

LA VISTA CITY COUNCIL MEETING AGENDA
 February 16, 2021
 6:00 p.m.
 Harold "Andy" Anderson Council Chamber
 La Vista City Hall
 8116 Park View Blvd

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

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

A. CONSENT AGENDA

1. Approval of the Agenda as Presented
2. Approval of the Minutes of the February 2, 2021 City Council Meeting
3. Approval of the Minutes of the January 21, 2021 Planning Commission Meeting
4. Monthly Financial Report – December 2020
5. Request for Payment – Felsburg, Holt & Ullevig – Professional Services – 114th & Giles Intersection Improvements – \$1,828.75
6. Request for Payment – Lamp Rynearson – Professional Services – 2020 Asset Management – \$16,975.20
7. Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Park View Blvd Pavement Repair – \$5,200.00
8. Resolution – Authorize Renewal – Computer Software Subscription – Zscaler
9. Approval of Claims

- Reports from City Administrator and Department Heads
- Sarpy County Economic Development Corporation Annual Report
- B. Conditional Use Permit – 4Seams Academy, LLC – Lot 5 Papio Valley 2 Business Park Indoor Recreational Facility
 1. Public Hearing
 2. Resolution
- C. Ordinance – Amend Municipal Code – Section 131.09 – Loud, Unnecessary Noises
- D. Resolution – Approve Second Amendment to Interlocal Agreement – Sarpy County and Cities Wastewater Agency
- E. Resolution – Authorize Purchase – Asphalt Hot Box Trailer
- F. Discussion – Dog Park
- G. Executive Session – Contract Negotiations
- Comments from the Floor
- Comments from Mayor and Council
- Adjournment

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

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING February 2, 2021

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 February 2, 2021. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Library Director Barcal, Finance Director Miserez, City Engineer Dowse, Community Development Director Fountain, and IT Manager South.

A notice of the meeting was given in advance thereof by publication in the Times on January 20, 2021. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

PROCLAMATION: SERVICE TO LA VISTA – MARK KLINKER

Mayor Kindig presented Mark Klinker with a proclamation thanking him for 25 years of service to the City of La Vista as the Prosecuting Attorney for Municipal Code violations.

SERVICE AWARD: STACIA BURT – 25 YEARS

Mayor Kindig recognized Stacia Burt for 25 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JANUARY 19, 2021 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE - \$2,034.50
4. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$2,067.42
5. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – MISCELLANEOUS SERVICES – \$1,050.00
6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$1,480.30

7. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	43.90
ACTION BATTERIES, maint.	278.42
AMAZON, supplies	294.44
AMERICA'S FENCE STORE, bld&grnds	5,917.97
AT&T MOBILITY LLC, phones	97.40
AWARDS & MORE CO, services	52.78
BADGER BODY & TRUCK EQUIP, maint.	158.00
BAUER BUILT INC, maint.	1,018.40
BERGANKDV LLC, services	10,000.00
BERRY DUNN, services	3,900.00
BIBLIOTHECA LLC, media	6.53
BLIZZARD BOYS, maint.	1,182.37
CENTER POINT INC, books	408.66
CERTIFIED LABORATORIES, maint.	170.00
CINTAS CORP, services	413.40
CITY OF OMAHA, services	8,912.79
CITY OF PAPILLION, services	9,244.59
COMP CHOICE INC, services	569.50

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CORNHUSKER INTL TRUCKS, maint.	63.00
COX COMMUNICATIONS, services	147.03
D & K PRODUCTS, supplies	30.00
DANNER, DENELL, services	50.00
DELL MARKETING, services	1,666.56
DEMCO INC, supplies	96.77
DIAMOND VOGEL PAINTS, supplies	43.36
EBIX INC, supplies	313.00
EDGEWEAR SCREEN PRINTING, apparel	1,537.20
FAC PRINT & PROMO CO, supplies	169.38
FBG SERVICE CORP, bld&grnds	5,965.00
FERGUSON ENTERPRISES, bld&grnds	227.34
GALE, books	124.45
GALLS LLC, apparel	157.99
HANEY SHOE STORE, apparel	148.99
HEARTLAND TIRES & TREADS, maint.	365.25
HELGET SAFETY, supplies	240.00
HOME DEPOT, maint.	448.03
HUNDEN STRATEGIC PARTNERS, services	10,000.00
INGRAM LIBRARY SERVICES, books	352.83
INTERSTATE POWER SYSTEMS INC, maint.	300.71
ISLAND SPRINKLER CO, supplies	405.79
KANOPY INC, services	83.00
KRIHA FLUID POWER CO, maint.	1,371.02
KS'STUDIO LLC, services	693.40
LAMP RYNEARSON & ASSOC, services	17,191.20
LIBRARY IDEAS LLC, books	3.00
LOWE'S, supplies	334.90
MACQUEEN EQUIPMENT LLC, services	837.46
MAX I WALKER UNIFORM, services	12.20
MENARDS-RALSTON, maint.	802.65
MERRYMAKERS ASSOC, services	1,200.00
METRO AREA TRANSIT, services	1,935.00
METRO COMM COLLEGE, services	81,570.41
MIDWEST SERVICE & SALES, maint.	1,092.00
MIDWEST TAPE, media	39.27
MILLARD METAL SERVICES, maint.	58.00
MINITEX - CPP, supplies	50.00
MOBILITY MOTORING, services	164.00
MOBOTREX INC, supplies	2,718.00
MSC INDUSTRIAL SUPPLY, maint.	158.40
NEWMAN SIGNS INC, services	208.64
NMC EXCHANGE LLC, services	367.00
OCLC INC, media	161.21
OFFICE DEPOT INC, supplies	350.16
O'KEEFE ELEVATOR CO, services	1,252.40
OPPD, services	3,806.67
OMNI ENGINEERING, maint.	527.85
ORIENTAL TRADING CO, supplies	65.93
PAPILLION SANITATION, services	1,875.90
PER MAR SECURITY, services	117.72
RED WING, apparel	150.00
ROBERT T. HENNRICH, maint.	1,765.00
ROSE EQUIPMENT INC. maint.	235.51
SIRCHIE ACQUISITION CO, supplies	219.95
SOUTHERN UNIFORM, apparel	230.96
THE SCHEMMER ASSOCIATES INC, services	577.50
V & V MANUFACTURING INC, services	100.90
VERIZON CONNECT, phones	631.41
WOODHOUSE FORD-BLAIR, maint.	6.60

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WOODHOUSE PARTS DIRECT, maint.
WOODHOUSE SW OMAHA, maint.

121.11
62.72

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Community Relations Coordinator Beaumont introduced Jimmy Carroll, the new Communications Intern.

Recreation Director Stopak reported on events at the Community Center and Senior Center.

Chief of Police Lausten reported on snow enforcement during the last storm.

B. AUTHORIZE BOND REFUNDING AND NEW BONDS

1. ORDINANCE – ISSUE GENERAL OBLIGATION BONDS TO REFUND OUTSTANDING BONDS SERIES 2015

Councilmember Hale introduced Ordinance No. 1409 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN ONE OR MORE SERIES, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,200,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; AND AUTHORIZING THE REDEMPTION OF SUCH OUTSTANDING BONDS TO BE REFUNDED; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME, IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1409. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1409 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

2. ORDINANCE – ISSUE HIGHWAY ALLOCATION FUND PLEDGE BONDS TO REFUND OUTSTANDING BONDS SERIES 2014 AND SERIES 2016 AND ISSUE NEW HIGHWAY ALLOCATION FUND PLEDGE BONDS SERIES 2021

Councilmember Quick introduced Ordinance No. 1410 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE AND REFUNDING BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN ONE OR MORE SERIES, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,400,000, IN ONE OR MORE SERIES, FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF CERTAIN OUTSTANDING HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE CITY; AND AUTHORIZING THE REDEMPTION OF SUCH

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OUTSTANDING BONDS TO BE REFUNDED; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1410. Councilmember Quick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1410 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

3. ORDINANCE – ISSUE TAXABLE TAX SUPPORTED BONDS TO REFUND OUTSTANDING BONDS SERIES 2017

Councilmember Hale introduced Ordinance No. 1411 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAX SUPPORTED REFUNDING BONDS OF THE CITY OF LA VISTA, NEBRASKA, IN ONE OR MORE SERIES, IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED \$17,750,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF CERTAIN OUTSTANDING TAX SUPPORTED IMPROVEMENT BONDS OF THE CITY; AND AUTHORIZING THE REDEMPTION OF SUCH OUTSTANDING BONDS TO BE REFUNDED; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY A SALES AND USE TAX AND OTHER SOURCES OF FUNDS FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF SAID TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1411. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1411 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

C. ORDINANCE – REGULATION REQUIRING FACE COVERINGS IN THE CITY

Councilmember Thomas introduced Ordinance No. 1412 entitled: AN ORDINANCE TO AMEND CHAPTER 92 OF THE LA VISTA MUNICIPAL CODE TO EXTEND THE SUNSET PROVISION TO MAY 25, 2021; TO REPEAL CONFLICTING

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ORDINANCES; AND TO PROVIDE FOR SEVERABILITY, PUBLICATION AND THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, and Sell. Nays: Crawford and Hale. Abstain: None. Absent: None. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1412. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1412 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, and Sell. Nays: Crawford and Hale. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

D. RESOLUTION – AUTHORIZE AGREEMENT – GRADE CONTROL IMPROVEMENTS – LA VISTA CITY CENTRE, LLC AND CITY CENTRE I, LLC

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-011 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN IMPROVEMENT AND EASEMENT AGREEMENT WITH LA VISTA CITY CENTRE, LLC AND CITY CENTRE I, LLC TO CONSTRUCT GRADE CONTROL IMPROVEMENTS NEAR THE NORTHEAST CORNER OF LOT 14, CITY CENTRE.

WHEREAS, the Mayor and City Council of the City of La Vista find it necessary to do grade control improvements near the northeast corner of Lot 14, City Centre; and

WHEREAS, these grade control improvements are necessary to build a dual purpose fire land and pedestrian walkway to access future buildings and amenities; and

WHEREAS, this agreement would allow all grade control improvements to be done as one project with City Centre I, LLC as the lead; and

WHEREAS, anticipated total costs of the project are \$264,012.10 of which the City of La Vista share is anticipated to be \$112,233.28. The cost breakdown is included in the agreement.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of an Improvement and Easement Agreement with La Vista City Centre, LLC and City Centre I, LLC to construct grade control improvements near the northeast corner of Lot 14, City Centre in a form satisfactory to the City Administrator or designee.

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

E. RESOLUTION – RENAMING THE AREA CURRENTLY REFERRED TO AS CIVIC CENTER PARK AS CENTRAL PARK

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-012 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA OFFICIALLY NAMING THE AREA CURRENTLY REFERRED TO AS CIVIC CENTER PARK AND THE ADJACENT AREA IMMEDIATELY WEST OF 84TH STREET AS CENTRAL PARK.

WHEREAS, the site of the former La Vista Falls Golf Course has been created into a regional recreation area abutting the new City Centre development; and

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WHEREAS, the recreation area formally has not been named, but has been referred to as Civic Center Park; and

WHEREAS, the future plans include the installation of a connection under 84th Street between this new recreation area and the land that is the current location of the municipal swimming pool and some smaller baseball fields; and

WHEREAS, the Park and Recreation Advisory Committee held a public hearing at their meeting on January 20, 2021 to discuss naming these areas as required by the Council Policy Statement, and they are recommending the name Central Park; and

WHEREAS, the official park name will be Central Park;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby officially name the area currently referred to as Civic Center Park and the area immediately west of 84th Street as Central Park.

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

F. RESOLUTION – AUTHORIZE REQUEST FOR PROPOSALS – OPERATION OF CONCESSION SERVICES AT CITY LOCATIONS

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-013 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE OPERATION OF THE CONCESSION SERVICES AT THE SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND THE COMMUNITY CENTER.

WHEREAS, the Softball Complex, Soccer Complex, City Park, and the Community Center are owned and operated by the City of La Vista; and

WHEREAS, the City Council has indicated a desire to contract out the operation of the concession services at the previously listed locations; and

WHEREAS, the Recreation Director has prepared specifications for said operations; and

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

Advertise for Bids	February 10, 2021
Bid Deadline	February 26, 2021 at 10:00 am at City Hall
City Council Award Bid	March 16, 2021

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 the operation of the concession services at the Softball Complex, Soccer Complex, City Park, and the Community Center in accordance with the specifications prepared by the Recreation Director.

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

G. RESOLUTION – AUTHORIZE PURCHASE – FORTIGATE FIREWALL

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-014 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A FORTIGATE FIREWALL FOR CITY HALL FROM HEARTLAND BUSINESS SYSTEMS IN AN AMOUNT NOT TO EXCEED \$12,801.48.

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WHEREAS, the City Council of the City of La Vista has determined that the purchase of a FortiGate Firewall for City Hall is necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed 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 purchase over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a FortiGate Firewall for City Hall from Heartland Business Systems in an amount not to exceed \$12,801.48.

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

Councilmember Crawford motioned to move Comments from the Floor up on the agenda ahead of item H. Executive Session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 6:34 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for negotiating guidance regarding contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:15 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

There were Council comments regarding Salute to Summer.

At 7:20 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Ronan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

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
JANUARY 21, 2021 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, January 21, 2021 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Vice-Chairman Harold Sargus called the meeting to order at 6:30 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, Harold Sargus, Patrick Coghlan, John Gahan, Kathleen Alexander, and Josh Frey. Members absent were Jason Dale, Mike Circo, and Kevin Wetuski. Also, in attendance were Chris Solberg, Deputy Community Development Director; Bruce Fountain, Community Development Director; Cale Brodersen, Assistant City Planner; Pat Dowse, City Engineer; and Meghan Engberg, Permit Technician.

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.

1. Call to Order

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

2. Approval of Meeting Minutes – January 7, 2021

Malmquist moved, seconded by *Krzywicki* to approve the January 7th minutes. **Ayes: Krzywicki, Gahan, Alexander, Coghlan, Frey, and Malmquist. Nays: None. Abstain: Sargus. Absent: Wetuski, Circo, and Dale. Motion Carried, (6-0-1)**

3. Old Business

None.

4. New Business

A. Conditional Use Permit – 12005 Portal Road – 4Seams Academy, LLC

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, 4Seams, LLC, has requested a Conditional Use Permit to operate an indoor recreation facility at 12005 Portal Rd. He said that they are looking to operate a baseball and softball training facility in a new industrial flex space on Lot 5 Papio Valley 2 Business Park. Brodersen said that this building has 6 bays and the application will be occupying bays 1-5 and the owner of the building will be occupying bay 6.

Brodersen said that one reason the City of La Vista requires a Conditional Use Permit for facilities such as these is to ensure that the site can adequately handle the

parking and traffic something like this can generate. Brodersen said that based off the expected maximum occupancy for peak times, the requirement for off-street parking in La Vista's Zoning Ordinance is 28 stalls, and this facility has 61 dedicated stalls in the front of the building. He mentioned that one of the conditions that they placed in the permit was that if they do run over that amount of parking, there is a very large concrete area in the back of the building they may require to be striped if necessary. He then mentioned that if they also start to experience traffic backing out on to public streets, the City could require operational changes or physical improvements to make sure that stacking doesn't occur.

Staff recommends approval of the Conditional Use Permit for Lot 5 Papio Valley 2 Business Park, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

ii. Public Hearing; Sargus opened the public hearing.

Sean Schrader, one of the business owners of 4Seams Academy, LLC, spoke on behalf of the project. He gave some history on his involvement with baseball and feels that opening this facility would give kids an opportunity to have somewhere to practice. He said that they have been working on this for 2 years now to be able to give kids a place to take their dreams to the next level. Schrader said that as far as the building goes, he feels that they have addressed the questions and issues Cale had and are continuing to address the other issues that have come up.

Cheri Williamson, one of the business owners, spoke on behalf of the project. She mentioned her personal involvement and history with baseball. She said that one of the reasons that she wanted to get involved in this project is because there is such a need for this community to have a facility that they want to provide for these kids.

Dan Tinnell, one of the business owners, spoke on behalf of the project. He said they have been working on this project for 2 years with a lot of ups and downs. He said that they want to fight and go forward to get this facility open. Tinnell described the need for the facility for his players and other players. He then thanked the Commission for allowing them to speak.

Steve Thornburg, Papillion/La Vista Fire Marshall, spoke during the public hearing to voice his concerns. He mentioned that the applicant has the occupant load at 110, but that the calculated occupant load under the building code is over 2,000. He said that they deal with worst case scenario in the code and if they have the room, they'll bring the people. He said that parking is also an issue and that they are looking out for the safety of everybody who goes into the building. Thornburg said that he is still waiting for plans from their architect because he hasn't gotten all of his questions answered. He feels that there shouldn't have been any work done inside the building yet as he claimed it hasn't been permitted.

Sargus asked if 110 versus 2,000 was a good thing.

Thornburg said it's a good thing if they actually limit it to that number and it's being policed.

Coghlan asked if Thornburg as Fire Marshal, could put a restriction on occupancy because of those issues.

Thornburg said that he can't limit occupant load except for those based off exiting and other related issues.

Krzywicki said that the proposed Conditional Use Permit sets the maximum occupancy in it, so if they exceed it, the permit would be voided. He then said that if there are more people than would normally be there that create traffic and other issues that would come up as a violation of the permit.

Thornburg replied wanting to know who is going to police that in this location.

Coghlan asked in a facility like that, what would 2,000 people do.

Thornburg said they wouldn't be able to practice, but there are other things such as open houses, registrations, etc., that could cause an issue.

Coghlan said that he sees that happening a very small percentage of the time. He said that he grew up in those facilities too and to have 2,000 people in batting cages and throwing areas would be detrimental to their business.

Schrader came back up to podium and said that the occupancy load being set at 2,000 is pretty ridiculous and they wouldn't be able to function as a training facility with that many people in there. He said that he wasn't sure of the exact codes the Fire Marshal was referring to, but the ability to operate with that many, let alone the insurance costs and liability issues, would be impossible. He said there's no way you'd be able to be in there swinging baseball bats with that many people. He said that he understood there might be special days where there'd be an influx, but that it wouldn't be as bad as the traffic at The Volleyball Academy. Schrader mentioned that there are cages with set dimensions and netting within the facility, with hallway space for people to travel about. He said that normal traffic would be a team of 10-12 players and a few coaches.

Sargus said that he was excited to see in the operating statement that the applicant is in talks with a sports performance coach that may sublease.

Schrader said that would be in bay 5 and that there would be professional players who would use that bay.

Sargus asked about the impacts on parking and building occupancy of a professional player coming in for training.

Schrader said that he didn't think they're trying to draw crowds; they focus on private training sessions, not events like autograph signings. Tinnell said that those

players are training during the day while the kids are in school, so there wouldn't be a concern for crowds.

Brodersen came forward to give clarification on a couple things mentioned during this discussion. He said that the applicant will still be required to meet all the life safety codes. So even after the approval of the Conditional Use Permit, they won't be able to occupy the space until they've worked with Thornburg to meet all the life safety codes. He then mentioned that they do have the occupancy limit in the Conditional Use Permit, so if they do experience large influxes and are going over that 110 amount, they will be in violation of the CUP and will be required to make sure that they are not going above that level or lose their CUP. Brodersen said that Community Development staff conduct annual inspections on every approved Conditional Use Permit, Staff will monitor occupancy limits, parking and complaints on this facility and follow up as required

Solberg pointed out items D, E, and G of the Conditional Use Permit in relation to the items that were recently discussed. He said that the occupancy issue was something that had just come up in the last 24 hours and is something that needs to be dealt with prior to getting their Certificate of Occupancy. He then said the applicant's architect will have to work with both the Building Department and Papillion Fire to resolve the issue and that there is time between now and then to resolve the issue.

Sargus closed the Public Hearing.

Krzywicki asked for confirmation that if the Planning Commission and City Council approve the Conditional Use Permit, that the Conditional Use Permit lists the specific remaining requirements that must be met before they can operate.

Solberg said yes, they still need to get their C.O. to start operating.

Frey asked if both entrances are paved to the street that are noted in one of the packet attachments.

Brodersen said they are.

- iii. **Recommendation:** Coghlan moved, seconded by Frey, to recommend approval of the Conditional Use Permit for Lot 5 Papio Valley Business Park, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance. **Ayes:** *Krzywicki, Gahan, Alexander, Coghlan, Sargus, Frey, and Malmquist.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Wetuski, Circo, and Dale.* **Motion Carried, (7-0)**

5. Comments from the Floor

No members of the public came forward.

6. Comments from the Planning Commission

None

7. Comments from the Staff

Fountain said that City Council approved the final plat for I-80 Business Park Second Addition Replat 1.

Solberg said that the Nebraska Planning Conference has been postponed to September 15-17th, 2021.

8. Adjournment

Sargus adjourned the meeting at 7:01 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Total All Funds				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
OPERATING REVENUES					
General Fund	\$ 18,573,006	\$ 407,730	\$ 2,710,479	\$ (15,862,527)	15%
Sewer Fund	4,469,263	361,657	1,212,462	(3,256,801)	27%
Debt Service Fund	3,401,489	28,611	686,738	(2,714,751)	20%
Capital Improvement Program Fund	387	-	-	(387)	0%
Lottery Fund	940,945	89,037	352,470	(588,475)	37%
Economic Development Fund	10,070	1	3	(10,067)	0%
Off Street Parking Fund	24,111	-	1,770	(22,341)	7%
Redevelopment Fund	2,038,587	(16,194)	546,638	(1,491,949)	27%
Police Academy	148,423	11	130,049	(18,374)	88%
TIF 1A	305,081	-	-	(305,081)	0%
TIF 1B	418,803	-	-	(418,803)	0%
Sewer Reserve Fund	17,747	589	1,588	(16,159)	9%
Qualified Sinking Fund	3,757	106	285	(3,472)	8%
Total Operating Revenues	30,351,669	871,547	5,642,480	(24,709,189)	19%

OPERATING EXPENDITURES

General Fund	19,306,753	1,396,121	4,548,913	(14,757,840)	24%
Sewer Fund	4,034,908	53,856	186,208	(3,848,700)	5%
Debt Service Fund	3,334,779	2,067,063	2,298,513	(1,036,266)	69%
Capital Improvement Program Fund	-	-	-	-	0%
Lottery Fund	685,187	42,764	132,031	(553,156)	19%
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,098,065	536,433	565,470	(532,595)	51%
Redevelopment Fund	1,807,575	-	6,676	(1,800,899)	0%
Police Academy	116,612	8,799	29,388	(87,224)	25%
TIF 1A	352,417	47,336	47,336	(305,081)	13%
TIF 1B	434,083	15,281	15,281	(418,802)	4%
Sewer Reserve Fund	-	-	-	-	0%
Qualified Sinking Fund	-	-	-	-	0%
Total Operating Expenditures	31,252,889	4,167,652	7,829,817	(23,423,072)	25%

OPERATING REVENUES NET OF EXPENDITURES

General Fund	(733,747)	(988,391)	(1,838,434)	(1,104,687)
Sewer Fund	434,355	307,801	1,026,254	591,899
Debt Service Fund	66,710	(2,038,451)	(1,611,776)	(1,678,486)
Capital Improvement Program Fund	387	-	-	(387)
Lottery Fund	255,758	46,273	220,439	(35,319)
Economic Development Fund	(72,440)	1	3	72,443
Off Street Parking Fund	(1,073,954)	(536,433)	(563,700)	510,254
Redevelopment Fund	231,012	(16,194)	539,961	308,949
Police Academy	31,811	(8,788)	100,661	68,850
TIF 1A	(47,336)	(47,336)	(47,336)	(0)
TIF 1B	(15,280)	(15,281)	(15,281)	(1)
Sewer Reserve Fund	17,747	589	1,588	(16,159)
Qualified Sinking Fund	3,757	106	285	(3,472)
Operating Revenues Net of Expenditures	(901,220)	(3,296,105)	(2,187,336)	(1,286,116)
	-	-	-	0

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Total All Funds				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>OTHER FINANCING SOURCES & USES</u>					
<u>TRANSFERS IN</u>					
General Fund	193,867	-	-	(193,867)	0%
Sewer Fund	350,000	-	-	(350,000)	0%
Debt Service Fund	577,831	-	-	(577,831)	0%
Capital Improvement Program Fund	484,445	-	-	(484,445)	0%
Lottery Fund	-	-	-	-	-
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,275,065	-	-	(1,275,065)	0%
Redevelopment Fund	-	-	-	-	-
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	-	-	-	-	-
Qualified Sinking Fund	50,000	-	-	(50,000)	0%
Total Transfers In	3,013,718	-	-	(3,013,718)	0%
<u>TRANSFERS OUT</u>					
General Fund	(940,943)	-	-	940,943	0%
Sewer Fund	-	-	-	-	-
Debt Service Fund	(1,182,985)	-	-	1,182,985	0%
Capital Improvement Program Fund	-	-	-	-	-
Lottery Fund	(293,867)	-	-	293,867	0%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	(245,923)	-	-	245,923	0%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	(350,000)	-	-	350,000	0%
Qualified Sinking Fund	-	-	-	-	-
Total Transfers Out	(3,013,718)	-	-	3,013,718	0%
<u>NET TRANSFERS</u>					
General Fund	(747,076)	-	-	747,076	0%
Sewer Fund	350,000	-	-	(350,000)	0%
Debt Service Fund	(605,154)	-	-	605,154	0%
Capital Improvement Program Fund	484,445	-	-	(484,445)	0%
Lottery Fund	(293,867)	-	-	293,867	0%
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,275,065	-	-	(1,275,065)	0%
Redevelopment Fund	(245,923)	-	-	245,923	0%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	(350,000)	-	-	350,000	0%
Qualified Sinking Fund	50,000	-	-	(50,000)	0%
Total Net Transfers	-	-	-	-	0%

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Total All Funds				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>OTHER REVENUE: BOND PROCEEDS</u>					
Sewer Fund	-	-	-	-	
Capital Improvement Program Fund	6,490,000	-	-	(6,490,000)	0%
Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
Off Street Parking Fund	-	-	-	-	
Redevelopment Fund	9,615,000	-	-	(9,615,000)	0%
Total Bond Proceeds	19,105,000	-	-	(19,105,000)	0%
<u>OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM</u>					
Sewer Fund	630,000	-	259	(629,741)	0%
Capital Improvement Program Fund	6,979,445	34,284	36,669	(6,942,776)	1%
Off Street Parking Fund	100,000	547	2,188	(97,812)	2%
Redevelopment Fund	4,181,000	2,067	29,820	(4,151,180)	1%
Total Capital Improvement Program	11,890,445	36,899	68,935	(11,821,510)	1%
<u>OTHER EXPENDITURES: EDP GRANT</u>					
Economic Development Fund	1,000,000	-	-	(1,000,000)	0%
<u>NET FUND ACTIVITY</u>					
General Fund	(1,480,823)	(988,391)	(1,838,434)	(357,611)	
Sewer Fund	154,355	307,801	1,025,995	871,640	
Debt Service Fund	(538,444)	(2,038,451)	(1,611,776)	(1,073,332)	
Capital Improvement Program Fund	(4,613)	(34,284)	(36,669)	(32,056)	
Lottery Fund	(38,109)	46,273	220,439	258,548	
Economic Development Fund	2,010,070	1	3	(2,010,067)	
Off Street Parking Fund	101,111	(536,980)	(565,888)	(666,999)	
Redevelopment Fund	5,419,089	(18,262)	510,141	(4,908,948)	
Police Academy	31,811	(8,788)	100,661	68,850	
TIF 1A	(47,336)	(47,336)	(47,336)	(0)	
TIF 1B	(15,280)	(15,281)	(15,281)	(1)	
Sewer Reserve Fund	(332,253)	589	1,588	333,841	
Qualified Sinking Fund	53,757	106	285	(53,472)	
Net Activity	\$ 5,313,335	(3,333,004)	(2,256,272)	(7,569,607)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Total All Funds				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>FUND BALANCE</u>	<u>As of 9/30/2021</u>		<u>As of 12/31/2020</u>	<u>Variance</u>	<u>Notes</u>
General Fund	6,063,848		4,757,770	(1,306,078)	
Sewer Fund	1,064,689		1,697,794	633,105	
Debt Service Fund	2,546,407		1,826,928	(719,479)	
Capital Improvement Program Fund	36,922		(75,176)	(112,098)	
Lottery Fund	3,813,883		4,101,908	288,025	
Economic Development Fund	2,017,138		7,072	(2,010,066)	
Off Street Parking Fund	165,570		(550,744)	(716,314)	
Redevelopment Fund	8,831,835		4,303,756	(4,528,079)	
Police Academy	58,683		132,434	73,751	
TIF 1A	-		-	-	
TIF 1B	-		-	-	
Sewer Reserve Fund	1,623,681		1,958,847	335,166	
Qualified Sinking Fund	404,998		351,758	(53,240)	
Net Fund Balance	26,627,654	-	18,512,347	(8,115,306)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

General Fund					
	<u>Budget</u>	<u>MTD</u>	<u>YTD</u>	<u>Over(under)</u>	<u>% of Budget</u>
	<u>(12 month)</u>	<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Used</u>
<u>REVENUES</u>					
Property Taxes	\$ 9,393,170	\$ 66,235	\$ 253,653	\$ (9,139,517)	3%
Sales and use taxes	3,887,077	(35,154)	1,083,277	(2,803,800)	28%
Payments in Lieu of taxes	356,710	-	-	(356,710)	0%
State revenue	1,739,301	165,019	561,208	(1,178,093)	32%
Occupation and franchise taxes	885,022	53,507	95,004	(790,018)	11%
Hotel Occupation Tax	363,215	37,470	116,237	(246,978)	32%
Licenses and permits	457,113	30,103	213,797	(243,316)	47%
Interest income	67,207	2,069	7,603	(59,604)	11%
Recreation fees	171,782	2,214	31,307	(140,475)	18%
Special Services	24,000	(2,393)	4,921	(19,079)	21%
Grant Income	165,736	15,603	71,119	(94,617)	43%
Other	1,062,673	73,058	272,353	(790,320)	26%
Total Revenues	18,573,006	407,730	2,710,479	(15,862,527)	15%
<u>EXPENDITURES</u>					
Administrative Services	582,929	41,241	147,161	(435,768)	25%
Mayor and Council	220,064	12,802	45,311	(174,753)	21%
Boards & Commissions	6,335	-	107	(6,228)	2%
Building Maintenance	635,049	62,819	131,689	(503,360)	21%
Administration	689,538	41,724	162,253	(527,285)	24%
Police and Animal Control	5,406,114	457,708	1,467,337	(3,938,777)	27%
Fire	2,412,062	192,026	575,428	(1,836,634)	24%
Community Development	675,426	43,063	152,796	(522,630)	23%
Public Works	4,157,840	262,601	859,969	(3,297,871)	21%
Recreation	860,732	49,300	173,360	(687,372)	20%
Library	948,460	58,659	219,502	(728,958)	23%
Information Technology	399,586	17,843	45,464	(354,122)	11%
Human Resources	1,001,387	63,083	195,575	(805,812)	20%
Public Transportation	111,198	4,938	22,753	(88,445)	20%
Finance	475,544	24,419	87,201	(388,343)	18%
Communication	216,020	8,427	34,250	(181,770)	16%
Capital outlay	508,469	55,470	228,757	(279,712)	45%
Total Expenditures	19,306,753	1,396,121	4,548,913	(14,757,840)	24%
<u>REVENUES NET OF EXPENDITURES</u>	<u>(733,747)</u>	<u>(988,391)</u>	<u>(1,838,434)</u>	<u>(1,104,687)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (Lottery)	193,867	-	-	(193,867)	0%
Operating transfers out (DSF, OSP, CIP)	(940,943)	-	-	940,943	0%
Total other Financing Sources (Uses)	(747,076)	-	-	747,076	
<u>NET FUND ACTIVITY</u>	<u>\$ (1,480,823)</u>	<u>\$ (988,391)</u>	<u>\$ (1,838,434.2)</u>	<u>\$ (357,611)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

Sewer Fund					
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
User fees	\$ 4,336,482	\$ 357,768	\$ 1,107,235	\$ (3,229,247)	26%
Service charge and hook-up fees	123,065	2,934	103,620	(19,445)	84%
Miscellaneous	19	3	16	(3)	
Total Revenues	<u>4,459,566</u>	<u>360,705</u>	<u>1,210,871</u>	<u>(3,248,695)</u>	<u>27%</u>
<u>EXPENDITURES</u>					
Personnel Services	549,189	41,398	141,056	(408,133)	26%
Commodities	35,356	1,098	3,292	(32,064)	9%
Contract Services	3,065,964	10,815	32,272	(3,033,692)	1%
Maintenance	39,084	507	4,196	(34,888)	11%
Other	230	38	38	(193)	16%
Storm Water Grant	55,085	-	5,355	(49,730)	10%
Capital Outlay	290,000	-	-	(290,000)	0%
Total Expenditures	<u>4,034,908</u>	<u>53,856</u>	<u>186,208</u>	<u>(3,848,700)</u>	<u>5%</u>
<u>OPERATING INCOME (LOSS)</u>	<u>424,658</u>	<u>306,849</u>	<u>1,024,663</u>	<u>600,005</u>	Note 1
<u>NON-OPERATING REVENUE (EXPENSE)</u>					
Interest income	9,697	952	1,591	(8,106)	16%
	<u>9,697</u>	<u>952</u>	<u>1,591</u>	<u>(8,106)</u>	<u>16%</u>
<u>INCOME (LOSS) BEFORE</u>					
<u>OPERATING TRANSFERS</u>	<u>434,355</u>	<u>307,801</u>	<u>1,026,254</u>	<u>591,899</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (Lottery Events)	350,000	-	-	(350,000)	0%
Operating transfers out (CIP & Sewer Reserve)	-	-	-	-	0%
Bond/registered warrant proceeds	-	-	-	-	0%
Capital Improvement	(630,000)	-	(259)	629,741	0%
Total other Financing Sources (Uses)	<u>(280,000)</u>	<u>-</u>	<u>(259)</u>	<u>279,741</u>	<u>0%</u>
<u>NET INCOME (LOSS)</u>	<u>\$ 154,355</u>	<u>\$ 307,801</u>	<u>\$ 1,025,995</u>	<u>\$ 871,640</u>	

Note 1: Restatement of Operating Income Variance

Operating Income Variance	600,005
City of Omaha billing in arrears 3 months	(780,000)
Adjusted Operating Income Variance	<u>(179,995)</u>

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

Debt Service Fund					
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Property Taxes	\$ 891,190	\$ 3,268	\$ 15,492	\$ (875,698)	2%
Sales and use taxes	1,943,539	(17,577)	541,638	(1,401,901)	28%
Payments in Lieu of taxes	35,279	-	-	(35,279)	0%
Other (Special Assessments; Fire Reimbursement)	503,714	41,976	125,928	(377,786)	25%
Interest income	27,767	944	3,680	(24,087)	13%
Total Revenues	<u>3,401,489</u>	<u>28,611</u>	<u>686,738</u>	<u>(2,714,751)</u>	<u>20%</u>
<u>EXPENDITURES</u>					
Administration	98,571	858	977	(97,594)	1%
Fire Contract Bond	122,906	17,794	53,382	(69,524)	43%
Debt service					
Principal	2,645,000	1,905,000	2,065,000	(580,000)	78%
Interest	468,302	143,411	179,154	(289,148)	38%
Total Expenditures	<u>3,334,779</u>	<u>2,067,063</u>	<u>2,298,513</u>	<u>(1,036,266)</u>	<u>69%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>66,710</u>	<u>(2,038,451)</u>	<u>(1,611,776)</u>	<u>(1,678,486)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF Hwy Alloc)	577,831	-	-	(577,831)	0%
Operating transfers out (CIP, OSP)	(1,182,985)	-	-	1,182,985	0%
Total other Financing Sources (Uses)	<u>(605,154)</u>	<u>-</u>	<u>-</u>	<u>605,154</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ (538,444)</u>	<u>\$ (2,038,451)</u>	<u>\$ (1,611,776)</u>	<u>\$ (1,073,332)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

Capital Fund						
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>	
<u>REVENUES</u>						
Interest income	\$ 387	\$ -	\$ -	\$ (387)	0%	
Grant Income	-	-	-	-	0%	
Special Assessment	-	-	-	-	0%	
Interagency	-	-	-	-	0%	
Total Revenues	<u>387</u>	<u>-</u>	<u>-</u>	<u>(387)</u>	<u>0%</u>	
<u>EXPENDITURES</u>						
Other	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>	
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>	
<u>REVENUES NET OF EXPENDITURES</u>						
	<u>387</u>	<u>-</u>	<u>-</u>	<u>(387)</u>		
<u>OTHER FINANCING SOURCES (USES)</u>						
Operating transfers in (GF, DSF)	484,445	-	-	(484,445)	0%	
Operating transfers out (DSF)	-	-	-	-	0%	
Bond/registered warrant proceeds	6,490,000	-	-	(6,490,000)	0%	
Capital outlay	<u>(6,979,445)</u>	<u>(34,284)</u>	<u>(36,669)</u>	<u>6,942,776</u>	<u>1%</u>	
Total other Financing Sources (Uses)	<u>(5,000)</u>	<u>(34,284)</u>	<u>(36,669)</u>	<u>(31,669)</u>	<u>733%</u>	
<u>NET FUND ACTIVITY</u>						
	\$ <u>(4,613)</u>	\$ <u>(34,284)</u>	\$ <u>(36,669)</u>	\$ <u>(32,056)</u>		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

Lottery Fund					
	<u>Budget</u> <u>(12 month)</u>		<u>MTD</u> <u>Actual</u>		<u>YTD</u> <u>Actual</u>
				<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Lottery Rev/Community Betterment	\$ 645,147	S	61,871	S	267,268
Lottery Tax Form 51	258,067		24,748		81,691
Interest income	37,731		2,418		2,911
Miscellaneous / Other	-		-		600
Total Revenues	<u>940,945</u>		<u>89,037</u>		<u>352,470</u>
				<u>(588,475)</u>	<u>37%</u>
<u>EXPENDITURES</u>					
Professional Services	174,735		4,933		8,985
Salute to Summer	150,127		-		176
Community Events	29,840		9,969		18,590
Events - Marketing	60,000		3,114		22,590
Recreation Events	1,518		-		-
Concert & Movie Nights	10,900		-		-
State Taxes	258,067		24,748		81,691
Total Expenditures	<u>685,187</u>		<u>42,764</u>		<u>132,031</u>
				<u>(553,156)</u>	<u>19%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>255,758</u>		<u>46,273</u>		<u>220,439</u>
				<u>(35,319)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-		-		-
Operating transfers out (GF, SF, DSF)	(293,867)		-		-
Total other Financing Sources (Uses)	<u>(293,867)</u>		<u>-</u>		<u>293,867</u>
				<u>293,867</u>	<u>0%</u>
<u>NET FUND ACTIVITY</u>	<u>S (38,109)</u>	S	<u>46,273</u>	S	<u>220,439</u>
				S	<u>258,548</u>

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Economic Development				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Other Income	\$ -	\$ -	\$ -	-	
Interest income	10,070	1	3	(10,067)	
Total Revenues	10,070	1	3	(10,067)	
<u>EXPENDITURES</u>					
Professional Services	34,500	-	-	(34,500)	0%
Debt service: (Warrants)					0%
Principal	-	-	-	-	0%
Interest	48,010	-	-	(48,010)	0%
Total Expenditures	82,510	-	-	(82,510)	0%
<u>REVENUES NET OF EXPENDITURES</u>	<u>(72,440)</u>	<u>1</u>	<u>3</u>	<u>72,443</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF)	82,510	-	-	(82,510)	0%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	3,000,000	-	-	(3,000,000)	0%
Community Development - Grant	(1,000,000)	-	-	1,000,000	0%
Total other Financing Sources (Uses)	2,082,510	-	-	(2,082,510)	0%
<u>NET FUND ACTIVITY</u>	<u>\$ 2,010,070</u>	<u>\$ 1</u>	<u>\$ 3</u>	<u>\$ (2,010,067)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Off Street Parking				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Interest income	\$ 1,111	\$ -	\$ 10	\$ (1,101)	1%
Other Income	23,000	-	1,760	(21,240)	8%
Total Revenues	24,111	-	1,770	(22,341)	7%
<u>EXPENDITURES</u>					
General & Administrative	160,326	9,577	38,614	(121,712)	24%
Professional Services	780	125	125	(655)	16%
Maintenance	32,276	86	86	(32,190)	0%
Commodities	11,000	-	-	(11,000)	0%
Debt service: (Warrants)					
Principal	695,000	500,000	500,000	(195,000)	72%
Interest	198,683	26,645	26,645	(172,038)	13%
Total Expenditures	1,098,065	536,433	565,470	(532,595)	51%
<u>REVENUES NET OF EXPENDITURES</u>	<u>(1,073,954)</u>	<u>(536,433)</u>	<u>(563,700)</u>	<u>510,254</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF, DSF, RDF)	1,275,065	-	-	(1,275,065)	0%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	-	-	-	-	0%
Capital Improvement	(100,000)	(547)	(2,188)	97,812	2%
Total other Financing Sources (Uses)	1,175,065	(547)	(2,188)	(1,177,253)	0%
<u>NET FUND ACTIVITY</u>	<u>\$ 101,111</u>	<u>\$ (536,980)</u>	<u>\$ (565,888)</u>	<u>\$ (666,999)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Redevelopment Fund				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Sales and use taxes	\$ 1,943,539	\$ (17,577)	\$ 541,638	\$ (1,401,901)	28%
Franchise Fee & Occupation Tax	34,657	-	-	(34,657)	0%
Interest income	60,391	1,383	4,999	(55,392)	8%
Total Revenues	2,038,587	(16,194)	546,638	(1,491,949)	27%
<u>EXPENDITURES</u>					
Professional Services	99,700	-	514	(99,186)	1%
Financial / Legal Fees	196,750	-	6,163	(190,587)	3%
Debt service: (Warrants)				-	0%
Principal	750,000	-	-	(750,000)	0%
Interest	761,125	-	-	(761,125)	0%
Total Expenditures	1,807,575	-	6,676	(1,800,899)	0%
<u>REVENUES NET OF EXPENDITURES</u>	231,012	(16,194)	539,961	308,949	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-	-	-	-	0%
Operating transfers out (OSP)	(245,923)	-	-	245,923	0%
Bond/registered warrant proceeds	9,615,000	-	-	(9,615,000)	0%
Capital Improvement	(4,181,000)	(2,067)	(29,820)	4,151,180	1%
Total other Financing Sources (Uses)	5,188,077	(2,067)	(29,820)	(5,217,897)	
<u>NET FUND ACTIVITY</u>	\$ 5,419,089	\$ (18,262)	\$ 510,141	\$ (4,908,948)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	Police Academy Fund				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>
<u>REVENUES</u>					
Other Income	\$ 148,000	\$ -	\$ 130,000	\$ (18,000)	88%
Interest income	423	11	49	(374)	12%
Total Revenues	<u>148,423</u>	<u>11</u>	<u>130,049</u>	<u>(18,374)</u>	<u>88%</u>
<u>EXPENDITURES</u>					
Personnel Services	97,692	7,494	24,871	(72,821)	25%
Commodities	2,150	739	1,298	(852)	60%
Contract Services	11,970	499	1,910	(10,060)	16%
Other Charges	4,800	67	1,309	(3,491)	27%
Total Expenditures	<u>116,612</u>	<u>8,799</u>	<u>29,388</u>	<u>(87,224)</u>	<u>25%</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>31,811</u>	<u>(8,788)</u>	<u>100,661</u>	<u>68,850</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in (GF)	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ 31,811</u>	<u>\$ (8,788)</u>	<u>\$ 100,661</u>	<u>\$ 68,850</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	TIF 1A				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Property Tax	\$ 305,081	\$ -	\$ -	\$ (305,081)	0%
Total Revenues	<u>305,081</u>	<u>-</u>	<u>-</u>	<u>(305,081)</u>	<u>0%</u>
<u>EXPENDITURES</u>					
TIF Distributed Funds	349,366	47,336	47,336	(302,030)	14%
Contract Services	3,051	-	-	(3,051)	0%
Total Expenditures	<u>352,417</u>	<u>47,336</u>	<u>47,336</u>	<u>(305,081)</u>	
<u>REVENUES NET OF EXPENDITURES</u>	<u>(47,336)</u>	<u>(47,336)</u>	<u>(47,336)</u>	<u>(0)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ (47,336)</u>	<u>\$ (47,336)</u>	<u>\$ (47,336)</u>	<u>\$ (0)</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

	TIF 1B				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Property Tax	\$ 418,803	\$ -	\$ -	\$ (418,803)	0%
Total Revenues	<u>418,803</u>	<u>-</u>	<u>-</u>	<u>(418,803)</u>	<u>0%</u>
<u>EXPENDITURES</u>					
TIF Distributed Funds	429,895	15,281	15,281	(414,614)	4%
Contract Services	4,188	-	-	(4,188)	0%
Total Expenditures	<u>434,083</u>	<u>15,281</u>	<u>15,281</u>	<u>(418,802)</u>	
<u>REVENUES NET OF EXPENDITURES</u>	<u>(15,280)</u>	<u>(15,281)</u>	<u>(15,281)</u>	<u>(1)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in				-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ (15,280)</u>	<u>\$ (15,281)</u>	<u>\$ (15,281)</u>	<u>\$ (0.70)</u>	

CITY OF LAVISTA, NEBRASKA
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25% of the Fiscal Year 2021

Sewer Reserve Fund					
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>					
Interest income	\$ 17,747	\$ 589	\$ 1,588	\$ (16,159)	9%
Total Revenues	<u>17,747</u>	<u>589</u>	<u>1,588</u>	<u>(16,159)</u>	<u>9%</u>
<u>EXPENDITURES</u>					
Other	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>REVENUES NET OF EXPENDITURES</u>	<u>17,747</u>	<u>589</u>	<u>1,588</u>	<u>(16,159)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
Operating transfers out	<u>(350,000)</u>	<u>-</u>	<u>-</u>	<u>350,000</u>	<u>0%</u>
Total other Financing Sources (Uses)	<u>(350,000)</u>	<u>-</u>	<u>-</u>	<u>350,000</u>	
<u>NET FUND ACTIVITY</u>	<u>\$ (332,253)</u>	<u>\$ 589</u>	<u>\$ 1,588</u>	<u>\$ 333,841</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Three months ending December 31, 2020
25% of the Fiscal Year 2021

		Qualified Sinking Fund				
		<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<u>REVENUES</u>						
Interest income	\$	3,757	\$ 106	\$ 285	\$ (3,472)	8%
Total Revenues		<u>3,757</u>	<u>106</u>	<u>285</u>	<u>(3,472)</u>	<u>8%</u>
<u>EXPENDITURES</u>						
Other		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
Total Expenditures		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>REVENUES NET OF EXPENDITURES</u>		<u>3,757</u>	<u>106</u>	<u>285</u>	<u>(3,472)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>						
Operating transfers in		50,000	-	-	(50,000)	0%
Operating transfers out		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0%</u>
Total other Financing Sources (Uses)		<u>50,000</u>	<u>-</u>	<u>-</u>	<u>(50,000)</u>	
<u>NET FUND ACTIVITY</u>		\$ <u>53,757</u>	\$ <u>106</u>	\$ <u>285</u>	\$ <u>(53,472)</u>	

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Please Remit to:
 Dept 1539, PO Box 30106
 Salt Lake City, UT 84130-0106
 phone: 303.721.1440
 email: accounting@fhueng.com

Please note our new remittance address

INVOICE

Mr. Patrick Dowse, PE
 City Engineer
 City of La Vista
 8116 Park View Blvd
 La Vista, NE 68128

January 22, 2021
 Project No: 115453-16
 Invoice No: 29296

Project 115453-16 114th and Giles Intersection Improvements

Professional Services for the Period: December 16, 2020 to December 31, 2020

Professional Personnel

	Hours	Rate	Amount
Principal I			
Meisinger, Mark	.50	220.00	110.00
Sr Engineer			
Palik, Joshua	.75	195.00	146.25
Engineer V			
Denney, Adam	3.50	175.00	612.50
Sr Designer			
Moffatt, Brian	6.00	160.00	960.00
Labor	10.75		1,828.75
Total Labor			1,828.75

Contract Limits	Current	Prior	To-Date
Total Billings	1,828.75	0.00	1,828.75
Contract Maximum			11,900.00
Remaining Contract			10,071.25

TOTAL AMOUNT DUE \$1,828.75

Billed-To-Date Summary

	Current	Prior	Total
Labor	1,828.75	0.00	1,828.75
Totals	1,828.75	0.00	1,828.75

Project Manager Adam Denney

OK to Pay
 PMD 2/8/21
 05.71.0917-SRATAK3

Consent Agenda 2/16/2021
 (10)

A-6

LAMP RYNEARSON

PLEASE REMIT PAYMENT TO:
Lamp Rynearson
14710 W. Dodge Rd., Ste. 100
Omaha, NE 68154
[P] 402.496.2498

9001 State Line Rd., Ste. 200
Kansas City, MO 64114
[P] 816.361.0440
[F] 816.361.0045
LampRynearson.com

January 26, 2021

Invoice No: 0320015.01 - 0000007

Jeff Calentine
Deputy Director of Public Works
City of La Vista, NE
8116 Park View Boulevard
La Vista, NE 68128

Project 0320015.01 La Vista, NE - 2020 Asset Management

Professional Services through January 9, 2021

Task 100 Design Services

Professional Personnel

	Hours	Rate	Amount	
Project Engineer IV				
Schleicher, Autumn	2.00	116.00	232.00	
3D Application Specialist IV				
DeBoer, Michael	3.80	124.00	471.20	
Totals	5.80		703.20	
Total Labor				703.20

Consultants

Other Contracted Services			16,272.00	
Total Consultants			16,272.00	16,272.00

Billing Limits

	Current	Prior	To-Date
Total Billings	16,975.20	50,885.20	67,860.40
Limit			69,065.95
Remaining			1,205.55

Total this Task \$16,975.20

Total this Invoice \$16,975.20

Outstanding Invoices

Number	Date	Balance
0000006	12/29/2020	17,191.20
Total		17,191.20

Consent Agenda 2/16/2021 @

OK to pay
2/4/21 P.O. # 20-058643
05.71.994-5RT20003
J.C.

A-7



Thompson, Dreessen & Dörner, 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 141829
Date 01/27/2021

Project 0171-423 PARK VIEW BLVD PAVEMENT
REPAIR

Professional Services from October 16, 2020 through January 17, 2021

Description	Current Billed
Civil Engineering Services	5,200.00
Drafting construction plans.	
Total	5,200.00

Invoice total 5,200.00

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
141829	01/27/2021	5,200.00	5,200.00				
Total		5,200.00	5,200.00	0.00	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.

OK to Pay
pm 2/6/21
Cf. 21.0917-STRT 2/10/21

Consent Agenda 2/16/2021
(re)

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 16, 2021 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZE RENEWAL – COMPUTER SOFTWARE SUBSCRIPTION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RYAN SOUTH INFORMATION TECHNOLOGY MANAGER

SYNOPSIS

A resolution has been prepared approving the renewal of Zscaler web filter and internet protection software in an amount not to exceed \$8,645.66.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the renewal.

RECOMMENDATION

Approval.

BACKGROUND

Zscaler is a web filter and internet protection tool that offers device protection both on and off the City's network. Traditional web filters are housed on site and only offer protection for traffic coming through our internal network. Zscaler is cloud based, which means it gives our devices full web protection from malware and other malicious content even when they are not on the City's network. It also offers SSL inspection, internet traffic blocking, cloud virus scanning, and more. Zscaler is essential in providing a multilayer, in-depth defense system to protect the City's network and devices.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE RENEWAL OF A COMPUTER SOFTWARE SUBSCRIPTION FOR ZSCALER IN AN AMOUNT NOT TO EXCEED \$8,645.66.

WHEREAS, the City Council of the City of La Vista has determined that the renewal of a computer software subscription for Zscaler is necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed renewal; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the renewal of a computer software subscription for Zscaler in an amount not to exceed \$8,645.66.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



Pricing Proposal
Quotation #: 19909131
Created On: 1/11/2021
Valid Until: 2/26/2021

City of La Vista

PJ Biodrowski

ATTN: PJ Biodrowski
8116 Park View Blvd
La Vista, NE 68128
United States
Phone: (402) 331-4343
Fax:
Email: pj@sarpy.com

Inside Account Manager

Wan Tangtrakul

290 Davidson Ave.
Somerset, NJ 08873
Phone: 888-591-3400
Fax: 877-289-6088
Email: edgov@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 ZIA Business Bundle Zscaler, Inc Zscaler - Part#: ZIA-BUS-BUNDLE Contract Name: Omnia Partners - IT Solutions Contract #: 2018011-02 Coverage Term: 12/21/2020 – 12/20/2021	150	\$50.12	\$7,518.00
2 Premium Support Services per year Zscaler - Part#: ZCES-SUP-PREM Contract Name: Omnia Partners - IT Solutions Contract #: 2018011-02 Coverage Term: 12/21/2020 – 12/20/2021	1	\$1,127.66	\$1,127.66
Total			\$8,645.66

Additional Comments

Zscaler has a no returns policy.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084. SHI International Corp. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
134089	02/04/2021	MENARDS-RALSTON	97.80	N
134090	02/04/2021	OFFICE DEPOT INC	9.28	N
134091	02/04/2021	OLSSON, INC.	2,034.50	N
134092	02/04/2021	RDG PLANNING & DESIGN	2,067.42	N
134093	02/04/2021	THOMPSON DREESSEN & DORNER, IN	2,530.30	N
134094	02/04/2021	TURFWERKS	56.50	N
134095	02/04/2021	U.S. CELLULAR	1,694.34	N
134096	02/04/2021	WALMART COMMUNITY BRC	153.76	N
134097	02/16/2021	88 TACTICAL BUILDING GROUP LLC	200.00	N
134098	02/16/2021	AE SUPPLY	225.00	N
134099	02/16/2021	AIR-SIDE COMPONENTS	265.00	N
134100	02/16/2021	AKRS EQUIPMENT SOLUTIONS, INC.	369.36	N
134101	02/16/2021	AMAZON CAPITAL SERVICES, INC.	839.02	N
134102	02/16/2021	BADGER BODY & TRUCK EQUIP CO INC	31.55	N
134103	02/16/2021	BRITE IDEAS DECORATING	74.25	N
134104	02/16/2021	CINTAS CORPORATION NO. 2	315.60	N
134105	02/16/2021	CULLIGAN OF OMAHA	0.50	N
134106	02/16/2021	D & K PRODUCTS	416.50	N
134107	02/16/2021	DIGITAL EXPRESS	130.00	N
134108	02/16/2021	DON LYMAN	125.00	N
134109	02/16/2021	DULTMEIER SALES LLC	1,924.72	N
134110	02/16/2021	EDGEWEAR SCREEN PRINTING	95.00	N
134111	02/16/2021	EYMAN PLUMBING INC	3,042.72	N
134112	02/16/2021	FBG SERVICE CORPORATION	5,965.00	N
134113	02/16/2021	FIRST WIRELESS INC	4,789.48	N
134114	02/16/2021	G I CLEANERS & TAILORS	288.50	N
134115	02/16/2021	GENUINE PARTS COMPANY-OMAHA	618.11	N
134116	02/16/2021	GRAINGER	584.16	N
134117	02/16/2021	GREAT PLAINS UNIFORMS	1,480.00	N
134118	02/16/2021	INGRAM LIBRARY SERVICES	1,469.26	N
134119	02/16/2021	INTERNATIONAL CODE COUNCIL	87.80	N
134120	02/16/2021	KANOPY, INC.	70.00	N
134121	02/16/2021	KAY L CALDERON	28.00	N
134122	02/16/2021	KEVIN KUSH PUBLIC SPEAKING INC	65.00	N
134123	02/16/2021	KEYMASTERS LOCKSMITH	79.00	N
134124	02/16/2021	KRIHA FLUID POWER CO INC	794.62	N
134125	02/16/2021	KUBOTA OF OMAHA	82.39	N
134126	02/16/2021	LARSEN SUPPLY COMPANY	520.13	N
134127	02/16/2021	LOGO LOGIX EMBROIDERY & SCREEN	3,346.50	N
134128	02/16/2021	MARCO INCORPORATED	162.42	N
134129	02/16/2021	MENARDS-RALSTON	284.74	N
134130	02/16/2021	METRO AREA TRANSIT	886.00	N
134131	02/16/2021	MILLARD METAL SERVICES INC	108.00	N
134132	02/16/2021	MNJ TECHNOLOGIES DIRECT INC	2,684.00	N
134133	02/16/2021	MSC INDUSTRIAL SUPPLY CO	32.28	N
134134	02/16/2021	MUNICIPAL PIPE TOOL CO LLC	22.00	N
134135	02/16/2021	NEBRASKA STATE FIRE MARSHAL	162.00	N
134136	02/16/2021	NEBRASKA TURFGRASS ASSOCIATION	540.00	N
134137	02/16/2021	NEBRASKA WELDING LTD	325.00	N
134138	02/16/2021	NMC EXCHANGE LLC	65.26	N
134139	02/16/2021	O'REILLY AUTO PARTS	732.25	N
134140	02/16/2021	OFFICE DEPOT INC	351.52	N
134141	02/16/2021	OMAHA DOOR & WINDOW CO INC	15,220.00	N
134142	02/16/2021	OMAHA TACTICAL LLC	177.00	N
134143	02/16/2021	OMAHA WINNELSON SUPPLY	973.21	N
134144	02/16/2021	ON YOUR MARKS	2,030.00	N
134145	02/16/2021	ONE CALL CONCEPTS INC	96.86	N
134146	02/16/2021	ORIENTAL TRADING COMPANY	139.40	N
134147	02/16/2021	PAPILLION SANITATION	1,163.61	N
134148	02/16/2021	PER MAR SECURITY SERVICES	131.73	N

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
134149	02/16/2021	RAINBOW GLASS & SUPPLY INC	2,640.00	N
134150	02/16/2021	RAY ALLEN MANUFACTURING CO INC	254.99	N
134151	02/16/2021	READING EQUIPMENT & DIST LLC	341.56	N
134152	02/16/2021	REVOLUTION WRAPS LLC	2,355.72	N
134153	02/16/2021	SAPP BROS, INC.	1,187.40	N
134154	02/16/2021	SARPY COUNTY FISCAL ADMINSTRN	5,631.90	N
134155	02/16/2021	SCHAEFFER MANUFACTURING COMPA	502.80	N
134156	02/16/2021	SOUTHERN UNIFORM & EQUIPMENT	1,068.12	N
134157	02/16/2021	SUNSET LAW ENFORCEMENT LLC	4,758.85	N
134158	02/16/2021	SWAN ENGINEERING LLC	3.12	N
134159	02/16/2021	T & N ACQUISITION COMPANY	563.75	N
134160	02/16/2021	TEAMSIDELINE.COM	599.00	N
134161	02/16/2021	THE COSGRAVE COMPANY	127.00	N
134162	02/16/2021	TORNADO WASH LLC	585.00	N
134163	02/16/2021	TRACTOR SUPPLY CREDIT PLAN	16.37	N
134164	02/16/2021	TRANS UNION RISK AND ALT. DATA S	75.00	N
134165	02/16/2021	TRUCK CENTER COMPANIES	81.84	N
134166	02/16/2021	TY'S OUTDOOR POWER & SERVICE	343.58	N
134167	02/16/2021	U.S. CELLULAR	1,842.33	N
134168	02/16/2021	UNITED PARCEL SERVICE	65.95	N
134169	02/16/2021	VERIZON CONNECT NWF, INC.	60.46	N
134170	02/16/2021	WESTLAKE HARDWARE INC NE-022	32.76	N
134171	02/16/2021	WESTLAKE HARDWARE INC NE-022	858.96	N
TOTAL:			87,249.81	

APPROVED BY COUNCIL MEMBERS ON: 02/16/2021

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
1252(E)	12/26/2020	FIRST BANKCARD	8,376.83	N
1256(E)	12/31/2020	3C PAYMENT USA CORPORATION	100.00	N
1257(E)	12/31/2020	ABM INDUSTRIES, INC	12,074.33	N
1258(E)	12/31/2020	AMERICAN HERITAGE LIFE INSURANCE	1,398.05	N
1259(E)	12/31/2020	BLACK HILLS ENERGY	4,180.16	N
1260(E)	12/31/2020	BLUE CROSS BLUE SHIELD OF NEBR	111,146.68	N
1261(E)	12/31/2020	BOK FINANCIAL	2,576,006.25	N
1262(E)	12/31/2020	CCAP AUTO LEASE LTD	449.00	N
1263(E)	12/31/2020	CCAP AUTO LEASE LTD	391.12	N
1264(E)	12/31/2020	CENTURY LINK	951.42	N
1265(E)	12/31/2020	CENTURY LINK BUSN SVCS	104.12	N
1266(E)	12/31/2020	CORE BANK	62,616.77	N
1267(E)	12/31/2020	DEARBORN NATIONAL LIFE INSURANC	1,209.00	N
1268(E)	12/31/2020	DEARBORN NATIONAL LIFE INSURANC	5,657.27	N
1269(E)	12/31/2020	ESSENTIAL SCREENS	167.00	N
1270(E)	12/31/2020	FIRST STATE BANK	2,137.23	N
1271(E)	12/31/2020	FIRST STATE BANK	4,399.70	N
1272(E)	12/31/2020	FIRST STATE BANK	5,668.85	N
1273(E)	12/31/2020	FIRST STATE BANK	2,137.23	N
1274(E)	12/31/2020	FIRST STATE BANK	4,399.70	N
1275(E)	12/31/2020	FIRST STATE BANK	5,668.85	N
1276(E)	12/31/2020	LINCOLN NATIONAL LIFE INS CO	6,369.43	N
1277(E)	12/31/2020	METROPOLITAN UTILITIES DISTRICT	3,201.62	N
1278(E)	12/31/2020	MID-AMERICAN BENEFITS INC	630.50	N
1279(E)	12/31/2020	MID-AMERICAN BENEFITS INC	7,562.33	N
1280(E)	12/31/2020	MID-AMERICAN BENEFITS INC	7,562.33	N
1281(E)	12/31/2020	NE DEPT OF REVENUE-SALES TAX	102.31	N
1282(E)	12/31/2020	NE DEPT OF TRANSPORTATION	44,376.00	N
1283(E)	12/31/2020	OMAHA PUBLIC POWER DISTRICT	44,740.68	N
1284(E)	12/31/2020	TSYS	145.11	N
1285(E)	12/31/2020	UNITED HEALTHCARE INSURANCE CO	925.21	N
TOTAL:			2,924,855.08	

APPROVED BY COUNCIL MEMBERS ON: 02/16/2021

 COUNCIL MEMBER

 COUNCIL MEMBER

 COUNCIL MEMBER

 COUNCIL MEMBER

 COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
1286(E)	01/25/2021	FIRST BANKCARD	7,510.09	N
1290(E)	01/31/2021	ABM INDUSTRIES, INC	7,502.14	N
1291(E)	01/31/2021	BLACK HILLS ENERGY	6,039.59	N
1292(E)	01/31/2021	BOK FINANCIAL	308,700.00	N
1293(E)	01/31/2021	CCAP AUTO LEASE LTD	449.00	N
1294(E)	01/31/2021	CCAP AUTO LEASE LTD	391.12	N
1295(E)	01/31/2021	CENTURY LINK	960.10	N
1296(E)	01/31/2021	CENTURY LINK BUSN SVCS	106.88	N
1297(E)	01/31/2021	COSTCO CITIBANK VISA	808.52	N
1298(E)	01/31/2021	ESSENTIAL SCREENS	76.00	N
1299(E)	01/31/2021	METROPOLITAN UTILITIES DISTRICT	3,038.21	N
1300(E)	01/31/2021	NE DEPT OF REVENUE-SALES TAX	70.93	N
1301(E)	01/31/2021	OMAHA PUBLIC POWER DISTRICT	59,121.54	N
1302(E)	01/31/2021	TSYS	161.22	N
TOTAL:			394,935.34	

APPROVED BY COUNCIL MEMBERS ON: 02/16/2021

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 16, 2021 AGENDA**

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT 4SEAMS ACADEMY, LLC – LOT 5 PAPIO VALLEY 2 BUSINESS PARK INDOOR RECREATIONAL FACILITY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSISTANT PLANNER

SYNOPSIS

A public hearing has been scheduled and resolution prepared for Council to consider an application for a Conditional Use Permit by 4Seams Academy, LLC to operate an indoor baseball and softball training facility, or indoor recreational facility, in an industrial flex building located at 12005 Portal Road.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled and resolution prepared to consider an application submitted by 4Seams Academy, LLC for a Conditional Use Permit to operate an indoor recreational facility on Lot 5 Papio Valley 2 Business Park, generally located south of Portal Road between S. 120th Street and S. 121st Street.

The proposed baseball and softball practice facility would contain 10 batting cages, 2 quad spaces for team practice, and an area dedicated to strength and conditioning training. The facility will not host games or tournaments, and will have a maximum occupancy of 110 people per the Conditional Use Permit. A detailed staff report is attached.

The Planning Commission held a public hearing on January 21, 2021 and unanimously voted to recommend approval of the Conditional Use Permit, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR 4SEAMS ACADEMY, LLC TO OPERATE AN INDOOR RECREATIONAL FACILITY ON LOT 5, PAPIO VALLEY 2 BUSINESS PARK.

WHEREAS, 4Seams Academy, LLC has applied for a Conditional Use Permit for an Indoor Recreational Facility on Lot 5, Papio Valley 2 Business Park, located south of Portal Road between S. 120th Street and S. 121st Street; and

WHEREAS, the Planning Commission held a public hearing on January 21, 2021, and has recommended approval; and

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for 4Seams Academy, LLC to allow for an Indoor Recreational Facility on Lot 5, Papio Valley 2 Business Park.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY 2021.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Bueth, CMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION
RECOMMENDATION REPORT**

CASE NUMBERS: PCUP20-0008;

FOR HEARING OF: February 16, 2021
REPORT PREPARED ON: February 4, 2021

I. GENERAL INFORMATION

A. APPLICANT:

4Seams Academy, LLC
Attn: Sean Schrader
8417 S. 106th Street
La Vista, NE 68128

B. PROPERTY OWNER:

E & R Properties, LLC
14723 Industrial Road
Omaha, NE 68144

C. LOCATION: 12005 Portal Road; Located south of Portal Road between S. 120th Street and S. 121st Street.

D. LEGAL DESCRIPTION: Lot 5 Papio Valley 2 Business Park.

E. REQUESTED ACTION(S): Approval of a Conditional Use Permit to allow for the operation of an Indoor Recreational Facility in bays 1-5 of the industrial flex building located at 12005 Portal Road.

F. EXISTING ZONING AND LAND USE: I-2 Heavy Industrial.

G. PURPOSE OF REQUEST: To operate an indoor baseball and softball training facility.

H. SIZE OF SITE: 150,735 square feet (3.46 acres).

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property slopes downward slightly 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	Industrial	I-2 Heavy Industrial	Multi-tenant industrial building
East	Industrial	I-2 Heavy Industrial	Multi-tenant industrial building
South	Industrial	I-2 Heavy Industrial	Multi-tenant industrial building and Dakota Wall Systems
West	Industrial	I-2 Heavy Industrial	Weitz Company and The Waldinger Corporation

C. RELEVANT CASE HISTORY:

1. N/A

D. APPLICABLE REGULATIONS:

1. Section 5.14 of the Zoning Regulations – I-2 Heavy Industrial.
2. Article 6 of the Zoning Regulations – Conditional Use Permits.

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Comprehensive Plan Future Land Use Map designates this property for industrial use. This proposal is consistent with the comprehensive plan.

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. The property currently has driveway access off both S. 121st Street and Portal Road.

D. UTILITIES:

1. The property has access to all necessary utilities.

E. PARKING REQUIREMENTS:

1. The applicant has indicated that the maximum number of building occupants during peak time shall be 110 persons. Per the La Vista Zoning Ordinance Section 7.06, the minimum number of provided off-street parking stalls for recreational facilities shall be one (1) space per 4 occupants. 4Seams Academy will have a minimum of 61 dedicated parking stalls which greatly exceeds the minimum of 28 stalls required by the La Vista Zoning Ordinance.

2. If overflow parking is needed, 4Seams Academy will also have access to the large un-striped lot just south of the facility on the same lot. If the provided off-street parking is not sufficient and the overflow lot is regularly utilized, the applicant will be required to stripe additional parking stalls on the southern parking lot.
3. No on-street parking will be allowed.

IV. REVIEW COMMENTS:

- A. A Certificate of Occupancy must be granted by the Chief Building Official and the Fire Marshal prior to occupation and use of the facility.
- B. As 4Seams Academy will primarily be using the facility during typical non-work hours (evenings and weekends), the impact of this use on surrounding businesses is expected to be minimal. The Conditional Use Permit limits occupancy in the facility to 110 people, further limiting any potential negative impacts on surrounding properties.
- C. Annual inspections are conducted by the Community Development Department on all active Conditional Use Permits to ensure compliance.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:

Staff recommends approval of the Conditional Use Permit for Lot 5 Papio Valley 2 Business Park, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

VI. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT:

The Planning Commission held a public hearing on January 21, 2021 and voted unanimously to recommend approval of the Conditional Use Permit for Lot 5 Papio Valley 2 Business Park, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

VII. ATTACHMENTS TO REPORT:

- A. Vicinity Map
- B. Review Letters
- C. Floor Plan
- D. Draft Conditional Use Permit
 - a. Operating Statement
 - b. Site Plan
 - c. Vehicle Stacking Mitigation Exhibit

VIII. COPIES OF REPORT SENT TO:

- A. Sean Schrader, 4 Seams Academy
- B. Mike Swift, Swift Construction
- C. Eric McKee, E & R Properties, LLC
- D. Public Upon Request



Prepared by: Assistant Planner



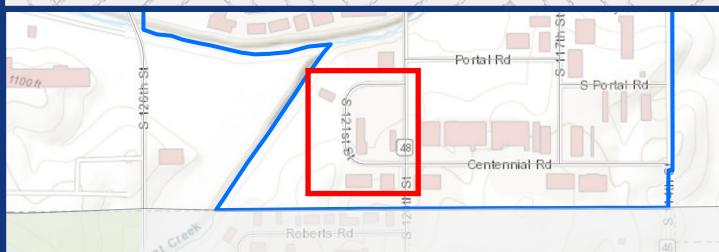
2/8/21

Community Development Director

Date



Conditional Use Permit Vicinity Map



**4 Seams Academy
Indoor Recreational Facility
12005 Portal Road**

12/15/2020
CB





December 28, 2020

Sean Schrader
4 Seams Academy
8417 S. 106th Street
La Vista, NE 68128

RE: Indoor Recreational Facility Conditional Use Permit – Initial Review

Mr. Schrader,

Thank you for your submittal of the above referenced Conditional Use Permit (CUP) application. Staff have reviewed the initial submittal and have provided the following initial comments:

1. Please include additional details in your operating statement, per Section 6.05.02 of La Vista's Zoning Ordinance, including the following:
 - a. Hours of operation
 - b. Square footage for the proposed use by each activity
 - c. Anticipated occupancy rates during hours of operation (including numbers for the batting cages, quads, strength and conditioning section, the pro shop, staff, parents waiting, etc.)
 - d. The exact number of parking stalls available for use by the business and whether the back of the building can be used for overflow parking if necessary
 - e. That part of the facility will include strength and conditioning equipment
2. The Fire Marshall and Chief Building Official must authorize and issue a Certificate of Occupancy before you may occupy the space and have any employees or customers in the facility.
3. Please confirm that an emergency voice/communication fire alarm system is being installed in the facility, per the request of the Fire Marshal.

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
402.331.4343 P
402.331.4375 F

Community Development
8116 Park View Blvd.
402.593.6400 P
402.593.6445 F

Library
9110 Giles Rd.
402.537.3900 P
402.537.3902 F

Police
7701 S. 96th St.
402.331.1582 P
402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

4. Please confirm that the ADA parking stall requirements will be met per Section 7.08 of the Zoning Ordinance. Section 7.08 is attached for your reference.
5. After occupancy is ascertained, you will need to confirm that any stacking/circulation at peak times can be done on the property without the stacking of vehicles into the public streets, per Section 6.05.05 of the La Vista Zoning Ordinance.
6. Parking will be limited to off-street at all times. If existing parking is determined to be insufficient, striping of additional stalls may be required for a portion of the paved area behind the building to provide for additional parking capacity.
7. Confirm that all activities related to the operation of this facility will take place inside of the facility.
8. Staff will create a draft of the Conditional Use Permit to be shared with you in the near future.

For this item to be reviewed by the Planning Commission during the January 21, 2021 meeting, please submit a response to the items above by Monday, January 4th, 2021 at 9:00am in order to provide the necessary time for publication of the public hearing notices. If items remain or additional resubmittals are required after staff review of your resubmission, the next Planning Commission meeting date will be February 4, 2021. The Planning Commission meeting will be held at 6:30pm in the Council Chambers at La Vista City Hall (8116 Park View Blvd, La Vista, NE 68128). We would like for you to be in attendance to present your request and answer any questions that the Planning Commission might have. If you have any questions regarding these comments, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink that reads "Cale Brodersen". The signature is fluid and cursive, with a long horizontal line extending to the right.

Cale Brodersen
Assistant Planner
City of La Vista
cbrodersen@cityoflavista.org
(402) 593-6400

CC Mike Swift, Swift Construction
 Christopher Solberg, Deputy Community Development Director
 Bruce Fountain, Community Development Director

Enclosure.



December 28, 2020

Sean Schrader
4 Seams Academy
8417 S. 106th Street
La Vista, NE 68128

RE: Indoor Recreational Facility Conditional Use Permit – Initial Review

Mr. Schrader,

Thank you for your submittal of the above referenced Conditional Use Permit (CUP) application. Staff have reviewed the initial submittal and have provided the following initial comments:

1. Please include additional details in your operating statement, per Section 6.05.02 of La Vista's Zoning Ordinance, including the following:
 - a. Hours of operation
 - b. Square footage for the proposed use by each activity
 - c. Anticipated occupancy rates during hours of operation (including numbers for the batting cages, quads, strength and conditioning section, the pro shop, staff, parents waiting, etc.)
 - d. The exact number of parking stalls available for use by the business and whether the back of the building can be used for overflow parking if necessary
 - e. That part of the facility will include strength and conditioning equipment
 2. The Fire Marshall and Chief Building Official must authorize and issue a Certificate of Occupancy before you may occupy the space and have any employees or customers in the facility.
 3. Please confirm that an emergency voice/communication fire alarm system is being installed in the facility, per the request of the Fire Marshal.
- See Attached Operating Statement Exhibit 1A-1E for answers to 1A-1E**
- NOTED**
- Submitted 12-29-2020 by Mike Swift, Swift Construction to Cale Brodersen**

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
402.331.4343 P
402.331.4375 F

Community Development
8116 Park View Blvd.
402.593.6400 P
402.593.6445 F

Library
9110 Giles Rd.
402.537.3900 P
402.537.3902 F

Police
7701 S. 96th St.
402.331.1582 P
402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

4. Please confirm that the ADA parking stall requirements will be met per Section 7.08 of the Zoning Ordinance. Section 7.08 is attached for your reference. **See Attached Striping Plan**
5. After occupancy is ascertained, you will need to confirm that any stacking/circulation at peak times can be done on the property without the stacking of vehicles into the public streets, per Section 6.05.05 of the La Vista Zoning Ordinance. **See Attached 5 Exhibit for plan**
6. Parking will be limited to off-street at all times. If existing parking is determined to be insufficient, striping of additional stalls may be required for a portion of the paved area behind the building to provide for additional parking capacity. **NOTED and will comply if needed**
7. Confirm that all activities related to the operation of this facility will take place inside of the facility. **NOTED: no plans for such activities**
8. Staff will create a draft of the Conditional Use Permit to be shared with you in the near future. **NOTED**

For this item to be reviewed by the Planning Commission during the January 21, 2021 meeting, please submit a response to the items above by Monday, January 4th, 2021 at 9:00am in order to provide the necessary time for publication of the public hearing notices. If items remain or additional resubmittals are required after staff review of your resubmission, the next Planning Commission meeting date will be February 4, 2021. The Planning Commission meeting will be held at 6:30pm in the Council Chambers at La Vista City Hall (8116 Park View Blvd, La Vista, NE 68128). We would like for you to be in attendance to present your request and answer any questions that the Planning Commission might have. If you have any questions regarding these comments, please feel free to contact me at any time.

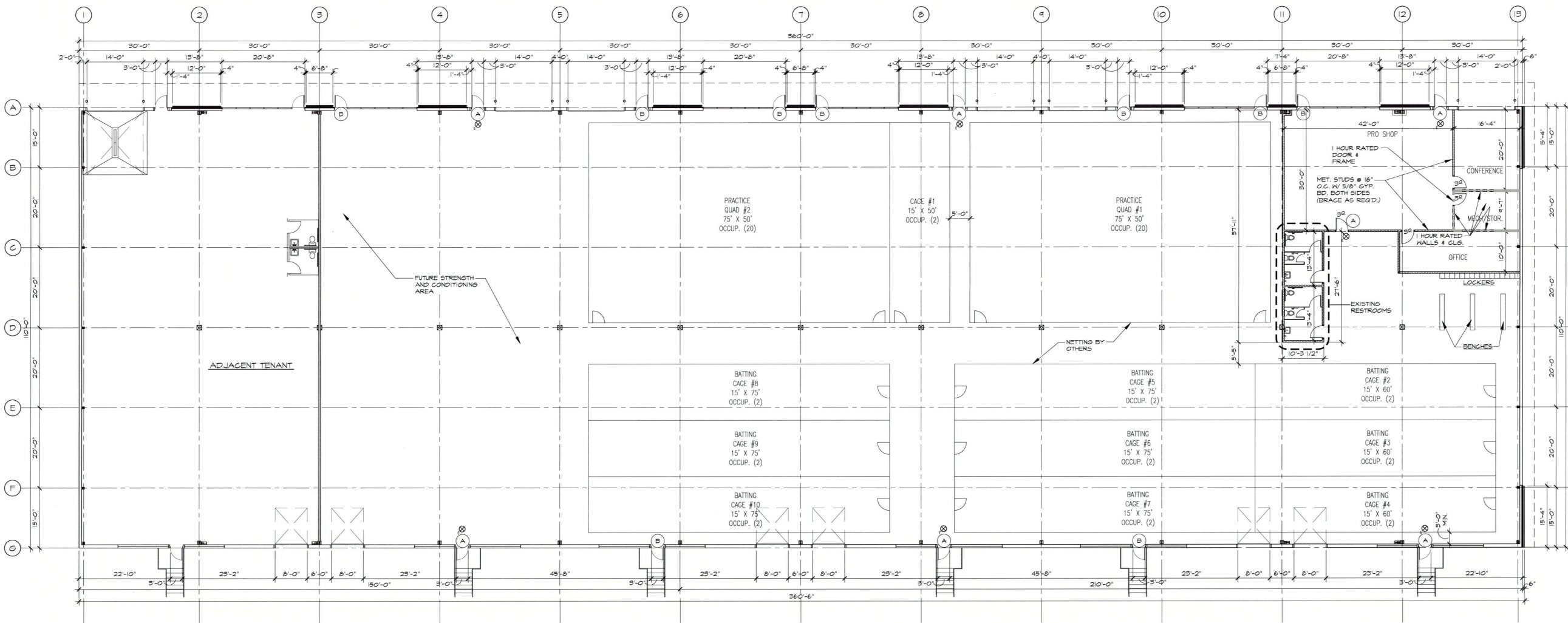
Sincerely,



Cale Brodersen
Assistant Planner
City of La Vista
cbrodersen@cityoflavista.org
(402) 593-6400

CC Mike Swift, Swift Construction
 Christopher Solberg, Deputy Community Development Director
 Bruce Fountain, Community Development Director

Enclosure.



FLOOR PLAN
SCALE: 3/32" = 1'-0"

- NOTES:
- DOORS NOTED AS 'A' SHALL BE EXIT DOORS AND HAVE PANIC HARDWARE.
 - DOORS NOTED AS 'B' SHALL BE LOCKED IN CLOSED POSITION.

FLOOR PLAN

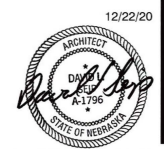
stanley j how
ARCHITECTS
HOW | SEIP | DOHN
14685 CALIFORNIA ST
OMAHA, NE 68154 402.944.9000



JOB NO. 2020-81
DATE 12/22/2020
LA VISTA, NEBRASKA

4 SEAMS ACADEMY
12005 PORTAL ROAD

A2.1



City of La Vista Conditional Use Permit

Conditional Use Permit for Indoor Recreational Facility

This Conditional Use Permit issued this 16th day of February 2021, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to 4Seams Academy, LLC (“Owner”), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate an indoor recreational facility upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lot 5 Papio Valley 2 Business Park, located in the NE ¼ Section 19, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska, located at 12005 Portal Road STE 1-5.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a indoor recreational facility; and

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

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the Owner to use the area designated on Exhibit “B” hereto for an indoor recreational facility, said use hereinafter being referred to as “Permitted Use” or “Use”.

Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. Breach of any terms hereof shall cause permit to automatically expire and terminate without any further action required of the City.
2. In respect to the Permitted Use:
 - a. The use shall be limited to the type of operation as described in the Owner’s Operational Statement (Exhibit “A”) and in the City staff report presented with the Council agenda item to consider this permit. Any proposed change in the Permitted Use or operational characteristics including, but not limited to, the hours of operation or additional or different activities or intensity of activities on the property, shall require such reviews, amendments to the Conditional Use Permit, and approvals as the Planning Department in its sole discretion determines necessary or appropriate.
 - b. A site plan showing the property boundaries of the tract of land, proposed structures, parking, access points, and drives is attached to the permit as Exhibit “B”.
 - c. Hours of operation for said indoor recreational facility will be Monday through Friday from 10:00 a.m. – 10:00 p.m., and Saturday and Sunday from 8:00 a.m. to 10:00 p.m.
 - d. The maximum number of occupants allowed in the facility will be 110.
 - e. Off-street parking shall be provided for the Permitted Use and the number of parking spaces shall be adequate to accommodate the patrons and guests of the Permitted Use without negatively impacting or limiting the number of parking spaces for other existing or future tenants or surrounding businesses, or negatively impacting traffic or traffic flows on, in or around the Property or streets. The provided

- off-street parking shall be consistent with the site plan attached as “Exhibit B,” which parking Owner has represented to City is in accordance with City requirements and sufficient for the Permitted Use. Additional off-street parking on the property will be required if deemed necessary by the Planning Department, and the Owner at its cost shall be solely responsible for obtaining use of or constructing any such additional off-street parking. The requirements, location and other specifications of any additional off-street parking shall be subject to Planning Department or City Engineer approval. The Planning Department or City Engineer may require that additional parking stalls be striped in the potential overflow parking area located on the south side of the property if the Permitted Use requires additional off-street parking. On-street parking on Portal Road, South 121st Street, South 120th Street, or otherwise in connection with the Permitted Use shall be prohibited. Stacking of vehicles in connection with the Permitted Use out onto any public street is prohibited. If vehicles stacking onto Portal Road or South 121st Street becomes a safety threat as determined by the City Engineer, the City may require additional physical or operational improvements to mitigate the risk of stacking. The inability of Owner to stop vehicles in connection with the Permitted Use from stacking into public streets is a valid cause for termination of this permit. A first response to the potential stacking of vehicles into the street, as provided by the applicant, is described in Exhibit “C” attached to this permit.
- f. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the indoor recreational facility, except appropriately screened trash receptacles and those approved in writing by the City.
 - g. There shall not be any games, tournaments, or other events that draw a larger spectator crowd than typical training or camp activities or that would result in the maximum number of occupants in subsection 2d above being exceeded.
 - h. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA.
 - i. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local laws, rules, or regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
 - j. Owner hereby indemnifies the City and all officials, officers, employees, and agents of the City (“Indemnified Parties”) against, and holds the Indemnified Parties harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the Owner, or Owner’s agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.
3. The Owner’s right to maintain the use as approved pursuant to these provisions shall be based on the following:
 - a. An annual inspection to determine compliance with the conditions of approval; or more frequent inspection upon any complaint to the City. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval or this permit.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the Owner has fully complied with the terms of approval.
 - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at Owner’s expense within twelve (12) months of cessation of the conditional use.
 4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner’s abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.

- b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's breach of any other terms hereof.
5. In the event of the Owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the Owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the Owner or any third party to exercise said option) cause the same to be removed at Owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the Owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
 6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall be binding upon Owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of Owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the Owner as follows:

Contact Name and Address: 4Seams Academy, LLC
Attn: Sean Schrader
8417 S. 106th Street
La Vista, NE 68128

4. The City staff report presented with the Council agenda item to consider this permit, and all recitals and Exhibits of this permit, shall be incorporated into this permit by reference.

Effective Date:

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

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Pamela A. Buethe
City Clerk

CONSENT AND AGREEMENT

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

Owner:

By: _____

Title: _____

Date: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2021, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

Notary Public

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2021, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared [____], personally known by me to be the Owner of 4Seams Academy, LLC, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

Notary Public



Exhibit A

Business Name:

4Seams Academy, LLC

Team Names:

4SA Hornets, Hitters Choice Softball

Owners:

Sean Schrader

Dan Tinnell

Cherie Williamson

GM of Operations & Co-Founder

Adam White

Building Supervisor

"Open Position"

Pro Shop Attendant

"Open Position"

Who we are:

4Seams Academy helps athletes today compete and train at the highest level in the game of baseball and softball. 4Seams Academy offers leagues, clinics, camps, instructional baseball/softball practices, memberships, team practices & open to the public {walk-ins}. We help each of our athletes perform at their best ability to become the best athlete on and off the field.

We offer the following to the public and teams (Bays 1 thru 4):

- (2) full quads at 50' X 75' & 50' x 75' w/ cage #1 15'x50' for team training, camps and clinics.
- Cages 2-4 that are 15' x 60' (900 SF each). Two of the 60' cages will have hack attack pitching machines with baseball & softball feeders. The last 60' cage will have; 1 HitTrax simulator machine and/or Rapsodo machine for pitching and hitting statistics.
- Cages 5 thru 10 that are 15' x 75' (1,125 SF each) will be used for hitting and pitching

On our website you can reserve tunnels, HitTrax, quads, lessons, buy memberships, purchase merchandise & so much more.



4Seams Academy Hours of Operation:

10AM - 10PM Monday Through Friday

8AM- 10PM Saturday & Sunday

Future Strength & Conditioning:

We are currently in talks with a sports performance coach to sublease bay 5(6,600SF) from us. They offer athletic sports performance training at the highest level possible. With their name and background, they can pull in high profile athletes such as players from the Miami Marlins, New York Yankees among others down to middle school youth players. They will have running/ stair climbing machines, weightlifting equipment, medicine balls, resistance equipment, etc... that will be placed on the rubber flooring that would occupy roughly 3,000 SF. The other 3,000 SF will have a turf area that will be used for speed and agility exercises. The remaining 600 Sf will be for access aisles and waiting area.

Hours of Operation:

10AM - 10PM Monday Through Friday

8AM- 10PM Saturday

Closed Sunday

Parking:

We will have a total of 64 parking stalls in the front and east side of the building (**see attached striping plan**). 61 available to us from 10am to 5pm during the weekday. All 64 stalls available In the evening from 5pm-10pm weeknights and available all-day Saturday and Sunday to us. The owner (Bay 6) will utilize 3 stalls on the far west end during the day 8am - 5pm Monday thru Friday. Closed Sat and Sunday.

There are currently 3 ADA accessible stalls. One of the three stalls are van accessible.

If needed, the back of the building could be used for overflow parking and employees. The back of the building could be striped for parking stalls as needed.

Occupancy:

22- in each quad space. **44 total**

Cage 1: 2 people **2 total**

Cages 2-4: 2 people in each cage at a time. **6 total**

Cages 5-10: 2 people in each cage at a time. **12 total**

Locker/bench area: **10 players total**

Conference Room – **10 total**

Pro-Shop/Parents Waiting – **10 total**

Employees – **6 total**

Future strength and conditioning space – **10 Total**

Grand Total – 110 people



thompson, dreessen & dornier, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 www.td2co.com

Project Name

Lot 5 Papio Valley 2
Business Park

Exhibit B

Client Name

E&R Properties

Professional Seal



10-12-2018

Revision Dates

No.	Description	MM-DD-YY
1	10-12-2018	
2	10-12-2018	
3	10-12-2018	
4	10-12-2018	
5	10-12-2018	
6	10-12-2018	
7	10-12-2018	
8	10-12-2018	
9	10-12-2018	
10	10-12-2018	
11	10-12-2018	
12	10-12-2018	
13	10-12-2018	
14	10-12-2018	
15	10-12-2018	
16	10-12-2018	
17	10-12-2018	
18	10-12-2018	
19	10-12-2018	
20	10-12-2018	

Drawn By: TDV Reviewed By: JAD
Job No.: 2129-125 Date: 10-12-18

Sheet Title

Site Plan

Sheet Number

C4.0

PAVING NOTES

- THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS IN THE FIELD PRIOR TO THE START OF CONSTRUCTION OPERATIONS. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE TO EXISTING PROPERTY, UTILITIES, AND STRUCTURES, AND WILL REPAIR AT HIS OWN EXPENSE. THE CONTRACTOR SHALL HAVE ALL EXISTING UTILITIES FIELD LOCATED IN THE FIELD PRIOR TO CONSTRUCTION THROUGH THE "ONE CALL" SYSTEM.
- DIMENSIONS SHOWN ARE TO EDGE OF SLAB, BACK OF CURB, OR FACE OF BUILDING AS APPLICABLE. CONTRACTOR SHALL VERIFY DIMENSIONS WITH OWNER AND ARCHITECT BEFORE BEGINNING CONSTRUCTION.
- ALL RADI ARE 5 FOOT UNLESS OTHERWISE DIMENSIONED.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO COMPLY WITH ALL OSHA REGULATIONS IN THE PROSECUTION OF THE WORK UNDER THIS CONTRACT.
- WATER REDUCING ADMIXTURES SHALL NOT BE USED UNLESS APPROVED BY THE ENGINEER.
- CONCRETE PAVEMENT SHALL BE CURED USING A WHITE PIGMENTED LIQUID MEMBRANE FORMING CURING COMPOUND THAT HAS BEEN APPROVED BY THE CITY OF LA VISTA. MINIMUM RATE OF APPLICATION SHALL BE 200 SQ. FEET PER GALLON IF A MECHANICAL POWER SPRAYER IS USED, AND 100 SQ. FEET PER GALLON IF A HAND SPRAYER IS USED.
- ACCESSIBLE ROUTES SHALL BE CONSTRUCTED ACCORDING TO THE ADA STANDARDS FOR ACCESSIBLE DESIGN AND SHALL HAVE A RUNNING SLOPE OF NO MORE THAN 4.99% AND SHALL HAVE A CROSS SLOPE OF NO MORE THAN 1.99%.
- ALL SIDEWALK SHALL BE CONSTRUCTED HAVING A CROSS SLOPE OF NO MORE THAN 1.99%.
- SEE SPECIFICATIONS, SHEET C6.0, FOR COMPACTION AND FILL REQUIREMENTS UNDER PAVING AND WALK AREAS.
- SEE SPECIFICATIONS, SHEET C6.0, FOR PAVING TEST REQUIREMENTS.
- CONTRACTOR SHALL ADJUST ALL MANHOLES, VALVE BOXES, ETC. AS NECESSARY TO FINISHED GRADE. NO SEPARATE PAYMENT WILL BE MADE FOR UTILITY ADJUSTMENTS TO FINISHED GRADE.

CONSTRUCTION NOTES

- DRILL & GROUT #5 X 30" EPOXY COATED TIE BARS AT 36" O.C. TO THE INTO EXISTING P.C.C. PAVEMENT, SEE DETAIL SHEET C5.0
- DRIVEWAY SHALL CONFORM TO CITY OF LA VISTA DRIVEWAY SPECIFICATIONS. CONTRACTOR SHALL CONTACT CITY OF LA VISTA FOR DRIVEWAY INSPECTION (402-331-1051).
- CONSTRUCT 9" P.C.C. PAVEMENT WITH INTEGRAL TYPE "A" CURB, TYPICAL
- CONSTRUCT 8" P.C.C. PAVEMENT WITH INTEGRAL TYPE "A" CURB, TYPICAL
- CONSTRUCT 6" P.C.C. PAVEMENT WITH INTEGRAL TYPE "A" CURB, TYPICAL
- CONSTRUCT 4" P.C.C. SIDEWALK WITH THICKENED EDGE, TYPICAL. SEE SIDEWALK THICKENED EDGE DETAIL, SHEET C5.0.
- PAINT 4" WIDE, WHITE STRIPE. MARKING PAINT SHALL BE SHERMAN-WILLIAMS, SETFAST ALKYL, WHITE (A300) MARKING PAINT OR APPROVED SUBSTITUTE, TYP.
- PAINT "NO PARKING" ISLAND. SEE ADA STALL DETAIL FOR STRIPE SPACING AND ANGLE.
- CONSTRUCT ADA STALL, STRIPING, AND SIGNAGE. SEE ADA STALL DETAIL, THIS SHEET.
- CONSTRUCT PARKING BUMPER ALONG ALL STALLS ALONG BUILDING, SEE DETAIL THIS SHEET.
- CONSTRUCT BOLLARD, SEE DETAIL, SHEET C5.0. VERIFY ALL BOLLARD LOCATIONS WITH ARCHITECTURAL PLANS.
- PROPOSED RETAINING WALL, SEE SHEETS C9.0-C9.2 FOR DETAIL.
- APPROXIMATE LOCATION FOR TRANSFORMER PAD. COORDINATE LOCATION, DIMENSIONS OF PAD, AND PAD THICKNESS WITH ARCHITECTURAL & ELECTRICAL PLANS. COORDINATE BOLLARD LOCATIONS WITH ARCHITECTURAL PLANS.
- CONSTRUCT TRASH ENCLOSURE. SEE ARCHITECTURAL PLANS FOR DETAILS. VERIFY LOCATION WITH ARCHITECT AND OWNER.

LEGEND

- PROPOSED 9" P.C.C. PAVEMENT, IN R.C.W. ONLY
- PROPOSED 8" P.C.C. PAVEMENT
- PROPOSED 6" P.C.C. PAVEMENT
- PROPOSED 4" P.C.C. SIDEWALK
- PROPOSED ADA ACCESSIBLE ROUTE
- BUILDING SETBACK
- PROPOSED PARKING COUNT

PARKING SUMMARY	
STALL TYPE	STALLS
PROPOSED STANDARD STALLS	64
PROPOSED ADA STALLS	3
TOTAL STALLS	67

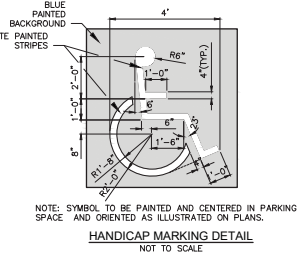
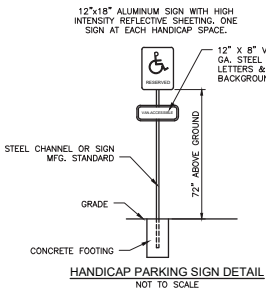
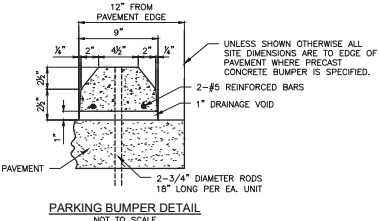
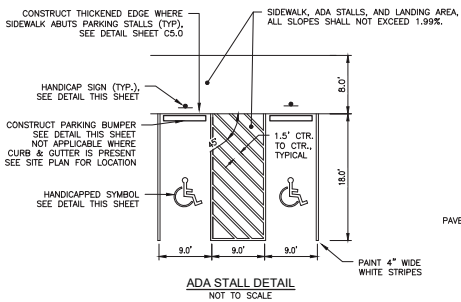
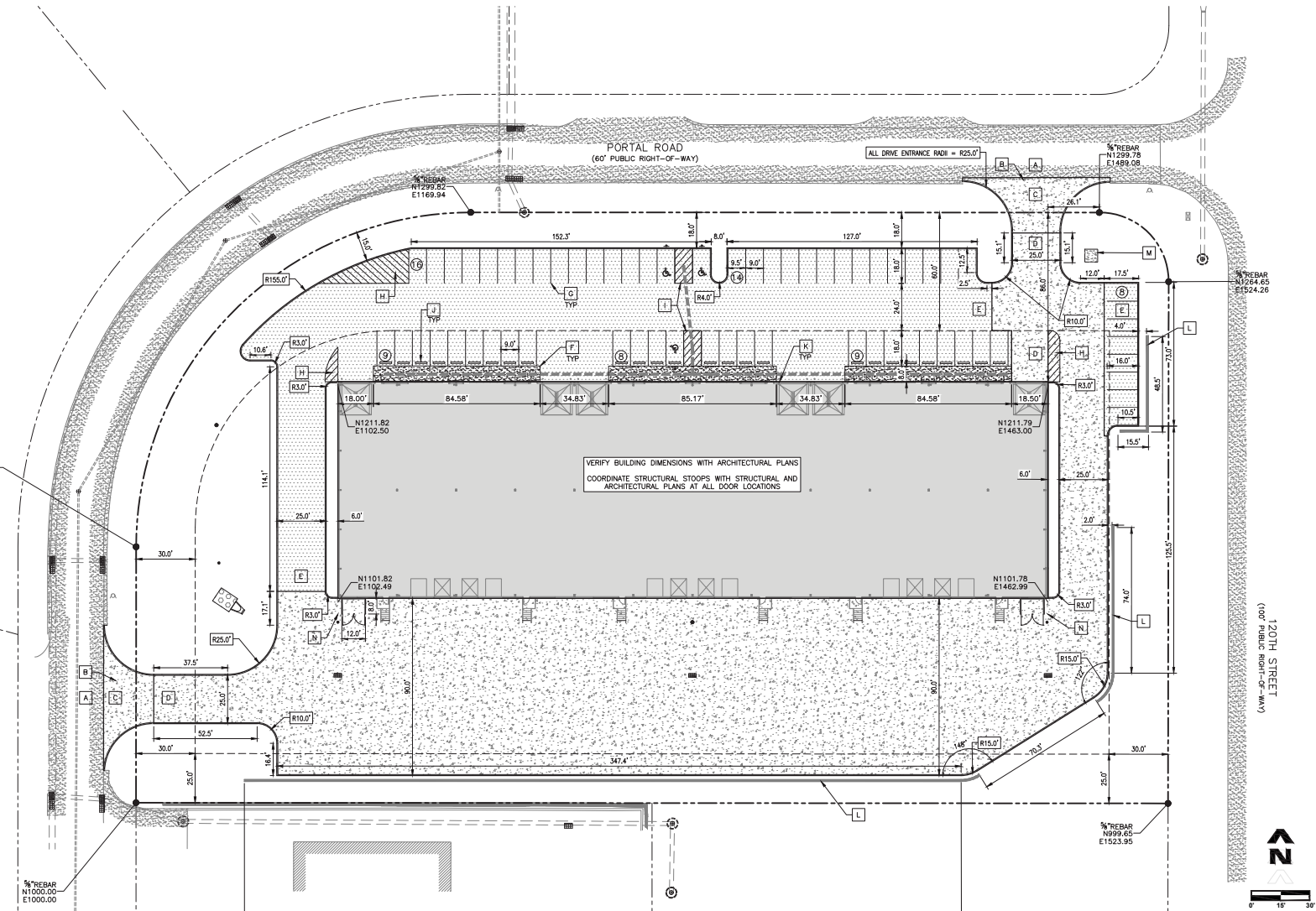




Exhibit C

4Seam Academy
12005 Portal Road
Suite #1
La Vista, NE 68128

5. In the event that traffic was to stack up into the street during peak times, our action plan will be to send out a mass email to all customers from our software system (Esoft) showing a diagram of the traffic flow to enter the parking lot from the west end and exit on the east end which will eliminate stacking into the street. We will also display this diagram inside at the front counter to bring awareness. Signage will be added if needed and permission from the city given to show the east end of the parking lot as an exit only.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 16, 2021 AGENDA**

Subject:	Type:	Submitted By:
AMEND MUNICIPAL CODE SECTION 131.09 LOUD, UNNECESSARY NOISES	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	BRUCE FOUNTAIN COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

An ordinance has been prepared to approve an amendment to Municipal Code Section 131.09 Loud, Unnecessary Noises allowing for exceptions for event center type facilities.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

An ordinance has been prepared to consider the adoption of an amendment to Section 131.09 of the La Vista Municipal Code related to loud, unnecessary noises. The proposed amendment adds two items to the list of exemptions from the Ordinance. The first exempts noises emanating from an event center in accordance with a current approved Conditional Use Permit from the City of La Vista, subject to specific curfew times. The second exempts City, community, or other events conducted or authorized by the City.

A copy of the red-lined draft Ordinance showing the proposed changes is attached.

ORDINANCE NO. ____

AN ORDINANCE TO AMEND SECTIONS 131.09 OF THE LA VISTA MUNICIPAL CODE RELATING TO LOUD, UNNECESSARY NOISES, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

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

SECTION 1: Amendment of Section 131.09. Section 139.01 of the La Vista Municipal Code is hereby amended to read as follows:

§ 131.09 LOUD, UNNECESSARY NOISES.

(A) Findings. It is found and declared that:

(1) The making, creation or maintenance of noises or sounds that are unreasonably loud, raucous, jarring, disturbing or a nuisance are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of this city.

(2) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of this city. ('79 Code, § 6-338)

(B) Unlawful to make, continue. It shall be unlawful for any person to create, assist in creating, permit, cause, continue or permit the continuance of any sound or noise that is unreasonably loud, raucous, jarring, disturbing or a nuisance within the limits of the city. The term "disturbing" as used in this section shall mean actual or imminent interference with peace or good order. ('79 Code, § 6-339)

(C) Enumeration; exceptions.

(1) Enumerations. The following sounds or noises, among others, are declared to be unreasonably loud, raucous, jarring, disturbing or a nuisance in violation of this code, but such enumeration shall not be deemed to be exclusive, namely:

(a) Horns, signaling devices and the like. The sounding of any horn, whistle or other signaling device on any automobile, truck, motorcycle or other vehicle on any private, residential or commercial property or any public property, including any street or public place of the city, except as a danger warning or a signal for help; the creation by means of any such signaling device of any sound that is unreasonably loud, raucous, jarring, disturbing or a nuisance; the sounding of any such signaling device for an unreasonable period of time; the use of any such signaling device when traffic is, for any reason, held up; the use of any such signaling device except one operated by hand or electricity; and, the use of any such signaling device operated by engine exhaust.

(b) Radios, phonographs, stereos, bass amplifiers and musical instruments. Using, operating or permitting to be played, used or operated, any radio, tape recorder, cassette player, compact disc (C.D.) player, musical instrument, phonograph, loud speaker, sound amplifier or other machine, apparatus or device for the producing, reproducing or amplifying of the human voice or of any sound:

1. Upon residential property or within a residential neighborhood, whether containing one or more units of multiple-family residential dwellings or a single-family residential dwelling, and upon property containing a hotel, motel or inn, unless the volume of such sound shall be so controlled that:

a. It will not be plainly audible at a distance of 50 feet from any building, structure, chamber or vehicle in which such machine, apparatus or device is located, and

b. In the case of a multiple-family residential dwelling, a hotel, motel or inn, it will not be plainly audible in any adjoining unit. Provided, however, that actual notice from an occupant of the adjoining unit to the occupant of the property containing the source of amplified sound shall be a necessary element of a violation under this subsection.

2. Upon any private property that is nonresidential and that is not located within a residential neighborhood, upon any public property, including any public street, highway, building, sidewalk, park or thoroughfare or in or upon any motor vehicle on such private or public property, unless in each such instance the volume of such sound shall be so controlled that it will not be plainly audible for a distance in excess of 100 feet from the source.

(c) Exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle, except through a muffler or other device which is properly maintained and in good working condition and which will effectively prevent any noise that is unreasonably loud, raucous, jarring, disturbing or a nuisance.

(d) Animals, birds and the like. The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort and repose of any person or resident.

(e) Yelling, shouting, hooting, whistling and singing. Yelling, shouting, hooting, whistling and singing or making other verbal noises on the public streets or public areas or from private property between the hours of 10:00 p.m. and 6:00 a.m. so as to be plainly audible at a distance of 50 feet from the public area or private property from which such noise emanates.

(f) Pile drivers, hammers, blowers, construction equipment and the like. The operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, blower, power fan or other power tools whether air, electric or gasoline powered, unless the sound produced thereby shall be so controlled that it is not plainly audible for a distance in excess of 100 feet from the source; and the operation of any internal combustion engine, unless such engine is equipped with a muffler device used and maintained in accordance with the manufacturer's specifications.

(2) Exemptions. The following activities are exempt from the application of this section:

(a) Devices used solely for the purpose of warning, protecting or alerting the public, or some segment thereof, of the existence of an emergency situation.

(b) Construction operation for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of the government, providing all equipment is operated in accordance with manufacturers' specifications and with all standard equipment, manufacturers' mufflers and noise reducing equipment in use and in proper operating condition. However, such exception shall apply only to construction operations between the hours of 7:00 a.m. and dusk Monday through Sunday, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector, which permit may be granted for a

period not to exceed three days while the emergency continues and which permit may be renewed for periods of three days while the emergency continues. If the Building Inspector shall determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m. and /or Sunday, and if he or she shall further determine that hardship would result to any party in interest if permission is not granted, he or she may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. and or on Sunday upon application being made at the time the permit for the work is awarded or during the progress of work.

(c) Noises of safety signals, warning devices, emergency pressure relief valves and bells and chimes of churches.

(d) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting or operating within the scope of the authority of said agency or as is necessary for the safety of the public in time of emergency. (e) Operations by city departments.

(f) Sound emanating from duly licensed and/or authorized athletic contests, parades and city-sponsored public celebrations.

(g) Noises emanating from industrial facilities operating in industrial zoned areas of the city, provided that such noises are incidental to the normal operations of such facility and further provided that such facility is operating in accordance with all city, state and federal codes, statutes, regulations, special use permits and other enforceable orders.

(h) Noises of lawn care equipment in normal usage between the hours of 6:00 a.m. and 10:00 p.m. if used and maintained in accordance with the manufacturers' specifications.

(i) Except as set forth in subsection (C)(1), motor vehicles on public roads, but this section is not intended and shall not be construed to interfere with the enforcement of § 70.039 or any other city, state or federal statute, regulation, ordinance, code or like regulations of motor vehicles.

(j) Noises of aircraft, railroad trains, transit buses, school buses and other publicly- owned and/or operated transportation vehicles.

(k) Operations by, or sanctioned by, the proper authorities (city, state or federal) for the protection of persons or property where imminent physical trauma or property damage demands immediate action. ('79 Code, § 6-340) (Am. Ord. 762, passed 2-16-99) Penalty, see § 10.99

(l) Noises emanating from an event center in accordance with a current Conditional Use Permit from the City of La Vista, subject to the following conditions:

1. A curfew shall exist during which time no outdoor amplified sound shall be permitted. The curfew shall have the following beginning and ending times:

<u>Day of the Week</u>	<u>Beginning</u>	<u>Ending</u>
<u>Sunday through Thursday</u>	<u>10:00 pm</u>	<u>8:00 am the following day</u>
<u>Friday and Saturday</u>	<u>10:30 pm</u>	<u>8:00 am the following day</u>

Amplified sound shall mean any sound, the volume of which is increased by, or by use of, any equipment or device designed for such purpose.

(m) City, community, or other events conducted or authorized by the City.

SECTION 2. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in book or pamphlet form or as otherwise provided by law.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY, 2021.

CITY OF LA VISTA,

Douglas Kindig, Mayor

Attest:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 16, 2021 AGENDA**

Subject:	Type:	Submitted By:
SECOND AMENDMENT TO INTERLOCAL AGREEMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared to approve the second amendment to the Interlocal Agreement creating the Sarpy County and Cities Wastewater Agency.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

On September 19, 2017, City Council approved Resolution 17-112 to approve an Interlocal Cooperation Agreement with Sarpy County and the Cities of Bellevue, Gretna, Papillion and Springfield to create the Sarpy County and Cities Wastewater Agency. On June 5, 2018 City Council approved Resolution 18-080 approving an amendment to the calendar deadlines for more flexibility to discuss and approve the Agency's Annual Budget.

Certain portions of the force main, interceptor sewer, lift stations, connection points, and related sewer infrastructure as shown on the Agency's current preliminary design for Phase 1A of the Unified SSWS are located outside of the Agency's Jurisdiction, but within portions of Sarpy County's and the City of Bellevue's extraterritorial zoning jurisdictions. The approximate location of the additional sewer infrastructure is anticipated to be located within the corridor shown on the preliminary alignment schematic attached as Exhibit B. In order for the Agency to acquire land rights for, finance, construct, equip, operate and maintain, Phase 1A of the Unified SSWS in accordance with the formation interlocal, an amendment to the formation interlocal is necessary to clarify that certain Agency powers, privileges and authority may be exercised jointly by the Agency and applicable Members outside the boundary of the Agency's jurisdiction.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT CREATING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

WHEREAS, the City of La Vista is a party to an agreement (the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

WHEREAS, pursuant to Section XVII of the Agreement, the Agency Board may amend the Agreement upon the execution of a written amendment by the governing bodies of all Members, and the approval of resolutions adopting the terms of the written amendment by the governing body of each Member; and

WHEREAS, the Agency Board has determined that the current preliminary design for Phase 1A of the Unified SSWS are located outside of the Agency's jurisdiction but within portions of Sarpy County's and the City of Bellevue's extraterritorial zoning and planning jurisdictions; and

WHEREAS, the Agency Board has determined that the Interlocal Agreement should be amended to clarify that certain Agency powers, privileges, and authority may be exercised jointly by the Agency and applicable members outside the boundary of the Agency's jurisdiction; and

WHEREAS, the Agency Board has discussed and approved the proposed amendment to the Agency Formation Agreement, as attached hereto as Exhibit A (hereinafter the "Amendment"); and

WHEREAS, the Additional Sewer Infrastructure Map of the proposed amendment to the Agency Formation Agreement is attached hereto as Exhibit B; and

WHEREAS, the City Council deems it appropriate and advisable to adopt the terms of the Amendment;

NOW, THEREFORE, BE IT RESOLVED BY the City Council of La Vista, Nebraska that the terms of the Amendment are hereby adopted; and

BE IT FURTHER RESOLVED BY the City Council that the Mayor hereby has the authority to execute the Amendment on behalf of the City Council.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY

**AMENDED RESOLUTION APPROVING THE SECOND AMENDMENT TO THE
INTERLOCAL AGREEMENT CREATING THE SARPY COUNTY AND CITIES
WASTEWATER AGENCY**

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. (the “Act”), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into an agreement (as amended, the “Formation Interlocal”), and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the “Agency”) (all capitalized terms not otherwise expressly defined herein shall have the same meanings as provided in the Formation Interlocal);

WHEREAS, the Agency is a separate body corporate and politic under the Act;

WHEREAS, pursuant to the Formation Interlocal, the powers of the Agency as a body are exercised by the Agency Board;

WHEREAS, pursuant to Sections XVII and XVIII(D) of the Formation Interlocal, the Formation Interlocal may be amended by a written amendment by the governing bodies of all the Members of the Agency, and the approval of resolutions adopting the terms of such amendment by the governing body of each Member,

WHEREAS, the Agency Board has discussed the proposed Second Amendment to Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency attached hereto as **Exhibit A** (the “Second Amendment”), and after discussion the Agency Board deemed it appropriate and advisable to approve the Second Amendment and to submit the same to the governing body of each Agency Member for approval and execution.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD that the Second Amendment is approved for submission to the governing body of each Agency Member for execution; and,

NOW, THEREFORE, IT FURTHER BE RESOLVED BY THE AGENCY BOARD that the Agency Board Chairman is hereby authorized to execute, on behalf of the Agency Board, the Second Amendment and any and all documents associated with or in furtherance of the Second Amendment.

The above Amended Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 9th day of December, 2020.

Attest:

Lisa A. Haine
Sarpy County and Cities Wastewater
Agency Secretary



David R. Kelly
Sarpy County and Cities Wastewater
Agency Board Chairman

Exhibit A

Second Amendment

[Attached]

SECOND AMENDMENT TO INTERLOCAL AGREEMENT CREATING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

THIS SECOND AMENDMENT TO INTERLOCAL AGREEMENT CREATING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY is made by and between the County of Sarpy, Nebraska, the City of Papillion, Nebraska, the City of Bellevue, Nebraska, the City of Springfield, Nebraska, the City of LaVista, Nebraska, and the City of Gretna, Nebraska (individually, a “Member”; collectively, the “Members”), and approved and ratified by the Sarpy County and Cities Wastewater Agency (the “Agency”) in accordance with Sections XVII and XVIII(D) of the Formation Interlocal (defined below). Capitalized terms used herein shall have the same meaning as defined in the Formation Interlocal, unless otherwise specified herein.

WHEREAS, pursuant to the authority granted under the Nebraska Interlocal Cooperation Act, Neb. Rev. Stat. 13-801, et seq. (the “Act”), the Members formed and created the Agency pursuant to that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency dated September 19, 2017 (as amended, the “Formation Interlocal”);

WHEREAS, pursuant to Section VII of the Formation Interlocal and Agency Resolution 2019-004, the Agency approved and established the Agency’s Jurisdiction over the “Service Area” depicted on the map attached hereto as **Exhibit A**, and, pursuant to separate government action, all the Members’ respective governing bodies subsequently approved and adopted the Agency’s Jurisdiction;

WHEREAS, pursuant to Section V(A) of the Formation Interlocal, the Agency has the power and authority to “acquire real property, or such other property rights as may be necessary, by gift, grant, purchase, or condemnation, as necessary for the construction and operation of the Unified SSWS...”;

WHEREAS, pursuant to Section VII(B) of the Formation Interlocal, the “Agency is not limited to financing, constructing, equipping, operating, and maintaining a sewer system exclusively within the Agency’s Jurisdiction”;

WHEREAS, the Act provides that “[a]ny power or powers, privileges, or authority exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency”;

WHEREAS, certain portions of the force main, interceptor sewer, lift stations, connection points, and related sewer infrastructure (“Additional Sewer Infrastructure”) as shown on the Agency’s current preliminary design for Phase 1A of the Unified SSWS are located outside of the Agency’s Jurisdiction, but within portions of Sarpy County’s and the City of Bellevue’s extraterritorial zoning and planning jurisdictions. The approximate location of the Additional Sewer Infrastructure is anticipated to be located within the corridor shown on the preliminary alignment schematic attached hereto as **Exhibit B**;

WHEREAS, in order for the Agency to acquire land rights for, and to finance, construct, equip, operate and maintain, Phase 1A of the Unified SSWS in accordance with the Formation

Interlocal and applicable Agency resolutions, policies and procedures, the Agency and the Members desire to amend the Formation Interlocal to clarify that certain Agency powers, privileges and authority may be exercised jointly by the Agency and applicable Members outside the boundary of the Agency's Jurisdiction;

WHEREAS, pursuant to Sections XVII and XVIII(D) thereof, the Formation Interlocal may be amended by a written amendment by the governing bodies of all the Members of the Agency, and the approval of resolutions adopting the terms of such amendment by the governing body of each Member;

WHEREAS, the Agency Board and the Members have determined that an amendment to the Formation Interlocal is necessary for the Agency to carry out its purposes; and

WHEREAS, on the terms set forth herein, the Members agree to amend the Formation Interlocal on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Members agree as follows:

1. **Incorporation of Recitals.** The recitals set forth above are incorporated herein by this reference.

2. **Land Rights Acquisitions for Additional Sewer Infrastructure.** Section XIII of the Formation Interlocal is hereby amended by adding the following new subsection (D) to the end of said Section XIII:

“D. Pursuant to Sections V, VII and XIII of this Agreement, the Agency is authorized and empowered to, among other things, acquire real property, or such other property rights as may be necessary, by gift, grant, purchase, or condemnation, as necessary for the financing, construction, equipping, operation, and maintenance of the Unified SSWS located within and outside the Agency's Jurisdiction; provided, however, that the acquisition of real property, or such other property rights, for portions of the Unified SSWS (including, but not limited to, the Additional Sewer Infrastructure) located outside of the Agency's Jurisdiction and within a Member's corporate limits, declared extraterritorial zoning jurisdiction, wastewater service area designated per interlocal agreement, or areas that lie within a Member's “area of future growth and development” under maps adopted under the County Industrial Sewer Construction Act, Neb. Rev. Stat. § 23-3601, et seq., shall require approval by the Agency and the governing body of each Member where the land upon which such portions of the Unified SSWS (including, but not limited to, the Additional Sewer Infrastructure) are located. The powers, privileges and authorities granted pursuant to this section and elsewhere in this Agreement may be exercised and enjoyed jointly by the Members with the Agency. Such real and other property rights acquired pursuant to this section shall be held in the name of the Agency.”

3. **Cooperation.** The Agency and Members agree to execute and deliver all documents, provide all information, and take or forebear from such action as may be necessary or appropriate to achieve the purposes of this Second Amendment, and they shall further perform the applicable provisions of this Second Amendment in good faith and with due diligence and in cooperation with the other party. The Members shall refrain from taking any action that is inconsistent with the terms hereof.

4. **Effective Date.** This Second Amendment shall be not be effective before the occurrence of the latter of the separate approving actions by each Member's governing body are taken, which approvals shall include all actions of each Member prior to such date taken in reliance upon and in accordance with the terms of this Second Amendment, and each Member shall furnish to the Agency a certified copy of the resolution of its governing body. This Second Amendment shall be in full force and effect as of the date of execution hereof by the last of the parties hereto and shall continue until terminated by mutual agreement of the parties hereto.

This Second Amendment to the Formation Interlocal is authorized by the vote and approval of the Agency and each Member at public meetings duly held in accordance with applicable law, and the following execution by their respective authorized representatives.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, in accordance with Sections XVII and XVIII(D) of the Formation Interlocal, the Agency Board and the Members approve this Second Amendment and hereunto sets their hands to this Second Amendment upon the day and year hereinafter indicated.

Executed by the Sarpy County and Cities Wastewater Agency this 9th day of December, 2020.



SARPY COUNTY AND CITIES
WASTEWATER AGENCY,
A Political Subdivision

By David R. Kelly
Chairperson, Agency Board

ATTEST:

Lisa A. Haine
Secretary, Agency Board

IN WITNESS WHEREOF, the Members hereunto set their hands to this Second Amendment upon the day and year hereinafter indicated.

Executed by Sarpy County this _____ day of _____, 2020.

SARPY COUNTY, NEBRASKA,
A Political Subdivision

By _____
Chairperson, Board of Commissioners

Attest:

Approved as to form:

Sarpy County Clerk

Sarpy County Attorney

IN WITNESS WHEREOF, the Members hereunto set their hands to this Second Amendment upon the day and year hereinafter indicated.

Executed by the City of Bellevue this _____ day of _____, 2020.

ATTEST:

CITY OF BELLEVUE, a Nebraska
Municipal Corporation

Susan Kluthe, City Clerk

Rusty Hike, Mayor

CITY SEAL

IN WITNESS WHEREOF, the Members hereunto set their hands to this Second Amendment upon the day and year hereinafter indicated.

Executed by the City of Papillion this _____ day of _____, 2020.

ATTEST:

CITY OF PAPILLION, a Nebraska
Municipal Corporation

Nicole Brown, City Clerk

David P. Black, Mayor

CITY SEAL

IN WITNESS WHEREOF, the Members hereunto set their hands to this Second Amendment upon the day and year hereinafter indicated.

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

ATTEST:

CITY OF LA VISTA, a Nebraska
Municipal Corporation

Pamela A. Buethe, City Clerk

Douglas Kindig, Mayor

CITY SEAL

IN WITNESS WHEREOF, the Members hereunto set their hands to this Second Amendment upon the day and year hereinafter indicated.

Executed by the City of Gretna this ____ day of _____, 2020.

ATTEST:

CITY OF GRETNA, a Nebraska
Municipal Corporation

Tammy L. Tisdall, City Clerk

James W. Timmerman, Mayor

CITY SEAL

IN WITNESS WHEREOF, the Members hereunto set their hands to this Second Amendment upon the day and year hereinafter indicated.

Executed by the City of Springfield this ____ day of _____, 2020.

ATTEST:

CITY OF SPRINGFIELD, a Nebraska
Municipal Corporation

Kathleen Gottsch,
City Administrator/City Clerk

Robert Roseland, Mayor

CITY SEAL

EXHIBIT A

Agency's Jurisdiction

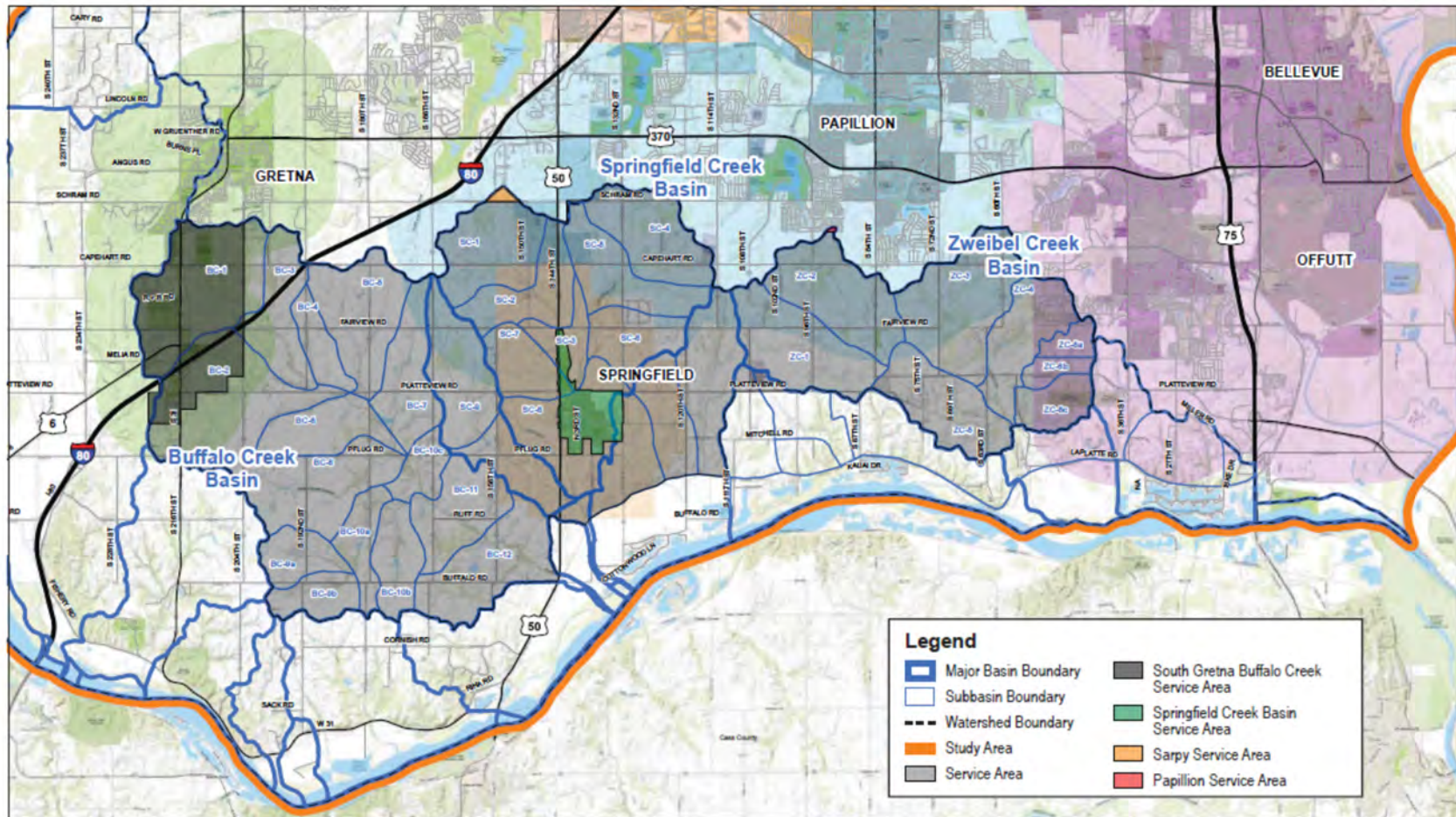


FIGURE 1
Growth Management Plan



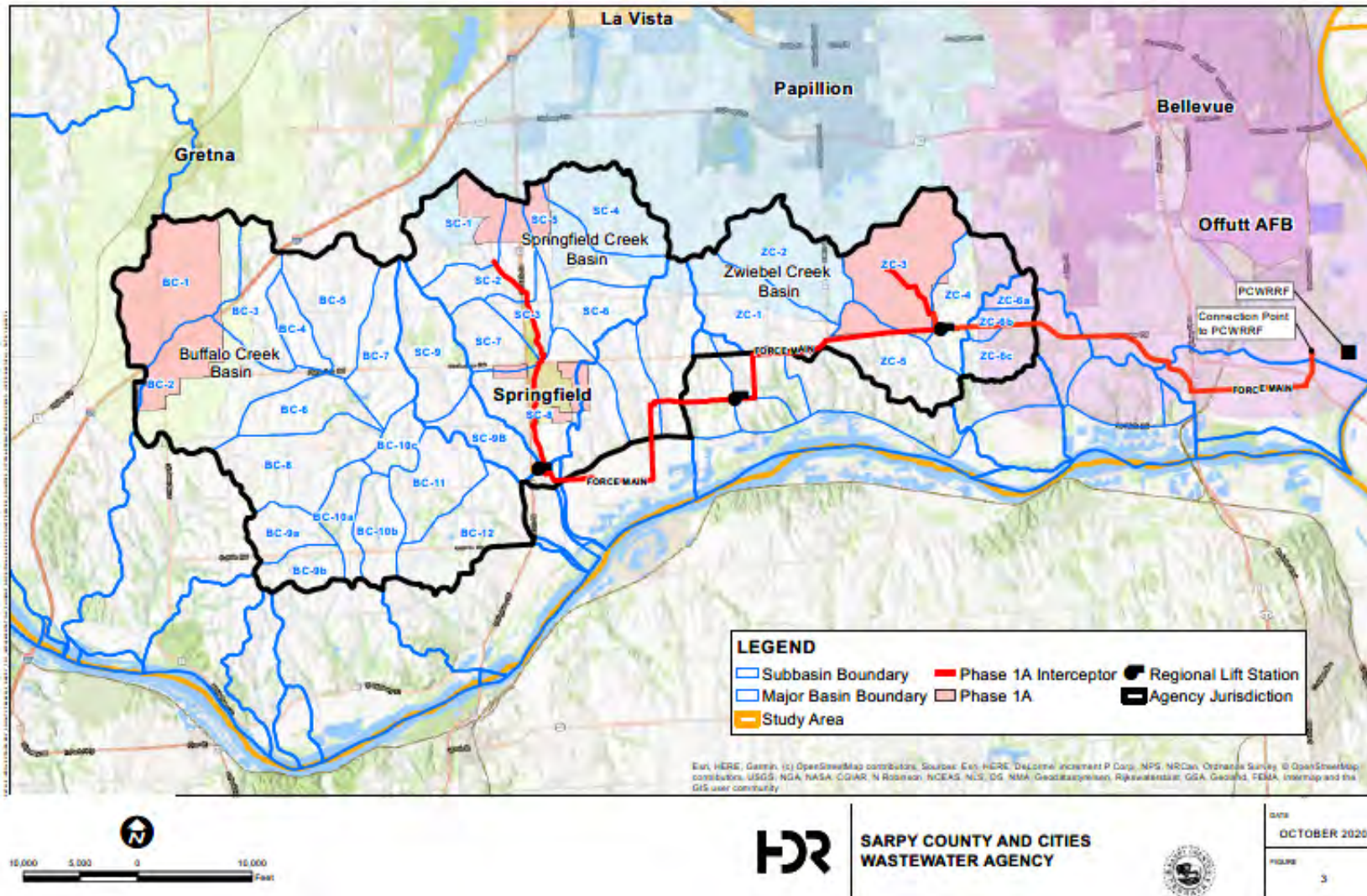
SOUTHERN SARPY COUNTY



DATE
June 2019
FIGURE
Service Area

EXHIBIT B

Additional Sewer Infrastructure



**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 16, 2021 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZE PURCHASE – ASPHALT HOT BOX	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared authorizing the purchase of one (1) 4 Ton Hot Box Trailer, from Falcon Asphalt Repair Company, Midland, MI, in an amount not to exceed \$32,500.00.

FISCAL IMPACT

The FY 21/22 Biennial Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

Over the past few years, the Streets Division has had the capability of sending out two separate crews with hot boxes to do asphalt patching and small overlays. The hot boxes utilized are a 2018 4-ton Falcon hot box and a 2009 2-ton Spaulding hot box that was originally purchased as a used demo unit. The Spaulding hot box has had electrical system and burner unit issues, with repairs totaling over \$9,000 in parts and labor. This causes delays in asphalt patching as this unit can be down for multiple days at a time. The Capital Equipment Committee has recommended the replacement of this unit with a larger capacity 4-ton Falcon unit similar to the 2018 unit.

The proposed equipment will be purchased through the Nebraska State Bid, contract #14934 OC.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 4-TON HOT BOX TRAILER FROM FALCON ASPHALT REPAIR COMPANY, MIDLAND, MI, IN AN AMOUNT NOT TO EXCEED \$32,500.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a 4-ton Falcon Hot Box Trailer is necessary; and

WHEREAS, the proposed equipment will be purchased through the Nebraska State Bid Contract #14934 OC; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed 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 purchase over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) 4-ton Hot Box Trailer from Falcon Asphalt Repair Company, Midland, MI, in an amount not to exceed \$32,500.00.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

STATE OF NEBRASKA CONTRACT AWARD

State Purchasing Bureau
1526 K Street, Suite 130
Lincoln, Nebraska 68508

Telephone: (402) 471-6500
Fax: (402) 471-2089

CONTRACT NUMBER
14934 OC

PAGE 1 of 1	ORDER DATE 02/07/18
BUSINESS UNIT 9000	BUYER JULIE DABYDEEN (AS)
VENDOR NUMBER: 2358757	
VENDOR ADDRESS: FALCON EQUIPMENT HOLDINGS LLC DBA FALCON ROAD MAINTENANCE EQUIPMENT LLC 120 WALDO AVE MIDLAND MI 48642-5965	

AN AWARD HAS BEEN MADE TO THE CONTRACTOR NAMED ABOVE FOR THE FURNISHING OF MATERIALS AND/OR SERVICES AS LISTED BELOW FOR THE PERIOD:

FEBRUARY 21, 2018 THROUGH OCTOBER 02, 2021

NO ACTION ON THE PART OF THE CONTRACTOR NEEDS TO BE TAKEN AT THIS TIME. ORDERS FOR THE MATERIALS AND/OR SERVICES WILL BE MADE AS NEEDED BY THE VARIOUS AGENCIES OF THE STATE.

THIS CONTRACT IS NOT AN EXCLUSIVE CONTRACT TO FURNISH THE MATERIALS AND/OR SERVICES SHOWN BELOW, AND DOES NOT PRECLUDE THE PURCHASE OF SIMILAR MATERIALS AND/OR SERVICES FROM OTHER SOURCES.

THE STATE RESERVES THE RIGHT TO EXTEND THE PERIOD OF THIS CONTRACT BEYOND THE TERMINATION DATE WHEN MUTUALLY AGREEABLE TO THE CONTRACTOR AND THE STATE OF NEBRASKA.

Originally awarded from National Joint Powers Alliance ® (NJPA) Contract 052417-FRM

Contract to supply and deliver Asphalt Recycling, Hot Boxes, and Patching Equipment, through a prime vendor program to State of Nebraska agencies for the period February 21, 2018 through October 2, 2021, with the option to renew for one (1) additional one (1) year period per the terms, conditions, and specification of the "Request for Proposal".

Payment: 45 days

(For the File - All requests for proposal (RFP) evaluation, etc., are retained by National Joint Power Alliance® (NJPA). This RFP and Contract are bid and awarded by and on behalf of NJPA and its current and potential member agencies to include all government, higher education, K-12 education, nonprofit, tribal government, and other public agencies located nationally within all fifty (50) states and Canada, and internationally, of which, Nebraska is a member).

(For the File: The NJPA Master Price Agreement contract period was effective October 2, 2017. The Participating Addendum for Nebraska Became effective February 21, 2018.)

Vendor Contact: Ric Simon
Phone: 248-207-1783
Email: ric@falconrme.com

(ml 02/07/18)

Line	Description	Estimated Quantity	Unit of Measure	Unit Price
1	ASPHALT RECYCLING, HOT BOXES AND PATCHING EQUIPMENT	50,000.0000	\$	1.0000

2-13-18 Julie Dabrydeen 2/7/18
BUYER
Douglas J. J. 13 FEB 18
MATERIEL ADMINISTRATOR

1443580(NISC0001)NISC0001 20150901



FALCON ROAD MAINTENANCE EQUIPMENT, INC.
2600 W SALZBURG, FREELAND, MI 48642

PRICE LIST EFFECTIVE 10/2/2017
Contract #052417-FRM Good through 2021

Description	2017 LIST PRICE	NJPA Contract Pricing	NJPA Contract Pricing (9+ units)
TRAILERS			
1 - Ton Mini Hopper (triple wall, insulated, single vapor draw propane burner, auto temp control, single axle, 8-bolt wheels, hopper tarp cover, battery charger package)	\$ 10,331	\$9,298	\$9,112
2 - Ton Hopper (triple wall, insulated, auto temp control, steel material and loading doors, one 7K 8bolt axle, 8" x 14.5" tires with 8-bolt wheels, battery charger package)	\$ 19,148	\$17,233	\$16,888
3 - Ton Hopper (triple wall, insulated, auto temp control, steel material and loading doors, two 7K 8bolt axles, 8" x 14.5" tires with 8-bolt wheels, battery charger package)	\$ 24,687	\$22,218	\$21,774
4 - Ton Hopper (triple wall, insulated, auto temp control, steel material and loading doors, two 7K 8bolt axles, 8" x 14.5" tires with 8-bolt wheels, battery charger package)	\$ 25,140	\$22,626	\$22,173
6 - Ton Hopper (triple wall, insulated, auto temp control, manual bi-folding loading doors, manual unloading door, tandem torsion axles, 17.5" tires with 8-bolt wheels, battery charger package, dual burner recycling package)	\$ 55,171	\$49,654	\$48,661
Dump Box for Trailer Units (Hydraulics on Trailer - power up/gravity down)	\$ 5,447	\$4,902	\$4,804
Dump Box for Trailer Units (Hydraulics on Trailer - power up/power down)	\$ 5,778	\$5,200	\$5,096
Tandem Axle Upgrade (for Single axle trailers)	\$ 2,356	\$2,120	\$2,078
Extended Frame (2 ft) (Required for dump boxes that need a tack tank)	\$ 246	\$221	\$217
Extended Frame (4 ft)	\$ 2,094	\$1,885	\$1,847
	\$ -		\$0
SLIP-IN UNITS	\$ -		\$0
1 Ton Slip-in (triple wall, insulated, auto temp control, tarp cover for hopper, propane mounting bracket for 20 lb. cylinder, propane fuel source, battery charger package)	\$ 8,081	\$7,273	\$7,128
2-Ton Slip-in (triple wall, insulated, auto temp control, steel material and loading doors, shoveling apron, battery charger package)	\$ 18,423	\$16,581	\$16,249
3 - Ton Slip-in (triple wall, insulated, auto temp control, hydraulic steel material and loading doors, shoveling apron, battery charger package) (hydraulic fluid supplied by towing vehicle)	\$ 31,093	\$27,984	\$27,424
4 - Ton Slip-in (triple wall, insulated, auto temp control, hydraulic steel material and loading doors, shoveling apron, battery charger package) (hydraulic fluid supplied by towing vehicle)	\$ 31,599	\$28,439	\$27,870
5 - Ton Slip-in (triple wall, insulated, auto temp control, hydraulic steel material and loading doors, shoveling apron, battery charger package) (hydraulic fluid supplied by towing vehicle)	\$ 32,349	\$29,114	\$28,532
6 - Ton Slip-In (triple wall, insulated, auto temp control, hydraulic steel material and loading doors, shoveling aprons, 2nd burner and 24-hour timer, battery charger package) (hydraulic fluid supplied by towing vehicle)	\$ 41,354	\$37,219	\$36,475
8 - Ton Slip-In (triple wall, insulated, auto temp control, hydraulic steel material and loading doors, shoveling aprons, 2nd burner and 24-hour timer, battery charger package) (hydraulic fluid supplied by towing vehicle)	\$ 62,753	\$56,478	\$55,348
Upgrade Hydraulic Loading doors to Bi-fold	\$ 1,619	\$1,457	\$1,428
Hydraulic Loading and Material Doors for Trailer Models (12V electric over hydraulic)	\$ 6,066	\$5,459	\$5,350
Hook Lift	\$ 4,122	\$3,710	\$3,636
	\$ -		\$0
COMPACTION/ROLLERS	\$ -		\$0
Bomag bvp10/36-2	\$ 2,202	\$1,982	\$1,942
Bomag bvp10/36-2w	\$ 2,349	\$2,114	\$2,072
Bomag bvp18/45-2	\$ 2,443	\$2,199	\$2,155
Bomag bvp18/45-2w	\$ 2,797	\$2,517	\$2,467
VIBCO GR-1600 Roller	\$ 2,650	\$2,385	\$2,337
VIBCO GR-3200 Roller	\$ 8,477	\$7,629	\$7,476
	\$ -		\$0
QUICK SHIP MODELS	\$ -		\$0
1 Ton Mini (Battery charger, 24 hour timer)	\$ 10,644	\$9,580	\$9,388
2 Ton Roadway Slip-In (Battery charger, 24 hour timer)	\$ 18,008	\$16,207	\$15,883
2 Ton Transporter (Battery charger, 24-hour timer, dump box, single frame extension, 16" tires, release agent dispenser bracket, LED lighting upgrade, LED night work lights, LED strobe warning light, 3-position tool holder)	\$ 32,249	\$29,024	\$28,444



Description	2017 LIST PRICE	NJPA Contract Pricing	NJPA Contract Pricing (9+ units)
4 Ton Transporter (Battery charger, 24-hour timer, dump box, single frame extension, 16" tires, release agent dispenser bracket, LED lighting upgrade, LED night work lights, LED strobe warning light, 3-position tool holder)	\$ 35,886	\$32,297	\$31,651
4 Ton Recycler(Battery charger, dual burner recycling package, 24-hour timer, dump box, single frame extension, 16" tires, release agent dispenser bracket, LED lighting upgrade, LED night work lights, LED strobe warning light, 3-position tool holder)	\$ 40,641	\$36,577	\$35,845
6 Ton Recycler(Battery charger, dual burner recycling package, 24-hour timer, dump box, single frame extension, 16" tires, release agent dispenser bracket, LED lighting upgrade, LED night work lights, LED strobe warning light, 3-position tool holder)	\$ 57,393	\$51,654	\$50,621
INFRARED	\$ -		\$0
4x6 split box	\$ 8,689	\$7,820	\$7,664
4x4 split box	\$ 7,286	\$6,557	\$6,426
4x4 heater	\$ 6,706	\$6,035	\$5,914
Infrared transporter package - 2 to 4 ton trailer (includes hoist with 12v winch, infrared mounting basket, double frame extension)	\$ 3,944	\$3,550	\$3,479
Infrared transporter package - 6 ton trailer (includes hoist with 12v winch, infrared mounting basket, double frame extension)	\$ 2,360	\$2,124	\$2,082
Infrared transporter package - 2 to 4 ton trailer (includes hoist with 12v winch, infrared mounting basket, triple frame extension)	\$ 4,721	\$4,249	\$4,164
Infrared transporter package - 6 ton trailer (includes hoist with 12v winch, infrared mounting basket, triple frame extension)	\$ 3,076	\$2,768	\$2,713
TACK TANK TRAILERS			
150 gallon diesel heated tack trailer	\$ 16,802	\$15,122	\$14,820
150 gallon diesel heated tack truck mount	\$ 13,501	\$12,151	\$11,908
250 gallon diesel heated tack trailer	\$ 17,388	\$15,649	\$15,336
250 gallon diesel heated tack truck mount	\$ 13,677	\$12,309	\$12,063
<u>Fuel Source (Identify Diesel or Propane)</u>			
Cold Weather Package	\$ 1,178	\$1,060	\$1,039
Dual Burner Recycling Capability (2nd propane burner and 24-Hour Timer)	\$ 4,756	\$4,280	\$4,194
Electric Overnight Heat 4-TON HOPPER OR SMALLER	\$ 2,827	\$2,544	\$2,493
Electric Overnight Heat 5-TON HOPPER OR LARGER	\$ 3,710	\$3,339	\$3,272
Oil Jacketed Hopper Wall - 4 Ton Hopper Capacity (or less)	\$ 4,697	\$4,227	\$4,142
Oil Jacketed Hopper Wall - 5 Ton Hopper Capacity	#VALUE!	CALL FALCON FOR PRICING	#VALUE!
Oil Jacketed Hopper Wall - 6 Ton Hopper Capacity	#VALUE!	CALL FALCON FOR PRICING	#VALUE!
Oil Jacketed Hopper Wall - 8 Ton Hopper Capacity	#VALUE!	CALL FALCON FOR PRICING	#VALUE!
	\$ -		\$0
<u>Brake Options</u>	\$ -		\$0
Electric Brakes w/ Safety Breakaway – Standard	#VALUE!	standard	#VALUE!
Surge Brakes – Single Axle - Free Backing	\$ 1,200	\$1,080	\$1,058
Surge Brakes – Tandem Axle - Free Backing	\$ 1,508	\$1,357	\$1,330
<u>Warning Light Options</u>			
Arrow Board (NON-LED)	\$ 1,464	\$1,318	\$1,292
Arrow Board (LED)	\$ 2,054	\$1,849	\$1,812
Arrow Stick - LED	\$ 1,213	\$1,092	\$1,070
Arrow Stick (NON-LED)	\$ 1,093	\$984	\$964
Backup Lights	\$ 204	\$184	\$180
LED Upgrade (Two Red LED 4" round stop/tail/turn Lights per side and LED marker lights)	\$ 368	\$331	\$324
LED Upgrade (One red LED 4" round stop/tail/turn and one amber strobe per side and LED marker lights)	\$ 428	\$385	\$377
LED Upgrade (Two Red LED 4" Round Stop/tail/turn and One Amber Strobe per side and LED marker lights)	\$ 603	\$543	\$532
Night Work Lights (Qty 2)	\$ 334	\$301	\$295
Night Work Lights - LED (Qty 2)	\$ 498	\$448	\$439



Description	2017 LIST PRICE	NJPA Contract Pricing	NJPA Contract Pricing (9+ units)
Warning Light / STROBE	\$ 411	\$370	\$363
<u>Solvent Reservoir Options</u>			
Release Agent Dispenser Holder (customer to supply sprayer)	\$ 328	\$295	\$289
Solvent Tank	\$ 356	\$320	\$314
<u>Tack Tank Options</u>			
15 gallon Non-Heated/Insulated Gravity Feed	\$ 1,861	\$1,675	\$1,642
30 Gallon Non-Heated/Insulated Gravity Feed	\$ 2,278	\$2,050	\$2,009
	\$ -		\$0
15 gallon Heated/Insulated Gravity Feed (heat source same as patcher heat source)	\$ 3,872	\$3,485	\$3,415
30 gallon Heated/Insulated Gravity Feed (heat source same as patcher heat source)	\$ 4,310	\$3,879	\$3,801
15 gallon Oil-Jacketed Heated Tack Tank (Required for non water-based tack material)	\$ 6,467	\$5,820	\$5,704
30 gallon Oil-Jacketed Heated Tack Tank (Required for non water-based tack material)	\$ 6,861	\$6,175	\$6,052
	\$ -		\$0
Hose Reel (for water-based tack tank spray system)	\$ 729	\$656	\$643
Pour Pot with Mounting Mechanism	\$ 544	\$490	\$480
Rejuvenating Spray System (Heated) 5.5 HP motor / HL32 Pump	\$ 3,791	\$3,412	\$3,344
<u>Other Equipment & Options</u>			
Axle - 8 Bolt Pattern w/ 16" Tires for Tandem Axles	\$ 982	\$884	\$866
Backup Alarm	\$ 204	\$184	\$180
Basket for mounting Plate Compactor (id 24" x 24")	\$ 278	\$250	\$245
Battery Charger	#VALUE!	standard	#VALUE!
Drinking Water Cooler (5-Gallon Capacity)	\$ 222	\$200	\$196
Emergency Stop Button	\$ 353	\$318	\$312
Extended Trailer Hitch (2 feet total)	\$ 180	\$162	\$159
Extended Trailer Hitch (3 feet total)	\$ 211	\$190	\$186
Fire Extinguisher (5 pound) & Mounting Bracket	\$ 204	\$184	\$180
Fire Extinguisher (10 pound) & Mounting Bracket	\$ 270	\$243	\$238
Hand-held Torch with Bracket for 20lb Cylinder	\$ 478	\$430	\$421
Propane Torch hose reel	\$ 729	\$656	\$643
Hoist with manual winch	\$ 883	\$795	\$779
Hoist with 12-volt winch	\$ 1,126	\$1,013	\$993
Hour Meter (Primary Burner)	\$ 204	\$184	\$180
Front and Rear Hopper Extensions	\$ 744	\$670	\$657
Loading Door Gas Assist Shocks	\$ 469	\$422	\$414
Paint -- Color Match (other than Falcon Red, Falcon Yellow, Falcon Orange)	\$ 389	\$350	\$343
Shoveling Apron Extension	\$ 273	\$246	\$241
Spare Tire & 8-Bolt Wheel (8" x 14.5" Tire)	\$ 278	\$250	\$245
Spare Tire & 8-Bolt Wheel (16" tire)	\$ 342	\$308	\$302
Spare Tire Holder	\$ 368	\$331	\$324
Step (to Hopper Access Platform 8x20)	\$ 183	\$165	\$162
Thermometer 50-550 (Rear Temp Gauge)	\$ 403	\$363	\$356
Timer - 24-Hour	\$ 364	\$328	\$321
Timer - 7-day	\$ 547	\$492	\$482
Tool Holder - 5-positions	\$ 182	\$164	\$161
Tool Holder - 3-positions	\$ 112	\$101	\$99
Warning Triangles with Mounting Bracket	\$ 204	\$184	\$180
Wheel Chocks with mounting bracket	\$ 167	\$150	\$147
3" Pintle Eye	\$ 94	\$85	\$83
Washdown System	\$ 1,021	\$919	\$901
Washdown System Hose Reel	\$ 729	\$656	\$643

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 16, 2021 AGENDA**

Subject:	Type:	Submitted By:
DISCUSSION – DOG PARK AT LIBRARY/METRO CC SITE	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

Subsequent to a citizen request to locate a dog park on land north of and immediately adjacent to Southwind Park and the La Vista Public Library/ Metro Community College Sarpy Center, staff has collected information for review and discussion.

FISCAL IMPACT

Funds are available in the FY21 budget for the initial establishment of a dog park. Approximate total cost is \$6,600.

RECOMMENDATION

Approval on a trial basis.

BACKGROUND

The Mayor and City Council have had previous discussions regarding the potential of locating a dog park in the City and have considered several sites. During FY20 staff put together plans to initiate a “pop-up” dog park location(s) in an effort to determine if and where a “park” such as this might be successful. One of the sites considered during this process was the land north of and adjacent to the Library/Metro Community College Sarpy Center. This land is jointly owned by the City and MCC.

At a City Council meeting on January 19, 2021 two citizens addressed the Council requesting that a dog park be located in the area mentioned above. Council asked for additional information, which staff has compiled.

Public Works has identified a proposed location (map attached) and an initial cost estimate. Anticipated costs include \$5,000 for temporary fencing (photo attached) to be installed and removed by a fence company, \$600 for dog waste stations, and \$1,000 for annual repair costs (overseeding, fertilizing, etc.). Companies that provide K9 waste removal services were contacted and none of them were interested in providing this service for a dog park. Upon further investigation it was determined that local dog parks are typically self-service when it comes to clean up. Signs are posted and waste stations are provided. City maintenance staff will be responsible for mowing, line trimming and overseeding the area as well as servicing the waste stations provided.

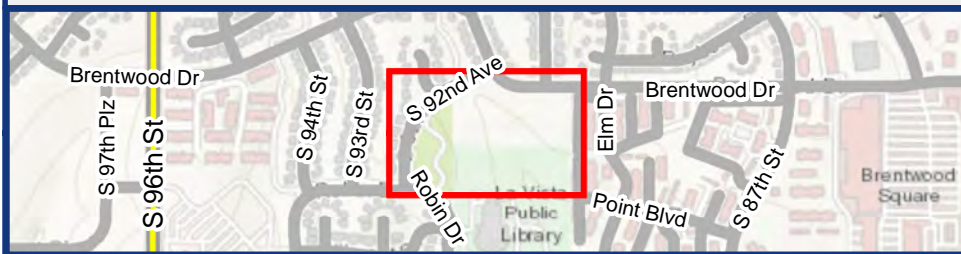
The dog park proposal was presented at a meeting of the La Vista Metro Condominium Association on February 8, 2021. Metro officials agreed to allow this on the jointly owned land on a trial basis with a reassessment in November of 2021. The Southwind Homeowners Association also submitted a letter to the City indicating their support of a dog park in this location.

The City Clerk has verified with our current liability insurance carrier that the City is covered for claims such as a dog causing bodily injury in cases where the city was liable.

Since the January 19, 2021 meeting the City has received the following feedback from citizens:

Location of Respondent	Yes – in favor of the dog park	No- not in favor of the dog park
La Vista	10	1
Extraterritorial Zoning Jurisdiction	4	0
Papillion	2	0
Unknown	1	0

Staff recommends that a dog park be established at the proposed location with a temporary fencing installation. Signs will be posted indicating that users of the park must clean up after their dogs. The City will monitor utilization and keep track of any issues and complaints that arise. The situation will be reassessed in November of 2021 prior to making any decision as to whether it become permanent.



Dog Park Discussion Reference Map

Date: 2/9/2021
Drawn By: CB



