

LA VISTA CITY COUNCIL MEETING AGENDA

June 15, 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**
- **Service Award: David Karlson – 25 years**

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

A. CONSENT AGENDA

1. **Approval of the Agenda as Presented**
2. **Approval of the Minutes of the June 1, 2021 City Council Meeting**
3. **Approval of the Minutes of the May 20, 2021 Planning Commission Meeting**
4. **Approval of the Minutes of the May 10, 2021 La Vista/Metropolitan Community College Condominium Owners Association, Inc. Meeting**
5. **Monthly Financial Report – April 2021**
6. **Request for Payment – HDR – Professional Services – Project Management – Public Improvements and Other Works - \$550.23**
7. **Request for Payment – Design Workshop, Inc. – Professional Services – La Vista Wayfinding - \$5425.00**
8. **Approval of Claims**

- **Reports from City Administrator and Department Heads**
- **Presentation – Wayfinding – Design Workshop**

B. 2022-2026 Capital Improvement Program

1. **Public Hearing**
2. **Resolution – Adoption of 2022-2026 Capital Improvement Program**

C. Resolution – 84th Street Redevelopment Area Phase Tax Increment Financing – Part of Mixed Use Redevelopment Project (Action on this item will be taken by the La Vista Community Development Agency)

D. Resolution – Authorize Advertisement for Bids – 84th Street Redevelopment Area Public Improvement Redevelopment Project – Offstreet Parking District No. 2 Structure No. 2

E. 84th Street Redevelopment Area – Public Improvement and Mixed Use Redevelopment Project Areas

1. **Resolution – Approve Reciprocal Construction, Grading, and Site Preparation Easement**

F. 84th Street Redevelopment Area – Public Improvement and Mixed Use Redevelopment Project Areas

1. **Resolution – Approve Encroachment Easement**

G. Resolution – Approve Construction Managers and Authorize Request for Proposals for Central Park Pavilion and Site Improvement Facilities

H. Resolution – Approval of Professional Services Agreement – Amendment No. 11 – 84th Street and City Centre Infrastructure – Additional Services

I. Resolution – Approval of Addition to Area of Liquor License – Nebraska Brewing Company

J. Resolution – Authorize Purchase – Workiva Document Production Software

K. Resolution – Adopt Financial Policy

L. Reorganization - Building Maintenance Division

1. **Resolution – Authorize Reorganization of Building Maintenance Division**
2. **Position Description – Public Works – Building Maintenance Division – New and Update**

M. Resolution – Approve Interlocal Agreement– Prosecutorial Services – La Vista City

Code Violations

N. Discussion – Holiday Lights

****O. Resolution – Approve Purchase – Dog Park Fencing**

P. Executive Session – Contract Negotiations

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

****Amended June 14, 2021 4:45PM**

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.



CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

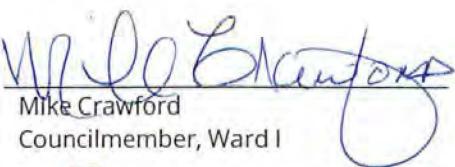
A CERTIFICATE OF APPRECIATION PRESENTED TO DAVID KARLSON OF THE RECREATION DEPARTMENT, FOR 25 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

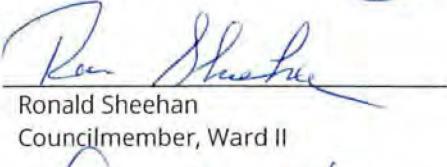
WHEREAS, David Karlson has served the City of La Vista since June 3, 1996; and

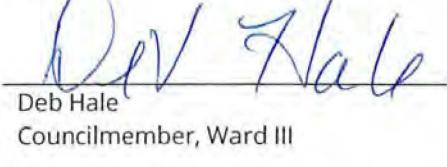
WHEREAS, David Karlson's input and contributions to the City of La Vista have contributed to the success of the City;

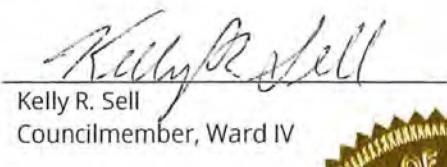
NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to David Karlson on behalf of the City of La Vista for 25 years of service to the City.

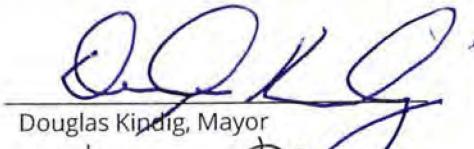
DATED THIS 15TH DAY OF JUNE 2021.

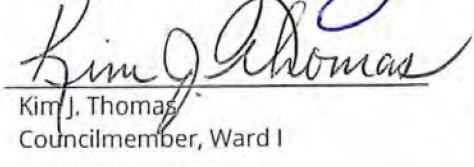

Mike Crawford
Councilmember, Ward I

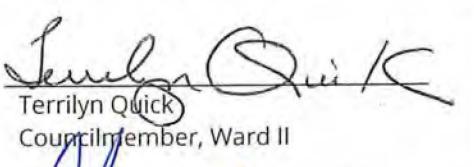

Ronald Sheehan
Councilmember, Ward II

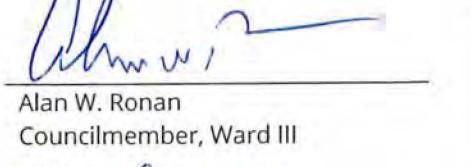

Deb Hale
Councilmember, Ward III

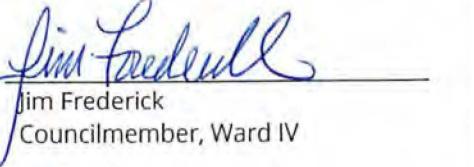

Kelly R. Sell
Councilmember, Ward IV


Douglas Kipdig, Mayor


Kim J. Thomas
Councilmember, Ward I


Terrilyn Quick
Councilmember, Ward II


Alan W. Ronan
Councilmember, Ward III


Jim Frederick
Councilmember, Ward IV

ATTEST:


Pamela A. Buethe, CMC
City Clerk



LA VISTA CITY COUNCIL MEETING AGENDA

June 15, 2021

6:00 p.m.

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

A-1

- Call to Order
- Pledge of Allegiance
- Announcement of Location of Posted Open Meetings Act
- Service Award: David Karlson – 25 years

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

A. CONSENT AGENDA

1. Approval of the Agenda as Presented
2. Approval of the Minutes of the June 1, 2021 City Council Meeting
3. Approval of the Minutes of the May 20, 2021 Planning Commission Meeting
4. Approval of the Minutes of the May 10, 2021 La Vista/Metropolitan Community College Condominium Owners Association, Inc. Meeting
5. Monthly Financial Report – April 2021
6. Request for Payment – HDR – Professional Services – Project Management – Public Improvements and Other Works - \$550.23
7. Request for Payment – Design Workshop, Inc. – Professional Services – La Vista Wayfinding - \$5425.00
8. Approval of Claims

- Reports from City Administrator and Department Heads
- Presentation – Wayfinding – Design Workshop

B. 2022-2026 Capital Improvement Program

1. Public Hearing
2. Resolution – Adoption of 2022-2026 Capital Improvement Program

C. Resolution – 84th Street Redevelopment Area Phase Tax Increment Financing – Part of Mixed Use Redevelopment Project (Action on this item will be taken by the La Vista Community Development Agency)

D. Resolution – Authorize Advertisement for Bids – 84th Street Redevelopment Area Public Improvement Redevelopment Project – Offstreet Parking District No. 2 Structure No. 2

E. 84th Street Redevelopment Area – Public Improvement and Mixed Use Redevelopment Project Areas

1. Resolution – Approve Reciprocal Construction, Grading, and Site Preparation Easement

F. 84th Street Redevelopment Area – Public Improvement and Mixed Use Redevelopment Project Areas

1. Resolution – Approve Encroachment Easement

G. Resolution – Approve Construction Managers and Authorize Request for Proposals for Central Park Pavilion and Site Improvement Facilities

H. Resolution – Approval of Professional Services Agreement – Amendment No. 11 – 84th Street and City Centre Infrastructure – Additional Services

I. Resolution – Approval of Addition to Area of Liquor License – Nebraska Brewing Company

J. Resolution – Authorize Purchase – Workiva Document Production Software

K. Resolution – Adopt Financial Policy

L. Reorganization - Building Maintenance Division

1. Resolution – Authorize Reorganization of Building Maintenance Division
2. Position Description – Public Works – Building Maintenance Division – New and Update

M. Resolution – Approve Interlocal Agreement– Prosecutorial Services – La Vista City

Code Violations

- N. Discussion – Holiday Lights**
- **O. Resolution – Approve Purchase – Dog Park Fencing**
- P. Executive Session – Contract Negotiations**
 - **Comments from the Floor**
 - **Comments from Mayor and Council**
 - **Adjournment**

****Amended June 14, 2021 4:45PM**

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

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING June 1, 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 June 1, 2021. Present were Councilmembers: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, City Engineer Dowse, Community Development Director Fountain, and Finance Director Miserez.

A notice of the meeting was given in advance thereof by publication in the Times on May 16, 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.

SERVICE AWARDS: RYAN SOUTH – 10 YEARS; DENNIS IVERSON – 25 YEARS

Mayor Kindig recognized Dennis Iverson for 25 years of service to the City and Ryan South for 10 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MAY 18, 2021 CITY COUNCIL
MEETING
3. APPROVAL OF THE MINUTES OF THE MAY 20, 2021 PLANNING
COMMISSION MEETING
4. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL
SERVICES – PLACEMAKING & LA SERVICES – \$698.52
5. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – PROFESSIONAL
SERVICES – 96TH & 108TH ST PAVEMENT REHABILITATION – \$212,900.35
6. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY –
PROFESSIONAL SERVICES – 96TH & 108TH ST PAVEMENT
REHABILITATION – \$27,388.40
7. APPROVAL OF CLAIMS

AA WHEEL & TRUCK SUPPLY INC, maint.	89.82
ACCENT DRYWALL SUPPLY CO, bid&grnds	70.56
ACCO UNLIMITED CORP, supplies	1,473.63
AMAZON, supplies	318.84
ANDERSON FORD OF LINCOLN, services	23,910.00
ANGELA HUSSMAN, refund	33.00
AT&T MOBILITY LLC, phones	97.40
AXON ENTERPRISE INC, services	2,468.30
BACON LETTUCE CREATIVE, services	3,000.00
BAUER BUILT INC, services	180.36
BERGANKDV LLC, services	2,000.00
BIBLIOTHECA LLC, media	1.39
BISHOP BUSINESS EQUIPMENT, supplies	133.34
BODY BASICS INC, services	472.00
CARROT-TOP INDUSTRIES INC, services	1,487.62
CENTER POINT INC, books	44.34
CINTAS CORP, services	168.01
CITY OF PAPILLION, services	219,476.37
CIVICPLUS, services	22,719.81
COMP CHOICE INC, services	355.00

MINUTE RECORD

June 1, 2021

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

COX COMMUNICATIONS INC, services	147.03
CULLIGAN OF OMAHA, services	9.50
D & K PRODUCTS, supplies	7,481.00
DATASHIELD CORP, services	20.00
DELL MARKETING, services	343.99
DEMCO INC, supplies	363.93
DESIGN WORKSHOP INC. services	22,690.00
DIAMOND VOGEL PAINTS, supplies	292.50
DOUGLAS COUNTY SHERIFF, services	262.50
DULTMEIER SALES LLC, maint.	68.50
EDGEWEAR SCREEN PRINTING, apparel	4,994.00
FASTENAL CO, supplies	7.20
FBG SERVICE CORP, bld&grnds	5,965.00
FIKES COMMERCIAL HYGIENE, supplies	60.00
FITZGERALD SCHORR BARMETTLER, services	28,221.70
G I CLEANERS & TAILORS, services	196.25
GALE, books	124.45
GRAYBAR ELECTRIC CO, bld&grnds	102.24
GREAT PLAINS UNIFORMS, apparel	2,960.00
HANNAH CARDEN, services	275.00
HARM'S CONCRETE INC, services	215.00
HDR ENGINEERING INC, services	532.62
HEIMES CORP, services	88.74
HELGET SAFETY, supplies	90.00
HOBBY LOBBY, supplies	45.95
HY-VEE INC, services	110.00
INDUSTRIAL SALES CO, services	1,812.22
INGRAM LIBRARY SERVICES, books	201.50
J RETZ LANDSCAPE INC, services	5,693.19
KEYMASTERS LOCKSMITH, services	26.00
LV COMM FOUNDATION, payroll	980.05
LABRIE, DONALD P, services	187.50
LARSEN SUPPLY CO, supplies	712.56
LERNER PUBLISHING GROUP, books	426.51
LG PLAYGROUNDS LLC, services	45.75
LIBRARY IDEAS LLC, books	1,636.20
LOGAN CONTRACTORS SUPPLY, bld&grnds	145.25
LOU'S SPORTING GOODS, supplies	791.94
LOVELAND GRASS PAD, bld&grnds	781.08
MANDY GRYSKIEWICZ, refund	33.00
MARC WOODLE, services	1,900.00
MENARDS-RALSTON, maint.	211.34
METRO AREA TRANSIT, services	908.00
METRO COMM COLLEGE, services	9,665.93
MICROFILM IMAGING SYSTEMS INC, services	180.00
MIDWEST TAPE, media	146.96
MIRACLE RECREATION EQUIPMENT, services	1,813.82
MOBOTREX INC, bld&grnds	4,576.00
MOTOROLA SOLUTIONS INC, services	746.90
NICHE ACADEMY LLC, services	1,600.00
ODEYS INC, services	525.85
OFFICE DEPOT INC, supplies	361.40
OMAHA COMPOUND CO, supplies	235.09
OMAHA WORLD-HERALD, services	625.22
OMNI ENGINEERING, services	124.60
PAPILLION SANITATION, services	1,249.86
PEPSI COLA CO, supplies	794.04
PER MAR SECURITY, services	131.73
PETTY CASH-, supplies	50.00
PUBLIC AGENCY TRAINING COUNCIL, services	525.00

MINUTE RECORD

June 1, 2021

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

READY MIXED CONCRETE CO, services	2,746.63
SARPY COUNTY COURTHOUSE, services	4,313.96
STOLTENBERG NURSERIES, bld&grnds	2,253.52
STREETSCAN, services	7,500.00
SUBURBAN NEWSPAPERS INC, services	813.16
SUN COUNTRY DISTRIBUTING LTD, supplies	167.93
SWAN ENGINEERING LLC, services	15.88
THE COLONIAL PRESS INC, services	9,365.37
THE NEW YORK TIMES, services	150.00
THOMPSON DREESSEN & DORNER INC, services	7,480.00
TY'S OUTDOOR POWER, services	51.13
UNITED STATES POSTAL, services	1,373.50
VOGEL TRAFFIC, services	12,812.50
WATCHGUARD INC, services	1,380.00
WESTLAKE HARDWARE INC, supplies	29.88
ZEE MEDICAL SERVICE INC, supplies	333.50

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Recreation Director Stopak reported on the pool opening and on recreation center activities.

Chief of Police Lausten reported on grant funding for defibrillators and on the search efforts for the missing La Vista boy.

Director of Public Works Soucie introduced Public Works Intern Taytum Vance and announced that Jim Ruffner's last day of work was today.

City Engineer Dowse gave an update on 108th Street project and reported that the 96th Street project will be starting June 7th.

FIRST QUARTER REPORT - SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION

Sarpy County Economic Development Corporation Executive Director Andrew Rainbolt presented the First Quarter Report.

B. ECONOMIC DEVELOPMENT PROGRAM

1. ORDINANCE – APPROVE APPLICATION SUPPLEMENT AND ADDITIONAL AWARD OF \$2,500,000 – CITY CENTRE MUSIC VENUE, LLC AND ASTRO THEATER, LLC

Councilmember Quick introduced Ordinance No. 1421 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, LA VISTA, NEBRASKA, MAKING FINDINGS; APPROVING RECOMMENDATIONS, APPLICATION SUPPLEMENT AND ADDITIONAL AWARD OF \$2.5 MILLION UNDER CITY ECONOMIC DEVELOPMENT PROGRAM FOR EVENT CENTER TO BE CONSTRUCTED BY CITY CENTRE MUSIC VENUE, LLC, SUBJECT TO SPECIFIED CONDITIONS; AUTHORIZING FURTHER ACTIONS; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

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

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1421. Councilmember Sell seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1421 be passed and adopted?" Upon roll call vote the following

MINUTE RECORD

June 1, 2021

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

Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

2. RESOLUTION – AMEND RESOLUTION NUMBER 20-032 INCREASING ECONOMIC DEVELOPMENT PROGRAM BOND PRINCIPAL TO \$5,700,000

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-056 entitled: A RESOLUTION OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND RESOLUTION NO. 20-032, TO INCREASE THE AUTHORIZED PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT FUND BONDS OF THE CITY OF LA VISTA, NEBRASKA, TO UP TO FIVE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$5,700,000) AND RELATED MATTERS.

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

Section 1. The Mayor and Council of the City of La Vista, Nebraska, hereby find and determine as follows:

(a) Resolution No. 20-032 was adopted by the Mayor and Council on March 3, 2020, (the "Original Resolution") to authorize issuance of the City's Economic Development Fund Bonds, in the aggregate principal amount of not to exceed Three Million One Hundred Thousand Dollars (\$3,100,000) (the "Bonds"). Capitalized terms used in this resolution shall have the meanings provided in the Original Resolution unless otherwise defined or amended herein.

(b) That the City has received a supplemental application from City Ventures for an increase in the EDP Grant, and the supplemental application submitted by City Ventures has been recommended for approval and the City has approved the application pursuant to an ordinance passed and approved on June 1, 2021 (the "Supplemental Grant Ordinance")

(c) the City has agreed to provide an additional grant in the amount of \$2,500,000 to assist City Ventures (the "Supplemental EDP Grant"), subject to the terms and conditions of the Grant Ordinance and Supplemental EDP Grant Ordinance, thereby making the aggregate amount of the EDP Grant and Supplemental EDP Grant \$5,500,000;

(d) the Mayor and Council hereby declare it necessary and advisable for the City to increase the amount of economic development fund bonds authorized in the Original Resolution to a maximum principal amount of Five Million Seven Hundred Thousand Dollars (\$5,700,000) for the purpose of funding the EDP Grant and Supplemental EDP Grant, and make other amendments to the Original Resolution; and

(e) all conditions, acts and things required by law to exist or to be done precedent to the issuance of such bonds do exist and have been done as required by law.

Section 2. The Original Resolution is hereby amended to increase the authorized principal amount of the Bonds to the aggregate principal amount of not to exceed Five Million Seven Hundred Thousand Dollars (\$5,700,000).

Section 3. The first paragraph of Section 2 of the Original Resolution is hereby amended and restated in its entirety as follows:

To provide funds for the Program, including the funding of the EDP Grant and Supplemental EDP Grant, there shall be and there are hereby ordered issued negotiable bonds of the City of La Vista, Nebraska, to be designated as "Economic Development Fund Bonds, Series 2021" (which may be referred to as the "2020 Bonds", the "2021 Bonds" or the "Bonds") in the aggregate principal amount of not to exceed Five Million Seven Hundred Thousand Dollars (\$5,700,000). The Bonds or any portion thereof are hereby authorized to be sold pursuant to a negotiated sale with D.A. Davidson & Co., as initial purchaser (the "Underwriter"). In connection with such sale, the Mayor, City Administrator or Director of Administrative Services (each, an "Authorized Officer") are hereby authorized to specify, determine, designate, establish and appoint, as the case may be, in one or more written designations which may be included in a bond purchase agreement (each, a "Designation"), (i) the aggregate purchase price of the Bonds (including any original issue discount or premium) and the underwriting discount

MINUTE RECORD

June 1, 2021

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

which shall not exceed 0.75% of the aggregate stated principal amount thereof, (ii) the form and contents of any bond purchase agreement in connection with such sale, (iii) the title (including series designation), dated date, aggregate principal amount (including the aggregate principal amounts of serial Bonds and term Bonds, if any), which aggregate stated principal amount shall not exceed \$5,700,000, and the final maturity date, which shall not be later than October 15, 2029, (iv) the principal amounts maturing in each year, (v) the rate or rates of interest to be borne by each principal maturity of the Bonds, provided that the true interest cost of the Bonds shall not exceed 3.0%, (vi) the principal payment dates and interest payment dates, (vii) whether the Bonds will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, including a redemption price not to exceed 104% of the principal amount then being redeemed plus accrued interest to the date of redemption, (viii) the amount and due date of each sinking fund installment for any of the Bonds issued as term Bonds, (ix) the designation of the Bond Registrar and Paying Agent (defined herein) and the form and content of any agreement between the City and such entity and (x) all other terms and provisions of the Bonds not otherwise specified or fixed by this Resolution.

Section 3. Section 10 of the Original Resolution is hereby amended and restated in its entirety as follows:

The City reserves the right to incur additional indebtedness payable from the Program on a parity with the Bonds so long as the annual obligations of the Program do not exceed an aggregate amount of \$2,000,000 per budget/fiscal year as set forth in the Program and are within other applicable limitations under Nebraska law.

Section 4. Section 14 of the Original Resolution is hereby amended and restated in its entirety as follows:

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

Section 5. Section 17 of the Original Resolution is hereby amended and restated in its entirety as follows:

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

Section 6. All documents, agreements, certificates, and instruments related to the Bonds shall be valid, binding, and enforceable against the City when executed and delivered by means of (i) an original manual signature; (ii) a faxed, scanned, or photocopied manual signature, or (iii) any other electronic signature permitted by electronic signatures laws, including any relevant provisions of the Uniform Commercial Code, in each case to the extent applicable. Each faxed, scanned, or photocopied manual signature, or other electronic signature, shall for all purposes have the same validity, legal effect, and admissibility in evidence as an original manual signature. Each document, agreement, certificate, and instrument related to the Bonds may be executed in any number of counterparts, each of which shall be deemed to be an original, but such counterparts shall, together, constitute one and the same document, agreement, certificate, or instrument, as applicable.

Section 7. Except as amended by this Resolution, the Original Resolution is hereby ratified and confirmed in all respects. All resolutions or orders, or parts thereof in conflict with the provisions of this Resolution are to be extent of such conflict hereby repealed.

Section 8. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

MINUTE RECORD

June 1, 2021

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

Section 9. This Resolution shall be in force and take effect from and after its adoption, as provided by law.

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

C. ORDINANCE – AMEND MUNICIPAL CODE § 37.13 (C) – DISCIPLINARY ACTION

Councilmember Hale introduced Ordinance No. 1422 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 37.13. DISCIPLINARY ACTIONS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; TO PUBLISH IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1422. Councilmember Sell seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1422 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

D. RESOLUTION – APPROVE FINAL PLAT – LA VISTA CITY CENTRE REPLAT FOUR – LA VISTA CITY CENTRE, LLC

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-057 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO APPROVE THE FINAL PLAT FOR LA VISTA CITY CENTRE REPLAT FOUR, A REPLAT OF LOT 13 AND OUTLOT A, LA VISTA CITY CENTRE, AND LOT 1, LA VISTA CITY CENTRE REPLAT THREE SUBDIVISIONS, AS SURVEYED, PLATTED AND RECORDED IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, TOGETHER WITH A PART OF TAX LOT 12 IN THE NORTHWEST QUARTER, ALL IN SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY.

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

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

WHEREAS, on May 20, 2021, the La Vista Planning Commission reviewed the Final Plat and recommended approval subject to the following conditions:

1. Satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate, including without limitation, any applicable notices, hearings, approvals or property conveyances.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that, subject to satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate, including without limitation, any applicable notices, hearings, approvals or property conveyances, the

MINUTE RECORD

June 1, 2021

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

Final Plat for La Vista City Centre Replat Four be, and hereby is, approved.

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

E. RESOLUTION – ROTELLA’S ITALIAN BAKERY & SUBSTANDARD DETERMINATION STUDY

Councilmember Quick introduced and moved for the adoption of Resolution No. 21-058 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA REQUESTING THE PLANNING COMMISSION MAKE A RECOMMENDATION AS TO WHETHER THE ROTELLA’S ITALIAN BAKERY REDEVELOPMENT STUDY AREA IS A SUBSTANDARD AND BLIGHTED AREA AND SUBMIT THEIR RECOMMENDATION TO THE CITY COUNCIL.

WHEREAS, the Mayor and City Council hereby find and determine: that there has been placed on file with the City Clerk a study entitled Blight and Substandard Determination Study for area referred to as the "Rotella's Italian Bakery Redevelopment Area" prepared by Hanna-Keelan (the "Study), and;

WHEREAS, under Section 18-2109, Nebraska Revised Statutes, it is necessary and appropriate to refer the Study to the Planning Commission of the City of La Vista, at its July 1st meeting, for its review and recommendations, and;

WHEREAS, the Study is hereby ordered submitted to the Planning Commission of the City for its review and recommendations, and;

WHEREAS, the City Clerk is hereby directed to set a public hearing upon the Study for the next practicable meeting of the Mayor and City Council for which notice can be given in accordance with such Section 18-2109 and 18-2115, Nebraska Revised Statutes, and which is to occur after the Planning Commission's recommendations are to be received. The City Clerk shall give notice of such hearing as required by law;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska to hereby requesting the Planning Commission make a recommendation as to whether the Rotella's Italian Bakery Redevelopment Area is a substandard and blighted area and submit their recommendation to the City Council.

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

F. RESOLUTION – APPROVE FIRST AMENDMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY – FY2020-2021 BUDGET

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-059 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING FIRST AMENDMENT TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2020-2021 BUDGET.

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 IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

MINUTE RECORD

June 1, 2021

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

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board has approved the proposed FY2020-2021 Budget Amendment, which was approved by the Agency Board at the Agency's Board Meeting on April 28, 2021; and

WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2020-2021 Budget which has been approved by the Agency Board and is attached to this Resolution as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2020-2021 Amendment Budget is hereby approved.

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

G. RESOLUTION – APPROVE BUDGET – SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2021-2022

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-060 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2021-2022 BUDGET.

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 IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board approved the proposed FY2021-2022 Budget, which was approved by the Agency Board at the Agency's Board Meeting on May 12, 2021; and

WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2021-2022 Budget which has been approved by the Agency Board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2021-2022 Budget is hereby approved.

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

H. RESOLUTION – APPROVE AWARD OF CONTRACT – LA VISTA LIBRARY & MCC SARPY CENTER ROOF REPLACEMENT

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO APPROVE AWARD OF A CONTRACT BY METROPOLITAN COMMUNITY COLLEGE FOR THE LA VISTA PUBLIC LIBRARY/METROPOLITAN COMMUNITY COLLEGE SARPY CENTER ROOF REPLACEMENT PROJECT TO BOONE BROTHERS ROOFING IN AN AMOUNT NOT TO EXCEED \$318,090.00.

WHEREAS, the Mayor and City Council have determined that the replacement of the roof is necessary; and

MINUTE RECORD

June 1, 2021

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

WHEREAS, the City of La Vista is responsible for 42% of the total project costs; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for the proposed project; 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;

WHEREAS, five bids were received by Metropolitan Community College;

Apple Roofing/Commercial Roofing	\$265,000
Boone Brother Roofing	\$276,600
10 Men Roofing, LLC	\$277,622
Kenbrooke Roofing	\$283,900
White Castle Roofing	\$394,900

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve award of a contract by Metropolitan Community College for the La Vista Public Library/Metropolitan Community College Sarpy Center roof replacement project to Boone Brothers Roofing for in an amount not to exceed \$318,090.00 with the City's portion of said contract not to exceed \$133,598.00.

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

I. RESOLUTION – AUTHORIZE AGREEMENT – CONSTRUCTION ENG. SERVICES – PARK VIEW BLVD PANEL REPLACEMENT 84TH ST TO 96TH ST

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-062 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ALFRED BENESH AND COMPANY FOR THE PROJECT MANAGEMENT, CONSTRUCTION OBSERVATION, MATERIALS TESTING, PROJECT CLOSEOUT AND PUBLIC INVOLVEMENT FOR THE PARK VIEW BOULEVARD PANEL REPLACEMENT, 84TH STREET TO 96TH STREET VARIOUS LOCATIONS PROJECT IN AN AMOUNT NOT TO EXCEED \$48,801.00.

WHEREAS, the City Council of the City of La Vista has determined that various panel replacements along Park View Boulevard between 84th Street and 96th Street are necessary; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for the proposed project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorize a Professional Services Agreement with Alfred Benesch and Company for the project management, construction observation, materials testing, project closeout and public involvement for the Park View Boulevard Panel Replacement, 84th Street to 96th Street Various Locations project in an amount not to exceed \$48,801.00.

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

MINUTE RECORD

June 1, 2021

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

J. RESOLUTION – AUTHORIZE LEASE – TEMPORARY DOG PARK FENCING

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE OF TEMPORARY DOG PARK FENCING FROM AMERICAN FENCE COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$10,579.57.

WHEREAS, the City Council of the City of La Vista has determined that the lease of temporary dog park fencing is necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for the proposed lease; 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 the City of La Vista, Nebraska, do hereby authorize the lease of temporary dog park fencing from American Fence Company, Omaha, Nebraska in an amount not to exceed \$10,579.57.

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

K. RESOLUTION – AUTHORIZE TO ADVERTISE – JANITORIAL SERVICE FOR LA VISTA FACILITIES

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-064 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF REQUEST FOR PROPOSALS FOR JANITORIAL SERVICES FOR CLEANING THE SIX (6) MUNICIPAL FACILITIES.

WHEREAS, the Mayor and Council have determined that it is desirable to take proposals for janitorial services for cleaning the city facilities; and

WHEREAS, specifications have been prepared for the request for proposals; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for these services; and

WHEREAS future year budgets will continue to provide funding for janitorial services;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the advertisement for request for proposals and the City Clerk is hereby authorized to advertise for the proposals in accordance with the specifications prepared by staff in a form and content satisfactory to the City Administrator or her designee, and said sealed proposals are due by 10:00 a.m. June 24, 2021, at City Hall, 8116 Park View Blvd., La Vista, Nebraska 68128.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

MINUTE RECORD

June 1, 2021

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

Mayor Kindig commented that it was good to see Jim Ruffner, and he thanked City Administration and the Police Department for their efforts in the search for a missing La Vista boy.

Councilmember Sell said that he and Councilmember Quick attended the 1-year anniversary ribbon cutting at Garbo's.

At 7:08 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 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
MAY 20, 2021 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, May 20th, 2021 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Wetuski called the meeting to order at 6:30 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, Harold Sargus, John Gahan, Patrick Coghlan, and Josh Frey. Members absent were: Jason Dale, Mike Circo, and Kathleen Alexander. Also, in attendance were Chris Solberg, Deputy Community Development Director; Bruce Fountain, Community Development Director; Cale Brodersen, Assistant City Planner; Meghan Engberg, Permit Technician; Rachel Carl, Assistant to City Administrator; Jeff Calentine, Deputy Director of Public Works; and Pat Dowse, City Engineer.

Legal notice of the public meeting and hearing were posted, distributed, and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order

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

2. Approval of Meeting Minutes – April 15, 2021

Malmquist moved, seconded by Sargus, to approve the April 15th, 2021 minutes. Ayes: Krzywicki, Gahan, Coghlan, Frey, Sargus, Wetuski, and Malmquist. Nays: None. Abstain: None. Absent: Dale, Circo, and Alexander. Motion Carried, (7-0)

3. Old Business

None.

4. New Business

A. Final Plat – La Vista City Centre Replat 4 – La Vista City Centre, LC

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated that the Final Plat for La Vista City Centre Replat 4 was first presented to and approved by the Planning Commission in March of 2020. However, there were delays in the project and in the recording of the Final Plat due to the pandemic. This agenda item then came before the Planning Commission again this past February because the Subdivision Regulations require that the Final Plat come back for reapproval if it is not recorded with the Sarpy County Register of Deeds within 90 days. It was approved by the Commission, but never went to City Council because staff was waiting for other items related to this project to come forward. Since the last approval in February, the

City's architect that is designing the pavilion in Central Park has requested some minor changes to the lot lines to more appropriately accommodate the City's planned facility. Staff recommends reapproval of the Final Plat for La Vista City Centre Replat 4, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, recording of redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances.

- ii. **Recommendation:** Gahan moved, seconded by Frey, to recommend approval for La Vista City Centre Replat 4 Final Plat, La Vista City Centre, LLC. **Ayes:** Krzywicki, Gahan, Coghlan, Frey, Sargus, Wetuski, and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Dale, Circo, and Alexander. **Motion Carried, (7-0)**

B. 2022-2026 Capital Improvement Plans

- i. **Staff Report- Rachel Carl & Jeff Calentine:** Calentine introduced Rachel Carl, who has recently started a new role with the City as Assistant to the City Administrator. He prefaced that Rachel will be coordinating and presenting on the Capital Improvements Plan from now on as part of her role. Carl presented the CIP for the years 2022-2026, breaking down the individual projects into 4 main categories; Streets, Sewers, Parks, and Public Facilities. Carl also updated the Commission on changes that have been made to previously programmed projects.

Calentine updated the Commission on the East La Vista Sewer Project and Pavement Rehabilitation project. He said that the project has started to gain traction and may be starting shortly. Calentine mentioned that he had submitted a needs assessment to the State of Nebraska for some loan funding for this project. The State- recently approved a 0% interest loan for this type of sanitary sewer work, and this project is eligible. Calentine said that City staff have met with HDM, who had done some preliminary design and investigative work on the original House of Nines area (Harrison St. to South 69th and east of 72nd St.) where there is some sanitary sewer work that needs to be done and we have them working on a final design for the project.

Sargus asked if every area indicated on the shown map was going to be replaced.

Calentine said that most of the sanitary sewer will be CIPP lined, but that there are some areas that will have to be dug down and point replacements will need to be done. They will be lining some of the laterals that connect to the City's main outside of their pavement, so if a homeowner must replace their sanitary line, it won't affect the pavement rehabilitation that will have recently been completed.

Gahan mentioned the street cut on Park View Blvd. and asked if that situation will be avoided in East La Vista by lining the laterals outside of the pavement.

Calentine confirmed that it would be.

Frey brought up the Cimarron Woods Project and asked why the City would be responsible for a culvert that goes under a railroad.

Dowse said that the way the project is set up, the SID is going to do majority of the work. The City is going to help with the design and permitting process.

Frey asked if there was any responsibility on the railroad's part.

Dowse said they have worked with the railroad tirelessly for the past couple of years and that the railroad feels it isn't their issue.

Fountain mentioned the planning studies included in the CIP that are going to be started and will eventually be presented to the Commission for review and recommendation. The studies will look at a land use plan update as well as a bicycle and pedestrian trails plan.

Krzywicki asked if there was anything in the packet that gave an update on the West Giles Road project to align it with Giles Rd.

Solberg said it's on their radar long-term, but it has a large dollar figure to it, and they are looking at a few different financing options to help get that completed.

ii. **Public Hearing: Wetuski opened the Public Hearing.**

Wetuski closed the Public Hearing as no members of the public came forward.

iii. **Recommendation:** Malmquist moved, seconded by Sargus, to recommend approval of the 2022-2026 Capital Improvement Plan as presented. **Ayes: Krzywicki, Gahan, Coghlan, Frey, Sargus, Wetuski, and Malmquist. Nays: None. Abstain: None.**
Absent: Dale, Circo, and Alexander. Motion Carried, (7-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission

None.

7. Comments from Staff

Fountain mentioned that the American Heritage Firearms, LLC Conditional Use Permit was approved by City Council Tuesday night, as well as the Zoning Text Amendment for the Wireless Communications Facilities update.

Fountain mentioned that the City Council is letting the facemask mandate expire May 25th and they will not be renewing it at this time. He said that CDC guidelines will be followed throughout the City and City Staff will not be required to wear facemasks if fully vaccinated. He said that Commissioners will not have to wear facemasks to meetings if they are fully vaccinated but we would encourage those who are not to continue wearing them.

Krzywicki asked if there were any future plans to livestream and keep archived online any public meetings.

Solberg said that was considered when the Council Chambers system was initially set up, but the strategic decision was made not to at that time. Solberg said that it is something they have reconsidered recently, but it just hasn't gone forward yet.

Krzywicki said that the reason he brought it up was because he has witnessed a lot of concern from La Vista residents on social media about things the City does and the more information that gets put out there, the less surprises there are when something happens.

Solberg said that La Vista's Community Relations Coordinator has done a great job with social media so far and that it's an item that's been discussed with Community Development. One idea we are exploring is an annual report to the public on past and future developments. Solberg said that multiple options are being considered and agreed that more information provided to the public would be beneficial.

8. Adjournment

Wetuski adjourned the meeting at 6:54 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date

Meeting of the Board of Directors

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

**MINUTES OF MEETING
May 10, 2021**

4:00 p.m.

Members Present:	Rose Barcal KT Nelson	Patrick Boyle Bernie Sedlacek	Brenda Gunn Joe Soucie
-------------------------	--------------------------	----------------------------------	---------------------------

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

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

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

Notice of Meeting was published by the City and College in the Times and Omaha World Herald. Moved by Gunn and seconded by Boyle to approve. Board members voting aye: Barcal, Boyle, Gunn, Nelson, Sedlacek, and Soucie. Nays: none. Absent: none. Motion approved.

Agenda Item #3: Approval of the Minutes from February 8, 2021

Moved by Gunn and seconded by Sedlacek to approve the February 8, 2021 meeting minutes. Board members voting aye: Barcal, Boyle, Gunn, Nelson, Sedlacek, and Soucie. Nays: none. Absent: none. Motion approved.

Agenda Item #4: Long Range Capital Improvement Plan

The roof project is out to bid for the building's flat roofs. The City will need roof warranties. The roof will need approval from both the City and MCC Board. Other items listed are not being pursued at this time.

Agenda Item #5: Filtration System. Update.

The City has been billed for their portion of the filtration project. It was mentioned that an analysis can be requested to see the effectiveness of the filtration system.

Agenda Item #6: Lot 2, Metro La Vista Addition.

Terms were reviewed for proposed agreement by MCC and City personnel. A copy of the proposed agreement was sent to MCC Administration for signature. Once signed, the agreement will be forwarded to the City for signature. This site is temporary and will be reviewed in November.

Agenda Item #7: Other Business

Barcal shared the Library Innovation Studio (makerspace) is up and running. Some blend of MCC classes will return to Sarpy Center: both online and in-person as of June 6th.

Barcal inquired concerning the full-time custodial position for the library. A meeting is being held about a possible job fair and filling all open positions within MCC Facilities.

Agenda Item #7: Next Meeting

The next meeting will be Monday, August 9, 2021 at 4:00 p.m. at the La Vista Public Library, Room #138.

It was moved by Gunn and seconded by Soucie to adjourn the meeting at 4:36 p.m.

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Total All Funds					% of Budget Used
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget		
OPERATING REVENUES						
General Fund	\$ 18,573,006	\$ 3,802,711	\$ 10,612,467	\$ (7,960,539)	57%	
Sewer Fund	4,469,263	404,710	2,517,330	(1,951,933)	56%	
Debt Service Fund	3,401,489	473,107	2,092,958	(1,308,531)	62%	
Capital Improvement Program Fund	387	-	0	(387)	0%	
Lottery Fund	940,945	130,633	936,782	(4,163)	100%	
Economic Development Fund	10,070	0	4	(10,066)	0%	
Off Street Parking Fund	24,111	1,925	13,913	(10,198)	58%	
Redevelopment Fund	2,038,587	137,929	1,363,365	(675,222)	67%	
Police Academy	148,423	10,504	142,870	(5,553)	96%	
TIF 1A	305,081	-	-	(305,081)	0%	
TIF 1B	418,803	-	-	(418,803)	0%	
Sewer Reserve Fund	17,747	241	2,859	(14,888)	16%	
Qualified Sinking Fund	3,757	43	513	(3,244)	14%	
Total Operating Revenues	30,351,669	4,961,805	17,683,061	(12,668,608)	58%	
OPERATING EXPENDITURES						
General Fund	19,306,753	1,737,251	10,345,209	(8,961,544)	54%	
Sewer Fund	4,034,908	76,239	1,539,362	(2,495,546)	38%	
Debt Service Fund	3,334,779	20,637	2,705,586	(629,193)	81%	
Capital Improvement Program Fund	-	-	-	-	0%	
Lottery Fund	685,187	61,147	331,443	(353,744)	48%	
Economic Development Fund	82,510	-	-	(82,510)	0%	
Off Street Parking Fund	1,098,065	12,407	719,118	(378,947)	65%	
Redevelopment Fund	1,807,575	533	363,211	(1,444,364)	20%	
Police Academy	116,612	13,259	72,146	(44,466)	62%	
TIF 1A	352,417	-	47,336	(305,081)	13%	
TIF 1B	434,083	-	15,281	(418,802)	4%	
Sewer Reserve Fund	-	-	-	-	0%	
Qualified Sinking Fund	-	-	-	-	0%	
Total Operating Expenditures	31,252,889	1,921,474	16,138,693	(15,114,196)	52%	
OPERATING REVENUES NET OF EXPENDITURES						
General Fund	(733,747)	2,065,460	267,258	1,001,005		
Sewer Fund	434,355	328,471	977,968	543,613		
Debt Service Fund	66,710	452,470	(612,628)	(679,338)		
Capital Improvement Program Fund	387	-	0	(387)		
Lottery Fund	255,758	69,486	605,338	349,580		
Economic Development Fund	(72,440)	0	4	72,444		
Off Street Parking Fund	(1,073,954)	(10,482)	(705,205)	368,749		
Redevelopment Fund	231,012	137,396	1,000,154	769,142		
Police Academy	31,811	(2,755)	70,723	38,912		
TIF 1A	(47,336)	-	(47,336)	(0)		
TIF 1B	(15,280)	-	(15,281)	(1)		
Sewer Reserve Fund	17,747	241	2,859	(14,888)		
Qualified Sinking Fund	3,757	43	513	(3,244)		
Operating Revenues Net of Expenditures	(901,220)	3,040,331	1,544,368	2,445,588		
	-	-	-	0		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

Total All Funds				
Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used

OTHER FINANCING SOURCES & USES

TRANSFERS IN

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	-	117,819	(366,626)	24%
Lottery Fund	-	-	-	-	-
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,275,065	-	727,216	(547,849)	57%
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	—	845,035	(2,168,683)	28%

TRANSFERS OUT

General Fund	(940,943)	-	(125,000)	815,943	13%
Sewer Fund	-	-	-	-	-
Debt Service Fund	(1,182,985)	-	(644,589)	538,396	54%
Capital Improvement Program Fund	-	-	-	-	-
Lottery Fund	(293,867)	-	-	293,867	0%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	(245,923)	-	(75,446)	170,477	31%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	(350,000)	-	-	350,000	0%
Qualified Sinking Fund	-	-	-	-	-
Total Transfers Out	(3,013,718)	—	(845,035)	2,168,683	28%

NET TRANSFERS

General Fund	(747,076)	-	(125,000)	622,076	17%
Sewer Fund	350,000	-	-	(350,000)	0%
Debt Service Fund	(605,154)	-	(644,589)	(39,435)	107%
Capital Improvement Program Fund	484,445	-	117,819	(366,626)	24%
Lottery Fund	(293,867)	-	-	293,867	0%
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,275,065	-	727,216	(547,849)	57%
Redevelopment Fund	(245,923)	-	(75,446)	170,477	31%
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 Seven months ending April 30, 2021
58% of the Fiscal Year 2021

Total All Funds				
Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used

OTHER REVENUE: BOND PROCEEDS

Sewer Fund	-	-	-	-
Capital Improvement Program Fund	6,490,000	981	981	(6,489,019)
Economic Development Fund	3,000,000	-	-	(3,000,000)
Off Street Parking Fund	-	-	-	-
Redevelopment Fund	9,615,000	-	1,366	(9,613,634)
Total Bond Proceeds	19,105,000	981	2,347	(19,102,653)

OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM

Sewer Fund	630,000	-	259	(629,741)	0%
Capital Improvement Program Fund	6,979,445	411,177	520,134	(6,459,311)	7%
Off Street Parking Fund	100,000	-	2,188	(97,812)	2%
Redevelopment Fund	4,181,000	10,521	69,773	(4,111,227)	2%
Total Capital Improvement Program	11,890,445	421,698	592,354	(11,298,091)	5%

OTHER EXPENDITURES: EDP GRANT

Economic Development Fund	1,000,000	-	-	(1,000,000)	0%
---------------------------	------------------	----------	----------	--------------------	-----------

NET FUND ACTIVITY

General Fund	(1,480,823)	2,065,460	142,258	1,623,081
Sewer Fund	154,355	328,471	977,709	823,354
Debt Service Fund	(538,444)	452,470	(1,257,217)	(718,773)
Capital Improvement Program Fund	(4,613)	(410,196)	(401,334)	(396,721)
Lottery Fund	(38,109)	69,486	605,338	643,447
Economic Development Fund	2,010,070	0	4	(2,010,066)
Off Street Parking Fund	101,111	(10,482)	19,823	(81,288)
Redevelopment Fund	5,419,089	126,875	856,301	(4,562,788)
Police Academy	31,811	(2,755)	70,723	38,912
TIF 1A	(47,336)	-	(47,336)	(0)
TIF 1B	(15,280)	-	(15,281)	(1)
Sewer Reserve Fund	(332,253)	241	2,859	335,112
Qualified Sinking Fund	53,757	43	513	(53,244)
Net Activity	\$ 5,313,335	2,619,614	954,361	(4,358,974)

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% 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>
FUND BALANCE	<u>As of 9/30/2021</u>		<u>As of 4/30/2021</u>		<u>Variance</u>
General Fund	6,063,848		8,738,462	2,674,614	
Sewer Fund	1,064,689		2,143,326	1,078,637	
Debt Service Fund	2,546,407		2,181,487	(364,920)	
Capital Improvement Program Fund	36,922		(439,842)	(476,764)	
Lottery Fund	3,813,883		4,486,807	672,924	
Economic Development Fund	2,017,138		7,073	(2,010,065)	
Off Street Parking Fund	165,570		34,967	(130,603)	
Redevelopment Fund	8,831,835		4,649,915	(4,181,920)	
Police Academy	58,683		102,497	43,814	
TIF 1A	-		-	-	
TIF 1B	-		-	-	
Sewer Reserve Fund	1,623,681		1,960,119	336,438	
Qualified Sinking Fund	404,998		351,986	(53,012)	
Net Fund Balance	26,627,654	-	24,216,797	(2,410,857)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	General Fund				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
REVENUES					
Property Taxes	\$ 9,393,170	\$ 2,978,863	\$ 4,631,380	\$ (4,761,790)	49%
Sales and use taxes	3,887,077	272,665	2,703,713	(1,183,364)	70%
Payments in Lieu of taxes	356,710	-	-	(356,710)	0%
State revenue	1,739,301	174,344	1,225,467	(513,834)	70%
Occupation and franchise taxes	885,022	125,462	552,746	(332,276)	62%
Hotel Occupation Tax	363,215	13,817	272,160	(91,055)	75%
Licenses and permits	457,113	44,637	359,577	(97,536)	79%
Interest income	67,207	1,931	16,376	(50,831)	24%
Recreation fees	171,782	11,695	70,098	(101,684)	41%
Special Services	24,000	4,084	14,109	(9,891)	59%
Grant Income	165,736	2,274	100,163	(65,573)	60%
Other	1,062,673	172,938	666,678	(395,995)	63%
Total Revenues	18,573,006	3,802,711	10,612,467	(7,960,539)	57%
EXPENDITURES					
Administrative Services	582,929	58,260	318,573	(264,356)	55%
Mayor and Council	220,064	15,262	109,862	(110,202)	50%
Boards & Commissions	6,335	-	1,261	(5,074)	20%
Building Maintenance	635,049	29,165	260,377	(374,672)	41%
Administration	689,538	61,619	382,267	(307,271)	55%
Police and Animal Control	5,406,114	589,913	3,307,301	(2,098,813)	61%
Fire	2,412,062	191,868	1,344,052	(1,068,010)	56%
Community Development	675,426	61,403	368,953	(306,473)	55%
Public Works	4,157,840	320,061	1,925,056	(2,232,784)	46%
Recreation	860,732	68,093	379,491	(481,241)	44%
Library	948,460	86,604	501,236	(447,224)	53%
Information Technology	399,586	37,128	171,286	(228,300)	43%
Human Resources	1,001,387	73,013	471,482	(529,905)	47%
Public Transportation	111,198	8,704	50,704	(60,494)	46%
Finance	475,544	58,695	283,812	(191,732)	60%
Communication	216,020	12,597	75,917	(140,103)	35%
Capital outlay	508,469	64,863	393,580	(114,889)	77%
Total Expenditures	19,306,753	1,737,251	10,345,209	(8,961,544)	54%
REVENUES NET OF EXPENDITURES	(733,747)	2,065,460	267,258	1,001,005	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (Lottery)	193,867	-	-	(193,867)	0%
Operating transfers out (DSF, OSP, CIP)	(940,943)	-	(125,000)	815,943	13%
Total other Financing Sources (Uses)	(747,076)	-	(125,000)	622,076	
NET FUND ACTIVITY	\$ (1,480,823)	\$ 2,065,460	\$ 142,258.0	\$ 1,623,081	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Sewer Fund					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>		
REVENUES						
User fees	\$ 4,336,482	\$ 402,715	\$ 2,492,104	\$ (1,844,378)		57%
Service charge and hook-up fees	123,065	1,625	21,600	(101,465)		18%
Miscellaneous	19	2	22	3		115%
Total Revenues	4,459,566	404,342	2,513,726	(1,945,840)		56%
EXPENDITURES						
Personnel Services	549,189	59,243	327,479	(221,710)		60%
Commodities	35,356	1,563	8,019	(27,337)		23%
Contract Services	3,065,964	10,647	1,185,512	(1,880,452)		39%
Maintenance	39,084	2,856	10,970	(28,114)		28%
Other	230	-	98	(133)		42%
Storm Water Grant	55,085	1,930	7,285	(47,800)		13%
Capital Outlay	290,000	-	-	(290,000)		0%
Total Expenditures	4,034,908	76,239	1,539,362	(2,495,546)		38%
OPERATING INCOME (LOSS)	424,658	328,103	974,364	549,706		Note 1
NON-OPERATING REVENUE (EXPENSE)						
Interest income	9,697	368	3,604	(6,093)		37%
	<u>9,697</u>	<u>368</u>	<u>3,604</u>	<u>(6,093)</u>		<u>37%</u>
INCOME (LOSS) BEFORE OPERATING TRANSFERS	434,355	328,471	977,968	543,613		
OTHER FINANCING SOURCES (USES)						
Operating transfers in (Sewer Reserve Fund & Lottery Events)	350,000	-	-	(350,000)		0%
Operating transfers out (CIP & Sewer Reserve Fund)	-	-	-	-		0%
Bond/registered warrant proceeds						0%
Capital Improvement	(630,000)	-	(259)	629,741		0%
Total other Financing Sources (Uses)	(280,000)	-	(259)	279,741		0%
NET INCOME (LOSS)	\$ 154,355	\$ 328,471	\$ 977,709	\$ 823,354		

Note 1: Restatement of Operating Income Variance

Operating Income Variance	549,706
City of Omaha billing in arrears 2 months	(440,000)
Adjusted Operating Income Variance	<u>109,706</u>

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

Debt Service Fund						
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>	

REVENUES

Property Taxes	\$ 891,190	\$ 294,265	\$ 440,154	\$ (451,036)	49%
Sales and use taxes	1,943,539	136,333	1,351,857	(591,682)	70%
Payments in Lieu of taxes	35,279	-	-	(35,279)	0%
Other (Special Assessments; Fire Reimbursement)	503,714	41,976	293,832	(209,882)	58%
Interest income	27,767	533	7,116	(20,651)	26%
Total Revenues	3,401,489	473,107	2,092,958	(1,308,531)	62%

EXPENDITURES

Administration	98,571	2,893	10,070	(88,501)	10%
Fire Contract Bond	122,906	17,744	124,508	1,602	101%
Debt service					
Principal	2,645,000	-	2,375,000	(270,000)	90%
Interest	468,302	-	196,008	(272,294)	42%
Total Expenditures	3,334,779	20,637	2,705,586	(629,193)	81%

REVENUES NET OF EXPENDITURES

REVENUES NET OF EXPENDITURES	66,710	452,470	(612,628)	(679,338)
-------------------------------------	---------------	----------------	------------------	------------------

OTHER FINANCING SOURCES (USES)

Operating transfers in (GF Hwy Alloc)	577,831	-	-	(577,831)	0%
Operating transfers out (CIP, OSP)	(1,182,985)	-	(644,589)	538,396	54%
Total other Financing Sources (Uses)	(605,154)	-	(644,589)	(39,435)	
NET FUND ACTIVITY	\$ (538,444)	\$ 452,470	\$ (1,257,217)	\$ (718,773)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Capital Fund					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>		
REVENUES						
Interest income	\$ 387	\$ -	\$ 0	\$ (387)		0%
Grant income	-	-	-	-		0%
Special assessment	-	-	-	-		0%
Other income	-	-	-	-		0%
Total Revenues	387	-	0	(387)		0%
EXPENDITURES						
Other	-	-	-	-		0%
Total Expenditures	-	-	-	-		0%
REVENUES NET OF EXPENDITURES	387	-	0	(387)		
OTHER FINANCING SOURCES (USES)						
Operating transfers in (GF, DSF)	484,445	-	117,819	(366,626)		24%
Operating transfers out (DSF)	-	-	-	-		0%
Bond/registered warrant proceeds	6,490,000	981	981	(6,489,019)		0%
Capital outlay	(6,979,445)	(411,177)	(520,134)	6,459,311		7%
Total other Financing Sources (Uses)	(5,000)	(410,196)	(401,334)	(396,334)		8027%
NET FUND ACTIVITY	\$ (4,613)	\$ (410,196)	\$ (401,334)	\$ (396,721)		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Lottery Fund					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>		
REVENUES						
Lottery Rev/Community Betterment	\$ 645,147	\$ 96,690	\$ 732,371	\$ 87,224		114%
Lottery Tax Form 51	258,067	32,727	194,545	(63,522)		75%
Interest income	37,731	1,216	9,265	(28,466)		25%
Miscellaneous / Other	-	-	600	600		0%
Total Revenues	940,945	130,633	936,782	(4,163)		100%
EXPENDITURES						
Professional Services	174,735	16,465	57,435	(117,300)		33%
Salute to Summer	150,127	11,088	27,990	(122,138)		19%
Community Events	29,840	168	24,351	(5,489)		82%
Events - Marketing	60,000	699	27,123	(32,877)		45%
Recreation Events	1,518	-	-	(1,518)		0%
Concert & Movie Nights	10,900	-	-	(10,900)		0%
State Taxes	258,067	32,727	194,545	(63,522)		75%
Total Expenditures	685,187	61,147	331,443	(353,744)		48%
REVENUES NET OF EXPENDITURES	255,758	69,486	605,338	349,580		
OTHER FINANCING SOURCES (USES)						
Operating transfers in	-	-	-	-		
Operating transfers out (GF, SF, DSF)	(293,867)	-	-	293,867		0%
Total other Financing Sources (Uses)	(293,867)	-	-	293,867		0%
NET FUND ACTIVITY	\$ (38,109)	\$ 69,486	\$ 605,338	\$ 643,447		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Economic Development				
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
<u>REVENUES</u>					
Other Income	\$ -	\$ -	\$ -	\$ -	0%
Interest income	\$ 10,070	\$ 0	\$ 4	\$ (10,066)	0%
Total Revenues	\$ 10,070	\$ 0	\$ 4	\$ (10,066)	0%
<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%
REVENUES NET OF EXPENDITURES	(72,440)	0	4	72,444	
<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%
NET FUND ACTIVITY	\$ 2,010,070	\$ 0	\$ 4	\$ (2,010,066)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% 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>						
Garage fees	\$ 23,000	\$ 1,923	\$ 13,899	\$ (9,101)	60%	
Interest income	1,111	2	14	(1,097)	1%	
Total Revenues	24,111	1,925	13,913	(10,198)	58%	
<u>EXPENDITURES</u>						
General & Administrative	160,326	12,384	100,131	(60,195)	62%	
Professional Services	780	-	375	(405)	48%	
Maintenance	32,276	23	16,071	(16,205)	50%	
Commodities	11,000	-	700	(10,300)	6%	
Debt service: (Warrants)						
Principal	695,000	-	500,000	(195,000)	72%	
Interest	198,683	-	101,841	(96,842)	51%	
Total Expenditures	1,098,065	12,407	719,118	(378,947)	65%	
REVENUES NET OF EXPENDITURES	(1,073,954)	(10,482)	(705,205)	368,749		
<u>OTHER FINANCING SOURCES (USES)</u>						
Operating transfers in (GF, DSF, RDF)	1,275,065	-	727,216	(547,849)	57%	
Operating transfers out	-	-	-	-	0%	
Bond/registered warrant proceeds	-	-	-	-	0%	
Capital Improvement	(100,000)	-	(2,188)	97,812	2%	
Total other Financing Sources (Uses)	1,175,065	-	725,028	(450,037)	62%	
NET FUND ACTIVITY	\$ 101,111	\$ (10,482)	\$ 19,823	\$ (81,288)		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Redevelopment Fund					% of Budget Used
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget		
REVENUES						
Sales and use taxes	\$ 1,943,539	\$ 136,333	\$ 1,351,856	\$ (591,683)		70%
Franchise Fee & Occupation Tax	34,657	-	-	(34,657)		0%
Interest income	60,391	1,596	11,508	(48,883)		19%
Total Revenues	2,038,587	137,929	1,363,365	(675,222)		67%
EXPENDITURES						
Professional Services	99,700	533	1,046	(98,654)		1%
Financial / Legal Fees	196,750	-	53,715	(143,036)		27%
Debt service: (Warrants)						0%
Principal	750,000	-	-	(750,000)		0%
Interest	761,125	-	308,450	(452,675)		41%
Total Expenditures	1,807,575	533	363,211	(1,444,364)		20%
REVENUES NET OF EXPENDITURES	231,012	137,396	1,000,154	769,142		
OTHER FINANCING SOURCES (USES)						
Operating transfers in	-	-	-	-		0%
Operating transfers out (OSP)	(245,923)	-	(75,446)	170,477		31%
Bond/registered warrant proceeds	9,615,000	-	1,366	(9,613,634)		0%
Capital Improvement	(4,181,000)	(10,521)	(69,773)	4,111,227		2%
Total other Financing Sources (Uses)	5,188,077	(10,521)	(143,853)	(5,331,930)		
NET FUND ACTIVITY	\$ 5,419,089	\$ 126,875	\$ 856,301	\$ (4,562,788)		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

	Police Academy Fund					% of budget Used
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget		
<u>REVENUES</u>						
Academy income	\$ 148,000	\$ 10,500	\$ 140,500	\$ (7,500)		95%
Interest income	423	4	65	(358)		
Other income	-	-	2,304	2,304		0%
Total Revenues	148,423	10,504	142,870	(5,553)		96%
<u>EXPENDITURES</u>						
Personnel Services	97,692	10,488	57,643	(40,049)		59%
Commodities	2,150	-	1,702	(448)		79%
Contract Services	11,970	283	4,552	(7,418)		38%
Other Charges	4,800	2,488	8,249	3,449		172%
Total Expenditures	116,612	13,259	72,146	(44,466)		62%
REVENUES NET OF EXPENDITURES	31,811	(2,755)	70,723	38,912		
<u>OTHER FINANCING SOURCES (USES)</u>						
Operating transfers in (GF)	-	-	-	-		0%
Operating transfers out	-	-	-	-		0%
Total other Financing Sources (Uses)	31,811	(2,755)	70,723	38,912		
NET FUND ACTIVITY	\$ 31,811	\$ (2,755)	\$ 70,723	\$ 38,912		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% 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%
<u>Total Revenues</u>					
	<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	(302,030)	14%
Contract Services	3,051	-	-	(3,051)	0%
<u>Total Expenditures</u>					
	<u>352,417</u>	<u>-</u>	<u>47,336</u>	<u>(305,081)</u>	<u>-</u>
<u>REVENUES NET OF EXPENDITURES</u>					
	<u>(47,336)</u>	<u>-</u>	<u>(47,336)</u>	<u>(0)</u>	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
<u>Total other Financing Sources (Uses)</u>					
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>NET FUND ACTIVITY</u>					
	<u>\$ (47,336)</u>	<u>\$ -</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 Seven months ending April 30, 2021
58% 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>
--	------------------------------------	-----------------------------	-----------------------------	-------------------------------------	-----------------------------------

REVENUES

Property Tax	\$ 418,803	\$ -	\$ -	\$ (418,803)	0%
Total Revenues	418,803	-	-	(418,803)	0%

EXPENDITURES

TIF Distributed Funds	429,895	-	15,281	(414,614)	4%
Contract Services	4,188	-	-	(4,188)	0%
Total Expenditures	434,083	-	15,281	(418,802)	-

REVENUES NET OF EXPENDITURES	(15,280)	-	(15,281)	(1)	
-------------------------------------	-----------------	----------	-----------------	------------	--

OTHER FINANCING SOURCES (USES)

Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	-	-	-	-	-

NET FUND ACTIVITY	\$ (15,280)	\$ -	\$ (15,281)	\$ (1)	
--------------------------	--------------------	-------------	--------------------	---------------	--

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% of the Fiscal Year 2021

Sewer Reserve Fund

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
--	-----------------------------	-----------------------------	-----------------------------	-------------------------------------	-----------------------------------

REVENUES

Interest income	\$ 17,747	\$ 241	\$ 2,859	\$ (14,888)	16%
Total Revenues	<u>17,747</u>	<u>241</u>	<u>2,859</u>	<u>(14,888)</u>	<u>16%</u>

EXPENDITURES

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

<u>REVENUES NET OF EXPENDITURES</u>	<u>17,747</u>	<u>241</u>	<u>2,859</u>	<u>(14,888)</u>	
--	----------------------	-------------------	---------------------	------------------------	--

OTHER FINANCING SOURCES (USES)

Operating transfers in	-	-	-	-	0%
Operating transfers out	(350,000)	-	-	350,000	0%
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>\$ 241</u>	<u>\$ 2,859</u>	<u>\$ 335,112</u>	
---------------------------------	----------------------------	----------------------	------------------------	--------------------------	--

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Seven months ending April 30, 2021
58% 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	\$ 43	\$ 513	\$ (3,244)	14%
Total Revenues	\$ 3,757	\$ 43	\$ 513	\$ (3,244)	14%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	-
<u>REVENUES NET OF EXPENDITURES</u>	3,757	43	513	(3,244)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	50,000	-	-	(50,000)	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	50,000	-	-	(50,000)	
<u>NET FUND ACTIVITY</u>	\$ 53,757	\$ 43	\$ 513	\$ (53,244)	



Invoice

Reference Invoice Number with Payment

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

HDR Invoice No. 1200349792
Invoice Date 26-MAY-2021
Invoice Amount Due \$550.23
Payment Terms 30 NET

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

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

RRamirez@cityoflavista.org

Project Management for Services for Public Improvements and Other Works.

Purchase Order : 20-008348

Professional Services
From: 25-APR-2021 To: 22-MAY-2021

Professional Services Summarization	Hours	Billing Rate	Amount
Communications Coordinator	0.50		48.39
Project Manager	2.00		501.84
	2.50		\$550.23
Total Professional Services			\$550.23

Amount Due This Invoice (USD)	\$550.23
-------------------------------	----------

Fee Amount	\$670,695.00
Fee Invoiced to Date	\$502,138.99
Fee Remaining	\$168,556.01

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

R. Ramirez
5/28/21

Consent Agenda 6/15/2021

Invoice

HDR Invoice No. 1200349792
Invoice Date 26-MAY-2021

Professional Services and Expense Detail

Project Number: 10053040 Project Description: LaVista-Project Mgmt Svcs
Task Number: 1.0 Task Description: Project Management

Professional Services	Hours	Billing Rate	Amount
Project Manager	Koenig, Christopher J	2.00	250.92
		2.00	\$501.84
		Total Professional Services	\$501.84
		Total Task	\$501.84

Professional Services and Expense Detail

Project Number: 10053040 Project Description: LaVista-Project Mgmt Svcs
Task Number: 3.0 Task Description: Public Outreach

Professional Services	Hours	Billing Rate	Amount
Communications Coordinator	Veldhouse, Kristen Lynn	0.50	96.78
		0.50	\$48.39
		Total Professional Services	\$48.39
		Total Task	\$48.39

Design Workshop, Inc.
Landscape Architecture
Planning
Urban Design

June 2, 2021
Invoice No: 0067370

Rita Ramirez
City of LaVista
8116 Parkview Blvd.
LaVista, NE 68128

Current Invoice Total **\$5,425.00**

Project 006515.00 La Vista Wayfinding

Purchase Order # 21-009295

Professional Services from May 1, 2021 to May 31, 2021

Task	Fee	Project Kick-off and Project Management		Earned to Date	Previous Fee Billing	Current Fee Billing
		3,500.00	95.00	3,325.00	3,150.00	175.00
Total Fee						175.00
Total this Task						\$175.00
Task	Fee	Project Context		Earned to Date	Previous Fee Billing	Current Fee Billing
		15,000.00	95.00	14,250.00	13,500.00	750.00
Total Fee						750.00
Total this Task						\$750.00
Task	Fee	Signage and Wayfinding Framework		Earned to Date	Previous Fee Billing	Current Fee Billing
		30,000.00	75.00	22,500.00	18,000.00	4,500.00
Total Fee						4,500.00
Total this Task						\$4,500.00

Rita Ramirez
6-3-21

DESIGNWORKSHOP

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

Consent Agenda 6/15/2021 (4)

Project	006515.00	La Vista Wayfinding	Invoice	0067370
Task	004	Signage and Wayfinding Plan		
Fee				
		Fee	Percent Complete	Earned to Date
				Previous Fee Billing
				Current Fee Billing
		5,500.00	0.00	0.00
				0.00
			Total Fee	0.00
				Total this Task
				0.00
Task	099	Reimbursable Expenses		
Fee				
		Fee	Percent Complete	Earned to Date
				Previous Fee Billing
				Current Fee Billing
		2,500.00	0.00	0.00
				0.00
			Total Fee	0.00
				Total this Task
				0.00
			Total this Invoice	<u>\$5,425.00</u>

Please include invoice number on remittance to:

1390 Lawrence Street, Suite 100, Denver, CO 80204

DESIGNWORKSHOP

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

DESIGNWORKSHOP

Landscape Architecture

Planning

Urban Design

Strategic Services

120 East Main Street

Aspen, Colorado 81611

970.925.8354

designworkshop.com

MEMORANDUM

To: Rita Ramirez

From: Renée Ludlam

Date: 6/02/21

Project Name: La Vista Wayfinding

Project #: 21-009295

Subject: Invoice Memo

The following is a summary of work completed as of 5/31/21

Progress Meetings

In-progress design concept reviews

Initial design concepts progression

Presentation development of concepts

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
134838	06/02/2021	ALFRED BENESCH & COMPANY	27,388.40	N
134839	06/02/2021	RDG PLANNING & DESIGN	698.52	N
134840	06/02/2021	SWAIN CONSTRUCTION INC	212,900.35	N
134841	06/10/2021	SILAS CREEK	2,000.00	N
134842	06/15/2021	3CMA MEMBERSHIP	380.00	N
134843	06/15/2021	4 SEASONS AWARDS	47.90	N
134844	06/15/2021	A-RELIEF SERVICES INC	746.00	N
134845	06/15/2021	AA WHEEL & TRUCK SUPPLY INC	16.50	N
134846	06/15/2021	ACCO UNLIMITED CORPORATION	84.95	N
134847	06/15/2021	AKRS EQUIPMENT SOLUTIONS, INC.	91.88	N
134848	06/15/2021	ALKAR BILLIARDS	1,270.00	N
134849	06/15/2021	AMAZON CAPITAL SERVICES, INC.	159.97	N
134850	06/15/2021	BAUER BUILT INC	1,386.30	N
134851	06/15/2021	BIBLIOTHECA LLC	1.98	N
134852	06/15/2021	BISHOP BUSINESS EQUIPMENT	1,244.17	N
134853	06/15/2021	BKD LLP	2,170.00	N
134854	06/15/2021	BUILDERS SUPPLY CO INC	790.40	N
134855	06/15/2021	CAVLOVIC, PAT	144.99	N
134856	06/15/2021	CINTAS CORPORATION NO. 2	288.92	N
134857	06/15/2021	COMP CHOICE INC	1,591.61	N
134858	06/15/2021	COX COMMUNICATIONS, INC.	280.55	N
134859	06/15/2021	CULLIGAN OF OMAHA	32.00	N
134860	06/15/2021	CUMMINS CENTRAL POWER LLC	663.48	N
134861	06/15/2021	DATASHIELD CORPORATION	120.00	N
134862	06/15/2021	DEMCO INCORPORATED	215.76	N
134863	06/15/2021	DONAL FISCHER	207.78	N
134864	06/15/2021	DOOLING, SHAWN A	900.00	N
134865	06/15/2021	DXP ENTERPRISES INC	29.60	N
134866	06/15/2021	EDGEWEAR SCREEN PRINTING	2,924.65	N
134867	06/15/2021	EYMAN PLUMBING INC	161.50	N
134868	06/15/2021	FASTENAL COMPANY	42.12	N
134869	06/15/2021	FBG SERVICE CORPORATION	5,965.00	N
134870	06/15/2021	FEDEX	138.97	N
134871	06/15/2021	FERGUSON ENTERPRISES INC #226	63.77	N
134872	06/15/2021	FILTER CARE OF NEBRASKA	10.25	N
134873	06/15/2021	GENERAL FIRE & SAFETY EQUIP CO	349.00	N
134874	06/15/2021	GENUINE PARTS COMPANY-OMAHA	761.13	N
134875	06/15/2021	GRAYBAR ELECTRIC COMPANY INC	47.88	N
134876	06/15/2021	HANNAH CARDEN	349.25	N
134877	06/15/2021	HARM'S CONCRETE INC	495.00	N
134878	06/15/2021	HOBBY LOBBY STORES INC	142.56	N
134879	06/15/2021	HOIT, CHRISTINE M	348.00	N
134880	06/15/2021	HOME DEPOT CREDIT SERVICES	35.94	N
134881	06/15/2021	HURST, JEAN	49.98	N
134882	06/15/2021	INGRAM LIBRARY SERVICES	1,781.34	N
134883	06/15/2021	J & J SMALL ENGINE SERVICE	724.93	N
134884	06/15/2021	JOHNSON, ALLEN L.	195.00	N
134885	06/15/2021	K ELECTRIC	1,925.08	N
134886	06/15/2021	KANOPLY, INC.	134.00	N
134887	06/15/2021	KEYMASTERS LOCKSMITH	84.00	N
134888	06/15/2021	KRIHA FLUID POWER CO INC	233.42	N
134889	06/15/2021	LABRIE, DONALD P	375.00	N
134890	06/15/2021	LEXIS NEXIS MATTHEW BENDER	83.08	N
134891	06/15/2021	LIBRARY IDEAS LLC	194.75	N
134892	06/15/2021	LOGAN CONTRACTORS SUPPLY	100.75	N
134893	06/15/2021	LOGO LOGIX EMBROIDERY & SCREEN	792.00	N
134894	06/15/2021	LOWE'S CREDIT SERVICES	498.17	N
134895	06/15/2021	MACQUEEN EQUIPMENT LLC	1,762.64	N
134896	06/15/2021	MALLOY ELECTRIC	58.62	N
134897	06/15/2021	MARCO INCORPORATED	168.00	N

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
134898	06/15/2021	MARK A KLINKER	400.00	N
134899	06/15/2021	MARTIN ASPHALT - MONARCH OIL	514.30	N
134900	06/15/2021	MARTIN MARIETTA MATERIALS, INC	91.74	N
134901	06/15/2021	MENARDS-RALSTON-CORPORATE	1,767.70	N
134902	06/15/2021	MID-IOWA SOLID WASTE EQUIP CO	163.20	N
134903	06/15/2021	MIDWEST TAPE	78.97	N
134904	06/15/2021	MIDWEST TURF & IRRIGATION	247.52	N
134905	06/15/2021	MSC INDUSTRIAL SUPPLY CO	607.65	N
134906	06/15/2021	MUNICIPAL PIPE TOOL CO LLC	1,262.47	N
134907	06/15/2021	NEBRASKA NOTARY ASSOCIATION	100.00	N
134908	06/15/2021	O'REILLY AUTO PARTS	768.22	N
134909	06/15/2021	OCLC INC	161.21	N
134910	06/15/2021	OFFICE DEPOT INC	346.76	N
134911	06/15/2021	OMNI ENGINEERING	695.54	N
134912	06/15/2021	ORIENTAL TRADING COMPANY	655.51	N
134913	06/15/2021	PAPILLION SANITATION	275.70	N
134914	06/15/2021	PEPSI COLA COMPANY	365.85	N
134915	06/15/2021	POMP'S TIRE SERVICE, INC	323.00	N
134916	06/15/2021	PSI PLASTIC GRAPHICS	484.89	N
134917	06/15/2021	QUALITY AUTO REPAIR & TOWING, IN	83.00	N
134918	06/15/2021	RDG PLANNING & DESIGN	640.00	N
134919	06/15/2021	RED WING BUSINESS ADVANTAGE ACC	300.00	N
134920	06/15/2021	REGAL AWARDS INC.	77.76	N
134921	06/15/2021	RICHARD CROWDER	20.00	N
134922	06/15/2021	RIVER CITY RECYCLING	709.50	N
134923	06/15/2021	SAPP BROS, INC.	1,684.40	N
134924	06/15/2021	SARPY COUNTY FISCAL ADMINSTRN	17,389.17	N
134925	06/15/2021	SIGN IT	100.00	N
134926	06/15/2021	STONE PLANNING LLC	1,000.00	N
134927	06/15/2021	SUBURBAN NEWSPAPERS INC	384.60	N
134928	06/15/2021	THE LIFEGUARD STORE	555.35	N
134929	06/15/2021	THE SCHEMMER ASSOCIATES INC	185.00	N
134930	06/15/2021	TRACTOR SUPPLY CREDIT PLAN	73.93	N
134931	06/15/2021	TRANS UNION RISK AND ALT. DATA S	75.00	N
134932	06/15/2021	TRUCK CENTER COMPANIES	926.58	N
134933	06/15/2021	TY'S OUTDOOR POWER & SERVICE	60.95	N
134934	06/15/2021	U.S. CELLULAR	1,822.08	N
134935	06/15/2021	UNITE PRIVATE NETWORKS LLC	8,800.00	N
134936	06/15/2021	UTILITY EQUIPMENT COMPANY	31.84	N
134937	06/15/2021	VERIZON WIRELESS	18.02	N
134938	06/15/2021	VIERREGGER ELECTRIC COMPANY	1,452.00	N
134939	06/15/2021	WALMART COMMUNITY BRC	424.81	N
134940	06/15/2021	WESTLAKE HARDWARE INC NE-022	1,692.58	N
		TOTAL:	324,664.59	

APPROVED BY COUNCIL MEMBERS ON: 06/15/2021

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #

Check Date

Vendor Name

Amount

Voided

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
1419(E)	05/25/2021	FIRST BANKCARD	2,752.66	N
1420(E)	05/25/2021	FIRST BANKCARD	899.42	N
1421(E)	05/25/2021	FIRST BANKCARD	1,918.30	N
1422(E)	05/25/2021	FIRST BANKCARD	764.16	N
1423(E)	05/25/2021	FIRST BANKCARD	2,482.87	N
1424(E)	05/25/2021	FIRST BANKCARD	3,851.39	N
1425(E)	05/25/2021	FIRST BANKCARD	115.94	N
1426(E)	05/31/2021	METROPOLITAN UTILITIES DISTRICT	2,870.63	N
1429(E)	05/31/2021	3C PAYMENT USA CORPORATION	200.00	N
1430(E)	05/31/2021	ABM INDUSTRIES, INC	9,592.29	N
1431(E)	05/31/2021	AMERICAN HERITAGE LIFE INSURANCE	1,173.35	N
1432(E)	05/31/2021	BLACK HILLS ENERGY	3,241.74	N
1433(E)	05/31/2021	BOK FINANCIAL	100,050.63	N
1434(E)	05/31/2021	CCAP AUTO LEASE LTD	449.00	N
1435(E)	05/31/2021	CCAP AUTO LEASE LTD	391.12	N
1436(E)	05/31/2021	CENTURY LINK/LUMEN	952.21	N
1437(E)	05/31/2021	CENTURY LINK/LUMEN	76.13	N
1438(E)	05/31/2021	CITIBANK COSTCO VISA	356.95	N
1439(E)	05/31/2021	DEARBORN NATIONAL LIFE INSURANC	1,240.00	N
1440(E)	05/31/2021	DEARBORN NATIONAL LIFE INSURANC	6,755.21	N
1441(E)	05/31/2021	ESSENTIAL SCREENS	682.00	N
1442(E)	05/31/2021	GREATAMERICA FINANCIAL SERVICES	2,355.31	N
1443(E)	05/31/2021	LINCOLN NATIONAL LIFE INS CO	6,486.30	N
1444(E)	05/31/2021	MEDICA INSURANCE COMPANY	114,122.89	N
1445(E)	05/31/2021	MID-AMERICAN BENEFITS INC	650.00	N
1446(E)	05/31/2021	NE DEPT OF REVENUE-SALES TAX	89.59	N
1447(E)	05/31/2021	NEBRASKA STATE TREASURER	211.00	N
1448(E)	05/31/2021	OMAHA PUBLIC POWER DISTRICT	49,011.51	N
1449(E)	05/31/2021	TOSHIBA FINANCIAL SERVICES	138.00	N
1450(E)	05/31/2021	UNITED HEALTHCARE INSURANCE CO	1,043.23	N
		TOTAL:	314,923.83	

APPROVED BY COUNCIL MEMBERS ON: 06/15/2021

COUNCIL MEMBER

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
ADOPTION OF THE 2022-2026 CAPITAL IMPROVEMENT PROGRAM (CIP)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RACHEL CARL ASSISTANT TO THE CITY ADMINISTRATOR

SYNOPSIS

A public hearing has been scheduled and a resolution has been prepared to approve the 2022-2026 Capital Improvement Program (CIP).

FISCAL IMPACT

Capital Improvement Projects recommended for funding in FY22 will be incorporated into the mid-biennium budget amendment.

RECOMMENDATION

Approval.

BACKGROUND

The Capital Improvement Program (CIP) for years 2022-2026 identifies funding for the City's critical infrastructure projects in the amount of \$25.6 million for FY22. Over the course of five years (FY22 – FY26), the City anticipates investing a total of \$48 million in public improvements. The recommended project for FY22 will be incorporated into the mid-biennium budget amendment.

Over the next five years, \$16.7 million has been programmed for Streets; \$5.8 million for Sewer; \$11.4 million for Parks; and \$14.2 for public facilities. Approximately 63% of the projects are associated with the City's strategic priority related to redevelopment of the 84th Street corridor.

The five-year CIP plan also contains a comprehensive list of unprogrammed projects totaling \$52.3 million. Projects have been included on this list that may require additional direction regarding prioritization, planning and strategy development, clarity on project timing, etc. These projects will continue to be addressed through the annual CIP review process.

As required by State Statute, the Planning Commission held a public hearing on May 20, 2021 and voted unanimously to recommend to the City Council that the 2022-2026 CIP be approved.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE 2022-2026 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR INFRASTRUCTURE AND OTHER CAPITAL IMPROVEMENTS FOR THE CITY OF LA VISTA.

WHEREAS, the City of La Vista's Capital Improvement Program (CIP) document has been prepared and presented to Council; and

WHEREAS, the La Vista Planning Commission has reviewed the 2022-2026 Capital Improvement Program (CIP) for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's 2022-2026 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the 2022-2026 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the 2022-2026 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

CAPITAL IMPROVEMENT PROGRAM (CIP)

**FIVE YEAR PLAN
FY22 - FY26**

City of La Vista, Nebraska
Capital Improvement Program

Summary of Recommended Program
FY22 - FY26

Project Name:	Project Number:	Category:	FY22	FY23	FY24	FY25	FY26	Forecast
72nd St. Storm Sewer Reroute	SEWR-22-001	Sewer	50,000	-	-	-	-	50,000
73rd Avenue Culvert Rehabilitation	STRT-23-006	Streets	-	250,000	-	-	-	250,000
120th and Giles Drainage Improvements	STRT-16-002	Streets	300,000	-	-	-	-	300,000
Annual Street Resurfacing	STRT-20-001	Streets	500,000	500,000	500,000	500,000	500,000	2,500,000
Applewood Creek Trail	PARK-19-001	Parks	600,000	-	-	-	-	600,000
Asset Management Plan	ITEC-22-001	IT	110,000	50,000	-	-	-	160,000
Bicycle & Pedestrian Plan (MAPA Grant)	CMDV-23-002	Other	-	60,000	-	-	-	60,000
Big Papio Sewer Siphon Replacement	SEWR-23-001	Sewer	-	-	100,000	350,000	-	450,000
Bridge Deck Maintenance	STRT-23-002	Streets	-	-	900,000	-	-	900,000
Business Continuity Plan	ITEC-22-002	IT	50,000	-	-	-	-	50,000
Central Park Access Road - Park View	STRT-21-002	Streets	200,000	1,050,000	-	-	-	1,250,000
Central Park Interface Improvements	PARK-18-001	Parks	6,750,000	2,000,000	-	-	-	8,750,000
Central Park Phase 3 Improvements	PARK-17-006	Parks	100,000	-	-	-	-	100,000
Cimarron Woods Aux Culvert - Design Only	STRT-22-004	Streets	50,000	-	-	-	-	50,000
City Centre Parking Structure #2	CMDV-18-002	Public Facilities	9,000,000	3,000,000	-	-	-	12,000,000
City Parking Lot Poles - Southport	STRT-24-002	Streets	-	-	-	60,000	-	60,000
City Public Wi-Fi Network	ITEC-22-003	IT	15,000	-	-	-	-	15,000
Corridor 84 Streetscape - Phases 1A & 1B	STRT-19-008	Streets	-	2,000,000	1,200,000	-	-	3,200,000
Corridor 84 Streetscape - Phases 1C (Underpass)	STRT-17-005	Streets	-	1,000,000	2,715,000	-	-	3,715,000
Data Governance	ITEC-25001	IT	-	-	-	78,000	-	78,000
Dog Park	PARK-22-002	Parks	50,000	-	-	-	-	50,000
East LV Sewer & Pavement Rehabilitation	SEWR-13-001	Sewer	5,300,000	-	-	-	-	5,300,000
Expand Existing Applications	ITEC-22-004	IT	20,000	-	-	-	-	20,000
Formalize Technology Training	ITEC-24-001	IT	-	-	48,000	-	-	48,000
Giles Rd. Traffic Flow Improvements	STRT-17-003	Streets	200,000	-	-	2,484,000	-	2,684,000
Giles Road Pavement Rehabilitation	STRT-23-009	Streets	-	750,000	-	-	-	750,000
Hell Creek Rehab - Olive Street	STRT-24-003	Streets	-	-	250,000	-	-	250,000
Holiday Lights	ADMN-22-002	Other	100,000	100,000	100,000	100,000	100,000	500,000
Land Use Plan Update	CMDV-22-001	Other	40,000	-	-	-	-	40,000
Library Parking Lot Rehabilitation	LIBR-22-001	Public Facilities	-	600,000	-	-	-	600,000
Memorial Plaza - Design	PARK-22-001	Parks	50,000	-	-	-	-	50,000
Mini Park Plan Improvements	PARK-17-001	Parks	50,000	50,000	50,000	50,000	50,000	250,000
Mobile Device Connectivity Strategy	ITEC-22-005	IT	30,000	30,000	-	-	-	60,000
Municipal Campus Improvements - Design	CTHL-15-002	Public Facilities	150,000	-	-	-	-	150,000
Storm Sewer Inlet Top Repair	STRT-19-001	Streets	-	150,000	-	-	-	150,000
Thompson Creek - 72nd to Edgewood Trail	PARK-23-002	Parks	-	54,000	20,000	290,000	-	364,000
Thompson Creek Central Park Channel & Trail	PARK-20-001	Parks	1,236,000	-	-	-	-	1,236,000
Traffic Signal Battery Backup at Signalized Intersections	STRT-21-005	Streets	56,000	-	-	-	-	56,000
Training Documentation Software	ITEC-25-002	IT	-	-	-	20,000	-	20,000
Transportation Network Study	STRT-23-004	Streets	-	-	-	50,000	-	50,000
Upgrade Conference Rooms	ITEC-23-001	IT	-	90,000	-	-	-	90,000
Wayfinding Implementation	ADMN-22-001	Public Facilities	50,000	50,000	50,000	-	-	150,000
West Papio Creek Stabilization (OPW Siphon)	STRT-22-006	Streets	500,000	-	-	-	-	500,000
Zoning/Subdivision Regulations Update	CMDV-23-001	Other	-	150,000	-	-	-	150,000
			25,557,000	11,934,000	5,933,000	3,982,000	650,000	48,056,000

City of La Vista, Nebraska
Capital Improvement Program

Summary of Unprogrammed Projects
FY22 - FY26

Unprogrammed Project Name:	Project Number:	Category:	FY22	FY23	FY24	FY25	FY26	Unprogrammed \$
66th St. Reconstruction	STRT-17-002	Streets	-	-	-	-	-	842,200
Central Park Phase 3 Improvements	PARK-17-006	Parks	-	-	-	-	-	2,000,000
Central Park West Improvements		Parks	-	-	-	-	-	4,000,000
City Centre Parking Structure #3	CMDV-20-001	Public Facilities	-	-	-	-	-	15,000,000
City Centre Plaza Space Improvements	PARK-23-001	Parks	-	-	-	-	-	3,000,000
City Park Parking Lot Improvements	PARK-19-003	Public Facilities	-	-	-	-	-	125,000
Concrete Panel Replacement	STRT-19-002	Streets	-	-	-	-	-	175,000
Corridor 84 Streetscape - Phases 2-5	STRT-19-008	Streets	-	-	-	-	-	10,653,000
Harrison St. Bridge	STRT-13-006	Streets	-	-	-	-	-	121,000
Library Carpet	LIBR-24-001	Public Facilities	-	-	-	-	-	127,000
Library Exterior Upgrades	LIBR-19-002	Public Facilities	-	-	-	-	-	80,000
Memorial Plaza - Construction	PARK-22-001	Parks	-	-	-	-	-	1,000,000
Municipal Campus Improvements - Construction	CTHL-15-002	Public Facilities	-	-	-	-	-	6,000,000
Portal Road/6th St./Cornhusker		Streets	-	-	-	-	-	1,117,010
Resurface 78th & Edgewood	STRT-23-001	Streets	-	-	-	-	-	900,000
Space Needs Study for Library	LIBR-23-001	Public Facilities	-	-	-	-	-	30,000
Sports Complex Light Rehab	SPRT-11-002	Public Facilities	-	-	-	-	-	85,000
Sports Complex Sidewalks	SPRT-20-001	Public Facilities	-	-	-	-	-	53,000
Swimming Pool	PARK-20-002	Public Facilities	-	-	-	-	-	6,700,000
Swimming Pool Demolition	PARK-20-003	Public Facilities	-	-	-	-	-	300,000
			-	-	-	-	-	52,308,210

City of La Vista, Nebraska
Capital Improvement Program
FY22 - FY26

84th Street Redevelopment

Recommended Projects by Year

● Updated Item

CIP Project Name:	FY22	FY23	FY24	FY25	FY26	Forecast
Central Park Access Roads - Park View to Edgewood	200,000	1,050,000	-	-	-	1,250,000
Central Park Interface Improvements	6,750,000	2,000,000	-	-	-	8,750,000
Central Park Phase 3 Improvements	100,000	-	-	-	-	100,000
City Centre Parking Structure #2	9,000,000	3,000,000	-	-	-	12,000,000
● Corridor 84 Streetscape - Phases 1A & 1B	-	2,000,000	1,200,000	-	-	3,200,000
● Corridor 84 Streetscape - Phase 1C (Underpass)	-	1,000,000	2,715,000	-	-	3,715,000
Thompson Creek Central Park Channel & Trail	1,236,000	-	-	-	-	1,236,000
Grand Total	17,286,000	9,050,000	3,915,000	-	-	30,251,000

Updates - 84th Street Redevelopment

Corridor 84 Streetscape - Phases 1A & 1B
Corridor 84 Streetscape - Phase 1C (Underpass)

Name Updated - \$200,000 reallocated to FY23
Name Updated (Formerly 84th St. Underpass - Construction); cost estimates updated

City of La Vista, Nebraska
Capital Improvement Program
FY22 - FY26

Public Facilities & Other

Recommended Projects by Year

■ New Item

CIP Project Name:	Category:	FY22	FY23	FY24	FY25	FY26	Forecast
■ Asset Management Plan	IT	110,000	50,000	-	-	-	160,000
■ Bicycle & Pedestrian Plan (MAPA Grant)	Other	-	60,000	-	-	-	60,000
■ Business Continuity Plan	IT	50,000	-	-	-	-	50,000
■ City Public Wi-Fi Network	IT	15,000	-	-	-	-	15,000
■ Data Governance	IT	-	-	-	78,000	-	78,000
■ Expand Existing Applications	IT	20,000	-	-	-	-	20,000
■ Formalize Technology Training	IT	-	-	48,000	-	-	48,000
■ Holiday Lights	Other	100,000	100,000	100,000	100,000	100,000	500,000
■ Land Use Plan Update	Other	40,000	-	-	-	-	40,000
Library Parking Lot Rehabilitation	Public Facilities	-	600,000	-	-	-	600,000
Memorial Plaza - Design	Parks	50,000	-	-	-	-	50,000
■ Mobile Device Connectivity Strategy	IT	30,000	30,000	-	-	-	60,000
Municipal Campus Improvements - Design	Public Facilities	150,000	-	-	-	-	150,000
■ Training Documentation Software	IT	-	-	-	20,000	-	20,000
■ Upgrade Conference Rooms	IT	-	90,000	-	-	-	90,000
■ Wayfinding Implementation	Public Facilities	50,000	50,000	50,000	-	-	150,000
Zoning/Subdivision Regulations Update	Other	-	150,000	-	-	-	150,000
Grand Total		615,000	1,130,000	198,000	198,000	100,000	2,241,000

City of La Vista, Nebraska
Capital Improvement Program
FY22 - FY26

Parks

Recommended Projects by Year

■ New Item

CIP Project Name:	FY22	FY23	FY24	FY25	FY26	Forecast
Applewood Creek Trail	600,000	-	-	-	-	600,000
■ Dog Park	50,000	-	-	-	-	50,000
Mini Park Plan Improvements	50,000	50,000	50,000	50,000	50,000	250,000
Thompson Creek - 72nd to Edgewood Trail	-	54,000	20,000	290,000	-	364,000
Grand Total	700,000	104,000	70,000	340,000	50,000	1,264,000

City of La Vista, Nebraska
Capital Improvement Program
FY22 - FY26

Sewer

Recommended Projects by Year

CIP Project Name:	FY22	FY23	FY24	FY25	FY26	Forecast
Big Papio Sewer Siphon Replacement	-	-	100,000	350,000	-	450,000
East LV Sewer & Pavement Rehabilitation	5,300,000	-	-	-	-	5,300,000
Grand Total	5,300,000	-	100,000	350,000	-	5,750,000

City of La Vista, Nebraska
Capital Improvement Program
FY22 - FY26

Streets

● Updated Item

Recommended Projects by Year

CIP Project Name:	FY22	FY23	FY24	FY25	FY26	Forecast
72nd St. Storm Sewer Reroute	50,000	-	-	-	-	50,000
■ 73rd Avenue Culvert Rehabilitation	-	250,000	-	-	-	250,000
● ■ 120th and Giles Drainage Improvements	300,000	-	-	-	-	300,000
Annual Street Resurfacing	500,000	500,000	500,000	500,000	500,000	2,500,000
Bridge Deck Maintenance	-	-	900,000	-	-	900,000
■ Cimarron Woods Aux Culvert - Design Only	50,000	-	-	-	-	50,000
City Parking Lot Poles - Southport	-	-	-	60,000	-	60,000
Giles Rd. Traffic Flow Improvements	200,000	-	-	2,484,000	-	2,684,000
■ Giles Road Pavement Rehabilitation	-	750,000	-	-	-	750,000
■ Hell Creek Rehab - Olive Street	-	-	250,000	-	-	250,000
Storm Sewer Inlet Top Repair	-	150,000	-	-	-	150,000
Traffic Signal Battery Backup at Signalized Intersections	56,000	-	-	-	-	56,000
Transportation Network Study	-	-	-	50,000	-	50,000
■ West Papio Creek Stabilization (OPW Siphon)	500,000	-	-	-	-	500,000
Grand Total	1,656,000	1,650,000	1,650,000	3,094,000	500,000	8,550,000

Updates - Streets

120th and Giles Drainage Improvements

Formerly City Parking Lot Service Road

Project Detail Sheets

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	73rd Avenue Culvert Rehabilitation	Project Year							
Project Type	Street Rehab	Department	Public Works						
Project Description	Line existing 84" diameter culvert and grout at headwalls.								
Category	Streets/Storm Sewer		Priority	High		Useful Life	20-50 years		
Project Justification	Culvert was inspected in 2020 and was found to have piping issues. Culvert lining is the least intrusive and cost effect measure to lengthen the service life of the culvert.								
Operational Impact	Culvert will remain in service and reduce the likelihood of maintenance issues moving forward.								

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design				50,000			
ROW/Land Acquisition							
Construction Costs				200,000			
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	0	0	0	250,000	0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund				250,000			
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	0	250,000	0	0	0

Is this project part of the City's Comprehensive Plan? No
 Is this project part of the City's Park & Rec Master Plan? No
 Is this project part of the City's One & Six Year Road Plan? No
 Is this project part of the City's Municipal Facilities Plan? N/A
 Is this project part of the City's IT Plan? N/A

Please attach a GIS map and/or photographs showing the location of the proposed project

73rd Avenue Culvert Lining



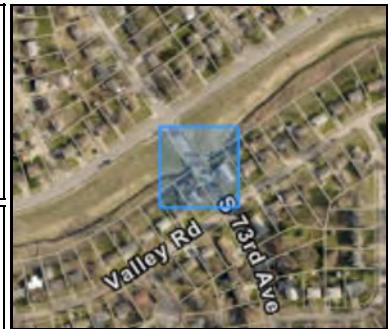
Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

Notes



Map Scale 1: 478

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Asset Management Plan	Project Year	2022
Project Type	IT Strategic Plan - Initiative T	Department	Information Technology
Project Description	Create an Enterprise Asset Management (EAM) Plan		
Category	Information Technology	Priority	Critical
		Useful Life	10+ years
Project Justification	An effective EAM plan seeks to maximize asset lifecycles through a combination of preventive maintenance and regular replacement schedules. Monitoring assets in this way helps to ensure that capital investments made are maximized over time and typically extends the life of the assets.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings	135,000		110,000	25,000			
Vehicles							
Other							
Total Estimated Cost	135,000	0	110,000	25,000	0	0	0

Budget Impact			2022	2023	2024	2025	2026
Insurance							
Maintenance	100,000			25,000	25,000	25,000	25,000
Other							
Staff (Salary, Benefits)							
Utilities							

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund	100,000			25,000	25,000	25,000	25,000
Grants							
Inter-Agency Transfers							
Lottery	135,000		110,000	25,000			
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	235,000	0	110,000	50,000	25,000	25,000	25,000

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Bicycle & Pedestrian Plan	Project Year	2023
Project Type	Plan/Study	Department	Community Development
Project Description	Comprehensive bicycle and pedestrian trails plan for La Vista that would identify opportunities for sidewalk and trail connections, create standards for trail development, establish priority phasing, and provide cost estimates for priority segments.	Contact	Cale Brodersen, Assistant Planner
Category	Public Facilities	Priority	Useful Life
Project Justification	This plan is a necessary first step in the improvement of La Vista's trail system and the establishment of a connected, safe, and efficient multi-modal transportation system. This project directly supports every goal listed in the "Move About" section of La Vista's Comprehensive Plan. The project deliverable will guide the construction of future trails in La Vista to create additional opportunities for recreation, access to employment and services, and economic development generation.		
Operational Impact	N/A		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study				60,000			
Engineering Design					.		
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	0	0	0	60,000	0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund				12,000			
Grants				48,000			
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	0	60,000	0	0	0

Is this project part of the City's Comprehensive Plan? **YES**
 Is this project part of the City's Park & Rec Master Plan? **No**
 Is this project part of the City's One & Six Year Road Plan? **No**
 Is this project part of the City's Municipal Facilities Plan? **No**
 Is this project part of the City's IT Plan? **No**

Please attach a GIS map and/or photographs showing the location of the proposed project

N/A

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Business Continuity Plan	Project Year	2021
Project Type	IT Strategic Plan - Initiative N	Department	Information Technology
Project Description	Develop a Business Continuity Plan		
Category	Information Technology	Priority	Critical
Project Justification	To develop a Business Continuity and Disaster Recovery Recovery Plan to capture roles, responsibilities and workflows for both internal and external entities in the event of a crisis.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study	75,000	25,000	50,000				
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	75,000	25,000	50,000	0	0	0	0

Budget Impact			2022	2023	2024	2025	2026
Insurance							
Maintenance							
Other							
Staff (Salary, Benefits)							
Utilities							

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund							
Grants							
Inter-Agency Transfers							
Lottery	75,000	25,000	50,000				
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	75,000	25,000	50,000	0	0	0	0

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Cimarron Woods Auxiliary Culvert (Design and Permitting)	Project Year	2022
Project Type	Drainage	Department	Public Works
Project Description	Cimarron Woods is working to design and construct an auxiliary culvert near the existing 52" diameter culvert crossing through the BNSF property.	Contact	Pat Dowse
Category	Parks	Priority	High
Project Justification	Project is for design review and permitting costs for the BNSF Crossing. Cimarron Woods SID is the to be the Lead Agent pursuant to a future interlocal agreement.	Useful Life	50 Years
Operational Impact	Project will reduce the likelihood of the existing culvert being inoperable due to debris or other blockages by allowing for greater flows through the culvert during heavy rains.		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design	50,000		50,000				
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	50,000	0	50,000		0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds			50,000				
General Fund							
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	50,000	0	0	0	0

Is this project part of the City's Comprehensive Plan?

No

Is this project part of the City's Park & Rec Master Plan?

Check - Not currently on system.

Is this project part of the City's One & Six Year Road Plan?

N/A

Is this project part of the City's Municipal Facilities Plan?

N/A

Is this project part of the City's IT Plan?

N/A

Please attach a GIS map and/or photographs showing the location of the proposed project



Sarpy County, Nebraska | Esri, Inc. | City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

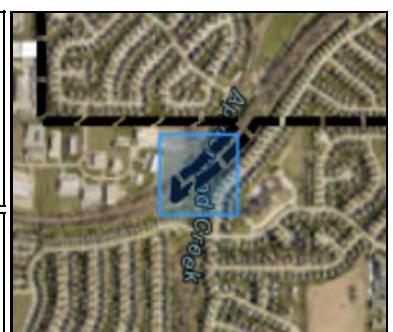
Notes



0 150 300
ft

Map Scale 1: 1592

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Capital Improvement Program
2022-2026
Project Detail



Project Title	City Public Wi-Fi Network	Project Year	2024
Project Type	IT Strategic Plan - Initiative Q	Department	Information Technology
Project Description	Upgrade, expand and segregate the City Public Wi-Fi network		
Category	Information Technology	Priority	High
Project Justification	Currently the Wi-Fi available to the public uses the same network access points as the internal network. To enhance security, the public Wi-Fi should be on a separate network that runs on dedicated public access points, switches, and internet. There is also a need to expand Wi-Fi access for staff and citizens to more locations, such as identified City locations and public spaces, like parks.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings	15,000		15,000				
Vehicles							
Other							
Total Estimated Cost	15,000	0	15,000	0	0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance	24,000		6,000	6,000	6,000	6,000
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund	24,000			6,000	6,000	6,000	6,000
Grants	15,000		15,000				
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	39,000	0	15,000	6,000	6,000	6,000	6,000

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



Project Title	Data Governance	Project Year	2025
Project Type	IT Strategic Plan - Initiative F	Department	Information Technology
Project Description	Improve the data governance framework at the City		
Category	Information Technology	Priority	Medium
Project Justification	By improving data governance, the City would improve the development and promotion of document retention policies, integration between software, reduce data duplication, and consolidate databases. Cost is for hiring a firm to provide professional services to support this initiative.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study	78,000					78,000	
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	78,000	0	0	0	0	78,000	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund							
Grants							
Inter-Agency Transfers							
Lottery	78,000					78,000	
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	78,000	0	0	0	0	78,000	0

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Expand Existing Applications	Project Year	2022
Project Type	IT Strategic Plan - Initiative K	Department	Information Technology
Project Description	Expand the use of existing applications through implementation of additional modules and upgrading to the latest versions of software.		
Category	Information Technology	Priority	Critical
		Useful Life	5 years
Project Justification	Software applications have not been optimally configured or fully implemented. Maximizing the City's applications will allow staff to work as effectively and efficiently as possible, increasing the value of the City's applications.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other	50,000	30,000	20,000				
Total Estimated Cost	50,000	30,000	20,000	0	0	0	0

Budget Impact			2022	2023	2024	2025	2026
Insurance							
Maintenance							
Other							
Staff (Salary, Benefits)							
Utilities							

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund	50,000	30,000	20,000				
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	50,000	30,000	20,000	0	0	0	0

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



Project Title	Formalize Technology Training	Project Year	2024
Project Type	IT Strategic Plan - Initiative G	Department	Information Technology
Project Description	Formalize end-user technology training		
Category	Information Technology	Priority	Medium
Project Justification	<p>Technology training needs improvement throughout the City. Developing an education strategy will help ensure staff have appropriate knowledge of the technology that is available to them. The formalization of a training plan will benefit the City by providing a greater knowledge base and allow staff to maximize the City's investment in technology. In conjunction with Initiative S, the City would procure a Learning Management System that would facilitate much of the training needs and recordkeeping.</p>		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study	48,000				48,000		
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	48,000	0	0	0	48,000	0	0

Budget Impact			2022	2023	2024	2025	2026
Insurance							
Maintenance		16,000				8,000	8,000
Other							
Staff (Salary, Benefits)							
Utilities							

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund		16,000				8,000	8,000
Grants							
Inter-Agency Transfers							
Lottery		48,000			48,000		
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	64,000	0	0	0	48,000	8,000	8,000

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

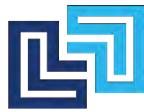
Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Giles Road Pavement Rehabilitation	Project Year	FY 23
Project Type	Street Rehab/Overlay	Department	Public Works
Project Description	Mill and overlay Giles Road eastbound and westbound from Southport Pkwy to the east bridge approach over I-80		
Category	Streets	Priority	Med
Project Justification	Existing pavement showing signs of deterioration in the joints, similar to areas adjacent that were had overlay work completed approximately 3 years ago (led by NDOT).		
Operational Impact	Overlay will reduce the maintenance burden.		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design	75,000			75,000			
ROW/Land Acquisition							
Construction Costs	675,000			675,000			
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	750,000	0	0	750,000	0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund				750,000			
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	0	750,000	0	0	0

Is this project part of the City's Comprehensive Plan?

Yes - Check comp plan for "safe and efficient streets" language

Is this project part of the City's Park & Rec Master Plan?

N/A

Is this project part of the City's One & Six Year Road Plan?

No

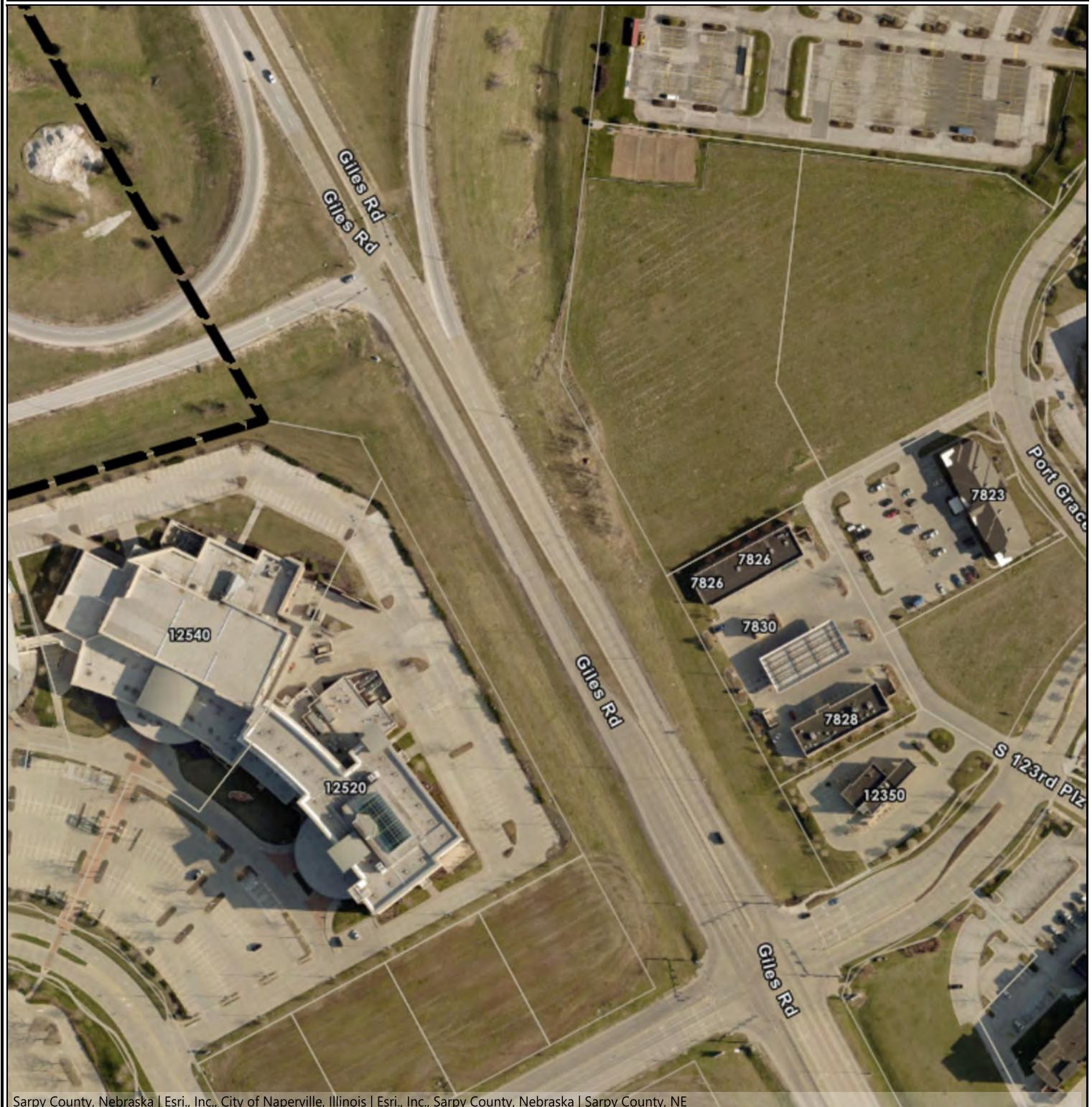
Is this project part of the City's Municipal Facilities Plan?

N/A

Is this project part of the City's IT Plan?

N/A

Please attach a GIS map and/or photographs showing the location of the proposed project



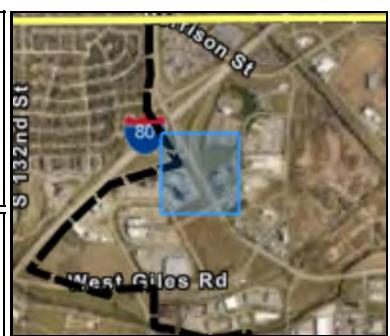
Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

Notes



Map Scale 1: 3185

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Hell Creek Rehab - Olive Street Bridge	Project Year	2024
Project Type	Creek Rehabilitation	Department	Public Works
Project Description	Correct stream sloughing and pier undermining near the bridge at Olive St		
Category	Street	Priority	Med
Useful Life	10-20 Years		
Project Justification	Per the 2020 bridge inspection report, there is some pier undermining and sloughing banks that will impact the structure if not addressed. This rehab work is an interim condition prior to the Phase 2 Rehabilitation Project.		
Operational Impact	Project will reduce the likelihood of serious maintenance issues due to continued channel degradation.		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design	50,000				50,000		
ROW/Land Acquisition					200,000		
Construction Costs	200,000						
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	250,000	0	0		250,000	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund					250,000		
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	0	0	250,000	0	0

Is this project part of the City's Comprehensive Plan?

Check - likely

Is this project part of the City's Park & Rec Master Plan?

Check

Is this project part of the City's One & Six Year Road Plan?

No

Is this project part of the City's Municipal Facilities Plan?

N/A

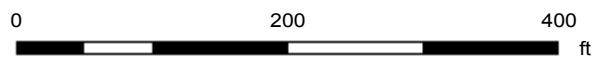
Is this project part of the City's IT Plan?

N/A

Please attach a GIS map and/or photographs showing the location of the proposed project

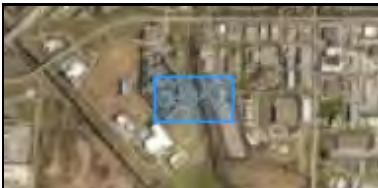


Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 2257

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes



Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Land Use Plan Update	Project Year	2022
Project Type	Plan/Study	Department	Community Development
Contact	Bruce Fountain, CD Director		
Project Description	The project will take a close look at land use designations of the Comprehensive Plan within the City's jurisdiction and make recommendations for any changes due to changing economic factors and development trends.		
Category	Public Facilities	Priority	High
Project Justification	There have been extensive changes in the economy related to commercial, industrial, office and multi-family housing development in recent years which have been even more acute since the COVID pandemic. The City's land use plan needs to be re-evaluated to adjust to these extensive market changes as necessary to be prepared for future development to serve the needs of the community. The deliverable of the study will be an updated Future Land Use Map that better provides for the appropriate types of development throughout the City.		
Operational Impact	N/A		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study			40,000				
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	0	0	40,000	0	0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund			40,000				
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	40,000	0	0	0	0

Is this project part of the City's Comprehensive Plan? **YES**

Is this project part of the City's Park & Rec Master Plan? **No**

Is this project part of the City's One & Six Year Road Plan? **No**

Is this project part of the City's Municipal Facilities Plan? **No**

Is this project part of the City's IT Plan? **No**

Please attach a GIS map and/or photographs showing the location of the proposed project

N/A

Capital Improvement Program

2022-2026

Project Detail



Project Title	Mobile Device Connectivity Strategy	Project Year	2022
Project Type	IT Strategic Plan - Initiative A	Department	Information Technology
Project Description	Develop a mobile device and connectivity strategy for City staff working in the field		
Category	Information Technology	Priority	Critical
Project Justification	Develop a mobile device and connectivity strategy to support mobile connectivity for staff working in the field. For example, building inspectors, public works, and code enforcement staff would ideally be able to perform all work on a mobile device without the need to travel back to the office.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings	30,000		15,000	15,000			
Vehicles							
Other							
Total Estimated Cost	30,000	0	15,000	15,000	0	0	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other (Professional Labor)	30,000		15,000	15,000		
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund							
Grants							
Inter-Agency Transfers							
Lottery	60,000		30,000	30,000			
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	60,000	0	30,000	30,000	0	0	0

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Portal Road/6th Street/Cornhusker	Project Year	
Project Type	Roadway Widening	Department	Public Works
Project Description	As part of Papillion's STBG Grant Application, the contemplated 3rd phase of work would be the widening of Portal Road from 108th Street and Giles Road to 97th Street and Portal Road		
Category	Streets	Priority	Low
			Useful Life 50 Years
Project Justification	As La Vista shares certain operations and maintenance responsibilities with the Papillion for this segment of roadway, La Vista will likely bear a portion of the costs of the project, to be later determined by interlocal agreement. Estimate 10% share for City of La Vista.		
Operational Impact	Project will increase traffic capacity of the roadway segment.		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study						42,420	
Engineering Design						84,840	
ROW/Land Acquisition						63,000	
Construction Costs						856,050	
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other						70,700	
Total Estimated Cost		0	0	0	0	1,117,010	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance						
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds						1,117,010	
General Fund							
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding		0	0	0	0	1,117,010	0

Is this project part of the City's Comprehensive Plan?

Check "safe & efficient" roadways language.

Is this project part of the City's Park & Rec Master Plan?

No

Is this project part of the City's One & Six Year Road Plan?

No

Is this project part of the City's Municipal Facilities Plan?

N/A

Is this project part of the City's IT Plan?

N/A

Please attach a GIS map and/or photographs showing the location of the proposed project

Figure 9.

Plan View - Portal Road - Giles Rd to 97th St



Capital Improvement Program

2022-2026

Project Detail



Project Title	Training Documentation Software	Project Year	2025
Project Type	IT Strategic Plan - Initiative S	Department	Information Technology
Project Description	Identify software to document employee training and certifications		
Category	Information Technology	Priority	Medium
Project Justification	<p>Individual department and employees are tracking their own training, licenses and certifications. Best practices dictate all employee training, licensing and certifications be centralized.</p> <p>Implementing software to manage and track these items will more effectively ensure staff are meeting their educational requirements, renewing certifications and licenses, and provide advanced notifications of expiration dates.</p>		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings	20,000					20,000	
Vehicles							
Other							
Total Estimated Cost	20,000	0	0	0	0	20,000	0

Budget Impact		2022	2023	2024	2025	2026
Insurance						
Maintenance	20,000					20,000
Other						
Staff (Salary, Benefits)						
Utilities						

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund	40,000					20,000	20,000
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	40,000	0	0	0	0	20,000	20,000

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	Upgrade Conference Rooms	Project Year	2023
Project Type	IT Strategic Plan - Initiative C	Department	Information Technology
Project Description	Create and implement a conference room technology upgrade and replacement plan		
Category	Information Technology	Priority	High
			Useful Life 3-7 years
Project Justification	Having a documented conference room technology replacement plan helps the City monitor all conference rooms so that the City stays current with technology needs and minimizes disruptions due to technology failures.		

Operational Impact

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs							
Legal Expenses							
Equipment/Furnishings	90,000			90,000			
Vehicles							
Other							
Total Estimated Cost	90,000	0	0	90,000	0	0	0

Budget Impact			2022	2023	2024	2025	2026
Insurance							
Maintenance	33,000				11,000	11,000	11,000
Other							
Staff (Salary, Benefits)							
Utilities							

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund	33,000				11,000	11,000	11,000
Grants							
Inter-Agency Transfers							
Lottery	90,000			90,000			
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	123,000	0	0	90,000	11,000	11,000	11,000

Is this project part of the City's Comprehensive Plan?

Is this project part of the City's Park & Rec Master Plan?

Is this project part of the City's One & Six Year Road Plan?

Is this project part of the City's Municipal Facilities Plan?

Is this project part of the City's IT Plan? Yes

Please attach a GIS map and/or photographs showing the location of the proposed project

Capital Improvement Program

2022-2026

Project Detail



LA VISTA

Project Title	West Papio Creek Stabilization (OPW Syphon)	Project Year	2022
Project Type	Drainage	Department	Public Works
Project Description	As part of the Omaha Public Work's work involving the syphon replacement for the Stonybrook sanitary sewer outfall, which is an opportunity to include channel stabilization measures.		
Category	Streets	Priority	Low
Project Justification	Project will reduce the likelihood of asset damage to the Giles Road Bridge and West Papio Trail that was completed in 2019. Current costs are unknown as the OPW project was kicked off in early March.		
Operational Impact	Project will reduce the likelihood of major maintenance issues related to channel degradation upstream of the Giles Road bridge.		

Expense Categories	Project						
	Costs	2021/Prior	2022	2023	2024	2025	2026
Planning/Study							
Engineering Design							
ROW/Land Acquisition							
Construction Costs	500,000		500,000				
Legal Expenses							
Equipment/Furnishings							
Vehicles							
Other							
Total Estimated Cost	500,000	0	500,000		0	0	0

Budget Impact			2022	2023	2024	2025	2026
Insurance							
Maintenance							
Other							
Staff (Salary, Benefits)							
Utilities							

Funding Sources	Project						
	Funding	2021/Prior	2022	2023	2024	2025	2026
Federal Funding							
G.O. Bonds							
General Fund			500,000				
Grants							
Inter-Agency Transfers							
Lottery							
Other							
Public Safety Bonds							
Sales Tax							
Sewer Fund							
TIF							
Warrants							
Total Estimated Funding	0	0	500,000	0	0	0	0

Is this project part of the City's Comprehensive Plan?

Check "safe and efficient streets" language

Is this project part of the City's Park & Rec Master Plan?

No

Is this project part of the City's One & Six Year Road Plan?

No

Is this project part of the City's Municipal Facilities Plan?

N/A

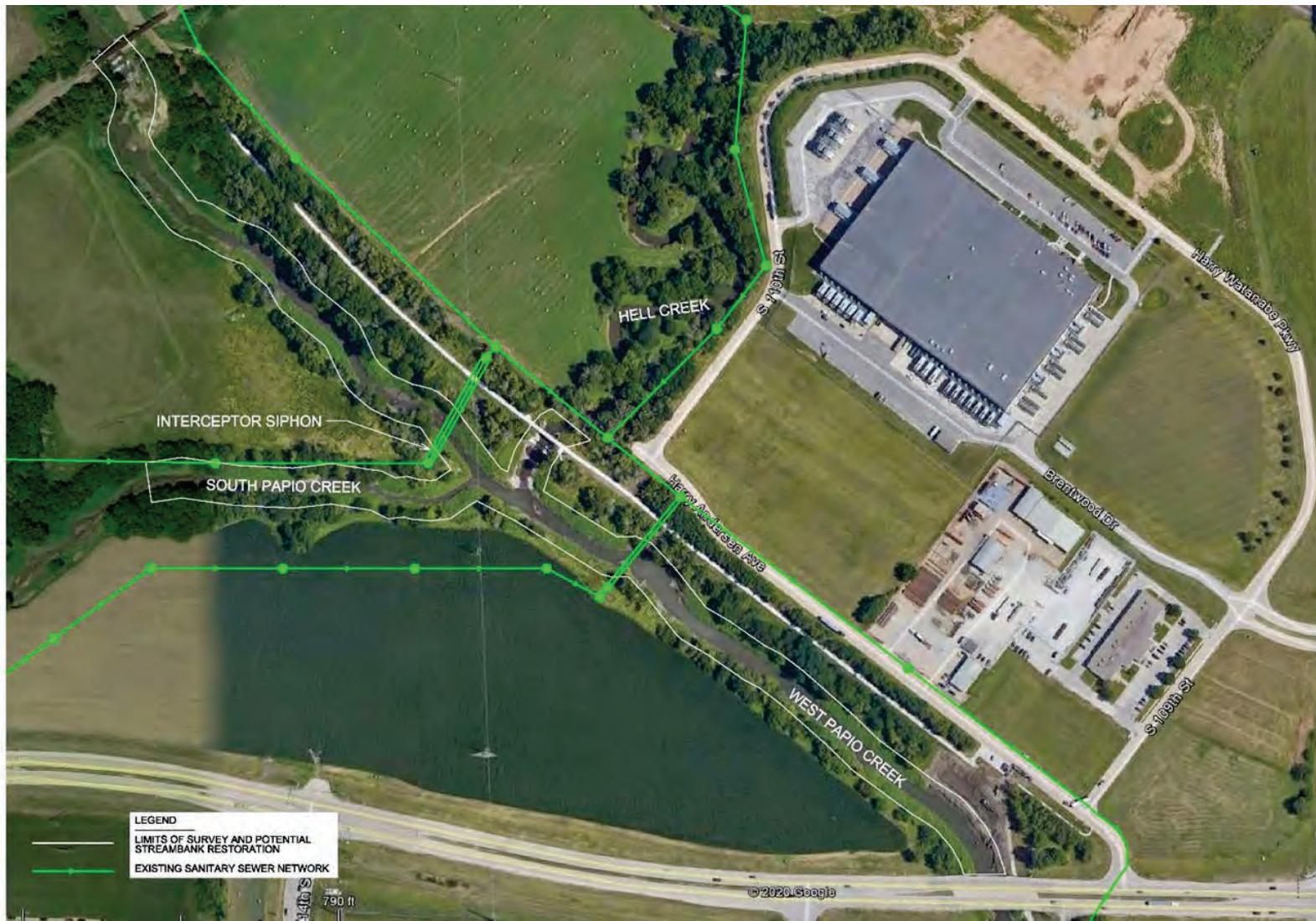
Is this project part of the City's IT Plan?

N/A

Please attach a GIS map and/or photographs showing the location of the proposed project

Snyder Sheet

Proposed Project Limits



CITY OF LA VISTA
LA VISTA COMMUNITY DEVELOPMENT AGENCY REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
84 TH STREET REDEVELOPMENT AREA TAX INCREMENT FINANCING – PART OF MIXED USE REDEVELOPMENT PROJECT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared to approve tax increment financing (TIF) and issuance of Tax Increment Revenue Note for part of the mixed use redevelopment project – 84th Street Redevelopment Area.

FISCAL IMPACT

The incremental increase in ad valorem taxes on the redeveloped lots will be the only public funds used to repay the TIF notes.

RECOMMENDATION

Approve.

BACKGROUND

The Redevelopment Plan for the 84th Street Redevelopment Area as amended (“Redevelopment Plan”) includes a multi-year mixed use redevelopment project and related tax increment financing pursuant to Neb. Rev. Stat. Section 18-2147 to be developed in multiple stages in the vicinity of 84th Street and Brentwood Boulevard (“Mixed Use Redevelopment Project”). The Agency in recommending the Redevelopment Plan conducted a cost-benefit analysis which included all stages. City Council in approving the Redevelopment Plan found that the Redevelopment Plan and Mixed Use Redevelopment Project, including all stages, satisfied applicable statutory requirements. The Agency entered a redevelopment contract, as amended, with La Vista City Centre, LLC (“Redeveloper”) for the Mixed Use Redevelopment Project and tax increment financing for all stages of such project (“Redevelopment Contract”). Developer through an affiliated entity requests tax increment financing and issuance of related Notes in connection with commencement of an additional stage of the Mixed Use Redevelopment Project as on file with the City Clerk. This resolution corresponds to development and related tax increment financing of Lot 3, La Vista City Centre Replat 4 in 2020.

RESOLUTION NO. _____

OF THE

LA VISTA COMMUNITY DEVELOPMENT AGENCY

ADOPTED JUNE 15, 2021

**\$3,000,000
TAX INCREMENT REVENUE NOTE
(LA VISTA CITY CENTRE PROJECT)
SERIES 2021**

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ISSUANCE OF A TAX INCREMENT REVENUE NOTE (LA VISTA CITY CENTRE PROJECT), SERIES 2021, OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, FOR THE PURPOSE OF PAYING CERTAIN PROJECT COSTS IN CONNECTION WITH A REDEVELOPMENT PROJECT; PRESCRIBING THE FORM AND DETAILS OF SUCH NOTE AND THE COVENANTS AND AGREEMENTS MADE BY THE AGENCY TO FACILITATE AND PROTECT THE PAYMENT THEREOF; AND PRESCRIBING OTHER MATTERS RELATING THERETO

WHEREAS, the City of La Vista (the “**City**”) has established a community development agency (the “**Agency**”) under Chapter 18, Article 21, Reissue Revised States of Nebraska, as amended (the “**Act**”);

WHEREAS, the Act prescribes the requirements and procedures for the planning and implementation of redevelopment projects;

WHEREAS, pursuant to the Act and upon the recommendation of the Planning Commission, the Redevelopment Area was previously declared to be blighted and substandard and in need of redevelopment pursuant to the Act;

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

WHEREAS, pursuant to the Act and upon the recommendation of the Agency and of the Planning Commission, the City Council approved the Redevelopment Plan for the Redevelopment Area, as amended by Amendment No. 1 and Amendment No. 2 and including a multi-year mixed use redevelopment project (the “**Mixed Use Redevelopment Project**”) and related tax increment financing pursuant to Neb. Rev. Stat. Section 18-2147 to be developed in phases in the vicinity of 84th Street and Brentwood Boulevard;

WHEREAS, pursuant to the Act the Agency approved the Redevelopment Agreement, a redevelopment contract between the Agency and La Vista City Centre, LLC, a Nebraska limited liability company, and its assignee City Centre Music Venue, LLC, a Nebraska limited liability company, (together, the “**ReDeveloper**”), and authorized the Redeveloper to undertake all phases of the Mixed Use Redevelopment Project, including the Project (hereinafter defined), and related tax increment financing within the Project Area (hereinafter defined) in accordance with the Act;

WHEREAS, the Redevelopment Plan and Agreement provide, among other things, that the Agency will issue debt to be secured by moneys in the TIF Revenue Fund for the purpose of paying a portion of the Project Costs (hereinafter defined) for the Project; and

WHEREAS, in connection with commencement of an additional phase of the Mixed Use Redevelopment Project, it is necessary, desirable, advisable, and in the best interest of the Agency to issue the Community Redevelopment Tax Increment Revenue Note (La Vista City Centre Project), Series 2021 (the “**Note**”), in the principal amount of \$3,000,000 to pay a portion of the Project Costs, to pay the costs of issuing the Note, and to be issued and secured in the form and manner as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACTING AS THE COMMUNITY DEVELOPMENT AGENCY, AS FOLLOWS:

ARTICLE I

DEFINITIONS

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

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

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

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

“Chair” means the Chair of the Community Development Agency of the City of La Vista, Nebraska. The Chair shall be the Mayor of the City of La Vista unless otherwise designated by the governing body of the Agency.

“City Administrator” means the Administrator of the City or the Administrator’s designee.

“City” means the City of La Vista, Nebraska.

“Clerk” means the Clerk of the City of La Vista, Nebraska.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the Treasury Department proposed or promulgated thereunder.

“Council” means Council of the City of La Vista, Nebraska.

“County” means The County of Sarpy, in the State of Nebraska.

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

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

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

“Mayor” means Mayor of the City.

“Note” means the Community Redevelopment Tax Increment Revenue Note (La Vista City Centre Project), Series 2021, in an aggregate principal amount of \$3,000,000 authorized and issued pursuant to this Resolution.

“Note Payment Date” means December 15 of each year, beginning on December 15, 2023, (or such other periodic payment date or dates as may be approved and incorporated in the Note when issued, but not more frequently than semiannual payments) and ending on December 15, 2037.

“Note Register” means the books for the registration, transfer and exchange of the Note kept at the office of the City.

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

- (a) United States Government Obligations;
- (b) bonds, notes or other obligations of the State of Nebraska, or any political subdivision of the State of Nebraska, that at the time of their purchase are rated in either of the two highest rating categories by a nationally recognized rating service;
- (c) repurchase agreements with any bank, bank holding company, savings and loan association, trust company, or other financial institution organized under the laws of the United States or any state, that are continuously and fully secured by any one or more of the securities described in clause (a) or (b) above and have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such repurchase agreement and are held in a custodial or trust account for the benefit of the City;
- (d) obligations of the Government National Mortgage Association, the Federal Financing Bank, the Federal Intermediate Credit Corporation, Federal Banks for Cooperatives, Federal Land Banks, Federal Home Loan Banks and Farmers Home Administration;
- (e) certificates of deposit, time deposits or other deposits, whether negotiable or nonnegotiable, issued by any bank or trust company organized under the laws of the United States or any state, provided that such certificates of deposit or time deposits shall be either (1) continuously and fully insured by the Federal Deposit Insurance Corporation, or (2) continuously and fully secured by such securities as are described above in clauses (a), (b) or (d) above, which shall have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such certificate of deposit or time deposits; and
- (f) any other securities or investments that are lawful for the investment of moneys held in such funds or accounts under the laws of the State of Nebraska.

“Planning Commission” means the Planning Commission of the City.

“Project” means that portion of the Mixed Use Redevelopment Project for Lot 13 and portions of Outlot A, La Vista City Centre, which is to be replatted as Lot 3, La Vista City Centre, Replat 4, and the improvements identified in **Exhibit B-2**, which shall be and is hereby determined to be a separate redevelopment project under the Act.

“Project Area” means that portion of the Redevelopment Area described on **Exhibit B-1**.

“Project Costs” means the costs attributable to the Project and to work on any “redevelopment project,” as defined in the Act, that may be paid through TIF Revenues and which the Agency has agreed to pay under the Redevelopment Agreement with respect to the Project and such other costs allowed under the Redevelopment Plan and the Redevelopment Agreement, including those identified in **Exhibit B-2**.

“Project Fund” means the fund by that name described in **Section 5.1** hereof.

“Purchaser” means the Redeveloper or such other party approved by the Chair of the Agency, as the original purchaser of the Note.

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

“Redeveloper” means La Vista City Centre LLC, a Nebraska limited liability company, and its assignee with respect to the Project, City Centre Music Venue, LLC, a Nebraska limited liability company.

“Redevelopment Area” means the 84th Street Redevelopment Area which the governing body of the City has found to be blighted and substandard pursuant to the Act.

“Redevelopment Agreement” means the Redevelopment Agreement between the Agency and La Vista City Centre LLC, a Nebraska limited liability company, and City Centre Music Venue, LLC as assignee of La Vista City Centre, LLC with respect to the Project Area.

“Redevelopment Plan” means the redevelopment plan approved by the City for the Redevelopment Area, as amended by Amendment No. 1 and Amendment No. 2.

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

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

“Secretary” means the Secretary of the Agency. The Secretary shall be the City Clerk of La Vista unless otherwise designated by the Agency governing body.

“State” means the State of Nebraska.

“TIF Revenue Fund” means the fund by that name described by **Section 5.1** hereof.

“TIF Revenues” means the moneys received from the County attributable to the increase in the current equalized assessed valuation of taxable real property in the Project Area over and above the initial equalized assessed value of each such unit of property in the Project Area, all as determined in accordance with the Redevelopment Plan and the Act as in effect on the date the Note is issued.

ARTICLE II

AUTHORIZATION OF NOTE

Section 2.1. Authorization of Note. There is hereby authorized and directed to be issued a Note of the Agency, designated “Community Redevelopment Tax Increment Revenue Note (La Vista City Centre Project) Series 2021,” in the principal amount of \$3,000,000, for the purpose of paying a portion of the Project Costs, and paying the costs of issuance of the Note.

Section 2.2. Description of the Note. The Note shall be substantially in the form set forth in **Exhibit A** hereto, and shall be subject to registration, transfer and exchange as provided in **Section 2.4** hereof. The Note shall be dated the date of its initial issuance and delivery, shall mature on the final Note Payment Date (subject to prior prepayment as provided in **Article III**), and shall bear interest at the rate of 5.5% per annum, or such other rate of interest approved by the City Administrator or Chair.

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

Section 2.3. Consideration for the Note. Upon execution of the Note, it shall be registered in the name of the Purchaser and shall be delivered in consideration of payment of the Project Costs by or on behalf of the Purchaser. Evidence of payment of Project Costs shall be submitted to the City as such Project Costs are paid by or on behalf of the Purchaser. Prior to each Note Payment Date, evidence of payment of Project Costs submitted to the City shall be equal to or greater than the aggregate amount of principal and interest payments made on the Note.

Upon the third anniversary of the date of delivery of the Note to the Purchaser, if evidence of payment of total Project Costs submitted to the City is less than the original principal amount of the Note issued pursuant to this resolution, the principal amount of the Note shall be reduced so that the original principal amount of the Note issued pursuant to this Resolution is equal to the total Project Costs, and the Cumulative Outstanding Principal Amount of the Note reflected on the Note Register shall be reduced accordingly at such time. In the event of a delay in completion of the Project or payment of Project Costs, the City Administrator may extend such three-year deadline for delivery of evidence of payment of Project Costs in the discretion of the City Administrator. No notation, replacement or reissuance of the Note shall be necessary in the event of a reduction in principal amount of the Note under the provisions of this Section 2.3.

The records maintained by the Clerk shall be the official records of the Cumulative Outstanding Principal Amount for the Note for all purposes.

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

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

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

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

The Note may be transferred and exchanged only upon the Note Register as provided in this Section. The Note is transferable only as permitted by the Agency in writing, and only upon the execution by such transferee of an investment letter substantially in a form approved by the Agency.

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

At reasonable times and under reasonable regulations established by the Agency, the Note Register may be inspected and copied by any Registered Owner (or a designated representative thereof).

Section 2.6. Execution, Authentication and Delivery of the Note. Any Note may be signed by such persons who at the actual time of the execution of such Note are the proper officers to sign such Note although at the date of such Note such persons may not have been such officers. The Chair and Secretary of the Agency are hereby authorized and directed to prepare and execute the Note. The Agency shall deliver the Note to the Purchaser upon satisfaction of conditions considered necessary and appropriate by the City Administrator and Chair.

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

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

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

Every new Note issued pursuant to this Section shall constitute a replacement of the prior obligation of the Agency, and shall be entitled to all the benefits of this Resolution equally and ratably with all other outstanding Note.

Section 2.8. Sale of Note. The Sale of the Note to the Purchaser at a purchase price of 100% of the principal amount of the Note, in consideration for the Redeveloper paying Project Costs in an amount equal to or greater than the principal amount of the Note, is hereby ratified and confirmed. Delivery of the Note shall be made to the Purchaser as soon as practicable after the adoption of this Resolution, upon payment therefor in accordance with such terms of sale and satisfaction of conditions considered necessary and appropriate by the City Administrator and Chair.

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

Section 2.10. Determination of Outstanding Principal Amount of Note. Notwithstanding the amount indicated on the face of the Note, the Cumulative Outstanding Principal Amount of the Note shall be determined and maintained by the Clerk. The Clerk shall make such notations in the Note Register as are required to reflect any redemptions of the Note from time to time. The Redeveloper may examine the books of registry maintained by the Clerk upon request, and the Clerk shall grant such request as soon as reasonably practicable.

ARTICLE III

TERMS AND PAYMENT

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

On each Note Payment Date, an amount equal to all amounts then on deposit in the TIF Revenue Fund shall be due and payable, first to interest due and the remainder to principal. To the extent amounts in the TIF Revenue Fund are insufficient to pay all of the principal or interest on the TIF Indebtedness prior to or on the final Note Payment Date, such deficiency shall be borne entirely by the Registered Owner of the Note and Redeveloper without recourse of any kind to the Agency or the City.

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

ARTICLE IV

SECURITY FOR THE NOTE

Section 4.1. Security for the Note. The Note shall be a limited, special obligation of the Agency payable solely from and secured as to the payment of principal and interest, subject to the provisions of

Section 4.2. by a pledge of the TIF Revenues and moneys in the Project Fund and no other moneys, revenues, funds or accounts. The taxing power of the Agency and the City are not pledged to the payment of the Note either as to principal or interest. The Note shall not constitute a general obligation of the Agency or the City, nor shall it constitute an indebtedness of the Agency or the City within the meaning of any constitutional or statutory provision, limitation or restriction. Payment of principal and interest on the Note shall be subject to reduction as described in Section 2.3 of this Resolution.

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

Section 4.3. No Recourse. Notwithstanding any other provisions of this Resolution, neither the Registered Owner of the Note nor the Redeveloper shall have any recourse of any kind against the Agency or the City in the event of that the TIF Revenues are insufficient to pay the principal of or interest on the Note for any reason whatsoever.

ARTICLE V

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

Section 5.1. Creation of Funds and Accounts. There are hereby created and ordered to be established within the treasury of the City the following separate funds and accounts:

- (a) City of La Vista, Nebraska, La Vista City Centre Project TIF Revenue Fund 2021 (the “**TIF Revenue Fund**”).
- (b) City of La Vista, Nebraska, La Vista City Centre Project Fund 2021 (the “**Project Fund**”).

Such funds and accounts shall be segregated and kept separate and apart from all other moneys, revenues, funds and accounts of the City. The TIF Revenue Fund and the Project Fund shall be maintained and administered in the manner provided in this Resolution so long as the Note remains outstanding hereunder.

Section 5.2. Deposit of Note Proceeds. Any cash or monies received in exchange for the sale and delivery of the Note shall be deposited in the Project Fund.

Section 5.3. Application of Moneys in the Project Fund. Moneys in the Project Fund shall be used solely for the purpose of paying the Project Costs and the costs and expenses incident to the issuance of the Note.

ARTICLE VI

DIVISION OF TAXES AND APPLICATION OF REVENUES

Section 6.1 Division of Taxes. The effective date for the division of taxes with respect to the Project Area is hereby determined to be January 1, 2022, with taxes to be divided for a period of fifteen (15) years from and after such effective date.

Section 6.2. TIF Revenue Fund. The moneys in the TIF Revenue Fund shall be administered and applied solely for the purposes and in the manner provided in this Resolution. The TIF Revenues shall be determined and collected in the manner provided by law.

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

ARTICLE VII

DEPOSIT AND INVESTMENT OF MONEYS

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

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

ARTICLE VIII

ADDITIONAL NOTE

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

ARTICLE IX

DEFAULT AND REMEDIES

Section 9.1. Acceleration of Maturity Upon Default. The Agency covenants and agrees that if it defaults in the payment of the principal of or interest on the Note as the same becomes due on any Note Payment Date, then, at any time thereafter and while such default continues, the Registered Owner may by written notice to the Agency filed in the office of the Clerk or delivered in person to said Clerk, declare the principal of the Note then outstanding to be due and payable immediately, and upon any such declaration the Note shall become and be immediately due and payable, anything in this Resolution or in the Note contained to the contrary notwithstanding. This provision, however, is subject to the condition that if at any time after the principal of said outstanding Note has been so declared to be due and payable, all arrears of interest upon all of said Note, except interest accrued but not yet due on such Note, and all arrears of principal upon all of said Note has been paid in full and all other defaults, if any, by the Agency under the provisions of this Resolution and under the provisions of the statutes of the State of Nebraska have been cured, then and in every such case the Registered Owner shall, rescind and annul such declaration and its consequences, but no such rescission or annulment shall extend to or affect any subsequent default or impair any rights consequent thereon. Notwithstanding the foregoing, failure by the Agency to pay any amounts due as principal or interest on any Note Payment Date that are in excess of the amounts available therefor in the TIF Revenue Fund shall not be deemed a default.

Section 9.2. Remedies. The provisions of this Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Agency and the Registered Owner. Subject to the limitations set forth in **Section 9.3**, the Registered Owner shall have the following rights:

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

Section 9.3. Remedies Cumulative. No remedy conferred herein upon the Registered Owner is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Registered Owner shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of the Registered Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Registered Owner by this Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. In case any suit, action or proceedings taken by the Registered Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or has been determined adversely to the Registered Owner, then, and in every such case, the Agency and the Registered Owner shall be restored to

their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Registered Owner shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE X

MISCELLANEOUS PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

[This portion of the page intentionally left blank]

**PASSED AND APPROVED THIS 15th DAY OF JUNE, 2021, BY THE MAYOR AND
COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACTING AS THE COMMUNITY
DEVELOPMENT AGENCY**

(Seal)

ATTEST:

Chair

Secretary

EXHIBIT A

[FORM OF NOTE]

This Note may be transferred only to a bank, other financial institution or accredited investors (as defined in Rule 501 of Regulation D of the Securities Act of 1933).

Registered
No. 1

Registered
\$3,000,000
(subject to reduction as described herein)

UNITED STATES OF AMERICA
STATE OF NEBRASKA

CITY OF LA VISTA, NEBRASKA
ACTING AS THE
COMMUNITY DEVELOPMENT AGENCY

TAX INCREMENT REVENUE NOTE
(LA VISTA CITY CENTRE PROJECT)
SERIES 2021

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Issue Date</u>
5.5%	December 15, 2037	_____, 2021

REGISTERED OWNER: CITY CENTRE MUSIC VENUE, LLC

PRINCIPAL AMOUNT: SEE SCHEDULE 1 ATTACHED HERETO

All capitalized terms used in this Note and not otherwise defined herein shall have the meanings set forth for such terms in the resolution authorizing the issuance of this Note adopted by the Agency on June 15, 2021 (the “Resolution”).

The COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF LA VISTA, NEBRASKA, a municipal corporation and political subdivision of the State of Nebraska (the “Agency”), acting as a community development agency pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, for value received, hereby promises to pay, but solely from certain specified tax revenues and other funds hereinafter specified, to the Registered Owner named above, or registered assigns, on the Date of Maturity stated above (or earlier as hereinafter referred to), the Principal Amount, without need for presentation or surrender, at the office of the registrar and paying agent herefor, the Clerk of the City of La Vista, Nebraska (the “Registrar”), and in like manner to pay interest on the outstanding principal amount at the Rate of Interest stated above, calculated on the basis of a 360-day year consisting of twelve, 30-day months, from the Date of Original Issue stated above, or the most recent interest payment date to which interest has been paid or duly provided for, as specified below, to maturity or earlier redemption, payable annually on December 15 of each year until payment in full of such Principal Amount, beginning December 15, 2023, by check or draft mailed to the Registered Owner hereof as shown on the bond registration books maintained by the City Clerk on the 15th day of the month preceding the month in which the applicable interest payment date occurs, at such Owner’s address as it appears on

such bond registration books. The principal of this Bond and the interest hereon are payable in any coin or currency which on the respective dates of payment thereof is legal tender for the payment of debts due the United States of America.

Interest shall be due and payable on December 15 of each year, beginning on December 15, 2023, and ending on December 15, 2037. Payments are to be applied first to interest due and the remainder to principal. The principal and interest payable on this Note on any payment date shall be paid to the person in whose name this Note is registered at the close of business on the 15th day (whether or not a business day) of the calendar month first preceding such payment date (a) by check or draft mailed by the Agency to such Registered Owner, or (b) by electronic transfer to such registered owner upon written notice given to the Agency by such Registered Owner not less than 15 days prior to such record date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States), ABA routing number and account number to which such registered owner wishes to have such transfer directed. The principal of and interest on this Note shall be payable in lawful money of the United States of America.

This Note is a duly authorized Note of the Agency designated "Tax Increment Revenue Note (La Vista City Centre Project), Series 2021." The Note is being issued for the purpose of paying a portion of the Project Costs in connection with the Project that is the subject of the Redevelopment Agreement between the City and La Vista City Centre, LLC, and paying costs related to the issuance of the Note, under the authority of and in full compliance with the constitution and laws of the State of Nebraska, including particularly the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended, and pursuant to the Resolution. This Note has been issued by the Agency to aid in financing a redevelopment project, as such term is defined in the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended.

The records maintained by the City Clerk as to the principal amount issued and principal amounts paid on this Bond shall be the official records of the outstanding principal amount of this Note for all purposes. The original stated principal amount of this Note and the Outstanding Principal Amount is subject to reduction as described in **Section 2.3** of the Resolution, and no replacement note need be issued in the event of such reduction.

At its option, the Agency may prepay all or any portion of the Note at any time and from time to time without premium or penalty of any kind. The Note is subject to redemption and payment in accordance with the terms and conditions as set forth in the Resolution.

The Note is a special obligation of the Agency payable solely from and secured as to the payment of principal and interest by a pledge of (a) TIF Revenues deposited in the TIF Revenue Fund, and (b) moneys in the Project Fund, all as more fully provided in the Resolution.

The taxing power of the Agency and the City are not pledged to the payment of the Note either as to principal or interest. The Note shall not constitute a general obligation of the Agency or the City, nor shall it constitute an indebtedness of the Agency or the City within the meaning of any constitutional, statutory or charter provision, limitation or restriction. Reference is made to the Resolution for a description of the covenants and agreements made by the Agency with respect to the collection, segregation and application of the TIF Revenues to pay the Note, the nature and extent of the security for the Note, the rights, duties and obligations of the Agency with respect thereto, and the rights of the Registered Owner thereof.

Reference is hereby made to the Resolution, a copy of which is on file in the office of the City Clerk, and to all of the provisions of which each Owner of this Note by its acceptance hereof hereby assents, for

definitions of terms; the description of and the nature and extent of the security for this Note; the TIF Revenues pledged to the payment of the principal of and interest on this Note; the nature and extent and manner of enforcement of the pledge; the conditions upon which the Resolution may be amended or supplemented with or without the consent of the Owner of this Note; the rights, duties and obligations of the Agency, the City and the Registrar thereunder; the terms and provisions upon which the liens, pledges, charges, trusts and covenants made therein may be discharged at or prior to the maturity or redemption of this Note, and this Note thereafter no longer be secured by the Resolution.

This Note is subject to redemption prior to maturity, at the option of the Agency, in whole or in part at any time at a redemption price equal to 100% of the principal amount being redeemed, plus accrued interest on such principal amount to the date fixed for redemption. Reference is hereby made to the Resolution for a description of the redemption procedures and the notice requirements pertaining thereto.

This Note may be transferred and exchanged only upon the Note Register as provided in the Resolution. This Note is transferable only to banks, other financial institutions or accredited investors (as defined in Rule 501 of Regulation D of the Securities Act of 1933) and only upon the execution by such transferee of an investment letter substantially in the form attached to the Resolution. Upon surrender hereof at the principal office of the Agency, the Agency shall transfer or exchange this Note for a new Note of the same maturity and in the same principal amount as the principal amount outstanding on this Note at such time. The Agency may deem and treat the person in whose name this Note is registered on the Note Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes.

This Note shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Agency.

IT IS HEREBY CERTIFIED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the Note have existed, happened and been performed in due time, form and manner as required by law, and that before the issuance of the Note, provision has been duly made for the collection and segregation of the TIF Revenues and for the application of the same as hereinbefore provided.

IN WITNESS WHEREOF, THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF LA VISTA, NEBRASKA, has executed this Note.

**COMMUNITY DEVELOPMENT AGENCY OF
THE CITY OF LA VISTA, NEBRASKA**

This Note is the Note of the issue described in the within-mentioned Resolution.

By: _____
Chair

Registration Date: _____, 2021

ATTEST:
By: _____
Secretary

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

Print or Type Name, Address and Social Security Number
or other Taxpayer Identification Number of Transferee

the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints _____ agent to transfer the within Note on the books kept by the City for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Note in every particular.

Signature Guaranteed By:

[Name of Eligible Guarantor Institution (as defined by SEC Rule 17Ad-15 (12 CFR 240.17Ad-15) or any similar rule which the City deems appropriate)]

By _____
Title: _____

[The remainder of this page intentionally left blank]

EXHIBIT B-1

BOUNDARY DESCRIPTION OF THE PROJECT AREA

The Project Area shall include all real property that is (1) within the boundaries described as follows and (2) also situated within the corporate limits of the City, and no other real property:

Lot 13 and portions of Outlot A, La Vista City Centre, to be replatted as:

Lot 3, La Vista City Centre, Replat 4, in the City of La Vista, Sarpy County, Nebraska

EXHIBIT B-2

DESCRIPTION OF PROJECT COSTS

All eligible costs payable from the proceeds of TIF Indebtedness pursuant to the Act including, without limitation, the following:

<u>Description</u>	<u>Estimated Costs</u>
Land and Structures	\$2,514,665
Façade Enhancements, Additional Glazing, Upgraded Windows	500,000
Public Improvements (Sidewalks, landscape, street furniture)	50,000
Site Utilities	75,000
TIF Capitalized Interest	340,276
Contractor Fee	710,000
Contingency	1,321,136
Design – Architecture and Engineering	1,136,000
Developer Fee	275,302

Other costs as allowed under the Act



**TAX INCREMENT
FINANCING ALLOCATION**

For

Lot 3

La Vista City Centre Replat 4

at

La Vista City Centre

Application to the

La Vista Development Agency

by

City Centre Music Venue, LLC

June 2021

**Tax Increment Financing (TIF)
Allocation for
Lot 3, La Vista City Centre Replat 4**

TIF Allocation under previously approved La Vista City Centre Tax Increment Financing Application as supplemented, which supplement was approved March 3, 2020 (“Supplement”).

Project Name: La Vista City Centre – Event Venue

Project Legal Description: Lot 3, La Vista City Centre Replat 4

Project Address: New address to be designated

Property Owner/Applicant: City Centre Music Venue, LLC **Owner Address:** P.O. Box 428,
Boys Town, NE 68010

Estimated Total Project Cost: \$23,645,636.00 **TIF Allocation (This App.):** \$3,000,000.00

Total TIF (All Phases): \$39,958,422.00*

Cumulative TIF Utilized Prior to this Allocation: \$14,332,848.00

Remaining TIF Allocation After this Allocation: \$22,625,574.00

** The original Maximum Redevelopment Loan Amount of \$37,428,500.00 was increased to \$39,958,422.00 pursuant to that certain Second Amendment to Redevelopment Agreement and other documentation approved by the La Vista City Council on March 3, 2020.*

New Construction: Yes (yes or no)

SF Building: 56,157 sf

SF of Outdoor Event Venue:

- Paved Area: 22,280 sf
- Seating Area: 1,700 sf
- Grass Area: 16,800 sf
- Stage: 3,925 sf

Rehabilitation: No (yes or no)

Acres: 2.04AC

LIHTC Project No (yes or no)

Market-Rate Project Yes (yes or no)

Historic Tax Credit Project No (yes or no)

Current Use: Vacant Lot (previously vacant Shopping Center) **Proposed Use:** Mixed-Use

Current Zoning: MU-CC Mixed Use City Centre District **Proposed Zoning:** MU-CC

Project Schedule:

Commencement: Spring 2021
Substantial Completion: End of 2022.

Current & Proposed Real Estate Tax

Summary:

Base Year of 2021, Division Date of January 1, 2022

Current Annual Tax Payment: \$7,718.00 (est.)
Current Annual Taxable Valuation: \$332,921.00 (est.)

Projected, Post Dev Tax Payment: \$548,220.20 (*increment of \$540,501.40*)
Projected, Post Dev Taxable Valuation: \$23,645,636.00 (*increment of \$23,312,715.00*)

NARRATIVE

I. PROJECT DESCRIPTION

Applicant intends to develop Lot 3, La Vista City Centre Replat 4 as part of the previously approved Phase I of the La Vista City Centre Project, as updated by the Supplement (the “Project”). This Project shall consist of a state of the art indoor and outdoor, best in market specialty performance event venue and related improvements developed by Applicant (the “Event Venue”). The Event Venue shall include a 56,157 square foot event building and surrounding outdoor live performance venue, with approximately 2,400 indoor seats and approximately 5,000 outdoor seats, and shall provide up to 150 events (music, comedy and other live entertainment) per year. The improvements shall comply with the Design Guidelines vested in the Redevelopment and Subdivision Agreements and shall be consistent with the Redevelopment and Subdivision Agreements, as amended. The Applicant shall install the sidewalks, street furniture, and sidewalk landscaping with the development of the building consistent with a Master Streetscape Plan provided by the Applicant.

As Phase I is developing, the City would be continuing construction of public improvements, including without limitation, infrastructure and retaining walls, public restroom, concession, pedestrian, plaza, and emergency vehicle facilities and areas and landscaping in connection with the transformation of the former City golf course, and public off street parking facilities, including a public offstreet parking garage on Lot 7, La Vista City Centre Replat 3 consisting of approximately 485 spaces and public offstreet surface parking on Lot 12, La Vista City Centre Replat 3. All of the foregoing public improvements shall be subject to satisfaction of any applicable statutes and other requirements.

The preliminary proposed site plan and elevations for the Event Venue and related improvements are attached hereto as Exhibit “A” and incorporated herein by this reference. The Applicant has contracted with TACK Architects for Architectural Services and Olsson Associates for civil, survey, & public improvement design and construction administration for the Project.

II. PROJECT COSTS & TIF ALLOWABLE EXPENSES

La Vista City Centre Phase I – Event Venue TIF Allocation

The site and building construction cost breakdown includes preconstruction, site development costs, and acquisition costs. The total private costs for the Project are estimated to be approximately \$23,645,636.00, and are illustrated in the Project Sources & Uses of Funds attached hereto as Exhibit "B" and by this reference made a part hereof, along with TIF Eligible Expenses are attached hereto as Exhibit "C" and by this reference made a part hereof.

III. PRO-FORMA - PROFIT/LOSS, CASH FLOW STATEMENTS, & STATEMENT OF NEED

An Income Statement the Projects illustrating projected cash flows is included herein as Exhibit "D" along with an investment analysis attached hereto as Exhibit "E", which outlines the projected return on invested capital (ROI) with respect to the proposed Event Venue and related improvements.

Without TIF Financing, the Project would be financially infeasible. With TIF Financing, the Project will enhance returns to an acceptable level for the applicant.

IV. CLOSING STATEMENT

In accordance with the previously approved TIF Application submitted for the entire development, as updated pursuant to the Supplement, the Project components continue to comply with requirements which include meeting the Mandatory Criteria and Cost Benefit Analysis outlined in connection with that initial Application, as supplemented.

Respectfully submitted,

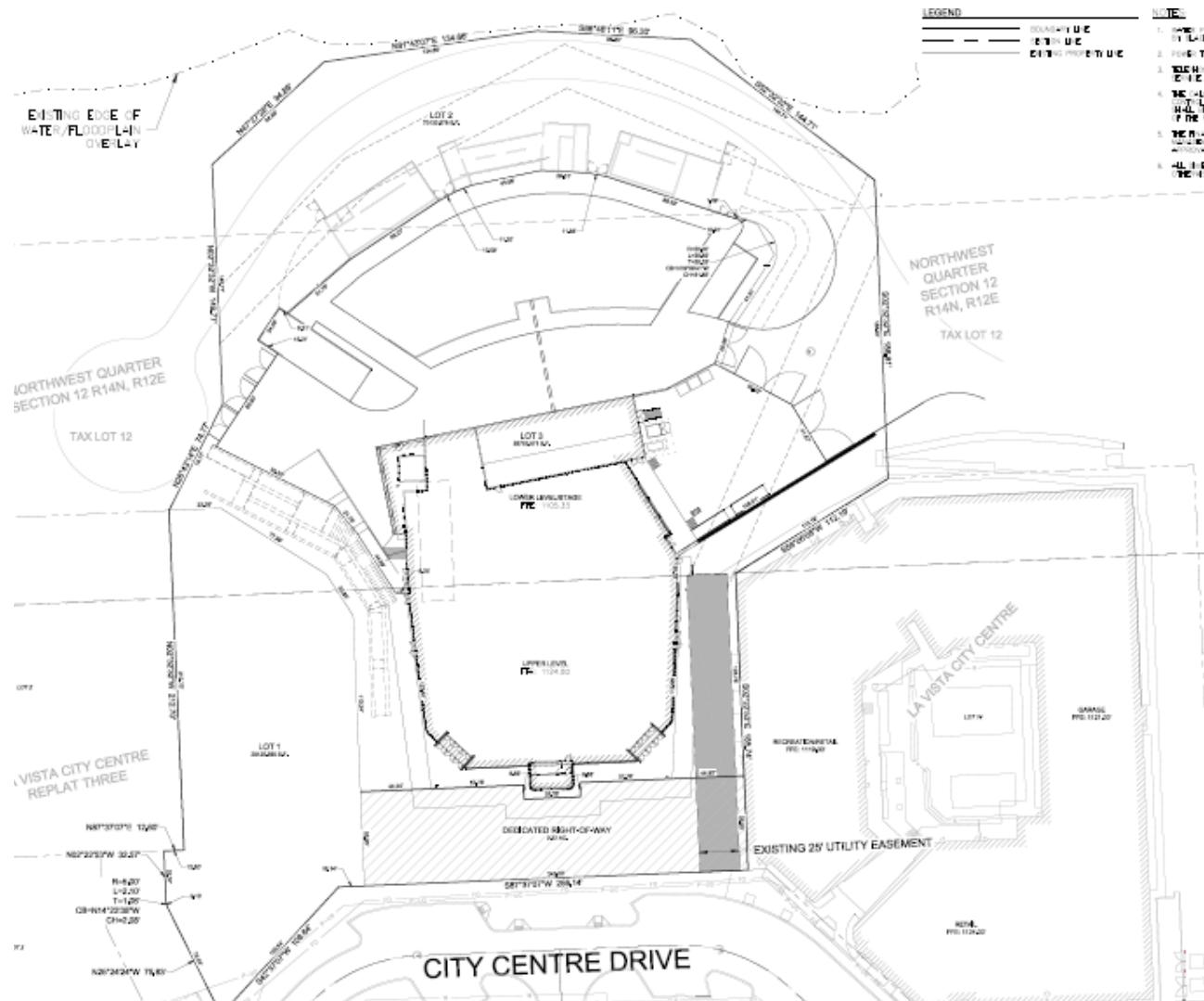


**Astro Theatre, LLC,
a Nebraska Limited Liability Company**

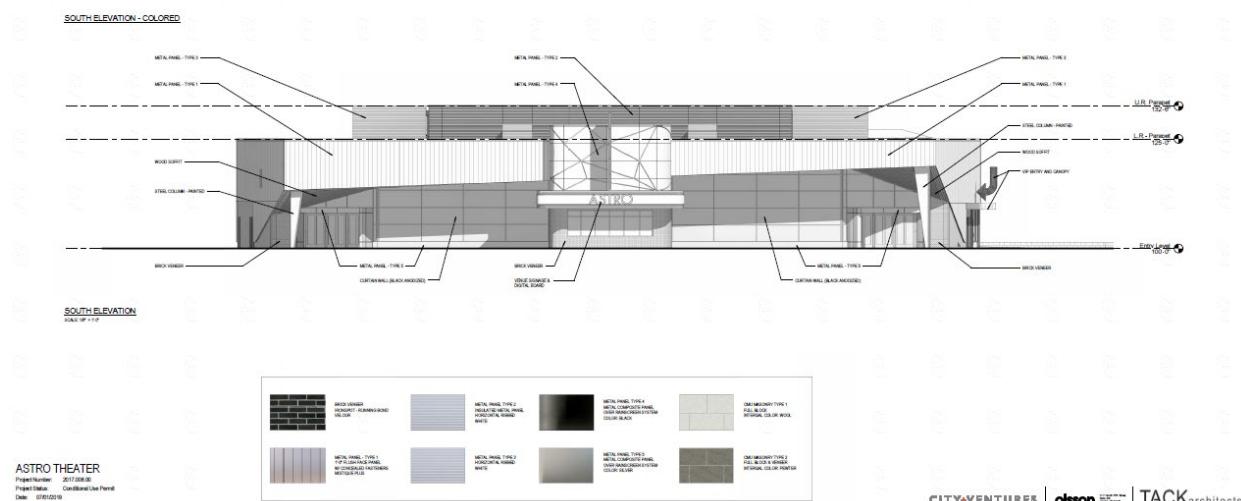
APPLICATION ATTACHMENTS:

- A. Preliminary Site Plans & Elevations
- B. Estimated Sources and Uses of Funds
- C. TIF Eligible Expenses
- D. Estimated Income Statement
- E. Estimated Investment/ROI Analysis

EXHIBIT A
PRELIMINARY SITE PLANS AND ELEVATIONS

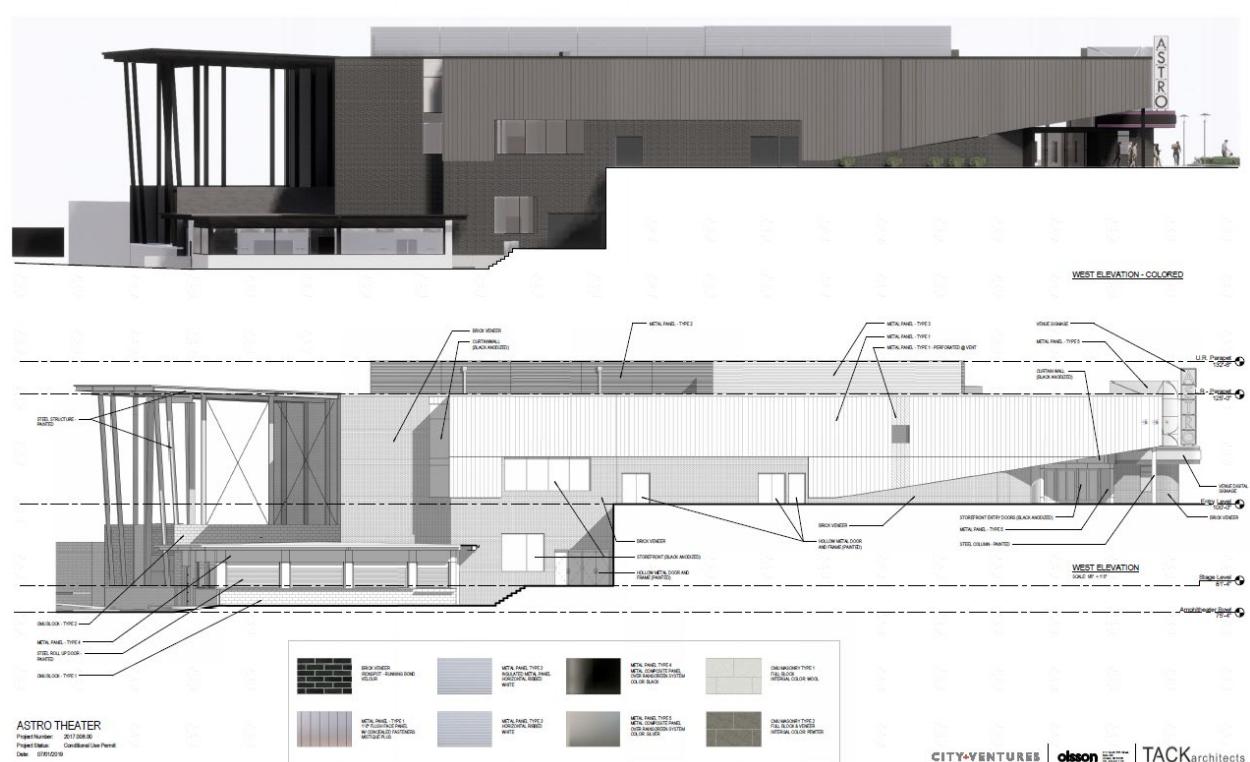
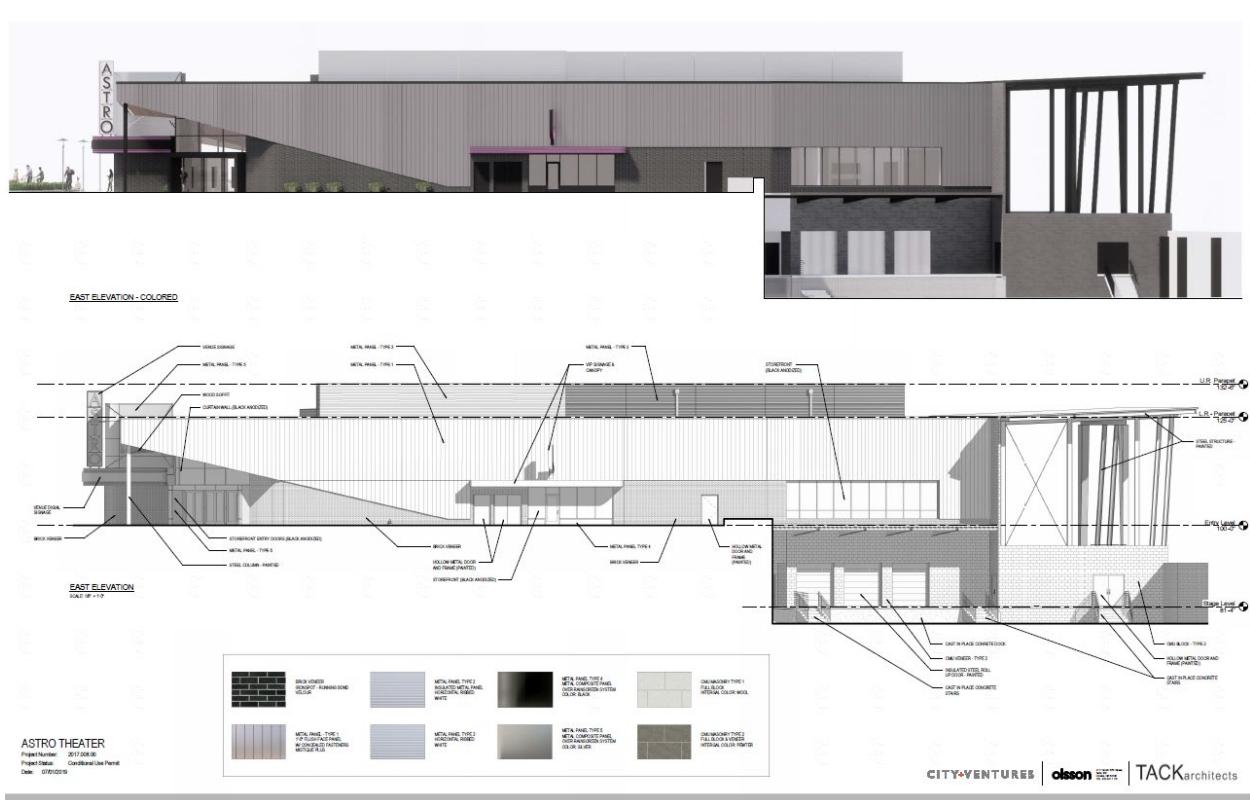


La Vista City Centre Phase I – Event Venue TIF Allocation

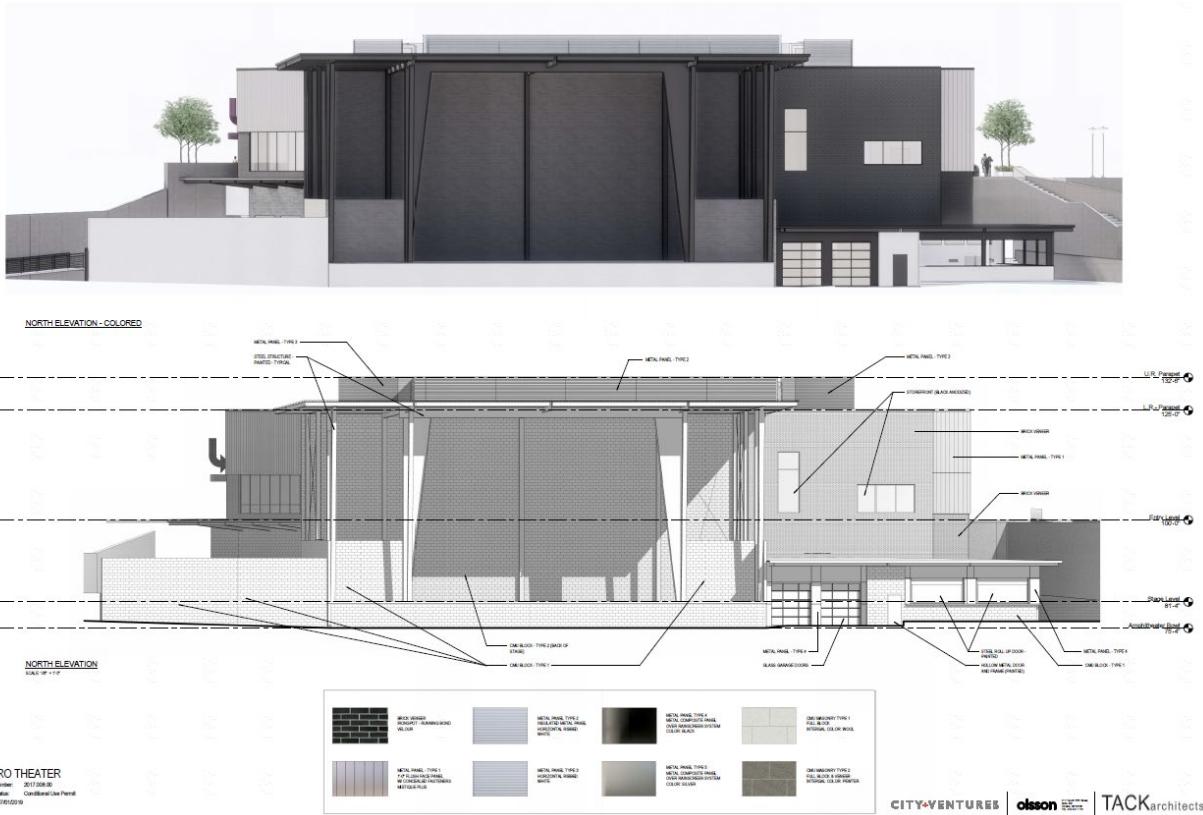


ASTRO THEATER
Project Number: 2017.008.00
Project Status: Conditional Use Permit
Date: 07/01/2019

CITY+VENTURES | olsson | TACK architects



La Vista City Centre Phase I – Event Venue TIF Allocation



La Vista City Centre Phase I – Event Venue TIF Allocation

EXHIBIT B
SOURCES AND USES OF FUNDS

  CITY+ VENTURES		La Vista City Centre Astro Theater	DRAFT	6/10/2021	by CLE
			Sources & Uses of Funds		
Sources of Funds			Uses of Funds		
Equity			Acquisition		
Equity		\$4,080,636	Land Acquisition from LVCC	88,779 SF	\$27.50
			Closing Costs		3.0%
			Acquisition Total		11% \$2,514,665
Debt			Hard Costs		
Senior		\$8,750,000	Construction (Bldg & Amph)		\$14,200,000
Economic Development Construction Loan		\$2,500,000	Building Signage		\$150,000
			FF&E - Furniture, Audio, Lighting, Chairs		\$2,500,000
			City Parking Structure (by City)		
			City Park Infrastructure		
Incentives					
City Economic Development Grant		\$3,000,000	Hard Cost Total		71% \$16,850,000
TIF		\$3,000,000			
PACE		\$2,315,000			
			Soft Costs		
			Design - A / E / I		8.0% \$1,136,000
			Working Capital		\$500,000
			Construction Interest		\$546,750
			Builder's Risk		\$25,000
			TIF Expenses		\$340,276
			Financing Fees (Senior)		\$95,000
			Legal & Accounting		\$50,000
			Development Fee		\$275,302
			Contingency		\$1,312,643
			Soft Cost Total		18% \$4,280,971
Total Sources of Funds \$23,645,636			Total Uses of Funds \$23,645,636		
Notes:					

EXHIBIT C
ESTIMATED TIF ELIGIBLE EXPENSES

CITY+VENTURES

La Vista City Centre
Music Venue

Exhibit "C"

6/8/2021

TIF Eligible Expenses

Uses of Funds

TIF Eligible Expenses

Acquisition

Land & Structures	\$2,514,665
-------------------	-------------

Hard Costs

Façade Enhancements, Additional Glazing, Upgraded Windows	\$500,000
Public Impr. - Sidewalks, Sidewalk Landscaping, Street Furniture	\$50,000
Sitework - Site Utilities	\$75,000

Soft Costs

TIF Capitalized Interest	\$340,276
Contractor Fee	\$710,000
Contingency	\$1,321,136
Design - Architecture / Engineering	\$1,136,000
Developer Fee	\$275,302

Total TIF Eligible Expenses	\$6,922,379
------------------------------------	--------------------

EXHIBIT D
ESTIMATED INCOME STATEMENT



**CITY+
VENTURES**

La Vista City Centre
Music Venue

Exhibit "D" 6/10/2021 by CLE
Income Statement

Operating Income

<i>Description</i>	<i>Annual</i>
Revenue	
Admissions	\$6,233,126
Food / Concessions	\$2,159,375
Sales Tax Revenue	\$629,438
GBOT Tax Revenue (Funds Parking)	\$250,550
Rebates	\$637,443
Facility Rental	\$240,000
Gross Revenue	\$10,149,932
Direct Costs	
Artist's Share	\$4,861,838
Sales / GBOT Taxes (Funds Incentives & Parking)	\$879,988
Direct Costs	\$5,741,826
Gross Profit	\$4,408,106
Operating Expenses	
Production	
Labor	\$319,429
Catering	\$425,040
Blackline	\$13,650
Equipment Rental	\$54,267
Runner	\$30,165
Transportation / Lodging	\$22,655
Electrical	\$30,700
Misc	\$13,915
<i>Production Total</i>	<i>\$909,821</i>
Operation	
Administrative Wages	\$175,000
Labor	\$304,038
Cleaning	\$14,326
Fire Marshals	\$28,242
Medical Team	\$17,726
Portable Toilets	\$18,180
Security	\$173,625
Police / Sheriff	\$12,175
Wardrobe / Uniforms	\$105,845
Advertising	\$542,186
ASCAP/BMI	\$99,167
Utilities	\$120,000
Building Insurance	\$25,000
GL / Event Insurance	\$150,657
Real Estate Taxes	\$322,420
Misc	\$2,715
<i>Operation Total</i>	<i>\$2,111,302</i>
Total Expenses	\$3,021,123
Net Operating Income	\$1,386,983

La Vista City Centre Phase I – Event Venue TIF Allocation

EXHIBIT E
ESTIMATED INVESTMENT/ ROI ANALYSIS

CITYVENTURES

**La Vista City Centre
Music Venue**

**Exhibit "E" 6/10/2021
Investment Analysis**

Uses of Funds

<i>Description</i>	<i>Value</i>
Net Operating Income	\$1,386,983
Annual Debt Service (ADS)	(-\$1,142,852)
Cash Flow Before Taxes (CFBT)	\$244,131

ROI Analysis - Statement of Need

<i>Description</i>	Project With TIF	Project Without TIF
TIF Proceeds	\$3,000,000	\$0
Debt	\$13,565,000	\$13,565,000
Equity	\$4,080,636	\$7,080,636
Total Project	\$20,645,636	\$20,645,636
 Cash Flow Before Taxes	 \$244,131	 \$244,131
Return on Investment	5.98%	3.45%

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
ADVERTISEMENT FOR BIDS – OFFSTREET PKG. DIST. NO. 2 – STRUCTURE NO. 2	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG – DEPUTY COMMUNITY DEVELOPMENT DIRECTOR PAT DOWSE – CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing the advertisement for bids for construction of Offstreet Parking District No. 2-Structure No. 2 associated with the Public Improvement Redevelopment Project in the 84th Street Redevelopment Area.

FISCAL IMPACT

The FY21/22 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval

BACKGROUND

The proposed construction includes a cast-in-place, post-tensioned, concrete parking structure containing 495 parking spaces and appurtenances such as drainage, lighting, access control gates, stairs, and miscellaneous appurtenant work.

Preparation of plans and specifications for this project have been completed by DLR Group Inc. The estimated costs for the proposed construction work is \$12,000,000. The recommended schedule for bidding this work is:

Publish Notice to Contractors	June 30 and July 7, 2021
Mandatory Pre-Bid Meeting	July 9, 2021 at 10:00 am City Hall
Open Bids	July 27, 2021 at 10:00 am City Hall
Council Award Contract	August 17, 2021 (Tentative)

The Notice to Contractors will also be posted on the City's web site and at www.standardshare.com.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CONSTRUCTION OF OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 2 ASSOCIATED WITH THE PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT IN THE 84TH STREET REDEVELOPMENT AREA.

WHEREAS, the City has determined it is necessary to make changes and additions to the contract; and

WHEREAS, the FY2/22 Biennial Budget provides funding for this project; and

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

Publish Notice to Contractors	June 30 and July 7, 2021
Mandatory Pre-Bid Meeting	July 9, 2021 at 10:30 am City Hall
Open Bids	July 27, 2021 at 10:00 am City Hall
Council Award Contract	August 17, 2021 (Tentative)

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement of bids for the Offstreet Parking District No. 2 – Structure No. 2 associated with the public improvement redevelopment project in the 84th Street Redevelopment Area.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

84th STREET REDEVELOPMENT AREA
PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT
OFFSTREET PARKING DISTRICT NO. 2 - STRUCTURE NO. 2

10-17105-40

DLR Group inc.
Architecture Engineering Planning Interiors
6457 Frances Street, Suite 200
Omaha, Nebraska 68106
Phone: 402/393-4100
Fax: 402/393-8747

June 17, 2021

DOCUMENT 001113 - ADVERTISEMENT TO BID

84th Street Redevelopment Area
Public Improvement Redevelopment Project
Offstreet Parking District No. 2 – Structure No. 2
Lot 7, City Centre Replat 3, La Vista City Centre,
La Vista, Nebraska 68128

DLR Group Project No. 10-17105-40

City of La Vista, Nebraska will receive Bids for a Combined Contract, including General Construction, Mechanical, and Electrical Work, for a Parking Structure located on Lot 7, City Centre Replat 3, La Vista City Centre, La Vista, Nebraska 68128.

The 495-parking stall post-tension cast-in-place structure is four (4) stories in height and has a total area of approximately one hundred eighty-two thousand, four hundred and fifty-nine (182,459) square feet.

Bids must be on a Lump Sum basis.

Bids will be received until 10:00 AM (CDT), on July 27, 2021, at City of La Vista Council Chambers, 8116 Park View Blvd, La Vista, Nebraska 68128. Bids received after this time will not be accepted.

Bids will be publicly opened and read aloud immediately and simultaneously in the presence of bidders, or representatives of bidders, when the hour is reached for the bids to close.

PRE-BID CONFERENCE: The Architect-Engineer will hold a Pre-Bid Conference at La Vista City Hall located at 8116 Park View Blvd, La Vista, Nebraska 68128 at 10:00 AM (CDT), on July 9, 2021. Attendance is mandatory for prime Bidders.

Bidding Documents may be at the office of the Printer, A & D Technical Supply Co., 4320 South 89th Street, Omaha, Nebraska 68127; and at the following exchanges after June 22, 2021:

84th STREET REDEVELOPMENT AREA
PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT
OFFSTREET PARKING DISTRICT NO. 2 - STRUCTURE NO. 2

10-17105-40

NEBRASKA

Central Nebraska Plan Service, 4006 Redwood Drive, North Platte, NE 69101
Columbus Area Chamber of Commerce, 753 33rd Ave, Columbus, NE 68601
Fremont Area Chamber of Commerce, 128 East 6th Street, Fremont, NE 68025
Grand Island Area Chamber of Commerce, 309 W. 2nd Street, Grand Island, NE 68801
Hastings Builder Bureau, 301 S. Burlington, Hastings, NE 68902
Kearney Builders Bureau, 1007 2nd Ave, Kearney, NE 68847
Lincoln Builders Bureau, 5910 S. 58 St Suite C, Lincoln, NE 68516
Norfolk Builders Exchange, 405 Madison Ave, Norfolk, NE 68701
Omaha Builders Exchange, 4159 S. 94 Street, Omaha, NE 68127
Standard Digital Imaging, 4424 South 108th Street, Omaha, NE 68137

GEORGIA

CMD Group, 30 Technology Pkwy So., Ste. 500, Norcross, GA 30092.

IOWA

McGraw Hill / Bee Line & Blue / Des Moines, 2507 Ingersoll Ave, Des Moines, IA 50312
Master Builders of Iowa - Des Moines, 221 Park Street, Des Moines, IA 50309
Master Builders of Siouxland, 903 6th St./PO Box 1168 (51102), Sioux City, IA 51101
Sioux City Construction League, 3900 Stadium Drive, Sioux City, IA 51106

SOUTH DAKOTA

Aberdeen Builders Exchange, 422 5th Ave SE, Suite 106, Aberdeen, SD 57401
Construction Industry Center, 2771 Plant Street, Rapid City, SD 57702
Lake Area Builders Bureau, 123 E. Kemp Ave, #7, Watertown, SD 57201
Plains Builders Exchange, 220 North Kiwanis Ave/PO Box 1396 (57101), Sioux Falls, SD 57104
Sioux Falls Builders Exchange, 1418 C Ave, Sioux Falls, SD 57104

Bidders may obtain Bidding Documents at the office of the Printer, A & D Technical Supply Co., 4320 South 89th Street, Omaha, Nebraska, Telephone (402/592-4950), from 8:00 AM to 5:00 PM, Monday through Friday, and at web address www.adtechsupply.com, in accord with the Instructions to Bidders, upon depositing the sum of two hundred dollars (\$200.00) for each set of Documents. Checks shall be made out to DLR Group inc. The entire deposit will be refunded to bona fide Bidders upon the return of the Documents, in good condition to A & D Technical Supply Co., within thirty (30) days after the Bid opening. If shipping is required, there will be a non-refundable fee required for each set shipped. The cost shall be determined by A & D Technical Supply Co. based on the size of the project. Checks for shipping shall be made out to A & D Technical Supply Co.

Members of Associated Builders and Contractors of Iowa may obtain Bidding Documents by use of the non-cash security method adopted by the ABC of Iowa.

Members of Master Builders of Iowa may obtain Bidding Documents by use of the non-cash security method adopted by the Master Builders of Iowa, Inc.

Members of the Omaha Builders Exchange may obtain Bidding Documents by use of the OBE Non-Cash Security Method for Return of Plans and Specs endorsed by the Omaha Builders Exchange.

Bid Security in the amount of five percent (5%) of the Bid must accompany each Bid in accord with the Instructions to Bidders.

84th STREET REDEVELOPMENT AREA
PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT
OFFSTREET PARKING DISTRICT NO. 2 - STRUCTURE NO. 2

10-17105-40

All Bidders are subject to and must comply with applicable state and federal anti-discrimination laws.

The award will be made in compliance with the Nebraska Fair Labor Standards Act, and the Contractor shall comply with the provisions of Section 73-104 of the Nebraska State Statutes.

The Owner reserves the right to reject any or all Bids and to waive informalities or irregularities in the Bidding.

Pam Buethe, City Clerk
City of La Vista, Nebraska
8116 Park View Blvd
La Vista, Nebraska 68128

END OF DOCUMENT 001113

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
84 th STREET REDEVELOPMENT AREA RECIPROCAL CONSTRUCTION, GRADING AND SITE PREPARATION EASEMENT - CITY OF LA VISTA AND CITY CENTRE MUSIC VENUE, LLC	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve and authorize execution of a reciprocal easement in connection with grading, site preparation, and construction of the event venue and public improvements.

FISCAL IMPACT

N/A

RECOMMENDATION

Approve.

BACKGROUND

Due to the proximity of the construction activities on the event venue and public improvements within the Mixed Use and Public Improvement Redevelopment Project Areas, a reciprocal construction, grading, and site preparation easement is necessary. A proposed easement is presented for consideration, subject to any additions, subtractions, or modifications as determined necessary or appropriate.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AND AUTHORIZING EXECUTION OF A RECIPROCAL CONSTRUCTION, GRADING AND SITE PREPARATION EASEMENT WITHIN THE PUBLIC IMPROVEMENT AND THE MIXED USE REDEVELOPMENT PROJECT AREAS.

WHEREAS, the City of La Vista, pursuant to the Public Improvement Redevelopment Project, will construct certain improvements within the Public Improvement Redevelopment Project Area; and

WHEREAS, City Centre Music Venue, LLC or any affiliated entity of City Centre Music Venue, LLC, as the Redeveloper, pursuant to the Mixed Use Redevelopment Project will construct certain improvements within the Mixed Use Redevelopment Project Area, as amended; and

WHEREAS, the parties desire to grant reciprocal easements over certain Redeveloper property and City property for the purposes of construction, grading and site preparation in connection with such improvements; and

WHEREAS, a proposed Reciprocal Construction, Grading, and Site Preparation Easement is presented with this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Reciprocal Construction, Grading, and Site Preparation Easement as presented, subject to any additions, subtractions, or modifications as the City Administrator, City Engineer, or any designee of the City Administrator or City Engineer determines necessary or appropriate ("Easement").

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the Easement and to take all other actions as he or she determines necessary or appropriate to carry out this Resolution or the Easement.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Upon Recording Return to:
Thomas G. McKeon, Esq.
Fitzgerald Schorr, PC, LLO
10050 Regency Circle, Suite 200
Omaha, NE 68114

RECIPROCAL CONSTRUCTION, GRADING AND SITE PREPARATION EASEMENT

THIS RECIPROCAL, CONSTRUCTION, GRADING AND SITE PREPARATION EASEMENT ("Easement") is made and entered into as of this _____ day of _____, 2021 ("Effective Date"), by and between La Vista City Centre, LLC, a Nebraska limited liability company ("Redeveloper" or "Subdivider"), the City of La Vista, a municipal corporation in Sarpy County, Nebraska ("City").

WHEREAS, Redeveloper is the owner of certain real property located in the City of La Vista, County of Sarpy, State of Nebraska, as more particularly described or depicted on Exhibit "A" attached hereto and incorporated herein by this reference (the "Redeveloper Property");

WHEREAS, City is the owner of certain real property located in the City of La Vista, County of Sarpy, State of Nebraska, as more particularly described or depicted on Exhibit "B" attached hereto and incorporated herein by this reference (the "City Property");

WHEREAS, the parties desire to grant a reciprocal easement over the Redeveloper Property and City Property for the purposes set forth herein for the benefit of each party and their respective successors and assigns; and

WHEREAS, by virtue of the recording of this Easement, during the Term (as defined hereinafter) the Redeveloper Property and City Property shall be owned, held, transferred, sold, conveyed, used and occupied, and mortgaged or otherwise encumbered subject to the provisions of this Easement and every grantee of any interest in either such property, by acceptance of a deed or other conveyance of such interest, and every person or entity owning an interest in either such property shall be subject to this Easement.

NOW, THEREFORE, in consideration of the foregoing and the mutual grants, covenants, and promises contained herein, and of the mutual benefits accruing to each of the parties hereto, their respective successors and assigns, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the

parties hereto, and intending to be legally bound, Redeveloper and City hereby agree as follows:

1. Recitals. The forgoing recitals are hereby incorporated herein as a material part of this Easement.

2. Grant of Temporary Construction, Grading and Site Preparation Easement.

a. City Easement. Subject to the terms of this Easement, Redeveloper hereby grants to City a temporary non-exclusive construction easement over the Redeveloper Property for the purpose of staging and access, grading, site preparation and other work, as initially described on Exhibit "C" attached hereto and incorporated herein by this reference and including without limitation, initial grading, temporary or permanent removal or relocation of utilities or soils, or other work, in preparation for constructing improvements on the City Property in accordance with that certain Subdivision Agreement by and between City and Subdivider, as amended from time to time, (the "Subdivision Agreement"), that certain Redevelopment Agreement by and between the La Vista Community Development Agency and Redeveloper, as amended from time to time, ("Redevelopment Agreement"), or that certain Redevelopment Plan, 84th Street Redevelopment Area, as amended from time to time, ("Redevelopment Plan") (the "City Work"). For purposes of this Easement, the City Administrator, City Engineer, or her or his designee shall be authorized to make all determinations regarding City Work, including without limitation its time of commencement, which may begin upon such approvals of the City Council as the City Administrator, City Engineer, or such designee determines sufficient; provided, however, any use of the City Easement for any City Work pursuant to any approved amendment or agreement of City and Subdivider before it is executed shall require prior written approval of the Manager of Subdivider. City upon completing a particular improvement or stage of the City Work promptly shall, at City's sole cost and expense, remove from Redeveloper Property any and all materials, debris and equipment connected with the City Work. City agrees to keep the Redeveloper Property free and clear of liens for labor and material expended by City. City shall not transfer, assign or otherwise convey any interest City has in the Easement without prior written consent of Redeveloper.

b. Redeveloper Easement. Subject to the terms of this Easement, City hereby grants to Redeveloper a temporary non-exclusive construction easement over the City Property for the purpose of staging and access, grading, site preparation and other work as initially described on Exhibit "D" attached hereto and incorporated herein by this reference and including without limitation, initial grading, temporary or permanent removal or relocation of utilities or soils, or other work in preparation for constructing improvements on the Redeveloper Property in accordance with that certain Subdivision Agreement, Redevelopment Agreement, or Redevelopment Plan (the "Redeveloper Work"). For purposes of this Easement, the Manager of Redeveloper or his designee shall be authorized to make all determinations regarding Redeveloper Work, including without limitation its time of commencement, which may begin upon such approvals of the Redeveloper as such Manager or his designee determines sufficient; provided, however, any use of the Redeveloper Easement for any Redeveloper Work pursuant to any approved amendment or agreement of City and Redeveloper before it is executed shall require prior written approval of the City Administrator, City Engineer, or her or his

designee. Redeveloper upon completing a particular improvement or stage of the Redeveloper Work promptly shall, at Redeveloper's sole cost and expense, remove from City Property any and all materials, debris and equipment connected with the Redeveloper Work. Redeveloper agrees to keep the City Property free and clear of liens for labor and material expended by Redeveloper. Redeveloper shall not transfer, assign or otherwise convey any interest Redeveloper has in the Easement without prior written consent of City.

c. Erosion Control. Subdivider and City shall maintain erosion control measures for NPDES compliance on their respective properties covered by this Easement.

3. Beneficiaries. This Easement is also (i) for the benefit of any contractor, agent, employee and representative of City that performs any of the City Work, and (ii) for the benefit of any contractor, agent, employee and representative of Redeveloper that performs any of the Redeveloper Work.

4. Term. This Easement runs with the land and shall be binding on the parties and their respective successors and assigns during the Term (as hereinafter defined). The Easement shall commence as of the Effective Date and shall terminate sixty (60) months after the Effective Date or by mutual agreement, whichever is earlier (the "Term"), subject, however, to one or more extensions as the parties at any time agree in writing, as executed by the Manager of Redeveloper and the Mayor, City Administrator, or City Engineer of City. Notwithstanding the foregoing, (i) the City shall continue to have access to the Redeveloper Property to the extent the City is obligated to accomplish any follow-up actions to the City Work, provided such follow-up actions do not materially interfere with construction of improvements or damage already constructed improvements on the Redeveloper Property, and (ii) Redeveloper shall continue to have access to the City Property to the extent Redeveloper is obligated to accomplish any follow-up actions to the Redeveloper Work, provided such follow-up actions do not materially interfere with construction of improvements or damage already constructed improvements on the City Property. Notwithstanding the automatic termination of this Easement as described herein, the parties shall promptly execute and record a release of this Easement in the event the Easement is terminated by mutual agreement.

5. Indemnification. Subject to applicable limitations or other provisions of the Nebraska Political Subdivisions Tort Claims Act, each party (the "Indemnifying Party") and its successors and assigns hereby agrees to defend, indemnify and hold harmless the other party and its tenants, subtenants, licensees, successors and assigns and their respective directors, officers, members, employees, tenants, invitees, agents, representatives and affiliates (collectively, the "Indemnified Party") from and against any and all claims, obligations, liabilities, losses, damages, causes of action, suits, demands, claims from indemnity or contribution, penalties, judgments, costs and expenses, including reasonable attorneys' fees and expenses, of every kind and nature whatsoever ("Claims"), to the extent such are proximately caused by any negligent action or inaction of the Indemnifying Party, its successors and assigns or their respective directors, officers, members, employees, tenants, invitees, contractors, agents, representatives and affiliates in connection with or related to, directly or indirectly, the use of the other's property pursuant to this Easement. Provided, however, the foregoing provisions of this section shall not operate or be effective to the extent that any Claims are proximately caused by the negligent action or inaction of the Indemnified Party.

6. Authority. Redeveloper and City each confirms that it is the lawful owner of the Redeveloper Property or City Property, as the case may be, and has the right to grant this Easement in the manner, content and form set forth in this instrument

7. Insurance. Each party shall, throughout the Term of this Easement, continuously carry commercial general liability insurance in commercially reasonable limits as agreed by the Manager of Redeveloper and by the City Engineer on behalf of City against claims for personal injury or death and property damage, occasioned by accident occurring in connection with the respective party's access to or use of the applicable property. The policies shall be written as primary and not contributing. Each policy of insurance shall contain an express waiver in favor of the other party of any and all rights of subrogation thereunder whatsoever against the insured party, its partners, officers, agents and employees.

8. Coordination. Uses or exercise of rights pursuant to this Easement shall not interfere with use, improvement, or enjoyment of the Redeveloper Property by Redeveloper, or use, improvement or enjoyment of the City Property by City. Coordination of uses and exercise of rights pursuant to this Easement from time to time, including without limitation the scope and timing of such uses and exercise of rights, shall be required and subject to approval of the Manager of the Redeveloper with respect to uses and exercise of rights relating to Redeveloper Work or Redeveloper Property, and City Engineer on behalf of City with respect to uses or exercise of rights relating to City Work or City Property, which coordination of uses and exercise of rights pursuant to this Section 8 shall be communicated in writing, including by email, but shall not be subject to the notice requirements set forth in Section 9 below.

9. Notices. All notices and correspondence under this Easement shall be given by verified or registered mail or by overnight delivery with a national courier providing confirmation of delivery to the following addresses:

<u>City</u>	<u>With copies to</u>
City Clerk 8116 Park View Blvd. La Vista, NE 68128	City Administrator 8116 Park View Blvd. La Vista, NE 68128
	City Engineer 9900 Portal Road La Vista, NE 68128
	Fitzgerald Schorr, PC, LLO Attn: Tom McKeon 200 Regency One 10050 Regency Circle Omaha, NE 68114
<u>Redeveloper</u>	<u>With a copy to</u>
La Vista City Centre Attn: Christopher L. Erickson 222 S. 15 th Street #1404S Omaha, NE 68102	Ringenberg & Rattner Law Attn: Kendra J. Ringenberg 14301 FNB Parkway, Suite 204 Omaha, Nebraska 68154

10. Severability. If any portion of this Easement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision(s) of this Easement are invalid or unenforceable, but that by limiting such provision(s) the same would become valid and enforceable, then such provision(s) shall be deemed to be written, construed, and enforced as so limited.

11. Waiver. The failure of Redeveloper or City to enforce any provision of this Easement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with each and every provision of this Easement.

12. Further Assurances. In case, at any time after the Effective Date, further easements are deemed necessary or desirable in connection with the respective contemplated development and use of the Redeveloper Property and/or the City Property, each of the parties hereto agrees to cooperate in a commercially reasonable manner in connection with the negotiation, execution and delivery of such further easements and related instruments and documents, as the other party hereto may reasonably request.

13. Headings. The section headings appearing herein are for the convenience of the parties only and do not affect, define, limit or construe the contents of the various sections in the Easement.

14. Governing Law. The laws of the State of Nebraska shall govern the jurisdiction, venue, interpretation and construction of this Easement, excluding the choice of law rules that may direct jurisdiction, venue, interpretation or construction of this Easement to other jurisdictions.

15. Nature of Easement. Nothing contained in this Easement will be deemed a gift, grant or dedication of any portion of the Redeveloper Property to or for the general public or, except parts of this Easement granting rights to City for any public purpose whatsoever. No easement, except as expressly set forth herein, shall be implied.

16. Counterparts. This Easement may be signed in one or more counterparts, which when taken together, shall constitute one and the same Easement. The parties may execute this Easement and exchange counterparts by means of electronic transmission and the parties agree that the receipt of such executed counterparts shall be binding on the parties and shall be construed as originals.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Easement as of the Effective Date.

LA VISTA CITY CENTRE, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

ATTEST:

CITY OF LA VISTA

Pamela A. Buethe, CMC
City Clerk

By: _____
Douglas Kindig,
Mayor

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this day of _____ day of _____, 2021, before me, a Notary Public duly commissioned and qualified in and for said County, appeared Christopher L. Erickson, personally known to me to be the Manager of La Vista City Centre, LLC, a Nebraska limited liability company, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of said company.

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

Notary Public

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

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

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

Notary Public

EXHIBIT "A"
REDEVELOPER PROPERTY

"Redeveloper Property" for purposes of this Easement means:

Lot 1 La Vista City Centre Replat Four, City of La Vista, Sarpy County, NE.

Lot 3 La Vista City Centre Replat Four, City of La Vista, Sarpy County, NE.

EXHIBIT "B"
CITY PROPERTY

"City Property" for purposes of this Easement means:

PT Tax Lot 12, 14-14-12, City of La Vista, Sarpy County, NE.

Lot 12, La Vista City Centre Replat Three, City of La Vista, Sarpy County, NE.

Lot 2, La Vista City Centre Replat Four, City of La Vista, Sarpy County, NE.

EXHIBIT “C”

“City Work” for purposes of this Easement on Redeveloper Property means:

1. Over-excavation of pavilion area, if required.
2. Provide borrow soil, if required. City to identify site on adjacent City property where soil can be obtained by Redeveloper. Reseeding of the soil borrow area by City.
3. Provide soil waste area, if required. City to identify site on adjacent City property where excess suitable soils to be placed. Reseeding of soil waste area by Redeveloper.
4. Earthwork testing, including observations, density tests, settlement plates and other inspections—City responsible for Lot 2 and abutting City property.
5. Construction staging and access.
6. Equipment and material storage not permitted unless otherwise agreed to in writing between City and Redeveloper.

EXHIBIT “D”

“Redeveloper Work” for purposes of this Easement on City Property means:

1. Construction staging and access.
2. Prepare an approved grading plan for Lots 2 and 3 (details to be provided separately).
3. Earthwork on Lots 2 and 3 and adjacent areas pursuant to a grading plan approved by City. Fill on Lot 2 to be completed by July 31, 2021, subject to any extensions determined necessary or appropriate as approved by the City Engineer and Manager of Redeveloper in writing.
4. Earthwork testing, including observations, density tests, settlement plates and other inspections by Redeveloper’s engineers—Redeveloper responsible for Lots 1 and 3.
5. Grading permit modification by Redeveloper and its engineers.
6. Erosion control modifications on Lots 2 and 3.
7. Equipment and material storage not permitted unless otherwise agreed to in writing between City and Redeveloper.

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
84 TH STREET REDEVELOPMENT AREA ENCROACHMENT EASEMENT AGREEMENT – CITY OF LA VISTA & LA VISTA CITY CENTRE MUSIC VENUE, LLC	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared to approve and authorize execution of an encroachment easement agreement in connection with public improvements to be constructed on Lot 2, La Vista City Centre Replat Four.

FISCAL IMPACT

N/A

RECOMMENDATION

Approve.

BACKGROUND

The City will construct public improvements on Lot 2, La Vista City Centre Replat Four that will encroach upon Lot 3, La Vista City Centre Replat Four. City Centre Music Venue LLC, as owner of Lot 3 is willing to grant the City of La Vista an easement for such encroachments. A proposed Encroachment Easement Agreement is presented for consideration, subject to any additions, subtractions, or modifications as determined necessary or appropriate.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN ENCROACHMENT EASEMENT AGREEMENT IN CONNECTION WITH PUBLIC IMPROVEMENTS TO BE CONSTRUCTED ON LOT 2, LA VISTA CITY CENTER REPLAT FOUR .

WHEREAS, the Mayor and City Council of the City of La Vista, pursuant to the Public Improvement Redevelopment Project, will construct certain improvements on Lot 2, La Vista City Centre Replat Four that will encroach upon Lot 3 La Vista City Center Replat Four ("Lot 3"); and

WHEREAS, City Centre Music Venue LLC or any affiliated entity of City Centre Music Venue, LLC, as owner of Lot 3, finds the encroachments upon Lot 3, La Vista City Centre Replat Four acceptable and is willing to grant the City of La Vista an easement for such encroachments; and

WHEREAS, a proposed Encroachment Easement Agreement is presented with this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Encroachment Easement Agreement as presented, subject to any additions, subtractions, or modifications as the City Administrator, City Engineer, or any designee of the City Administrator or City Engineer determines necessary or appropriate ("Easement").

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the Easement and to take all other actions as he or she determines necessary or appropriate to carry out this Resolution or the Easement.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Upon Recording Return to:
Tom McKeon, Esq.
Fitzgerald Schorr PC LLC
200 Regency One
10050 Regency Circle
Omaha, NE 68114

ENCROACHMENT EASEMENT AGREEMENT

THIS ENCROACHMENT EASEMENT AGREEMENT (this "Agreement") is made effective this ____ day of _____, 2021 by and between City Centre Music Venue, LLC, a Nebraska limited liability company ("LVCC Music"), and the City of La Vista, a Nebraska municipality (the "City").

WHEREAS, LVCC Music is the owner of that certain real property located in the La Vista City Center and legally described as set forth on Exhibit "A" attached hereto and incorporated herein by reference (the "LVCC Music Parcel");

WHEREAS, City is the owner of that certain real property legally described as set forth on Exhibit "B" attached hereto and incorporated herein by reference (the "City Parcel");

WHEREAS, the City Parcel is immediately adjacent to the LVCC Music Parcel;

WHEREAS, City plaza restroom, concession and other improvements will be located on City Parcel (collectively, the "Improvements"), of which a portion thereof, namely the roof overhang, will encroach onto the LVCC Music Parcel ("Encroachment"); and

WHEREAS, the Parties wish to provide for said Encroachment.

NOW, THEREFORE, incorporating the recitals set forth above, and in consideration of the premises and other good and valuable consideration, receipt of which is hereby acknowledged, the Parties agree as follows:

1. Grant of Easement. LVCC Music hereby grants and conveys unto City and City's successors and assigns a perpetual, exclusive easement for purposes of allowing the Encroachment to remain undisturbed on the LVCC Music Parcel (the "Improvements Easement").

2. Maintenance. City shall maintain the Improvements constituting the Encroachment in good condition and repair. City may, to the extent reasonably necessary, enter onto the LVCC Music Parcel for the express purpose of maintaining, inspecting, repairing, or replacing any or all of said Improvements.

3. Duration. This Agreement shall remain in effect so long as the Improvements remains in substantially the same form and location as initially constructed or its replacement is in substantially the same form or location and that, upon removal, demolition, or destruction thereof, this Agreement shall terminate.

4. Binding Effect. This Agreement is and shall be deemed to be a covenant running with the land and shall be binding upon the Parties and upon their respective successors and/or assigns until terminated as set forth herein.

5. Indemnification. Subject to applicable limitations or other provisions of the Nebraska Political Subdivisions Tort Claims Act, City shall defend, protect, indemnify, and hold harmless LVCC Music against any and all damages, losses, expenses, costs, and liabilities (including, without limitation, all interest, penalties, and attorney's fees) based upon or arising out of any claim of personal injury, property damage, or other claim proximately caused by any negligent action or inaction of the City in connection with its use of the Improvements Easement hereunder or arising from its entering onto the LVCC Music Parcel pursuant to this Agreement for the express purpose of maintaining, inspecting, and repairing the Improvements, except for any losses, liabilities, damages, suits, claims, expenses, fees, or costs arising by reason of LVCC Music's negligence or willful misconduct. In the event that LVCC Music receives notice of any claim to which the indemnification hereunder applies, LVCC Music shall inform City of the claim as soon as is reasonably possible.

6. Notice. All notices and correspondence under this Agreement shall be given by certified or registered mail or by overnight delivery with a national courier providing confirmation of delivery to the following addresses:

<u>City</u>	<u>With copies to</u>
City Clerk 8116 Park View Blvd. La Vista, NE 68128	City Administrator 8116 Park View Blvd. La Vista, NE 68128
	City Engineer 9900 Portal Road La Vista, NE 68128
	Fitzgerald Schorr, PC, LLO Attn: Tom McKeon 200 Regency One 10050 Regency Circle Omaha, NE 68114
<u>LVCC Music</u>	<u>With a copy to</u>
City Centre Music Venue, LLC Attn: Christopher L. Erickson 222 S. 15 th Street #1404S Omaha, NE 68102	Ringenberg & Rattner Law Attn: Kendra J. Ringenberg 14301 FNB Parkway, Suite 204 Omaha, Nebraska 68154

7. Severability. If any portion of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable.

If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision the same would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

8. Waiver. The failure of either Party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that Party's right to subsequently enforce and compel strict compliance with each and every provision of this Agreement.

9. Headings. The section headings appearing herein are for convenience of the Parties only and do not affect, define, limit, or construe the contents of the various sections in this Agreement.

10. Governing Law; Jury Trial Waiver; Consent to Jurisdiction and Choice of Venue. This Agreement is made and delivered in the State of Nebraska, and shall be governed by the laws thereof. Any suit in connection with this Agreement shall be filed and maintained in the District Court of Sarpy County. All parties consent to jurisdiction of said court and agree that venue is proper.

11. Entire Agreement; Amendment. Each Party acknowledges that he/she has read and fully understands the contents of this Agreement. This Agreement represents the entire and integrated agreement between the Parties, and supersedes all prior oral or written negotiations, representations, or agreements, with respect to the subject matter hereof. This Agreement may be modified only by written instrument duly authorized and executed by all Parties.

12. Counterparts. This Agreement may be executed in two or more counterparts, which when taken together, shall constitute one and the same instrument. The parties may execute this Agreement and exchange counterparts by means of electronic transmission and the parties agree that the receipt of such executed counterparts shall be binding on the parties and shall be construed as originals.

**[Remainder of Page Intentionally Left Blank.
Signature Pages to Follow.]**

IT WITNESS WHEREBY, the Parties have executed this Agreement as of the Effective Date.

CITY OF LA VISTA:

Douglas Kindig, Mayor

City of La Vista

ATTEST:

Pamela A. Buethe, City Clerk, CMC

STATE OF NEBRASKA)

)ss.

COUNTY OF SARPY)

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 on behalf of the City to be their voluntary act and deed and the voluntary act and deed of said City.

[Seal]

Notary Public

CITY CENTRE MUSIC VENUE, LLC,
a Nebraska limited liability company

By: _____

Christopher L. Erickson, Manager

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 Christopher L. Erickson, Manager of City Centre Music Venue, LLC, a Nebraska limited liability company, the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof on behalf of City Centre Music Venue, LLC to be his voluntary act and deed and the voluntary act and deed of said City Centre Music Venue, LLC.

[Seal]

Notary Public

EXHIBIT "A"

Legal Description of the LVCC Music Parcel

Lot 3, La Vista City Centre Replat Four, City of La Vista, Sarpy County, NE

EXHIBIT “B”

Legal Description of the City Parcel

Lot 2, La Vista City Centre Replat Four, City of La Vista, Sarpy County, NE

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
APPROVE CONSTRUCTION MANAGERS & AUTHORIZE REQUESTS FOR PROPOSALS – CENTRAL PARK PAVILION & SITE IMPROVEMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PATRICK M. DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared to select and approve Construction Managers as prequalified as well as authorize Request for Proposals from prequalified Construction Management at Risk firms for the Central Park Pavilion & Site Improvements. Request for proposal will be sent to six (6) selected firms that have adequate quality and experience using Construction Manager at Risk (“CMR”) contact delivery systems.

FISCAL IMPACT

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

RECOMMENDATION

Approval

BACKGROUND

As part of the Public Improvements Redevelopment Project pursuant to the Redevelopment Plan for the 84th Street Redevelopment Areas, the City of La Vista has been converting the former La Vista Falls Golf Course into a regional park (Central Park). Proposed public improvements within northern parts of the former golf course include public pavilion and plaza areas, restrooms, pedestrian connections, and other facilities and improvements that are part of the City’s Public Improvement Redevelopment Project and included in the City’s Capital Improvement Program.

On May 28, 2021 by 11:00am, the City received ten (10) Letters of Interest, to which 6 were short listed as to be recommended to be Prequalified. Four (4) firms that submitted but are not being recommended being selected as prequalified are (in alphabetical order) are Meco-Henne, Sampson, Vrana and Whiting-Turner.

Staff is recommending that the following selected firms, listed in alphabetical order, be solicited for proposals.

- Boyd Jones
- Graham
- JE Dunn
- Lund Ross
- MCL
- Weitz

Request for Proposals (RFPs) will be mailed to the prospective Construction Managers, as well as publication will be made as required by statute.

K:\APPS\City Hall\CNCLRPT (Blue Letters)\21file\21 PW Central Park Pavilion Site Improvements RFP Recommendation.Docx

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, SELECTING AND APPROVING CONSTRUCTION MANAGERS AS PREQUALIFIED, AND AUTHORIZING REQUEST FOR PROPOSALS UNDER THE CONSTRUCTION MANAGEMENT AT RISK DELIVERY SYSTEM FOR CENTRAL PARK PAVILION AND SITE IMPROVEMENTS LOCATED NORTH OF 8302 CITY CENTRE DRIVE IN CENTRAL PARK.

WHEREAS, the Mayor and City Council authorized and approved Construction Management at Risk delivery system ("Construction Management at Risk" or "CMR") under Neb. Rev. Stat. Section 13-2901 et seq ("Act"), approved CMR policies ("Policies"), and approved Construction Management at Risk for the proposed Central Park Pavilion and Site Improvements project located north of 8302 City Centre Drive in Central Park; and

WHEREAS, the City, based on information submitted in responses to request for letters of interest, desires to select construction managers as prequalified and eligible to receive request for proposals for the CMR contract for the Central Park Pavilion and Site Improvements and to authorize requesting proposals from them.

NOW, THEREFORE, BE IT RESOLVED that the following is approved:

1. The following construction managers, as recommended by the La Vista City Engineer and City Administrator based on review of information submitted in responses to request for letters of interest, are hereby selected in accordance with the Policies as prequalified and eligible to receive request for proposals for the CMR contract for the Central Park Pavilion and Site Improvements.

- Boyd Jones
- Graham
- JE Dunn Construction
- Lund Ross
- MCL
- Weitz

("Prequalified Construction Managers"). In making such selection, the review and findings of the City Administrator or City Engineer are hereby ratified, affirmed, adopted, and approved. Construction managers shall be informed of such selection by such means as the City Administrator or City Engineer or his or her designee determines appropriate. Request for proposals shall be sent only to the Prequalified Construction Managers.

2. The City Engineer or City Administrator, or any designee of the City Engineer or City Administrator, shall prepare and provide each of the Prequalified Construction Managers a request for proposals for the CMR contract for the Central Park Pavilion and Site Improvements in form and content satisfactory to the City Engineer or City Administrator, and further shall publish notice of the request for proposals.

3. The City Administrator or City Engineer, or any designee of the City Administrator or City Engineer, shall be authorized on behalf of the City to take all actions as she or he determines necessary or appropriate in connection with the request for proposals, the actions approved in this Resolution, or the CMR process, except for any action or approval that the Policies expressly require of the Selection Committee, and all such actions shall be final, conclusive and binding on the City and all parties. The authorization provided by this paragraph "3" shall include without limitation:

- a. Determining content, preparing, publishing notice of, and distributing requests for proposals;
- b. Receiving, opening, analyzing, evaluating, reviewing, and making recommendations regarding proposals, rankings, and recommended construction managers under applicable criteria;
- c. Referring proposals to, assisting, and obtaining recommendation of the Selection Committee;
- d. Negotiating and preparing construction management at risk contracts with prospective construction managers;
- e. Determining applicable criteria and content of all proposed documents and instruments of the City; and
- f. Taking all other actions as determined necessary or appropriate under the circumstances to prepare or present a proposed Construction Management at Risk contract to the Mayor and City Council for consideration or approval.

This Resolution shall be in full force and take effect from and after adoption as provided by law.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA**

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT – AMENDMENT No.11 84 TH STREET & CITY CENTRE INFRASTRUCTURE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing the execution of Amendment No. 11 to a Professional Services Agreement with Olsson, Inc. to provide project management, design services, and construction phase services, for the design modification and fill placement monitoring for the grading of the Interface structure in an additional amount not to exceed \$41,679.92.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval

BACKGROUND

The initial agreement with Olsson Associates was approved by the City Council on October 18, 2016. Olsson Associates now refers to themselves as Olsson, Inc. (Olsson). Seven previous amendments and two administrative amendments (9 and 10) to the agreement with Olsson have been approved for additional work and phasing of the infrastructure construction. Amendment No. 8 was not executed. Amendment No.11 provides for the design modification, and monitoring, and additional stormwater pollution protection plan (SWPPP) monitoring for the grading of the Interface structure. As it is anticipated that the redeveloper will be grading prior to the City's execution of a Construction Manager at Risk for the Central Park Pavilion and Site Improvement projects, it is necessary to coordinate the Redeveloper's grading efforts with establishment of the building pad for the restrooms and concessions building. A detailed scope of services is identified in the amendment, and a not-to-exceed fee was agreed upon for the work in this, the eleventh amendment. The proposed agreement is available for review.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 11 TO A PROFESSIONAL SERVICES AGREEMENT WITH OLSSON, INC. TO PROVIDE PROJECT MANAGEMENT, DESIGN SERVICES, AND CONSTRUCTION PHASE SERVICES, FOR THE DESIGN MODIFICATION AND FILL PLACEMENT MONITORING FOR THE GRADING OF THE INTERFACE STRUCTURE.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined additional professional services related to the Interface Structure are necessary; and

WHEREAS, the City Council on behalf of the City of La Vista desires to approve amendment No. 11 to a professional services agreement with Olsson Associates to provide additional services; and

WHEREAS, The FY21/22 Biennial Budget provides funding for this project; 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 expenditure over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment No. 11 to a professional services agreement with Olsson, Inc. to provide project management, design services, and construction phase services, for the design modification and fill placement monitoring for the grading of the interface structure.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



**LETTER AGREEMENT
AMENDMENT #11**
Olsson Project #: B16-0546

June 8, 2021

This AMENDMENT ("Amendment") shall amend and become a part of the Letter Agreement for Professional Services dated October 7, 2016 between City of La Vista, NE ("Client") and Olsson, Inc. ("Olsson") providing for professional services for the following Project (the "Agreement"):

PROJECT DESCRIPTION AND LOCATION

Project is located at: La Vista, NE

Project Description: City Centre Redevelopment of 84th Street Corridor – Astro Theatre Public Interface Grading

SCOPE OF SERVICES

Client and Olsson hereby agree that Olsson's Scope of Services under the Agreement is amended by adding the services specifically described below for the additional compensation set forth below:

Project Management

- Miscellaneous project management requests from the client.

Design Services

- Modify grading plans to accommodate the interface building footprint.
- Coordinate with Client's representative for the project.

Construction Services

- Perform an as-built topo once earthwork is complete and set any necessary control points for the project.
- Perform field and lab construction materials testing services for the anticipated earthwork.
- Perform settlement monitoring per the geotechnical report of the controlled structural fill.



SWPPP Inspection Services

- SWPPP inspections from July 2021 through April of 2023 (22 Months)

COMPENSATION																																																																																										
Phase	Task Description	Previous Fee Amount	Amendment #11 Fee Amount	Total	Fee Type																																																																																					
PHASE 1 INFRASTRUCTURE - PROJECT MANAGEMENT																																																																																										
	Additional Services	\$ 10,000.00	\$ 2,229.42	\$ 12,229.42	TMNTE																																																																																					
	Sub-Total	\$ 10,000.00	\$ 2,229.42	\$ 12,229.42																																																																																						
DESIGN SERVICES																																																																																										
200	Modify Grading Plan - Public Interface	\$ -	\$ 3,500.00	\$ 3,500.00	TMNTE																																																																																					
	Sub-Total	\$ -	\$ 3,500.00	\$ 3,500.00																																																																																						
CONSTRUCTION SERVICES																																																																																										
City Centre Infrastructure Project																																																																																										
	Survey Post Verification	\$ 8,000.00	\$ 4,500.00	\$ 12,500.00	TMNTE																																																																																					
	Special Inspections / Testing	\$ 4,000.00	\$ 6,760.00	\$ 10,760.00	TMNTE																																																																																					
	Settlement Monitoring	\$ -	\$ 7,090.00	\$ 7,090.00	TMNTE																																																																																					
	Sub-Total	\$ 12,000.00	\$ 18,350.00	\$ 30,350.00																																																																																						
SWPPP INSPECTION SERVICES																																																																																										
420	City Centre Infrastructure Project																																																																																									
		\$ 9,600.00	\$ 17,600.00	\$ 27,200.00	TMNTE																																																																																					
		Sub-Total	\$ 9,600.00	\$ 17,600.00	\$ 27,200.00																																																																																					
EXPENSES																																																																																										
900	Expenses	\$ 2,000.00	\$ -	\$ 2,000.00	TMNTE																																																																																					
	Sub-Total	\$ 2,000.00	\$ -	\$ 2,000.00																																																																																						
<table> <tr> <td>Amendment #11 Total</td> <td>\$ 41,679.42</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Original Contract Total</td> <td>\$ 438,000.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #1 Total</td> <td>\$ 183,000.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #2 Total</td> <td>\$ 52,300.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #3 Total</td> <td>\$ 126,075.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #4 Total</td> <td>\$ 53,751.50</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #5 Total</td> <td>\$ 137,100.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #6 Total</td> <td>\$ 126,100.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #7 Total</td> <td>\$ 52,000.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #8 Total</td> <td>\$ -</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #9 Total</td> <td>\$ 4,000.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Amendment #10 Total</td> <td>\$ 1,500.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>							Amendment #11 Total	\$ 41,679.42						Original Contract Total	\$ 438,000.00						Amendment #1 Total	\$ 183,000.00						Amendment #2 Total	\$ 52,300.00						Amendment #3 Total	\$ 126,075.00						Amendment #4 Total	\$ 53,751.50						Amendment #5 Total	\$ 137,100.00						Amendment #6 Total	\$ 126,100.00						Amendment #7 Total	\$ 52,000.00						Amendment #8 Total	\$ -						Amendment #9 Total	\$ 4,000.00						Amendment #10 Total	\$ 1,500.00					
Amendment #11 Total	\$ 41,679.42																																																																																									
Original Contract Total	\$ 438,000.00																																																																																									
Amendment #1 Total	\$ 183,000.00																																																																																									
Amendment #2 Total	\$ 52,300.00																																																																																									
Amendment #3 Total	\$ 126,075.00																																																																																									
Amendment #4 Total	\$ 53,751.50																																																																																									
Amendment #5 Total	\$ 137,100.00																																																																																									
Amendment #6 Total	\$ 126,100.00																																																																																									
Amendment #7 Total	\$ 52,000.00																																																																																									
Amendment #8 Total	\$ -																																																																																									
Amendment #9 Total	\$ 4,000.00																																																																																									
Amendment #10 Total	\$ 1,500.00																																																																																									
TOTAL CONTRACT																																																																																										
				\$ 1,215,505.92																																																																																						



Original Contract Total	\$ 438,000.00
Amendment #1 Total	\$ 183,000.00
Amendment #2 Total	\$ 52,300.00
Amendment #3 Total	\$ 126,075.00
Amendment #4 Total	\$ 53,751.50
Amendment #5 Total	\$ 137,100.00
Amendment #6 Total	\$ 126,100.00
Amendment #7 Total	\$ 52,000.00
Amendment #8 Total	\$ -
Amendment #9 Total	\$ 4,000.00
Amendment #10 Total	\$ 1,500.00
Amendment #11 Total	\$ 41,679.42
Total Contract	\$ 1,215,505.92

Client shall pay to Olsson for the performance of the Scope of Services, the actual time of personnel performing such services in accordance with the Labor Billing Rate Schedule(s) and the attached 2021 Construction Materials Testing Unit Rates to this Agreement. Olsson shall submit invoices on a monthly basis and payment is due within 30 calendar days of invoice date.



TERMS AND CONDITIONS OF SERVICE

All provisions of the original Agreement not specifically amended herein shall remain unchanged.

If this Contract Amendment satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of 30 days from the date set forth above, unless changed by us in writing.

OLSSON, INC.

By _____
Jeffrey C. Ford
Senior Vice President

By _____
Anthony Egelhoff, PE
Technical Leader

By signing below, you acknowledge that you have full authority to bind Client to the terms of this Amendment. If you accept this Amendment, please sign:

CITY OF LA VISTA, NE

By _____
Signature

Printed Name _____

Title _____ Dated _____

F:\2016\0501-1000\016-0546\20-Management\Contracts\Amendments\B16-0546 Public Improvements - 84th Street Connections\Amend #11\21-06-01_GNCV_B16-0546 Amendment 11.docx

Attachments

Rate Schedule

2021 Construction Materials Testing Unit Rates

Olsson Billing Rate Schedule
2021 Labor Rates

<u>Description</u>		<u>Range</u>
Principal	129.00	- 388.00
Project Manager	120.00	- 233.00
Project Professional	98.00	- 217.00
Assistant Professional	67.00	- 155.00
Designer	90.00	- 188.00
CAD Operator	54.00	- 119.00
Survey	52.00	- 166.00
Construction Services	43.00	- 233.00
Administrative/Clerical	41.00	- 159.00

Note:

1. Special Services not included in above categories will be provided on a Special Labor Rate Schedule
2. Rates subject to change based upon updates to Billing Rates for upcoming year.



2021 Construction Services Unit Rates

Engineering: For engineering services including site visits engineering analysis, project management, project meetings, report preparation, consultation, etc.

Administrative	Per hour	55.00
Associate Engineer	Per hour	95.00
CMT Project Manager	Per hour	115.00
Project Engineer	Per hour	125.00
Construction Administrator Project Manager	Per hour	150.00
Senior Engineer	Per hour	160.00
Team Leader	Per hour	175.00

Field Testing:

CMT Technician	Per hour	60.00
Batch Plant Technician	Per hour	75.00
CMT Senior Technician	Per hour	75.00
Steel Technician	Per hour	90.00
Construction Observer	Per hour	90.00
SWPPP Inspection	Per month	800.00
Self-Reading Settlement Monument	Per each	1,700.00
Dynamic Cone Penetration	Per foot	18.00
Mileage	Per mile	0.75

Laboratory Testing:

Soils

Atterberg Liquid & Plastic Limits Tests (D4318)	Per test	90.00
Standard Proctor (D698)	Per test	170.00
Modified Proctor (D1557)	Per test	220.00
Standard Proctor – Additive (D698)	Per test	225.00
Modified Proctor – Additive (D1557)	Per test	275.00
One Point Proctor Check (D698/D1557)	Per test	60.00
Percent Fines (D1140)	Per test	40.00
Hydrometer (D422)	Per test	200.00
Unit Weight Density (D7263)	Per test	20.00
Moisture Content (D2216)	Per test	10.00

Aggregate

Standard Proctor – Aggregate (D698)	Per test	220.00
Modified Proctor – Aggregate (D1557)	Per test	270.00
Relative Density (D4253/D4254)	Per test	250.00
Sieve Analysis <3/4 (C136)	Per test	100.00
Sieve Analysis >3/4 (C136)	Per test	150.00
Organic Impurities (C40)	Per test	100.00
LAR Abrasion (C131)	Per test	400.00
Fractured Faces (D5821)	Per test	100.00
Unit Weight (C29)	Per test	100.00



Absorption & Specific Gravity (C127/C128)	Per test	150.00
Aggregate Surface Moisture (C566)	Per test	15.00
Soundness - Mag Sulfate (5 cycles) (C88)	Per test	350.00

Concrete

Compressive Strength of Concrete Cylinder (C39)	Per test	17.00
Compressive Strength of Cored Concrete (C42)	Per test	60.00
Compressive Strength of Grout Prism (C1019)	Per test	30.00
Compressive Strength of Mortar Cube (C109)	Per test	20.00
Compressive Strength of Block (C140)	Per test	100.00
Compressive Strength of Block Prism (C1314)	Per test	150.00
Beam Flexural Strength (C78)	Per test	60.00
Core – Density (C642)	Per test	65.00
Core – Thickness (C174)	Per test	20.00
RHO Concrete Sample (N/A)	Per test	250.00
Shrinkage (Set of 3) (C157)	Per test	225.00

Asphalt & Fireproofing

Max Specific Gravity (Rice) (D2041)	Per test	85.00
Core Thickness (N/A)	Per test	15.00
Marshall Test (D6926)	Per test	170.00
Marshall, Stability & Flow (D6927)	Per test	260.00
Oil Content Ignition Method (D6307)	Per test	100.00
Sieve Analysis on Aggregates (D5444)	Per test	90.00
Sand Equivalent (D2419)	Per test	200.00
Fireproofing – Density Test (E605)	Per test	50.00

Steel

Macro etch Test	Per test	50.00
Tensile Test	Per test	90.00
CVN Impact Testing	Per test	40.00
Bend Test	Per test	35.00
Nick Break Test	Per test	55.00
Milling and Prep of Specimens	Per test	80.00
Field Weight Kit Rental	Per test	1,000.00

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE ADDITION TO THE LIQUOR LICENSE FOR NEBRASKA BREWING COMPANY IN LA VISTA, NEBRASKA.

WHEREAS, Nebraska Brewing Company, 6946 S. 108th Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their Liquor License; and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application; and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission; and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the addition to the Liquor License submitted by Nebraska Brewing Company, 6946 S. 108th Street, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

APPLICATION FOR ADDITION
TO LIQUOR LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-3046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

RECEIVED

JUN 11 2020

NEBRASKA LIQUOR
CONTROL COMMISSION

Application:

- Must include processing fee of \$45.00 check made payable to the Nebraska Liquor Control Commission or you may pay online at www.ne.gov/go/NLCCpayport
- Must include a copy of the lease or deed showing ownership of area to be added. This is still required even if it's the same as on file with original application
- Must include simple hand drawn sketch showing existing licensed area and area to be added, must include outside dimensions in feet (not square feet), show direction north.
NO BLUE PRINTS
- May include approval from the local governing body; no addition shall be approved unless endorsed by the local governing body
- Check with your local governing body for any additional requirements that may be necessary in making this request for addition

LIQUOR LICENSE # 105931/105932 CLASS TYPE C / LKLICENSEE NAME Nebraska Brewing CoTRADE NAME Nebraska Brewing CompanyPREMISE ADDRESS 6946 S. 108th StreetCITY La Vista ZIP CODE 68127 COUNTY SarpyCONTACT PERSON Kim KavulakPHONE NUMBER OF CONTACT PERSON 402-630-4023EMAIL ADDRESS OF CONTACT PERSON kim@nebraskabrewingco.com

Needing drawing
DMT
Lease or deed



2000008713

FORM 110
REV JULY 2015
Page 1 of 2

Reports
Created
Need to
Add Mgmts

Called 6/12/2020
Left message

6/14/2020

fee submitted.

Payport 6/14/2020

1. What is being added?

Explain the type of addition that is being requested, i.e. beer garden, adding to building

Adding an outdoor deck/patio

2. Will this addition cause the location to be within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children; or within 300 feet of a college or university campus?

 YES NO

If yes, provide name and address of such institution and where it is located in relation to the premises
(Neb. Rev. Stat. 53-177)(1).

Must include supplemental Form 134 found at this link: <http://www.lcc.ne.gov/formsdiv.html>

If proposed location is within 300 feet of a campus, the Commission may waive this restriction upon written approval from the governing body of the college or university. (Rev. Stat. 53-177)(1).

Must include supplemental Form 135 found at this link: <http://www.lcc.ne.gov/formsdiv.html>

3. Include a sketch of the area to be added showing:

- ✓ existing licensed area with length & width in feet
- ✓ area to be added with length & width in feet
- ✓ direction north

4. If adding an outdoor area explain:

- ✓ type of fencing
- ✓ height of fence
- ✓ length & width of outdoor area in feet

12.07 Outdoor area shall mean an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors and which is contained by a permanent fence, wall or other barrier approved by the Commission and shall be in compliance with all building and fire, or other applicable local ordinances.
Rule Chapter 2-012.07

I acknowledge under oath that the premises as added to comply in all respects with the requirements of the act.
Neb Rev Stat §53-129

Signature of Licensee or Officer

State of Nebraska

County of Class

The foregoing instrument was acknowledged before me this

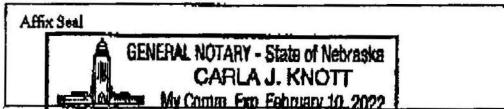
6-8-20

Date

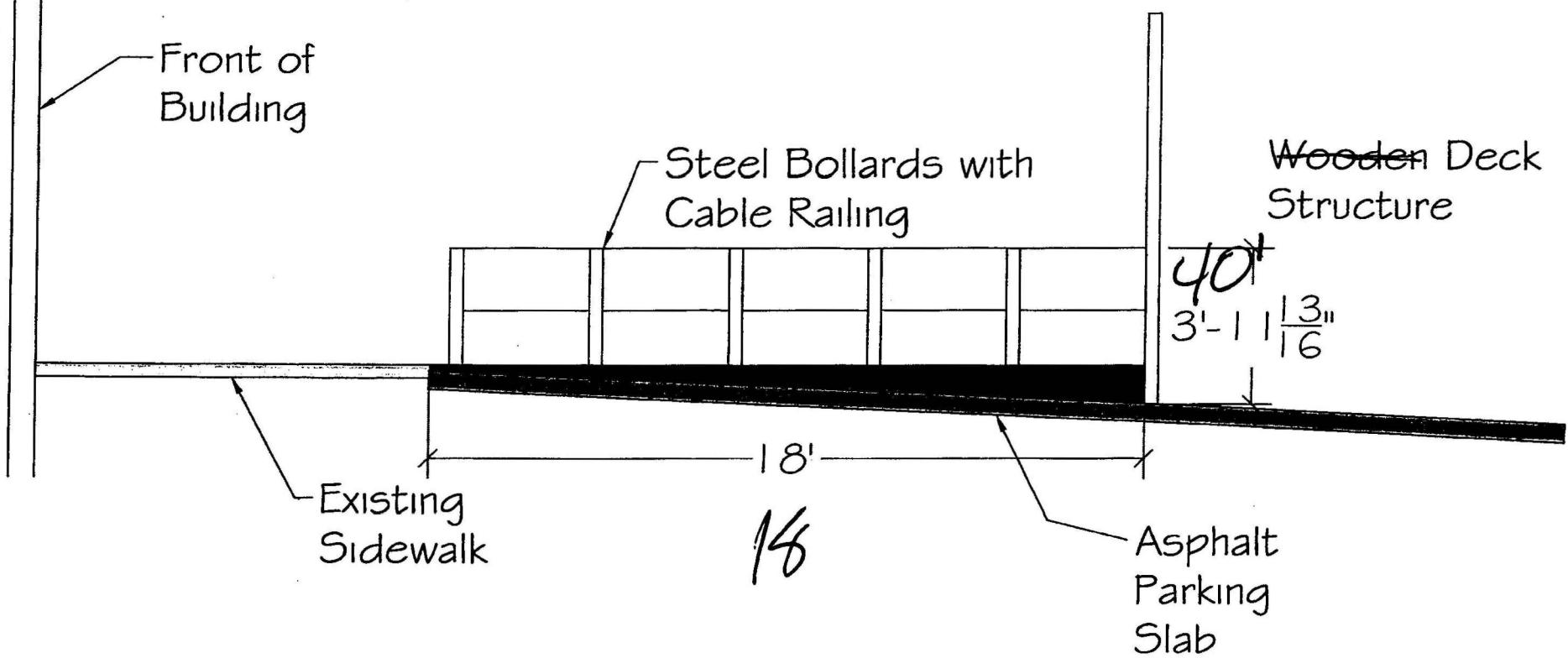
by Kimberly Kavulak

(name of person acknowledged (individual(s) signing document))

Notary Public signature



Side Elevation



CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
AUTHORIZE PURCHASE — WORKIVA DOCUMENT PRODUCTION SOFTWARE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	KEVIN POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

A resolution has been prepared to authorize the purchase of Workiva document production software in an amount not to exceed \$41,600.

FISCAL IMPACT

Based on the FY21 year-end estimate, funding is available through savings in the Lottery Fund for this purchase. The \$41,600 includes the annual licensing fee and a one-time implementation fee for the Comprehensive Annual Financial Report (CAFR) and annual license fees. Funding for the license renewal and one-time implementation fee for the budget documents for a total of \$84,800 will be recommended as part of the FY22 Budget amendment process.

	Annual Fee	One-time Implementation	Total
FY21	\$24,000	CAFR - \$17,600	\$41,600
FY22	\$25,200	Budget Documents - \$59,600	\$84,800
FY23	\$26,460		

RECOMMENDATION

Approval

BACKGROUND

The City currently prepares the biennial budget document using Microsoft Excel spreadsheets, Word documents and Adobe InDesign. This is a labor intensive, manual process of repeatedly uploading, updating, and merging dozens of Excel and Word files. The process has become increasingly complex and prone to human and technical errors.

Because the manual budget process does not interface with the City's ERP system (BS&A) or allow for on demand summary reports, as the budget document is reviewed and edited, staff must manually make changes to all of the documents. The lack of connectivity from the document to the data results in excessive staff time utilized to enter and verify data multiple times.

In order to streamline the process, reduce errors, and enhance the budgeting and reporting capabilities, staff previously explored other software options which resulted in the purchase of Gravity. While we did see some

improvement, spreadsheets and word documents were still necessary and document production staff was unable to have full access to the document requiring certain changes to be made by the Gravity team only, resulting in considerable frustration and time delays. See Exhibit A.

After surveying over 20 municipalities across the country, four budget development software solutions were investigated: Questica, OpenGov, OpenBook, and ClearGov. Questica was the only one to have a budgeting process solution that is user-friendly and comprehensive document management and financial reporting tool that allows multiple users from different departments to create, collaborate, edit, and approve budget submissions without the headaches of multiple spreadsheets/documents, version control issues, manual updates, and duplicating content/visuals such as charts, graphs, tables, and images and integrates with document production software to provide the degree of customization necessary to prepare our budget book, CAFR, and other financial reports. Questica also includes a comprehensive CIP tool. The City Council approved the purchase of Questica on March 16, 2021.

The last piece of a total budget development solution is a document development tool. This provides the link between Questica and InDesign, the budget preparation software and document production software. Two document production products were reviewed and evaluated, CaseWare and Workiva. Of the two, Workiva provides the greatest flexibility for maximizing the use of InDesign software (which staff utilizes for other applications) while maintaining data connectivity. Workiva has a connected platform that puts reporting in one place so multiple users can collaborate in the software at the same time.

Through many demonstrations, work sessions, customer testimonials, and internal staff reviews, it has been determined that Workiva would most efficiently produce linked financial documents, allow for control of the design elements and provide for all around staff collaboration at the most reasonable cost. Exhibit B shows the consolidation of our current manual processes into this new integrated software solution.

If approved, the first phase of implementation in FY21 would be the CAFR. Second phase would start in FY22 on the implementation of the budget documents.

RESOLUTION NO. _____

A RESOLUTION HAS BEEN PREPARED TO AUTHORIZE THE PURCHASE OF WORKIVA DOCUMENT PRODUCTION SOFTWARE IN AN AMOUNT NOT TO EXCEED \$41,600.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of Workiva Document Production Software 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 Workiva Document Production Software in an amount not to exceed \$41,600.

PASSED AND APPROVED THIS 15TH DAY OF JUNE, 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Exhibit A

Process to Produce the Budget Document

Budget data is extracted from BS&A to create excel spreadsheets by the Finance Department. Each department enters their budget into the excel spreadsheets and narratives are written in Word documents which are submitted to Finance. Finance reviews, analyzes, and combines the spreadsheets and word documents into summary documents that are entered in Gravity. This goes back and forth several times until the executive budget review is finalized. The budget document is then created in Gravity and Adobe InDesign. To finalize the format, the production staff must work with Gravity as they retain all rights to the InDesign format. This process goes back and forth several times before a final budget document is prepared, downloaded and sent to the printer. (See diagram)

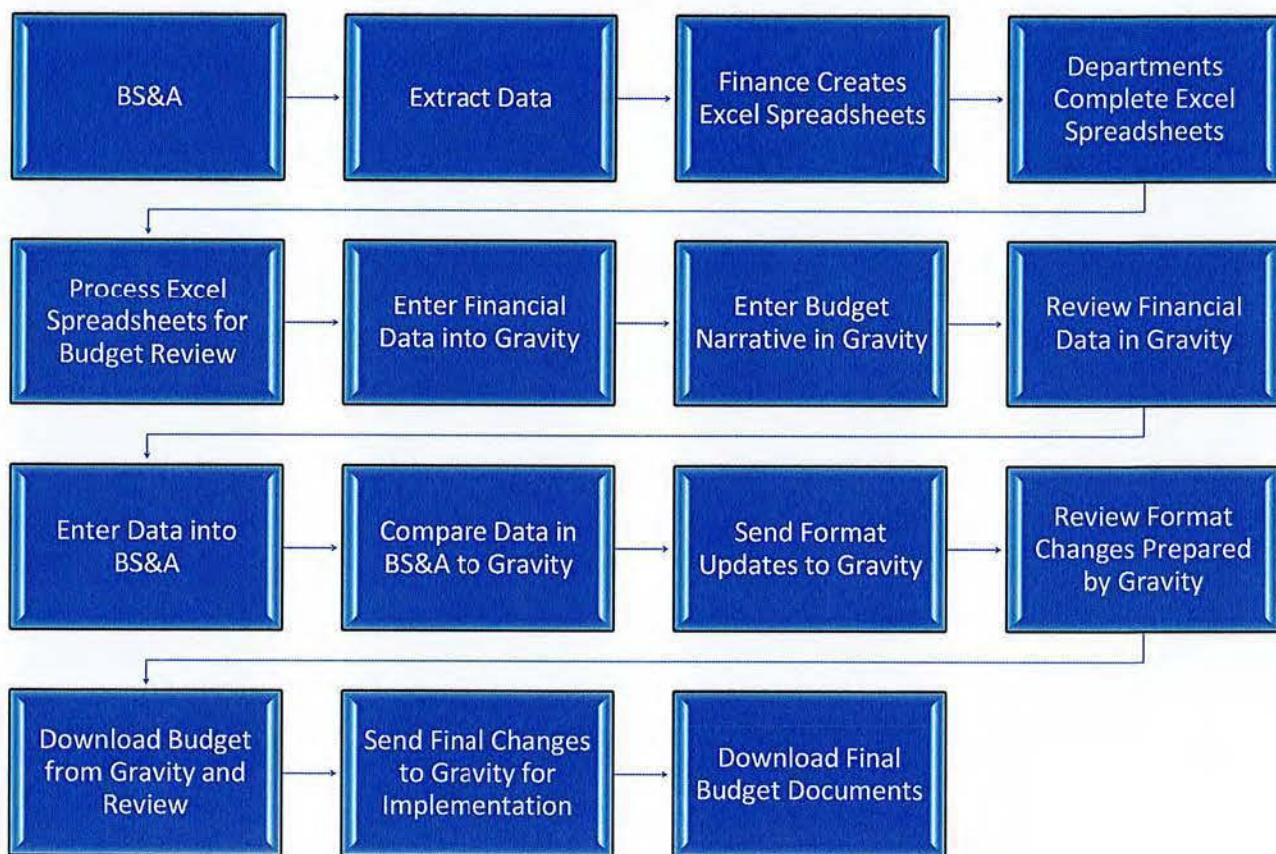
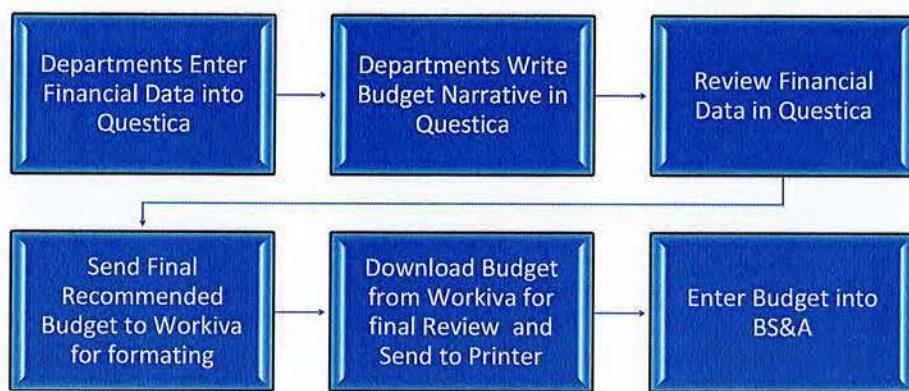


Exhibit B

Process to Produce the Budget Documents With Questica & Workiva

Departments see their budget and enter their new budget requests directly into Questica. As Questica is a collaborative software, the departments can review, analyze, add follow-up and write their narratives in Questica. The executive budget review can all be completed in Questica and once finalized, the budget documents are downloaded into Workiva for staff formatting and printing. (See diagram)



**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA**

Subject:	Type:	Submitted By:
COUNCIL POLICY STATEMENT - CITY FINANCIAL POLICIES	◆ RESOLUTION ORDINANCES RECEIVE/FILE	CINDY MISEREZ FINANCE DIRECTOR

SYNOPSIS

A resolution has been prepared to approve a Council Policy Statement: No.138 - City Financial Policies.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

The Finance Department is in the process of preparing a financial policies document which will consolidate all of the City's financial policies.

The City's current financial policies are written in Council Policy Statements, Standard Operating Policies and the La Vista Municipal Code. This is the first step toward having all of these policies in one document.

This first part of the financial policy is a broad over-arching directive covering the areas of budgeting, reserves, reporting, accounting, investment and debt management.

The recommended policy will replace the following Council Policy Statements.

104 – Investment of City Funds (attached)

127 – Fund Balance Policy in Accordance with GASB #54 (attached)

RESOLUTION NO. _____

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

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

WHEREAS, a Council Policy Statement entitled "138 – City Financial Policies" has been established.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement entitled "138 – City Financial Policies" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

City Financial Policies



City Financial Policies

City of La Vista

Council Policy Statement

City Financial Policies

Financial Policy

Contents

General Policies.....	4
Definitions.....	4
Budget Process Policy	6
Operating Budget Policy	7
Budgetary Control.....	8
Community Input	8
Basis of Budgeting.....	8
Fund and Reserve Policy	8
General Fund Operating Reserve.....	8
Sales Tax Incentive Refund Reserve.....	9
Qualified Sinking Fund	9
Sewer Fund	10
Sewer Reserve Fund.....	10
Interfund Transfers.....	10
Master Fee Ordinance Updates	11
Financial Reporting and Accounting Policy.....	11
General Policies.....	11
Annual Reporting	11
Interim Reporting.....	12
Investment Policy.....	12
Purpose of Policy.....	12
Scope.....	12
Delegation of Authority	12
Prudence	12
Investment Objectives	13
Instruments.....	13
Ethics and Conflicts of Interest	14
Diversification	14

City of La Vista

Council Policy Statement

City Financial Policies

Safekeeping and Custody.....	14
Deposit of City Funds	15
Limit and Collateralization of Deposits.....	15
Debt Management Policy.....	15
Purpose of Policy.....	15
Responsibility	15
Purpose of Financing.....	16
Budgeting and Capital Planning	16
Asset Life	16
Types of Obligations.....	16
Affordability Targets	17
Debt Service Fund	17
General Obligation and other Tax-Supported Obligations	17
Revenue Bonds	18
Structure of Debt	18
Term of Debt	18
Debt Repayment	18
Call Options/Redemption Provisions	18
Professional Services.....	18
Credit Ratings.....	19
Refunding Debt	19
Current Refunding.....	19
Arbitrage Rebate Monitoring and Reporting.....	20
Tax Certificate Compliance	20
Ongoing Disclosure	20
Investment of Bond Proceeds.....	20
Internal Control Procedures.....	20

City of La Vista

Council Policy Statement

City Financial Policies

General Policies

The City will maintain sound financial practices in accordance with all federal, state and local laws and direct its financial resources towards meeting the City's long-term goals. The City will maintain and further develop programs to assure its long-term ability to pay the costs necessary to provide the level and quality of service required by its residents.

A review of the Financial Policy will be performed every three years, and any changes to the Financial Policy will be brought forward for City Council consideration and approval. Further, in the event there are any recommended deviations or exceptions from the Financial Policy, those exceptions will be presented for the City Council's consideration.

Definitions

Accrual Basis - An accounting method that recognizes revenue when the services are provided and records expenses when they are incurred.

Amortization – An accounting technique used to periodically lower the book value of a loan or intangible asset over a set period.

Arbitrage – In the context of government finance, the reinvestment of the proceeds of tax-exempt securities in materially higher-yielding taxable securities.

Assigned Fund Balance – The portion of a governmental fund that represents resources that are set aside by the government for a specific purpose.

Bond Anticipation Notes (BAN) - A short-term interest-bearing security issued in advance of a larger, future bond issue. Bond anticipation notes are smaller short-term bonds that are issued by corporations and governments, such as local municipalities, wishing to generate funds for upcoming projects.

Cash Basis – An accounting method that records revenue when cash is received, and records expenses when cash is paid.

Cash reserve – Money kept on hand to meet short term and emergency funding needs such as natural disasters, economic downturns, and the inevitable unforeseen event that would trigger a fiscal hardship.

Certificates of Participation (COP) - A type of financing where an investor purchases a share of the lease revenues of a program rather than the bond being secured by those revenues. Certificates of participation are secured by lease revenues. A certificate of participation can also be referred to as a participation certificate.

Committed Funds - Includes amounts that are committed for specific purposes by formal action of the City Council. Amounts classified as "committed" are not subject to legal enforceability like restricted funds; however, those amounts cannot be used for any other purpose unless the City Council removes or changes the limitation by taking the same form of action it employed to previously impose the limitation.

City of La Vista

Council Policy Statement

City Financial Policies

Comprehensive Annual Financial Report (Annual Report) - Is a set of financial statements comprising the financial report of a municipal entity that complies with the accounting requirements promulgated by the Governmental Accounting Standards Board (GASB).

Debt Service Coverage Ratio (DSCR) – A measurement of available cash flow to pay current debt obligations. The DSCR shows the extent current fiscal year income is available to fund debt service expense. A ratio of 1.0 is the objective.

Depreciation – An accounting method of allocating the cost of a tangible asset over its useful life and is used to account for declines in value.

Economic Development Bonds - Transactions passed through a public entity (such as an economic development authority) to become tax-exempt and thereby save in interest costs.

Encumbrances - A commitment within an organization to use funds for a specific purpose.

Enterprise Fund - The businesslike functions in which a government provides a service to residents in return for fees and charges, such as water, sewer, and transit systems.

Fund Balance - Net position of a government fund. It serves as a measure of the financial resources available in a governmental fund. It is the net of all assets, liabilities, deferred outflows of resources and deferred inflows of resources. Portions of the fund balance can be further defined as nonspendable, restricted, committed, assigned, and unassigned.

Highway Allocation Fund Pledge Bonds - Bonds issued by political or governmental subdivision or public corporation to be expended for the cost of construction, reconstruction, maintenance, and repair of public highways, streets, roads, or bridges and facilities, and connecting structures.

Internal Service Funds - Activities that provide services to the government itself, such as fleet maintenance.

Market Value - The price at which a security is trading and could presumably be purchased or sold on the open market.

Modified Accrual Basis - Recognizes revenues when they become available and measurable and, with a few exceptions, recognizes expenditures when liabilities are incurred.

Nonspendable – The portion of a governmental fund balance that cannot be spent because the underlying resources are not in spendable form or because the government is legally or contractually required to maintain the resources intact. Example: pre-paid items.

Operating Reserve – Available General Fund balance, excluding nonspendable, restricted, committed, and assigned fund balance, compared to operating expenditures in a fiscal year, expressed as a percentage and as number of months' expenditures that could be funded from the reserve balance.

City of La Vista

Council Policy Statement

City Financial Policies

Request for Proposal (RFP)— Request for proposal is a document that solicits a proposal, often made through a bidding process, to potential suppliers by an agency or company interested in procurement of a commodity, service, or asset.

Request for Qualifications (RFQ) - Request for qualifications means a process that requests interested consultants to submit a letter of interest and a statement of their qualifications. Consultants are evaluated upon their qualifications, expertise, and references. Cost is not considered until after a consultant has been selected at which point the price may be negotiated.

Restricted Funds - Fund constraints placed on the use of amounts are either externally imposed by creditors (such as through debt), grantors, contributors or laws or regulations of other governments; or imposed by law through constitutional provisions or enabling legislation. This would generally include amounts in bonded capital projects funds, debt service funds, and program funds funded with federal program dollars.

Sales Tax Revenue Bonds - A revenue bond is a municipal bond supported by the revenue from a specific project, such as a toll bridge, highway or local stadium. Sales tax revenue bonds are municipal revenue bonds that are secured by a sales tax revenue collected. Typically, revenue bonds can be issued by any government agency or fund that is managed in the manner of a business, such as entities having both operating revenues and expenses.

Unassigned Fund Balance – The difference between the total fund balance in a governmental fund and its nonspendable, restricted, committed, and assigned components.

Budget Process Policy

The City follows a biennial budget process, emphasizing long-range planning and effective program management. A biennial budget process enforces the practice of forecasting and planning, while reducing strain on financial staff and discouraging “expenditure creep” that is commonly associated with annual budget cycles.

The first year of the biennium is the odd numbered year. The second year of the biennium is the even numbered year. The preparation for the two-year cycle occurs during the second year of the previous biennium. A review of the first and second year occurs during the first year of the biennium. The biennial budget and subsequent amendments to either year of the biennium are adopted by the City Council and filed with the State of Nebraska Auditor of Public Accounts (APA) on or before the due date set by the APA.

The biennial budget process is consistent with the La Vista Municipal Code, specifically Chapter 35: Finance and Revenue, whereby:

- A budget will be proposed by the City Administrator, with consultation of staff, and adopted by the City Council each year.
- The fiscal year begins on October 1 and ends September 30 of the following calendar year.
- A draft of the proposed budget is presented to City Council at a public meeting.

City of La Vista

Council Policy Statement

City Financial Policies

- The City Council adopts the budget for the two years of the biennium on or before the due date set by the State of Nebraska Auditor of Public Accounts (APA).

Operating Budget Policy

1. In even numbered years (the second year of the biennial budget), the City will adopt a biennial budget for the following two years on or before the APA due date.
2. Review of the biennial budget will occur during the odd-numbered year (first year of the biennial budget) and amendments will be adopted on or before the APA due date.
3. Amendments may be adopted prior to the APA due date as necessary during the biennium. Although this flexibility exists, only major items should be considered for budget amendments as flexibility exists within a fund's budget to address minor items.
4. The City will make every effort to adopt balanced operating budgets, with ongoing expenditures paid for with ongoing revenues, and avoid procedures that balance budgets by deferring needed expenditures.
5. The City will maintain an operating reserve percent and debt service coverage ratio in accordance with the adopted policy.
6. The City will estimate revenues using an objective and analytical process. In the case of significant uncertainty, conservative projections will be used.
7. The City will maintain a level of expenditures that support essential services and promote quality-of-life for its residents.
8. The City will forecast its General Fund and other major fund expenditures and revenues for a five-year period and will update the forecast annually. The forecast provides the foundation for budget recommendations. When the first year of the five year forecast falls on an odd-numbered year, the first two years form the biennial budget request.
9. The City will endeavor to maintain a diversified and stable revenue system to minimize the impact of short-term fluctuations in any one revenue source.
10. The City will avoid targeting revenues for specific purposes whenever possible, allowing maximum flexibility in funding decisions.
11. The City will investigate potential new revenue sources, particularly those that will not add to the tax burden of residents and local businesses.
12. The biennial budget will incorporate objectives from the City's strategic plan.
13. The City will work proactively to monitor legislation that may benefit or burden the City financially.
14. The City will maintain a Capital Improvement Program (CIP) that accounts for capital project plans five years into the future. The CIP will support the City Council's goals and objectives, be consistent with the comprehensive plan, protect investment in infrastructure, and encourage economic development.
15. Future operating costs associated with new capital improvements will be projected and included in the operating budget forecasts.
16. An inventory of the City's physical assets, their condition, and remaining useful life will be maintained. An inventory should be completed every three years.
17. The City will maintain all assets at sufficient levels to protect the City's capital investment and to minimize unexpected maintenance and replacement costs.

City of La Vista

Council Policy Statement

City Financial Policies

Budgetary Control

The City Council is required to adopt a budget for all City funds and departments. Adoption of the budget requires a majority vote of the City Council. Subsequently, the City Council approves any revisions that increase the total budgeted expenditures or revenues of any department and fund, and any changes to staffing levels.

The City Administrator is authorized by the City Council to allocate the budget within the prescribed limits, for administrative purposes. This includes changes between expenditure categories (i.e., personnel services, commodities, contractual services, maintenance, other charges, debt service, capital outlay, or capital improvements) within a fund.

Changes to Capital Improvement Program that significantly alters project scope must be approved by City Council.

Community Input

Essential to the development of La Vista's annual budget is feedback from individuals and organizations. Input from the community is received through various channels, including City Council meetings, the City website, forums, community surveys, and public hearings.

Basis of Budgeting

Governmental funds, including general, special revenue, and capital project funds, are budgeted on a cash basis.

Proprietary funds, including enterprise and internal service funds, are budgeted on a cash basis.

Fund and Reserve Policy

General Fund Operating Reserve

Establishing and maintaining adequate cash balances and reserves allows financial flexibility and security and is recognized as an important factor considered by bond rating agencies and the underwriting community when reviewing debt issuance. Along with maintaining credit worthiness, such cash balances and reserves provide the means to handle economic uncertainties, local disasters and other unanticipated financial hardships, as well as meet cash flow requirements. The City will adhere to the following policies:

- A positive cash balance should be shown in the total and unassigned General Fund balance at the end of the fiscal year. At a minimum, the unassigned fund balance should be in the target range of 20% to 25% of General Fund appropriations for the succeeding fiscal year to provide adequate cash flow and emergency cash funding.
- Nonspendable, restricted, committed, and assigned fund balance is excluded from the total General Fund balance to compute the unassigned fund balance. The unassigned General Fund balance must be positive. That is, the other categories of fund balance cannot exceed the total General Fund balance.
- Restricted fund balance should not be used to finance routine operating expenses that exceed budgeted levels.

City of La Vista

Council Policy Statement

City Financial Policies

- The operating reserve (unassigned fund balance) should not be used to finance capital projects unless specifically earmarked for a project and designated as a restricted fund balance.
- Revenues will equal or exceed expenditures for each budget year unless there are funds available in the operating reserve. Excess operating reserves may be used to balance revenues and expenditures so long as the minimum operating reserve requirements of this policy are met.
- Short-term borrowing, such as tax anticipation notes, to meet the requirements in this section is prohibited.
- The annual budget is considered balanced if the revenue and expenditure activity and change in fund balance net to zero with an ending fund balance that is positive.
- A cash reserve requirement is embodied in the operating reserve. By maintaining a 20% to 25% operating reserve, cash reserves exist to address short term needs.

The operating reserve is reported to the City Council annually when the completed audited financial statements are presented for approval. A projected operating reserve balance is presented during the budget process for the current year-end estimate and the succeeding five years.

If the operating reserve rises above or falls below the desired range, the following actions are taken.

- When the designated operating reserve falls below the desired range, the City shall create a plan to restore the cash reserve to the appropriate levels during the following budget cycle or through a budget amendment in the current biennial budget.
- When the designated operating reserve rises above the desired range, any excess funds will remain unassigned in the General Fund until the funds are distributed as outlined in the next approved biennial budget or through an approved budget amendment in the current biennial budget.

Sales Tax Incentive Refund Reserve

The City maintains a Sales Tax Incentive Refund Reserve within the General Fund operating reserve to provide for sales tax revenue shortfalls resulting from State refunds to taxpayers under Nebraska incentive programs. The State notifies the City one year in advance of large refunds and the City records this as a liability on the government-wide financial statement. The Sales Tax Incentive Refund Reserve is held in the fund balance as unassigned and available in the operating reserve calculation.

The City sets aside funds for the Sales Tax Incentive Refund Reserve throughout the year, using a pre-determined benchmark of monthly consumer use tax collections exceeding a designated amount. The Sales Tax Incentive Refund Reserve is utilized throughout the year when large sales tax refunds result in reduced cash flow in a month. The overall amount to reserve is analyzed during the biennial budget process using the State notifications and the forecast of consumer use tax.

Qualified Sinking Fund

In 1998, under the authority of the Nebraska Budget Act, the Mayor and City Council approved Resolution 98-145 authorizing the creation of a Qualified Sinking Fund to pay for the acquisition or replacement of tangible personal property with a useful life of five years or more. The Qualified Sinking Fund is maintained separately from the General Fund. Unassigned General Funds and Lottery Fund

City of La Vista

Council Policy Statement

City Financial Policies

restricted community betterment funds are available for appropriation of transfers to the Qualified Sinking Fund.

The purpose of the Qualified Sinking Fund is to earmark and build a reserve for designated pay-as-you-go acquisitions of capital items. The intent is to reduce debt financing of tangible personal property with a useful life of five years or more.

The City may use one of several methods to establish a budget for transfers to the Qualified Sinking Fund:

- The required level of reserve equals each year's vehicle and equipment audited depreciation expense. For example, if the prior fiscal year's equipment depreciation expense is \$100,000, that amount may be set aside for future vehicle and equipment replacement.
- Equipment replacement schedules
- Convert individual department appropriation variance from an expenditure to a year-end transfer to the Qualified Sinking Fund.

If this set aside (transfer) causes the General Fund operating reserve percentage to drop below the 20% to 25% range, the transfer may be adjusted.

Sewer Fund

The City will maintain reserves for the purposes of offsetting unanticipated fluctuations in Sewer Fund revenues to provide financial stability, including the stability of revenues and the rates and charges and funding for emergency repairs. The reserves are based on the following:

- An unrestricted fund balance equivalent to 25% of total annual expenditures
- Reserves above 25% are directed to the Sewer Reserve Fund for anticipated capital projects based on the prior fiscal year's audited financial statements.

Sewer Reserve Fund

The City maintains a Sewer Reserve Fund for the replacement of sewer lines, repairs to the sewer system, and sewer capital outlay. Capital Improvement Program projects will be funded by the reserve fund balance and bond proceeds. Transfers are made from the Sewer Fund annually when the Sewer Fund operating reserve exceeds 25% based on the prior fiscal year's audited financial statements.

Expenditures of the Sewer Reserve Fund will be directed by projects approved in the CIP and capital outlay needs as directed by the City Council. Approved funds will be transferred back to the Sewer Fund for designated capital outlay or CIP expenditures.

Interfund Transfers

To achieve important public policy goals, the City has established various special revenue, capital project, debt service and enterprise funds to account for revenues whose use should be restricted to certain activities. Accordingly, each fund exists as a separate financing entity from other funds, with its own revenue sources, expenditures and fund equity. Any transfers between funds for operating purposes are clearly set forth in the biennial budget.

City of La Vista

Council Policy Statement

City Financial Policies

At the beginning of the fiscal year, the Finance Director will prepare an interfund transfer schedule to be reviewed and approved by the City Administrator followed by periodic updates throughout the fiscal year.

Master Fee Ordinance Updates

Updates to the Master Fee Ordinance will be reviewed on an ongoing basis to ensure they keep pace with the cost to provide service and service delivery changes. A comprehensive analysis of City costs and fees should occur at least every five years. Fees may also be adjusted during this interim period based on supplemental analysis whenever there have been significant changes in the method, level, cost of service delivery, and comparability to other jurisdictions.

Before implementation of the Master Fee Ordinance updates, the City Council adopts the final recommendations with the biennial budget and as necessary throughout the fiscal year.

Financial Reporting and Accounting Policy

General Policies

The City will establish and maintain a high standard of accounting practices, using the latest edition of the Governmental Accounting, Auditing, and Financial Reporting (GAAFR) publication as its source of generally accepted accounting principles (GAAP).

The City's relationship with its independent public accounting firm will be reviewed at a minimum every five years.

The City will maintain its budget on a cash basis of accounting and maintain its accounting system on a modified accrual basis of accounting for all interim, internal, and state reporting except for the Comprehensive Annual Financial Report which will be produced in accordance with GAAP.

The City will adhere to a policy of full and open public disclosure of all financial activity and information.

Annual Reporting

The City will produce a Comprehensive Annual Financial Report (CAFR) in accordance with generally accepted accounting principles to provide accurate and meaningful information concerning the City's financial condition and performance.

The City will contract an independent public accounting firm licensed in the State of Nebraska to perform the annual audit which will be made available to the public each year. The selection of the audit firm is subject to the City's formal bidding process. The Finance Director shall prepare a detailed request for proposal for auditing services. The request for proposal for auditing services will follow the City's request for proposal process in the selection of an auditor.

The City will comply with all State and Federal audit and review regulations, including OMB A-133 Single Audit Act audit and review requirements and submitted to the State of Nebraska Auditor of Public Accounts (APA) according to the due date set by the APA.

City of La Vista

Council Policy Statement

City Financial Policies

Interim Reporting

The City will prepare and issue timely interim reports on the City's financial status to the Council and staff. This includes:

- Monthly financial reports
- Monthly revenue reports
- Monthly investment reports
- Other reports as requested.

Investment Policy

Purpose of Policy

The purpose of this document is to establish policies and procedures that enhance opportunities for prudent and systematic investments and to organize and formalize investment-related activities.

The investment policies and practices of the City of La Vista are based on state law and fiduciary responsibility for cash management. All funds will be invested in accordance with the City's investment policy and Nebraska Revised Statutes §19-1304 and §77-2341 and La Vista Code of Ordinances §35.15.

Scope

This investment policy applies to all cash assets included within the scope of the City of La Vista's audited financial statements.

Delegation of Authority

The Finance Director is the designated investment officer, and has the authority to make certain investment decisions, under the review of the City Administrator as noted below.

The City Administrator has general management responsibility over the Finance Director and has direct responsibility for the preparation and administration of the City budget. To fulfill these duties, the City Administrator must work closely with the Finance Director regarding investment decisions. Accordingly, any determination made by the Finance Director regarding the timing, amount, and type of investments made with City funds should be made only after the City Administrator has been given an opportunity to review and comment on any such intended investment.

The Director of Administrative Services shall monitor and review all investments for compliance with this investment policy.

Prudence

The standard of prudence to be used for managing the City's investments is the "prudent investor" rule, which states, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived."

City of La Vista

Council Policy Statement

City Financial Policies

The overall investment program shall be designed and managed with a degree of professionalism that is worthy of the public trust. The City shall recognize that no investment is totally riskless and that the investment activities of the City are a matter of public record.

City officers acting in accordance with written procedures and exercising due diligence shall be relieved of the personal responsibility for an individual security's credit risk or market price change if deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

As used herein, capital stock financial institutions shall include state and national banks, capital stock state building and loan associations, capital stock federal savings and loan associations, capital stock federal savings banks, capital stock industrial and investment companies and capital stock savings banks as outlined in Nebraska Revised Statutes §77-2366.

Investment Objectives

The City will limit investment activities to achieve the following objectives:

- **Safety** - The funds will be invested in such a manner as to ensure preservation of capital and protection of principal.
- **Legality** - All investments will be in conformance with federal, state and other legal requirements.
- **Liquidity** - The investment portfolio will remain sufficiently liquid to enable the City to meet its cash flow requirements. This is accomplished by structuring the portfolio, so the securities mature to meet cash requirements for ongoing operations. Investments shall be managed to avoid, but not prohibit, sale of securities before their maturities to meet foreseeable cash flow requirements.
- **Return on Investment** - The investment portfolio will be designed with the objective of maximizing the rate of return on investment while maintaining acceptable low risk levels and ensuring adequate liquidity.

Instruments

Funds of the City of La Vista may be invested in the following instruments:

- U.S. Treasury obligations which carry the full faith and credit guarantee of the United States Government and are the most secure instruments available.
- U.S. Government agency and instrumentality obligations that have a liquid market with a readily determinable market value.
- Money market funds registered under the Federal Investment Company Act of 1940, whose shares are registered under the Federal Securities Act of 1933 and having a rating by Standard & Poor of AAAm-G, AAA-m, or AA-m, and if rated by Moody's, rated Aaa, Aa1, or Aa2.
- Savings accounts, deposit accounts or money market deposit accounts which are insured by the FDIC.
- Fully insured or collateralized certificates of deposit of banks and capital stock financial institutions.

City of La Vista

Council Policy Statement

City Financial Policies

- A-1 P-1 rated commercial paper secured by an irrevocable line of credit or collateralized by government securities (within the list of acceptable investments under the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act and as provided in the authorized investment guidelines of the Nebraska Investment Council as required by Nebraska Revised Statutes §77-2341(1)).
- Banker's acceptances issued by the 10 largest domestic banks and the 20 largest international banks (within the list of acceptable investments under the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act and as provided in the authorized investment guidelines of the Nebraska Investment Council as required by Nebraska Revised Statutes §77-2341(1)).

The maximum maturity on any investment made with City funds is not to exceed a period of three years.

Ethics and Conflicts of Interest

Elected officials and employees involved in the investment process shall:

- Refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.
- Disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio.
- Refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

Diversification

It is the policy of the City of La Vista to diversify its investment portfolio to eliminate the risk of loss resulting from over concentration of funds in a specific maturity, a specific issuer or specific class of securities.

Maturities will be staggered to meet all projected obligations of the City and will be selected to provide stability of income and reasonable liquidity.

Safekeeping and Custody

The Finance Director shall establish a system of internal controls, which shall be reviewed with an independent auditor of the City. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City.

To protect against potential fraud and embezzlement, the investments of the City of La Vista shall be secured through third party custody and safekeeping procedures. The Finance Director shall be bonded in an amount no less than \$25,000 to protect the public against the risk of embezzlement and misappropriation of funds. Unless prevailing practices or economic circumstances dictate otherwise, ownership shall be protected through third party custodial safekeeping.

City of La Vista

Council Policy Statement

City Financial Policies

Deposit of City Funds

To protect the liquidity and security of City funds, policies related to the deposit of City funds in any bank or depository will be as follows:

- No funds of the City shall be deposited in any bank or capital stock financial institution not insured by the Federal Deposit Insurance Corporation (FDIC).
- In accordance with Nebraska Revised Statutes §16-713, The Finance Director may, upon resolution of the Mayor and City Council authorizing the action, purchase certificates of deposit from and make time deposits in banks, capital stock financial institutions, or qualifying mutual financial institutions selected as depositories of City funds under the provisions of Nebraska Revised Statutes §16-712, §16-714, and §16-715.
- The amount of collateral pledged by each bank or depository shall be monitored by the Finance Director monthly to ensure it is adequate to cover all funds on deposit at such institution.
- The selection of any bank or depository providing liquid cash funds are subject to the City's formal bidding process. The Finance Director shall prepare a detailed request for proposal for banking services. The request for proposal for banking services will follow the City's request for proposal process in the selection of a bank or depository.

Limit and Collateralization of Deposits

Time deposits and certificates of deposit in banks or capital stock financial institutions more than FDIC insurance shall be collateralized by bond in accordance with the requirements of Nebraska Revised Statutes §16-713 through §16-716 and shall not exceed the limits as to amount prescribed by Nebraska Revised Statutes §16-716.

Debt Management Policy

Purpose of Policy

The City of La Vista (City) maintains conservative financial policies to assure strong financial health both in the short and long-term.

Maintaining the City's credit rating is an important objective of the financial policies. To this end, the City is constantly working to improve its financial policies, budgets, forecasts, and financial health.

This Debt Management Policy shall apply to financing obligations of the City of La Vista and the La Vista Community Redevelopment Agency and the City of La Vista Facilities Corporation.

This policy sets forth the criteria for issuance and repayment of financing obligations. The primary objective of the Debt Management Policy is to establish criteria that will protect financial integrity while providing a funding mechanism to meet capital needs. The underlying approach is to only finance capital improvements that cannot be funded on a pay-as-you-go basis. The City shall not incur long-term obligations to finance current operations.

Responsibility

Authority to incur financing obligations is given by the City Council. The Finance Director and designated staff will perform the duties of debt issuance, interest payments, principal repayments and other financing-related activities.

City of La Vista

Council Policy Statement

City Financial Policies

The Finance Director is responsible for assuring that the activities related to incurring and payment of financing obligations will not jeopardize the City's credit rating.

Purpose of Financing

The City incurs financing obligations primarily to fund long-term capital improvement projects and to refinance existing obligations. Incurring long-term financing obligations to fund operating deficits is not permitted.

While the preferred means of financing projects is the "pay-as-you-go" method of using current revenues to pay for capital projects because it avoids interest payments, the City would be able to undertake capital projects under this method only if sufficient cash accumulates. Prudent use of financings rather than pay-as-you-go funding of capital projects can distribute the cost of a project over its useful life and facilitate better allocation of resources and increase financial flexibility. Long-term financing of capital projects can also be used in conjunction with pay-as-you-go to finance over time only a portion of the project if sufficient funds are not readily available.

Budgeting and Capital Planning

The City shall develop and maintain a five-year Capital Improvement Program (CIP) that is approved by the City Council. The City Council adopts the first two years of the CIP during the biennial budget process.

A determination to utilize financing obligations to fund all or a portion of a capital project first requires an analysis as part of the biennial budget process of the sources of revenues to repay the financing obligations and the impact of repayment of the financing obligations on existing budget commitments.

The Finance Director is responsible for coordinating and analyzing financing requirements. This will include the timing of when financing obligations are incurred, calculation of outstanding obligations, levy and budget limitation calculations and compliance, impact on future debt service and payment burdens, and current revenue requirements.

Asset Life

Generally, no financing obligations will be incurred for periods exceeding the useful life or average useful lives of assets to be financed.

Types of Obligations

The following is a description of the types of long-term financing obligations the City may issue:

- **General Obligation Bonds**

General obligation (GO) bonds are secured by a pledge of full faith and credit of an issuer and a promise to levy taxes in an unlimited amount as necessary to pay debt service. GO bonds usually achieve lower rates of interest than other financing instruments since they are a lower risk.

- **Revenue Bonds**

Revenue bonds are obligations payable from revenues generated by a specific revenue activity. Revenue bonds are payable solely from the designated source and are not secured by any pledge of ad valorem taxes or general fund revenues.

City of La Vista

Council Policy Statement

City Financial Policies

- **Lease-Purchase Financing**

Lease-purchase financings can be structured using certificates of participation, or bonds issued by the City of La Vista Facilities Corporation. Payments on lease-purchase obligations are made from the General Fund or other available sources and are not subject to annual appropriation.

- **Other Bonds and Notes**

The City has the power to issue economic development bonds, sales tax revenue bonds, highway allocation fund pledge bonds, bond anticipation notes, certificates of participation and others; the La Vista Community Redevelopment Authority has the power to issue tax increment obligations and occupation tax revenue bonds.

- **Bank Loans**

Under certain circumstances, it may be advantageous to obtain financing through a direct bank loan as permitted under Nebraska law. One potential advantage of bank loans is that the process for execution is generally simpler and can be less expensive to issue than a publicly offered financing. Additionally, a bank loan can often be structured in a manner that more closely conforms to specific project or repayment considerations than a bond issue. However, since bank loans are issued in an environment less transparent than a publicly offered financing, it is more difficult to assess how the proposed loan rates, fees, and terms compare to the market. The City Finance Director will consult with the City Administrator and Director of Administrative Services to determine whether a bank loan is the appropriate financing method for a particular project.

Affordability Targets

Debt Service Fund

The most important affordability ratio used in analyzing the City's debt position is the debt service coverage ratio (DSCR) – the available revenue as a ratio to annual debt service payments (including lease-purchase obligations). This analysis excludes enterprise revenue bonds and other obligations supported by dedicated revenue pledges. Additionally, this analysis may exclude other General Fund liabilities such as loan obligations. Liabilities of the City's related agencies are also excluded from the debt affordability ratios.

The City will target a DSCR of equal to or greater than 1.0. Should the DSCR fall below the desired range, the City shall create a plan to restore the appropriate levels.

The DSCR is presented during the budget process for the current year-end estimate and the succeeding five years. The budget is prepared to achieve a DSCR of at least 1.0 in each year, providing adequate annual income to meet projected debt service expenditures.

General Obligation and other Tax-Supported Obligations

The decision on whether to assume new general obligation or other tax-supported obligations (including lease-purchase obligations, highway allocation fund pledge bonds, tax-supported sales tax revenue bonds, and others), shall be based on costs and benefits, current conditions of the municipal bond market, and the City's ability to afford and service new obligations, as determined by an objective analytical approach. This process shall benchmark the City's debt position against generally accepted measures of debt load and affordability. These measures shall include but are not limited to:

City of La Vista

Council Policy Statement

City Financial Policies

- Debt per capita: the outstanding principal as a percentage of population.
- Debt as a percent of assessed valuation: outstanding principal as a percentage of assessed valuation.

Measures are evaluated by comparing to other similar jurisdictions, taking into consideration characteristics of the city, such as growth activity, and best practices.

Revenue Bonds

A rate increase to cover both operations and debt service costs, while maintaining debt service reserve fund balances to meet proper coverage ratios, should be considered when enterprise revenue bonds are issued by the City and periodically while enterprise revenue bonds are outstanding.

Structure of Debt

Term of Debt

Financing obligations will be structured consistent with a fair allocation of costs to current and future beneficiaries or users. Financings by the City should be of a duration that does not exceed the useful life of the improvement that it finances and, where feasible, should be shorter than the projected economic life. The standard term of long-term financing is typically 15-25 years.

Debt Repayment

The City shall pay all interest and repay all debt and other obligations in accordance with the terms of the bond ordinance, bond covenants and other operative documents related to a financing obligation. To the extent possible, the City will seek level or declining repayment schedules.

Call Options/Redemption Provisions

A call option, or optional redemption provision, gives the City the right to prepay or retire debt prior to its stated maturity. This option may permit the City to achieve interest savings in the future through refunding, or in some cases, full or partial redemption of the bonds. Generally, fixed rate tax-exempt municipal bonds are structured with a 5 to 10-year call at par (no premium). Because the cost of call options can vary widely, depending largely on market conditions, an evaluation of factors such as the following will be conducted in connection with each issuance:

- The time until the bonds may be called
- The price at which the bonds may be called
- The potential to generate future interest cost savings (or call option value)
- Any need for additional flexibility with respect to repayment.

Professional Services

The Finance Director shall be responsible for the solicitation and selection of professional services that are required to administer the City's debt program. The bond and disclosure counsel and trustee costs associated with the bond issuance will be paid with bond proceeds. Eligible City staff costs related to issuance of long-term bonds may also be reimbursed from bond proceeds.

- **Bond Counsel**

The City will engage bond counsel and disclosure counsel for all financings. Bond counsel will

City of La Vista

Council Policy Statement

City Financial Policies

deliver an opinion for each financing (a) as to the validity of the City's obligations with respect to the financing, (b) that the interest paid on the obligations is exempt from Federal income tax (if applicable), and (c) any other subjects necessary for the obligations to be accepted by the purchaser(s) thereof. Bond counsel is also responsible for preparing all financing documents, including bond ordinances, trust indentures, and other related documents, and assists in preparation of official statements. Disclosure counsel shall be required to deliver a customary 10(b)-5 opinion on City offering documents. The disclosure counsel will work with staff to draft all disclosure documents for a bond financing. The City may engage separate firms in the capacity of bond and disclosure counsel or one single firm to perform bond and disclosure counsel functions.

- **Underwriters**

An underwriter(s) will be used for all debt issued in a negotiated or private placement sale method. The underwriter is responsible for purchasing negotiated or private placement debt and reselling the debt to investors.

- **Trustee/ Fiscal Agent**

A paying agent, or trustee, will be used to provide accurate and timely payment to bondholders. The Finance Director will monitor funds held by third party trustees and review trustee bank statements monthly to ensure any expenditures from the trustee accounts are in accordance with the intended use of the financing proceeds.

Professionals should be selected based on merit using a competitive process and those relationships reviewed periodically. A competitive process using a request for proposals (RFP) or request for qualifications (RFQ) permits the City to compare the qualifications of proposers and to select the most qualified firm or firms based on the scope of services and evaluation criteria outlined in the RFP and that best meets the needs of the community and the type of financing being undertaken. The RFP should comply with state and local procurement requirements.

Credit Ratings

The City will maintain good communication with bond rating agencies regarding its financial condition. This effort will include providing periodic updates on the City's general financial condition, coordinating meetings, and presentations in conjunction with a new issuance. The City will continually strive to maintain its bond rating by improving financial policies, budgets, forecasts and the financial health.

Refunding Debt

A debt refunding is a refinance of debt typically done to take advantage of lower interest rates.

Current Refunding

A current refunding is one in which the refunding bonds are issued no more than 90 days before the date upon which the refunded bonds will be redeemed.

The Finance Director, working with the Director of Administrative Services, will periodically evaluate the City's existing financing obligations and execute, upon approval of the City Council, a refinancing when economically beneficial. A refinancing includes the issuance of bonds to refund existing bonds.

City of La Vista

Council Policy Statement

City Financial Policies

Unless otherwise justified, such as a desire to remove or change a bond covenant, a debt refunding will require a minimum present value savings of 3%. This savings requirement for a refunding may be waived by the City Administrator upon a finding that such a refunding is in the City's overall best financial interest.

Arbitrage Rebate Monitoring and Reporting

The City will, unless otherwise justified, use financing proceeds within the established time frame pursuant to the bond ordinance, indenture, or other governing documents and will take steps to comply with the arbitrage rules for tax-exempt financings. Arbitrage is the interest earned on the investment of the bond proceeds at a rate above the interest rate paid on the obligations. If arbitrage occurs, the City may be required to pay the amount of the arbitrage to the Federal Government as required by Internal Revenue Service Regulation 1.148-11. The City will maintain a system of recordkeeping and reporting to meet the arbitrage rebate compliance requirement of the IRS regulation. If determined appropriate, the recordkeeping shall include tracking investment earnings on bond proceeds, calculating rebate payments, and remitting any rebate earnings to the federal government in a timely manner to preserve the tax-exempt status of the outstanding debt.

Tax Certificate Compliance

The City will comply with requirements imposed in any tax certificate to maintain the tax-exempt status of the City's tax-exempt obligations.

Ongoing Disclosure

The City will meet secondary disclosure requirements in a timely and comprehensive manner, as stipulated by the SEC Rule 15c2-12. The Finance Director shall be responsible for providing ongoing disclosure information to the Municipal Securities Rulemaking Board's (MSRB's) Electronic Municipal Market Access (EMMA) system, the central depository designated by the SEC for ongoing disclosures by municipal issuers and may engage Bond Counsel or another firm to assist in such efforts.

Investment of Bond Proceeds

The proceeds of the bond sales will be invested until used for the intended project to maximize utilization of the public funds. The investments will be made to obtain the highest level of safety. The City of La Vista Investment Policy and the bond documents govern objectives and criteria for investment of bond proceeds. The Finance Director and Director of Administrative Services, or the bond trustees under the direction of the Finance Director or Director of Administrative Services, will invest the bond proceeds in a manner to avoid, if possible, and minimize any potential negative arbitrage over the life of the bond issuance, while complying with arbitrage and tax provisions.

In certain cases, particularly for bond reserve funds, it may be fiscally prudent to invest funds using a forward delivery agreement or some other type of guaranteed investment contract. Such agreements should be obtained under a competitive bid process under consultation with a financial advisor.

Internal Control Procedures

The Finance Director is responsible for ensuring compliance with the Debt Management Policy. The Finance Director will monitor the expenditure of financing proceeds in a manner consistent with its monitoring of other City funds and will ensure that bond proceeds are expended exclusively for their

City of La Vista

Council Policy Statement

City Financial Policies

authorized purpose as appropriated in the biennial budget. Disbursement of bond proceeds from the trustee may be made to reimburse the City for expenditures associated with the project. In either case, the Finance Director will prepare the certificate or other required document requesting disbursement of funds by the trustee. Internal control procedures will be reviewed and amended as necessary to ensure compliance.

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
REORGANIZATION — BUILDING MAINTENANCE DIVISION	◆ RESOLUTION ORDINANCE ◆ RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

1. A resolution has been prepared to authorize the reorganization of the Building Maintenance Division within the Public Works Department.
2. A job description for a new Building Superintendent position has been created. Additionally, the job description for the existing Building Technician position has been reclassified. (Receive/File)

FISCAL IMPACT

Salary and benefits for the entry level Building Superintendent position are estimated at \$95,134. and would be included in the recommended FY22 budget amendment. This would be an ongoing expense.

RECOMMENDATION

Approval

BACKGROUND

The Building Maintenance Division currently consists of (2) full-time positions, a Building Technician and a Maintenance Worker. This full-time staff is responsible for maintaining all City facilities comprising of over 166,000 square feet of space. In 2019, the Novak Study recommended the addition of a Maintenance Worker. This recommendation was based on the International Facilities Management Association (IFMA) staffing benchmark of one FTE for every 47,000 square feet of occupiable building space.

While the City's current facilities portfolio includes more than 166,000 square feet of space, this area includes hallways, storage rooms, and other spaces which are not typically occupied for extended periods. It is therefore reasonable to assume that 25% of the total space maintained by Facilities Maintenance staff is typically unoccupied, reducing the total square footage to 124,781 square feet and resulting in an estimated staffing need of 2.65 FTEs.

While the current staff level is less than the national standard, there are other considerations that drive the need for additional staff capacity. Primarily, the fact that the Building Technician is technically a working Foreman, which is also responsible for a significant number of administrative duties including facilities-related procurement and purchase orders; managing relationships with contractors for services, inventory and equipment; overseeing the City's contract for custodial services; creating preventive maintenance and capital replacement plans; and

leveraging the BS&A work order system to track maintenance activities, labor hours, and performance data. This work limits the amount of time the Building Technician can spend in the field assisting the Maintenance Worker. At approximately the time of Novak Study, Public Works was transitioning oversight of the Building Maintenance Division from the Park Superintendent to the Deputy Director of Public Works. At that time, the Deputy Director requested an opportunity to review and assess the internal operations prior to making any staffing recommendations. Because we have received recent resignations from both the Building Technician and Building Maintenance Worker II, there is now an opportunity to reorganize the division. The recommended changes are being brought forward for consideration at this time, rather than during budget discussions because of the need to fill positions. The following positions are recommended:

Building Superintendent (New)

The Building Superintendent would be responsible for the daily operation of the division, including supervision and evaluation of staff. In addition, this position would be accountable for fully implementing the City's BS&A work order system for facility maintenance, compiling and managing asset inventory information related to City facilities, creating proactive work plans for staff, ensuring performance data is consistently and accurately collected, manage relationships with facilities contractors, oversight and inspection of facility maintenance and construction projects. This would be a salaried position with a pay grade of 20[BG1] (\$67,870 - \$95,077).

Building Technician (Reclassify)

Propose removing the administrative duties from the Building Technician position and reclassify the salary range from a grade 14 (\$48,610 - \$68,099) to grade 13[BG2] (\$46,218 - \$64,730).

Building Maintenance Worker (No Change)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE THE REORGANIZATION OF THE BUILDING MAINTENANCE DIVISION WITHIN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Mayor and City Council of the City of La Vista have determined that the reorganization of the Building Maintenance Division within the Public Works Department is necessary; and

WHEREAS, the Building Maintenance Division is responsible for maintaining all City facilities comprised of over 166,000 square feet of space of which 124,781 square feet is occupied; and

WHEREAS, the positions within the Building Maintenance Division will include the Building Superintendent (new), Building Technician (reclassified), and Building Maintenance Workers (no change),

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of La Vista, Nebraska, hereby approves the reorganization of the Building Maintenance Division within the Public Works Department.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2021

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

POSITION DESCRIPTION CITY OF LA VISTA

POSITION TITLE: Building Superintendent
POSITION REPORTS To: Deputy Director of Public Works
POSITION SUPERVISES: Building Technician, Building Maintenance Workers

DESCRIPTION

Under the general direction of the Deputy Director of Public Works, plans, organizes, directs, and coordinates the maintenance, repair and construction of municipal buildings, facilities, and equipment. Exercises direct supervision over assigned staff, and coordinates and monitors the work of outside contractors, vendors, and consultants assigned. Provides technical staff assistance to the Deputy Director and City Engineer.

ESSENTIAL FUNCTIONS (with or without reasonable accommodation)

1. Assists in the planning, organization, and implementation of building and facility maintenance goals and objectives.
2. Develops and standardizes maintenance and operating procedures to improve the efficiency and effectiveness of maintenance operations for buildings and facilities.
3. Manages facility and maintenance projects including planning, budgeting, bid solicitation, vendor selection, scheduling, contract management, work inspection, compliance with specifications and standards; and coordinates with affected City departments and outside agencies.
4. Participates in the selection, training, supervision, evaluation, and discipline of assigned staff.
5. Trains staff in work and safety procedures and in the operation and use of equipment and supplies.
6. Inspects buildings and facilities to determine extent of maintenance or repairs needed.
7. Consults with other departments on work requests and coordinating facility use for major for major meetings or events requiring special attention.
8. Develops, implements, and maintains a computerized asset management program for City buildings, facilities, and equipment.
9. Determines and recommends equipment, materials, and staffing needs for assigned maintenance projects; participates in annual budget preparation; prepares detailed cost estimates with appropriate justifications, as required; maintains a variety of records and prepares routine reports of work performance.
10. Monitors and controls supplies and equipment; orders supplies and tools as necessary; approves payment of bills; prepares documents for equipment procurement; participates in informal bid processes for construction projects.
11. Develops bid specifications and contracts with outside vendors in accordance with City purchase policies and state regulations.
12. Reads and interprets construction plans; plans and reviews sketches, diagrams, blueprints, and work specifications.
13. Manages the work of contractors providing facility and building maintenance services; performs the most complex facility and building maintenance duties; provides technical assistance to crews.
14. Responds to emergency calls for maintenance, security, and fire alarms as required; coordinates activities with other City personnel; directs the work of staff and utilization of resources to ensure repairs are completed and the buildings and facilities are safe. Must be available for 24-hour contact or call-out.
15. Assists in planning new municipal facilities.
16. Administers the telephone and voice mail system.
17. Occasionally performs routine building maintenance at City facilities.
18. In conjunction with the Street Superintendent, plans and coordinates snow and ice removal from all walkways and handicap parking stalls in the municipal complex.
19. Administers the building security system and issues all keys to City Hall and the Community Center.

Note: Physical, drug and background screens follow all conditional offers of employment.

20. Maintains logs and records of work performed; prepares reports and correspondence and other written documentation as necessary or directed.
21. Represents the City at various functions and serves as a liaison with outside agencies and the general public.
22. Serves as a member of the Board of Directors of the La Vista/Metropolitan Community College Condominium Owners Association.
23. Perform other duties as directed or as the situation dictates.

ESSENTIAL PHYSICAL AND ENVIRONMENTAL DEMANDS

- Much work is performed in an office setting, although field work or the observation is necessary and may occur outdoors, year-round in varying weather and environmental conditions.
- Hand-eye coordination is necessary to efficiently operate computers, various pieces of office equipment and tools.
- While performing the duties of this job, the employee is occasionally required to stand or sit; walk; use hands to handle, feel or operate objects, tools or controls and reach with hands and arms. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl; talk and hear.
- The employee must occasionally lift and/or move up to 40-pounds.
- Specific vision abilities required by this job include close vision, distance vision, depth perception and ability to adjust focus.
- Must be able to hear and understand voices at normal conversational levels.
- Occasionally the employee may visit construction or work sites, which may be dusty, noisy and hazardous.
- Moderate to high levels of stress may be experienced.

EDUCATION, TRAINING, LICENSE, CERTIFICATION AND EXPERIENCE

1. Graduation from an accredited high school or GED.
2. Associate or Bachelor's degree in Building Maintenance, Construction Management, HVAC, Electrical or a related field is required.
3. Must possess and maintain valid driver's license.
4. Five (5) years of increasingly responsible experience in facilities construction, maintenance or operations; including, two (2) years of supervisory experience.
5. The City may accept any equivalent combination of education and experience.

KNOWLEDGE, SKILLS AND ABILITIES

1. Administrative principles and methods, including goal setting, program and budget development, implementation and control, personnel management and supervision.
2. City organization and functions; laws, rules, codes and regulations governing department activities.
3. Principles and practices of employee supervision, including work planning, assignment, review and evaluation, discipline, and training of staff in work procedures.
4. Principles and practices of building and facility maintenance program development and administration.
5. Knowledge of building mechanical systems including HVAC, electrical, plumbing, security, fire and telephone systems.
6. Knowledge of mechanical and structural trades, and the methods, practices, techniques, equipment, materials, and supplies used in building and mechanical systems maintenance and repair.
7. Applicable federal, state and local laws, ordinances, regulations, and guidelines relevant to assigned duties.
8. Principles of contract administration for facility and building maintenance and repair projects.
9. Principles of project performance measurement, systems analysis and statistical measurement.
10. Methods and techniques of project management including budgeting and scheduling, risk assessment/management, staff resource allocation, business requirements definition and analysis.
11. Ability to work a variable schedule including evenings, weekends, and holidays when necessary.
12. Ability to conduct studies, prepare comprehensive reports and determine cost-effective ways to construct and maintain buildings, facilities, and equipment.

13. Ability to safely operate hand tools, power equipment and machinery.
14. Ability to understand, interpret, and successfully communicate both verbally and in writing.
15. Ability to read and understand blueprints and schematics.
16. Ability to work independently without supervision.
17. Basic computer skills including knowledge of Outlook, Word, and Excel; ability to learn and use other software packages.
18. Knowledge and understanding of safety principles, practices, and procedures used for facility and building related projects, including equipment and hazardous materials.
19. Ability to plan and direct multiple assignments.
20. Ability to identify problems, research and analyze relevant information, develop and present recommendations, and justification for an effective course of action.
21. Ability to research, analyze and evaluate new service delivery methods, procedures and techniques.
22. Ability to make sound, independent decisions within established policy and procedural guidelines.
23. Organize own work, set priorities, and meet critical time deadlines.
24. Ability to establish and maintain effective working relations with City officials, fellow employees, contractors, patrons, and the general public.
25. Ability to maintain regular and dependable attendance on the job.
26. Ability to work a rigorous, prolonged schedule when called out on short notice due to weather conditions, emergencies, and situations of public necessity.

CONTRIBUTION THIS POSITION MAKES TO THE CITY

The Building Superintendent plays a critical role in the maintenance and operation of City facilities ensuring that they are safe, comfortable, and functional for the employees and residents of the City. The Building Superintendent also leads the effort to manage assets and capital projects related to buildings and facilities and serves as a resource for the Deputy Director of Public Works and the City Engineer.

DISCLAIMER

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

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

Signature

Date

POSITION DESCRIPTION CITY OF LA VISTA

POSITION TITLE: Building Technician
POSITION REPORTS To: Building Superintendent
POSITION SUPERVISES:

DESCRIPTION

Under the direction of the Building Superintendent, performs a variety of skilled duties related to the maintenance and repair of municipal buildings and building systems.

ESSENTIAL FUNCTIONS (with or without reasonable accommodation)

1. Performs inspection, maintenance and repair of municipal facilities and equipment including electrical, plumbing, HVAC, fire and security systems.
2. Assists in maintaining the preventive maintenance program.
3. Keeps city facilities clean, orderly and in good repair.
4. Assists in preparation for major meetings and events as directed.
5. Performs minor painting as necessary.
6. Assists in the preparation of the Building Division budget.
7. Responds to evening and weekend emergency calls for maintenance, security and fire alarms.
8. Performs snow and ice removal from all walks and handicap parking stalls where required.
9. Works with contractors as necessary to maintain or repair buildings or equipment.
10. Assists in preparing reports, correspondence and other written documentation as necessary.
11. Responds to citizen and city staff inquiries and concerns related to municipal buildings.
12. Performs specific duties as assigned by Building Superintendent and other duties as directed or as the situation dictates.

PHYSICAL AND ENVIRONMENTAL DEMANDS

Work is generally performed both indoors and outdoors year-round, periodically during inclement weather. Worksites may be dusty, noisy and present routine hazards associated with facility maintenance including mechanical, electrical, chemical and other types of hazards. Job duties require a considerable amount of physical activity, including walking, standing, kneeling, bending, crouching, reaching and climbing. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception and the ability to adjust focus. Hearing abilities must be correctable to level adequate to perform essential functions. Incumbents must have the ability to perform very heavy work exerting in excess of 75 pounds of force occasionally, 50 pounds frequently, and 30 pounds constantly to move objects. Incumbent must also be able to work from a ladder at heights greater than four (4) feet and from a man lift in excess of 20 feet.

EDUCATION, TRAINING, LICENSE, CERTIFICATION AND EXPERIENCE

1. Graduation from an accredited high school or GED.
2. Three years of position related job experience.
3. Must possess and maintain a valid driver's license.

Note: Physical, drug and background screens will follow all conditional offers of employment.

KNOWLEDGE, SKILLS AND ABILITIES

1. Ability to perform routine tasks involving carpentry and metal work.

2. Ability to work a varying schedule, including evenings, weekends and holidays, when necessary.
3. Demonstrated ability to follow instructions.
4. Understanding of, and basic skills associated with the operation, maintenance and repair of HVAC, plumbing, electrical, and mechanical systems.
5. Ability to read and understand work instructions, training materials, operation manuals and instructions, product and equipment labels and warning signs.
6. Ability to safely operate hand tools, power equipment and machinery.
7. Ability to read and understand blueprints, and schematics.
8. Ability to effectively use MS Office programs including Outlook, Word and Excel..
9. Ability to learn and use various other types of software including building systems controls, and the workorder system.
10. Ability to work independently without supervision.
11. Ability to communicate effectively, both orally and in writing.
12. Knowledge and understanding of basic safety principles and the ability to apply them to the work setting
13. Ability to establish and maintain effective and cooperative working relationships with City officials, fellow employees, contractors, patrons and the general public.
14. Ability to maintain regular and dependable attendance on the job, possibly for prolonged periods of time when called out on short notice due to weather conditions, emergencies or similar situations of public necessity.
15. Ability to prepare and maintain accurate departmental records and reports.

CONTRIBUTION THIS POSITIONS MAKES TO THE CITY

The Building Technician plays a critical role in maintaining the safety, comfort and utility of City facilities. If facilities and not properly maintained, the effectiveness of employees, and the ability of the public to participate in City services and activities, would be greatly diminished.

DISCLAIMER

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

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

Signature

Date

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA**

Subject:	Type:	Submitted By:
INTERLOCAL AGREEMENT — PROSECUTORIAL SERVICES LA VISTA CITY CODE VIOLATIONS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A resolution has been prepared to approve an Interlocal Agreement with the City of Papillion to provide prosecutorial services related to La Vista City Code violations effective July 1, 2021.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the proposed service.

RECOMMENDATION

Approve.

BACKGROUND

For the past 25 years Mark Klinker has served the City of La Vista providing prosecutorial services for City Code violations. Earlier this year Mr. Klinker informed the City of his retirement.

Currently, the City of La Vista is paying a monthly retainer for contract attorney services. With this agreement the City would reimburse Papillion for the actual amount of time spent handling La Vista cases. The majority of cases for La Vista are animal control violations.

The City of La Vista averages about six (6) prosecutions per year. It is estimated that each case will take approximately one to one and one-half hours of attorney time and it is anticipated that time will be less than ten (10) hours per year.

RESOLUTION NO._____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PAPILLION FOR PROSECUTORIAL SERVICES RELATED TO LA VISTA CITY CODE VIOLATIONS EFFECTIVE JULY 1, 2021.

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

WHEREAS, the Mayor and City Council have determined that the City is required to prosecute criminal violations of the La Vista City Code; and

WHEREAS, the City of La Vista does not have an in-house legal department, so has contracted with a private attorney to provide this service; and

WHEREAS, the City of Papillion has an in-house legal department the currently providing this service for Papillion; and

WHEREAS, the cities desire to enter into an Interlocal Agreement under which the Papillion City Attorney or designee will provide prosecutorial service to the City of La Vista for criminal violations of the La Vista City Code, and bill the City of La Vista for actual time spent by the Papillion City Attorney; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for this service; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with the City of Papillion for prosecutorial services related to La Vista City Code violations effective July 1, 2021

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**INTERLOCAL AGREEMENT
BETWEEN THE CITIES OF PAPILLION AND LA VISTA, NEBRASKA**

This Agreement is entered into by and between the City of La Vista, Nebraska, a municipal corporation, ("La Vista") and the City of Papillion, Nebraska, a municipal corporation, ("Papillion") (La Vista and Papillion hereinafter collectively referred to as "the Cities" and separately referred to as "City").

WHEREAS, the Cities desire to agree that the Papillion City Attorney, or any lawyer employed by Papillion as designated by the Papillion City Attorney, (Papillion City Attorney or any such designee is referred to herein as "Papillion City Attorney") shall prosecute any persons cited or arrested under lawful authority ("Offenders") within the corporate boundaries of La Vista for violating the La Vista Municipal Code; and

WHEREAS, this Agreement is authorized by the Interlocal Cooperation Act, Neb. Rev. Stat §§ 13-801 to 13-827.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Services to be Provided by Papillion. Papillion shall provide:

Prosecutorial Services: The Papillion City Attorney shall provide prosecutorial services on behalf of La Vista in regard to persons cited and/or arrested for violations of La Vista's Municipal Code, including without limitation investigating, litigating, and disposing of charges against such persons. The Papillion City Attorney in connection with such prosecutorial services shall have sole and absolute authority and discretion, including but not limited to any decisions regarding charging, bonds, dismissals, trial preparation and strategy, plea bargaining, or sentencing recommendations. La Vista shall provide the Papillion City Attorney access to necessary City records and otherwise cooperate with the Papillion City Attorney in connection with any such prosecution. The Papillion City Attorney shall keep the La Vista City Attorney informed and consult with him or her as appropriate regarding any such prosecution. This Agreement shall be jointly administered on behalf of the Cities by the Papillion City Attorney and the La Vista City Attorney.

2. Funding; Budget. In consideration for prosecutorial services provided by Papillion for La Vista pursuant to this Agreement, La Vista shall pay Papillion for the actual time provided by the Papillion City Attorney related to such prosecutorial services at the standard hourly rates set by the County Court of Sarpy County, Nebraska for court-appointed attorneys in misdemeanor cases. Papillion shall invoice La Vista monthly and said invoices shall be paid by La Vista within thirty (30) days of receipt. Papillion's budget includes costs of the Papillion City

Attorney. Property shall not be acquired, held, used or need to be disposed of under this Agreement.

3. Liability.

Each party's liability is, and the provisions of this Section 3 shall be subject to, governed by and limited to the extent provided by the Nebraska Political Subdivision Tort Claims Act or other applicable provisions of law. Provisions of this Section 3 are not intended to waive, and shall not waive, a party's sovereign immunity. It is understood and agreed that liability resulting from a violation of the civil rights of an Offender, as defined by 42 U.S.C. §1983, by an individual employed by either City, shall be the responsibility of that individual, and if provided by law, the City by which the individual is employed.

4. Agreement Term and Termination. This Agreement shall commence on July 1, 2021, and shall continue for a period of one year, until June 30, 2022. Thereafter it shall automatically renew for successive periods of one year unless a City, at least ninety (90) days prior to the last day of the current term, provides the other City with written notice to terminate the Agreement. Recitals at the beginning of this Agreement are incorporated into this Agreement by reference. This Agreement may be executed in multiple counterparts, each and all of which shall constitute an original.

IN WITNESS WHEREOF, each of the parties caused this Agreement to be executed by the respective duly authorized officers as indicated below.

CITY OF LAVISTA, NEBRASKA,
A municipal corporation and Nebraska Political
Subdivision

By: _____
Mayor

Date: _____

Attest:

City Clerk

CITY OF PAPILLION, NEBRASKA,
A municipal corporation and Nebraska Political
Subdivision

By: _____
Mayor

Date: _____

Attest:

City Clerk

Approved as to Form:

City Attorney

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA**

Subject:	Type:	Submitted By:
DISCUSSION – HOLIDAY POLE LIGHTS DECORATIONS	◆ RESOLUTIONS ORDINANCE RECEIVE/FILE	MITCH BEAUMONT COMMUNITY RELATIONS COORDINATOR

SYNOPSIS

At the April 20, 2021 City Council meeting, staff was directed to conduct additional research related to options for holiday pole décor.

FISCAL IMPACT

NA

RECOMMENDATION

Direction regarding preferred pole decorations.

BACKGROUND

The holiday pole decorations along 84th Street are reaching the end of their useful life and are in need of replacement. At the April 20, 2021, City Council meeting, staff presented options for custom pole décor and Mayor and Council asked for additional information pertaining to comparable holiday pole décor options. The additional research was conducted based on established criteria, which narrowed the choices and resulted in the options that will be presented.

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 15, 2021 AGENDA

Subject:	Type:	Submitted By:
AUTHORIZE PURCHASE – DOG PARK FENCING	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared authorizing the purchase of dog park fencing from American Fence Company Omaha, NE in an amount not to exceed \$24,515.01.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The lot in the northwest corner of the MCC/La Vista Facility located at 9110 Giles Road has been identified as the site for La Vista's first dog park. The dog park will consist of two areas each approximately 90' X 180', one for large dogs and one for small dogs. Waste stations and benches will also be provided in the dog park. A site plan for the dog park has been included.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF DOG PARK FENCING FROM AMERICAN FENCE COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$24,515.01.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of dog park fencing is necessary; and

WHEREAS, the FY21/FY22 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 the City of La Vista, Nebraska, do hereby authorize the purchase of temporary dog park fencing from American Fence Company, Omaha, Nebraska in an amount not to exceed \$10,579.57.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



AMERICAN FENCE COMPANY

7722 F Street Omaha, NE 68127 (531)-329-4409 Fax(402)896-0692	1922 Delaware Des Moines, IA 50317 (515)265-6100 Fax(515)265-6108	3301 N. 35TH Street Lincoln, NE 68504 Phone: (402)467-2511 Fax: (402)467-2512	2205 E. Hwy. 30 Grand Island, NE 68802 (308)395-0793 Fax(308)395-3901	27083 Morton Court Sioux Falls, SD 57108 (605)368-9929 Fax(605)371-1771
--	--	--	--	--

Date: 5/13/2021	Phone: _____	Fax: _____	Specification for Fencing	
Customer Name: City of La Vista	Attn: Jason Allen		Overall Length	Overall Height
Billing Address: 9900 Portal Rd.			1,028 LF	6'
Location of Job: TBD			Wire Gauge	Dia. Corner/End Post
City: Omaha	State: NE	Zip: 68128	9 ga	2-1/2"
Cell Phone: 402-331-8927	E-Mail: jallen@cityoflavista.org		Dia. Line Post	Dia. Top Rail
Specifications: Permanent black vinyl chain link fence and gates for new dog park			2"	1-5/8"
			Walk Gates	Drive gates
			4 EA 3'	2 EA 6'

Furnish and Install Materials

1,004 LF of 6' tall black vinyl chain link fence
2 EA 6'W x 6'H Single Swing drive gates for lawn mowers
4 EA 3'W x 6'H Single Swing walk gates for entry points
Line/Corner post footings to be 10"x36" in size
Gate post footings to be 12"x42" in size
Based off revised drawings sent by owner

Project Specific Notes

No permit, survey, staking or field verification included.
No core drilling, rock drilling, sleeve(s) or blockage required or included.
No temporary fence included.
Grading, clearing and/or grubbing may be required but not provided by AFC
No additional repairs included.
No shop drawings, engineered drawings, delegated design or engineering included.
All staking and private utility locates must be complete prior to AFC commencing Work.
AFC to locate public utilities

"A purchase order initiates your project engineering process and holds your material pricing for 30 days. If American Fence Company does not receive approval to proceed with purchasing within this 30 day period, project pricing is

Note: Your project was estimated based on what we see. Objects below ground that interfere with your post installation will not be the responsibility of AFC such as your foundation, buried paving or pavers, roots, old fence footings, etc. Any adjustments additional materials, trips and labor will be at an additional expense.

Please call Derek Hill at 402-676-5693 or Email d.hill@americafence.com with any questions.

NOTE: NOT RESPONSIBLE FOR SPRINKLERS SYSTEMS. ESTIMATE GOOD FOR 15 DAYS.

Customer assumes full responsibility for the location of property pins, staking of the fence, and any inaccurately placed pins and/or stakes. Customer understands that AFC has staked the fence based on the proposal and/or in consideration of existing utilities that may not reflect the actual location of customers property. Customer agrees to defend, hold harmless and indemnify American Fence Co. from and against all claims, liabilities and expenses for trespass and other damage or loss arising out of the location of said fence. Customer hereby assumes full responsibility for the damage to any marked and unmarked underground utility, telephone, T.V., cable or sprinkler system pipes. If the customer requests, agrees or allows American Fence Company to locate the fence within 18 inches of any buried utilities; the customer agrees to defend, hold harmless and indemnify American Fence Company from and against all claims, liabilities and expenses as a result of damage to these utilities and related property. If the contract price is not paid when due, the customer agrees to allow American Fence Co. to trespass on to their property and remove the fence at the company's discretion. Furthermore, the customer agrees to indemnify and hold harmless the Company for any damage done to the property as a result of removal of the fence. All modifications shall be in writing and shall be affixed to the original bid. This agreement and any subsequent modification/s shall be contingent upon strikes, accidents, shortages or delays beyond the control of American Fence Co. Any time stated for installation is purely estimated. The customer agrees and accepts that AFC will not extend discounts or credits for any delays or be held responsible for interest charges on any payments made by customer. Any changes to the fence due to varying ground conditions are not the responsibility of American Fenc Co. Customer to carry fire, tornado and other necessary insurance. This proposal cannot be withdrawn by customer after acceptance of proposal. American Fence Co. has the right to reject any bid. All legal and related fees accrued in an effort to collect on this account for whatever reason will be the responsibility of the customer. By signing this proposal, the customer has completely reviewed and agreed with the prices, specifications and conditions as stated herein. Furthermore, the customer is authorizing American Fence Co. to complete the work. The customer is financially responsible for cancellation fees and costs of special order materials in the event the customer elects to cancel the contract. TERMS: 60% Down. Balance due on date of completion. A service and handling charge of 5% per month-60% per annum will apply to delinquent accounts past 10 days.

Due to unprecedeted steel price increases, contractor to pay for stored materials or provide for subsequent future price increases after award of contract. AFC will provide storage.

Accounts not paid within thirty days will be charged eighteen percent (18%) per annum.

We agree to provide the work in accordance with the information stated here in the amount of;

Authorized Signature:

Derek Hill

Customer/Contractor Signature:

\$24,515.01 tax included.

Date: 5/13/2021

EXHIBIT A

Sarpy Center Dog Park Reference Map

