (1) 2016 CATERPILLAR 308E2 EXCAVATOR AND ONE (1) FELLING FT-30-2 LP TRAILER FROM NEBRASKA MACHINERY COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$70,201.24.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of an excavator and trailer is necessary; and

WHEREAS, the Capital Purchasing Team determined that buying out the lease on the current excavator was a more cost-effective solution than purchasing a new piece of equipment; and

WHEREAS, this equipment was included in the updated Capital Outlay List for FY20 which was approved by the City Council on December 3, 2019; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the lease buy-out of one (1) 2016 Caterpillar 308E2 Excavator and one (1) Felling FT-30-2 LP Trailer from Nebraska Machinery Company, Omaha, Nebraska in an amount not to exceed \$70,201.24.

PASSED AND APPROVED THIS 16TH DAY OF JUNE, 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk