

LA VISTA CITY COUNCIL MEETING AGENDA

November 16, 2021

6:00 p.m.

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

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

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

A. CONSENT AGENDA

1. **Approval of the Agenda as Presented**
2. **Approval of the Minutes of the November 2, 2021 City Council Meeting**
3. **Monthly Financial Report – September 2021**
4. **Request for Payment – HDR – Professional Services – Project Management – Public Improvements and Other Works - \$2,876.99**
5. **Request for Payment – Design Workshop, Inc – Professional Services – La Vista Wayfinding – \$3,500.00**
6. **Request for Payment – Waters Edge Aquatic Design – Professional Services – Outdoor Pool Planning – \$1,206.00**
7. **Request for Payment – Alfred Benesch & Company – Professional Services – 96th to 108th Street Pavement Rehabilitation – \$10,677.60**
8. **Request for Payment – Olsson – Professional Services – La Vista City Centre Phase 1 Public Infrastructure – \$8,010.25**
9. **Request for Payment – HGM Associates Inc. – Professional Services – East La Vista Sewer and Pavement Rehabilitation – Phase 2 Final Design – \$42,106.66**
10. **Request for Payment – METALAB, LLC – Professional Services – 84th Street Underpass – \$6,900.00**
11. **Resolution – Change of Location – Liquor License – Chili's Grill and Bar**
12. **Approval of Claims**

** 13. **Request for Payment – City Centre I, LLC – Construction Services – Lot 14 Retaining Wall – \$105,938.28**

- **Reports from City Administrator and Department Heads**
- B. **Ordinance – Right-of-Way Vacation – Part of 78th St. West of Park View Blvd**
- C. **Ordinance – Amend Master Fee Ordinance**
- D. **Resolution – Authorize Contract – Construction Manager at Risk Services – Central Park Pavilion and Site Improvement Projects**
- E. **Resolution – Authorize Request for Proposals – Employee Assistance Program Services**
- F. **Resolution – Authorize Request for Bids – Thompson Creek Rehabilitation – Central Park East**
- G. **Resolution – Request for Proposals – Land Use and Market Analysis Study**
- H. **Resolution – Master Development Agreement**
- **Comments from the Floor**
- **Comments from Mayor and Council**
- **Adjournment**

****Amended November 15, 2021 4:00PM**

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.

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MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

**LA VISTA CITY COUNCIL
MEETING
November 2, 2021**

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on November 2, 2021. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, Chief of Police Lausten, City Clerk Buethe, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Community Development Director Fountain, Finance Director Miserez, Park Superintendent Allen.

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

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

SERVICE AWARD: CRYSTAL LARSON – 5 YEARS

Mayor Kindig recognized Crystal Larson for 5 years of service to the City.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE OCTOBER 19, 2021 CITY COUNCIL MEETING**
- 3. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC – PROFESSIONAL SERVICES – LA VISTA 84TH STREET BRIDGE – \$3,856.00**
- 4. REQUEST FOR PAYMENT – VALUATION SERVICES – PROFESSIONAL SERVICES – HIGHWAY 85 & CITY CENTRE DRIVE – \$2,500.00**
- 5. REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG – PROFESSIONAL SERVICES – 84TH STREET TRAFFIC STUDY – \$9,619.14**
- 6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$11,715.10**
- 7. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 96TH & 108TH ST PAVEMENT REHABILITATION – \$30,842.94**
- 8. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTER PARKING STRUCTURE 2 – \$10,940.00**
- 9. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTER PARKING STRUCTURE 2 – \$11,169.10**
- 10. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 84TH TO 96TH STREET PANEL REPLACEMENT – \$850.72**
- 11. APPROVAL OF CLAIMS**

3C PAYMENT USA CORP, services	100.00
ABM INDUSTRIES INC, services	8,739.08
ACTION BATTERIES, maint.	36.95
ACTIVE NETWORK LLC, services	63.99
AMAZON, supplies	192.27
ARBOR DAY FOUNDATION, services	15.00
AT&T MOBILITY LLC, phones	97.34
BISHOP BUSINESS EQUIPMENT, services	1,298.90
BODY BASICS INC, services	200.49

MINUTE RECORD

November 2, 2021

No. 729 — REDFIELD DIRECT E2106195KV

BS&A SOFTWARE, services	25,177.00
CALENTINE, J., travel	100.50
CCAP AUTO LEASE LTD, services	840.12
CENTURY LINK, phones	756.48
CHRISTIAN MOLINA, refund	80.00
CINTAS CORP, services	154.82
CITY OF OMAHA, services	268,227.18
CITY OF PAPILLION, services	244,739.31
CONSOLIDATED MANAGEMENT CO, services	17.23
CONTROL MASTERS INC, bld&grnds	362.50
CORE BANK, services	189,344.95
COX COMMUNICATIONS INC, services	147.03
CULLIGAN OF OMAHA, supplies	29.00
CUMMINS CENTRAL POWER, services	561.96
DASH MEDICAL GLOVES, supplies	183.40
DELL MARKETING LP, services	80.65
DESIGN WORKSHOP INC, services	7,135.00
DOG WASTE DEPOT, services	424.66
DOUGLAS COUNTY SHERIFF'S OFC, services	762.50
EDGEWEAR SCREEN PRINTING, apparel	148.00
FELSBURG HOLT & ULLEVIG INC, services	350.00
FIRST BANKCARD, services	22,756.85
FITZGERALD SCHORR BARMETTLER, services	26,723.10
GALE, books	48.73
GREATAMERICA FINANCIAL, services	1,127.00
GUIDEPOINT SECURITY LLC, services	6,347.90
HY-VEE INC, supplies	49.71
ICMA MEMBERSHIP RENEWALS, services	1,078.27
IDEAL IMAGES INC, apparel	582.50
KISSEL KOHOUT ES ASSOC LLC, services	9,898.03
KRIHA FLUID POWER CO, maint.	67.24
LIBRA INDUSTRIES INC, apparel	222.00
MAKERBOT INDUSTRIES LLC, services	2,498.03
MARCO INC, services	129.46
MARTIN ASPHALT, maint.	373.70
MARTIN MARIETTA MATERIALS, supplies	69.86
MAX I WALKER UNIFORM, services	15.92
MENARDS-RALSTON, bld&grnds	601.34
MUD, utilities	17,205.29
MID-AMERICAN BENEFITS INC, services	3,477.47
MIDWEST TURF & IRRIGATION, maint.	1,322.96
MUNICIPAL PIPE TOOL CO LLC, services	362.42
NE DEPT OF REVENUE, sales tax	140.83
NEBRASKA CITY MANAGERS ASSOC, services	757.28
NE LAW ENFORCEMENT, services	50.00
NEBRASKALAND TIRE INC, maint.	588.04
NEWMAN SIGNS INC, services	1,965.68
NEWSBANK, services	3,271.00
ODEYS INC, services	459.90
OFFICE DEPOT INC, supplies	1,076.82
OFFUTT YOUTH CENTER 55, services	2,160.00
OPPD, utilities	45,755.85
OMNI ENGINEERING, services	399.41
PAYROLL MAXX, payroll & taxes	380,338.95
PER MAR SECURITY, services	177.72
RDG PLANNING & DESIGN, services	1,380.00
REACH SPORTS MARKETING, services	700.00
REGAL AWARDS INC, services	264.00
ROLLIN GREEN GRADING, bld&grnds	1,450.00
SARPY COUNTY COURTHOUSE, services	4,313.96

MINUTE RECORD

November 2, 2021

No. 729 — REDFIELD DIRECT E2106195KV

SARPY COUNTY FISCAL ADMINSTRTN, services	6,392.40
SARPY DOUGLAS LAW ACADEMY, services	32,500.00
SHERWIN-WILLIAMS, supplies	195.15
SIGN IT, services	1,366.00
SIRCHIE ACQUISITION CO, supplies	275.48
SOUTHERNCARLSON INC, maint.	17.57
SUNSET LAW ENFORCEMENT LLC, services	9,919.80
THE COLONIAL PRESS INC, services	215.88
THE FILTER SHOP INC, bld&grnds	79.40
TOSHIBA, services	265.40
TR CONSTRUCTION LLC, services	42,447.27
TURFWERKS, maint.	431.82
TY'S OUTDOOR POWER, maint.	375.55
UNITED PARCEL, services	9.67
VERIZON CONNECT, phones	631.41
WALMART, supplies	917.01
ZIMCO SUPPLY CO, supplies	247.50

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe reported that new district maps from Sarpy County were received. Staff will be looking at our city wards to determine if any changes need to be done to our boundary lines. For those filing for office, candidate filing starts January 5, 2022. Deadline for incumbent is February 15, 2022. Deadline for non-incumbent is March 1, 2022.

Director of Administrative Services Pokorny reported that our Moody's rating Aa3 stayed the same.

Library Director Barcal reported that she attended the Innovation Studio Conference in Lincoln.

Communication Manager Beaumont reported on the Spread the Warmth coat drive. 552 lbs of coats were collected and will be distributed on November 20, 2021 from 10am to Noon at the La Vista Middle School.

Recreation Director Stopak reported on the Halloween Grab and Go event and also reported on the Grab and Go lunch for Veterans on November 9, 2021.

Park Superintendent Allen reported on the leaf drop off and the Open House for the East La Vista Sewer Project on November 10, 2021.

Mayor Kindig reported that the La Vista Community Foundation will be delivering lunches to Veterans at the Victory Apartments.

GROW SARPY – THIRD QUARTER REPORT

Andrew Rainbolt with Grow Sarpy presented the third quarter report.

B. RESOLUTION – APPROVE LA VISTA REPLAT 4 – 8201 HARRISON STREET

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-123 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE REPLAT OF LOT 1282-D1 LA VISTA, TO BE REPLATTED AS LOTS 1 AND 2 LA VISTA REPLAT 4, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

MINUTE RECORD

November 2, 2021

No. 729 – REDFIELD DIRECT E2106195KV

WHEREAS, the owner of the above described piece of property has made application for approval of a replat of Lot 1282-D1 La Vista, to be replatted as Lots 1 and 2 La Vista Replat 4; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on August 5, 2021, the La Vista Planning Commission reviewed the replat and unanimously voted to recommended approval to the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat of Lot 1282-D1 La Vista, to be replatted as Lots 1 and 2 La Vista Replat 4, a subdivision located in the Northwest Quarter of the Northwest Quarter of Section 14, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southeast of the intersection of Harrison Street and S 83rd Street be, and hereby is, approved.

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

**C. RESOLUTION – AUTHORIZE BIDS – DEMOLITION & SITE PREPARATION
MIXED USE REDEVELOPMENT PROJECT AREA (ACTION ON THIS ITEM WAS
TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY)**

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-124 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY TO AUTHORIZE THE ADVERTISEMENT FOR BIDS FOR DEMOLITION & SITE PREPARATION WITH RESPECT TO THE BUILDING AND IMPROVEMENTS ON LOT 8 OF LA VISTA CITY CENTRE REPLAT THREE.

WHEREAS, the Mayor and Council on behalf of the La Vista Community Development Agency have determined that demolition and site preparation on Lot 8 of La Vista City Centre Replat Three is necessary; and

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

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

Publish Notice to Contractors	November 10, 2021 and November 17, 2021
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Open Bids	November 24, 2021 at 10:00 am at City Hall
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City Council Award Contract	December 7, 2021
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NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, acting as the La Vista Community Development Agency, hereby authorize the advertisement for bids for Demolition & Site Preparation with respect to the building and improvements on Lot 8 of La Vista City Centre Replat Three.

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

**D. RESOLUTION – DECLARATION AS TO USE – APPLEWOOD CREEK TRAIL
PROJECT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-125 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A DECLARATION AS

MINUTE RECORD

November 2, 2021

No. 729 — REDFIELD DIRECT E2106195KV

TO USE OF THE PORTIONS OF OUTLOT A, MAYFAIR 2ND ADDITION, AND OUTLOTS C AND D, VAL VISTA FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A RECREATIONAL TRAIL.

WHEREAS, the City of La Vista, Nebraska, a municipal corporation, is the owner of Outlot A, Mayfair 2nd Addition and Outlots C and D, Val Vista, in La Vista, Sarpy County, Nebraska, and

WHEREAS, said Outlot A Mayfair 2nd Addition and Outlots C and D Val Vista are within the City of La Vista and being maintained by the City of La Vista Parks Department, and

WHEREAS, the City of La Vista, hereby wishes to construct, operate, and maintain a recreational trail, across a portion of said property, and

WHEREAS, the recreational trail, is to be constructed as part of Local Public Agency (LPA) Project TAP-77(61), Control Number 22757, and identified as Applewood Creek Trail Project, and

WHEREAS, To comply with Federal Highway Administration 23 CFR 1.23(a) – "Interest to be acquired – The State shall acquire rights-of-way of such nature and extent as are adequate for the construction, operation, and maintenance of a project"; It is necessary for the City of La Vista, Nebraska, to declare that a portion of said property shall be used for the construction, operation, and maintenance of a recreational trail and associated appurtenances.

NOW THEREFORE, BE IT RESOLVED, that the Mayor of the City of La Vista, Nebraska, hereby approves the use of a portion of said land owned by the City of La Vista, Nebraska for the construction, operation, and maintenance of a recreational trail, and associated appurtenances, as described and shown on attached Exhibit "A", and as aligned in project plans and specifications for LPA Project TAP-77(61), Control Number 22757, and identified as Applewood Creek Trail Project.

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

E. RESOLUTION – AUTHORIZE PURCHASE – SECURITY CAMERAS FOR CITY FACILITIES

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-126 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF SECURITY CAMERAS FOR CITY HALL, COMMUNITY CENTER, COMMUNITY DEVELOPMENT, LIBRARY AND PUBLIC WORKS FROM CONVERGINT TECHNOLOGIES, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$95,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of security cameras for City Facilities is necessary; and

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

WHEREAS, Paragraph 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 security cameras for City Hall, Community Center, Community Development, Library and Public Works from Convergint Technologies, Omaha, Nebraska, in an amount not to exceed \$95,000.00.

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

MINUTE RECORD

November 2, 2021

No. 729 — REDFIELD DIRECT E2106195KV

F. RESOLUTION – AUTHORIZE PURCHASE – POLICE VEHICLES

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-127 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) 2022 FORD POLICE INTERCEPTOR UTILITY VEHICLES AND TWO (2) 2022 FORD POLICE EXPLORER UNMARKED VEHICLES FROM ANDERSON FORD LINCOLN, NEBRASKA ALONG WITH UP-FITTING FROM 911 CUSTOM, OVERLAND PARK, KANSAS, RADIOS FROM MOTOROLA SOLUTIONS, CHICAGO ILLINOIS, AND MOBILE COMPUTER EQUIPMENT FROM BIZCO, LINCOLN, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$180,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) new marked and two (2) new unmarked police vehicles is necessary, and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for the proposed purchase, and

WHEREAS, the State of Nebraska did receive bids for 2022 police vehicles, and

WHEREAS, Anderson Ford, Lincoln Nebraska was awarded the state bid for Nebraska for the 2022 Ford Police Interceptor vehicles and Ford Police Explorer vehicles and will extend that price to the City of La Vista, and

WHEREAS, 911 Custom, Motorola Solutions, and Bizco are highly qualified and specialty emergency vehicle up-fitters, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of two (2) 2022 Ford Police Interceptor Utility vehicles and two (2) Ford Police Explorer unmarked vehicles from Anderson Ford, Lincoln Nebraska along with up-fitting from 911 Customs, Overland Park, Kansas, radios from Motorola Solutions, Chicago Illinois, mobile computer equipment from Bizco, Lincoln, Nebraska in an amount not to exceed \$180,000.00.

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

G. RESOLUTION – AUTHORIZE PURCHASE – TANDEM AXLE DUMP TRUCK

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-128 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2021 WESTERN STAR 4700 TANDEM AXLE DUMP TRUCK FROM TRUCK CENTER COMPANIES, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$272,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Tandem Axle Dump Truck 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 purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) 2021 Western Star 4700 Tandem Axle Dump Truck from Truck Center Companies, Omaha, Nebraska in an amount not to exceed \$272,000.00.

MINUTE RECORD

November 2, 2021

No. 729 — REDFIELD DIRECT E2106195KV

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

H. RESOLUTION – APPROVE AGREEMENT – INTERIM HUMAN RESOURCES DIRECTOR SERVICES

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-129 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO APPROVE AN AGREEMENT WITH STRATEGIC GOVERNMENT RESOURCES (SGR) TO PROVIDE INTERIM HUMAN RESOURCES SERVICES.

WHEREAS, the City Council of the City of La Vista has determined that approving an agreement with Strategic Government Resources (SGR) to provide interim Human Resources Services is necessary; and

WHEREAS, salary savings in FY22 budget will fund this temporary assignment; 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 hereby approve an agreement with Strategic Government Resources (SGR) to provide interim Human Resources Services.

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

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

I. EXECUTIVE SESSION – LAND ACQUISITION

At 6:44 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for negotiating guidance regarding land acquisition. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 6:52 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick thanked staff for having information on security cameras for the Parks.

At 6:57 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

MINUTE RECORD

November 2, 2021

No. 729 — REDFIELD DIRECT E2106195KV

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Twelve months ending September 30, 2021
100% of the Fiscal Year 2021
Preliminary as of 11/11/2021

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>
OPERATING REVENUES					
General Fund	\$ 18,573,006	\$ 1,788,730	\$ 21,865,854	\$ 3,292,848	118%
Sewer Fund	4,469,263	376,768	4,962,580	493,317	111%
Debt Service Fund	3,401,489	342,738	3,927,948	526,459	115%
Capital Improvement Program Fund	387	195	2,003	1,616	518%
Lottery Fund	940,945	88,023	1,556,858	615,913	165%
Economic Development Fund	10,070	492	1,445	(8,625)	14%
Off Street Parking Fund	24,111	2,743	23,899	(212)	99%
Redevelopment Fund	2,038,587	242,762	2,516,136	477,549	123%
Police Academy	148,423	3,059	166,952	18,529	112%
TIF 1A	305,081	137,528	275,057	(30,024)	90%
TIF 1B	418,803	53,729	107,458	(311,345)	26%
Sewer Reserve Fund	17,747	-	3,353	(14,394)	19%
Qualified Sinking Fund	3,757	124	899	(2,858)	24%
Total Operating Revenues	30,351,669	3,036,892	35,410,442	5,058,773	117%

OPERATING EXPENDITURES

General Fund	19,306,753	1,901,928	17,998,196	(1,308,557)	93%
Sewer Fund	4,034,908	347,123	3,596,620	(438,288)	89%
Debt Service Fund	3,334,779	32,462	3,030,387	(304,392)	91%
Capital Improvement Program Fund	-	-	166,452	166,452	0%
Lottery Fund	685,187	70,864	696,733	11,546	102%
Economic Development Fund	82,510	-	109,021	26,511	132%
Off Street Parking Fund	1,098,065	288,125	1,081,643	(16,422)	99%
Redevelopment Fund	1,807,575	30,572	1,457,772	(349,803)	81%
Police Academy	116,612	12,334	118,846	2,234	102%
TIF 1A	352,417	1,375	186,240	(166,177)	53%
TIF 1B	434,083	537	69,547	(364,536)	16%
Sewer Reserve Fund	-	-	-	-	0%
Qualified Sinking Fund	-	-	-	-	0%
Total Operating Expenditures	31,252,889	2,685,321	28,511,455	(2,741,434)	91%

OPERATING REVENUES NET OF EXPENDITURES

General Fund	(733,747)	(113,198)	3,867,659	4,601,406
Sewer Fund	434,355	29,645	1,365,960	931,605
Debt Service Fund	66,710	310,276	897,562	830,852
Capital Improvement Program Fund	387	195	(164,449)	(164,836)
Lottery Fund	255,758	17,158	860,125	604,367
Economic Development Fund	(72,440)	492	(107,576)	(35,136)
Off Street Parking Fund	(1,073,954)	(285,382)	(1,057,744)	16,210
Redevelopment Fund	231,012	212,190	1,058,364	827,352
Police Academy	31,811	(9,275)	48,105	16,294
TIF 1A	(47,336)	136,153	88,817	136,153
TIF 1B	(15,280)	53,192	37,911	53,191
Sewer Reserve Fund	17,747	-	3,353	(14,394)
Qualified Sinking Fund	3,757	124	899	(2,858)
Operating Revenues Net of Expenditures	(901,220)	351,571	6,898,987	7,800,207

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Twelve months ending September 30, 2021
100% of the Fiscal Year 2021
Preliminary as of 11/11/2021

Total All Funds

Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
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OTHER FINANCING SOURCES & USES

TRANSFERS IN

General Fund	193,867	13,435	152,574	(41,293)	79%
Sewer Fund	350,000	665	665	(349,335)	0%
Debt Service Fund	577,831	-	184,085	(393,746)	32%
Capital Improvement Program Fund	484,445	(201,017)	351,161	(133,284)	72%
Lottery Fund	-	-	-	-	-
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,275,065	10,000	1,062,114	(212,951)	83%
Redevelopment Fund	-	-	-	-	-
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	-	-	-	-	-
Qualified Sinking Fund	50,000	-	50,000	-	100%
Total Transfers In	3,013,718	(176,917)	1,800,599	(1,213,119)	60%

TRANSFERS OUT

General Fund	(940,943)	(10,000)	(369,085)	571,858	39%
Sewer Fund	-	-	-	-	-
Debt Service Fund	(1,182,985)	229,242	(952,352)	230,633	81%
Capital Improvement Program Fund	-	-	-	-	-
Lottery Fund	(293,867)	(42,324)	(233,238)	60,629	79%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	(245,923)	-	(245,923)	-	100%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	(350,000)	-	-	350,000	0%
Qualified Sinking Fund	-	-	-	-	-
Total Transfers Out	(3,013,718)	176,917	(1,800,599)	1,213,119	60%

NET TRANSFERS

General Fund	(747,076)	3,435	(216,511)	530,565	29%
Sewer Fund	350,000	665	665	(349,335)	0%
Debt Service Fund	(605,154)	229,242	(768,267)	(163,113)	127%
Capital Improvement Program Fund	484,445	(201,017)	351,161	(133,284)	72%
Lottery Fund	(293,867)	(42,324)	(233,238)	60,629	79%
Economic Development Fund	82,510	-	-	(82,510)	0%
Off Street Parking Fund	1,275,065	10,000	1,062,114	(212,951)	83%
Redevelopment Fund	(245,923)	-	(245,923)	-	100%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	(350,000)	-	-	350,000	0%
Qualified Sinking Fund	50,000	-	50,000	-	100%
Total Net Transfers	-	(0)	0	-	-

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Twelve months ending September 30, 2021
100% of the Fiscal Year 2021
Preliminary as of 11/11/2021

Total All Funds

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> Budget	<u>% of Budget</u> Used
Sewer Fund	-	-	-	-	-
Capital Improvement Program Fund	6,490,000	-	8,054,913	1,564,913	124%
Economic Development Fund	3,000,000	-	5,610,000	2,610,000	187%
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	9,615,000	-	153,523	(9,461,477)	2%
Total Bond Proceeds	19,105,000	-	13,818,436	(5,286,564)	72%

OTHER REVENUE: BOND PROCEEDS

Sewer Fund	-	-	-	-	-
Capital Improvement Program Fund	6,490,000	-	8,054,913	1,564,913	124%
Economic Development Fund	3,000,000	-	5,610,000	2,610,000	187%
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	9,615,000	-	153,523	(9,461,477)	2%
Total Bond Proceeds	19,105,000	-	13,818,436	(5,286,564)	72%

OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM

Sewer Fund	630,000	32,312	48,623	(581,377)	8%
Capital Improvement Program Fund	6,979,445	763,917	4,517,004	(2,462,441)	65%
Off Street Parking Fund	100,000	11,169	50,692	(49,308)	51%
Redevelopment Fund	4,181,000	17,932	125,792	(4,055,208)	3%
Total Capital Improvement Program	11,890,445	825,330	4,742,111	(7,148,334)	40%

OTHER EXPENDITURES: EDP GRANT

Economic Development Fund	1,000,000	-	-	(1,000,000)	0%
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NET FUND ACTIVITY

General Fund	(1,480,823)	(109,763)	3,651,147	5,131,970
Sewer Fund	154,355	(2,002)	1,318,002	1,163,647
Debt Service Fund	(538,444)	539,517	129,294	667,738
Capital Improvement Program Fund	(4,613)	(964,739)	3,724,622	3,729,235
Lottery Fund	(38,109)	(25,166)	626,887	664,996
Economic Development Fund	2,010,070	492	5,502,424	3,492,354
Off Street Parking Fund	101,111	(286,551)	(46,323)	(147,434)
Redevelopment Fund	5,419,089	194,258	840,172	(4,578,917)
Police Academy	31,811	(9,275)	48,105	16,294
TIF 1A	(47,336)	136,153	88,817	136,153
TIF 1B	(15,280)	53,192	37,911	53,191
Sewer Reserve Fund	(332,253)	-	3,353	335,606
Qualified Sinking Fund	53,757	124	50,899	(2,858)
Net Activity	\$ 5,313,335	(473,759)	15,975,312	10,661,977

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

<u>FUND BALANCE</u>	<u>Total All Funds</u>				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
Ending Fund Balance					
	<u>As of 9/30/2021</u>		<u>As of 9/30/2021</u>	<u>Variance</u>	<u>Notes</u>
General Fund	6,063,848		12,267,767	6,203,919	
Sewer Fund	1,064,689		2,483,619	1,418,930	
Debt Service Fund	2,546,407		3,567,998	1,021,591	
Capital Improvement Program Fund	36,922		3,686,115	3,649,193	
Lottery Fund	3,813,883		4,508,356	694,473	
Economic Development Fund	2,017,138		5,509,493	3,492,355	
Off Street Parking Fund	165,570		(31,179)	(196,749)	
Redevelopment Fund	8,831,835		4,633,787	(4,198,048)	
Police Academy	58,683		79,879	21,196	
TIF 1A	-		136,153	136,153	
TIF 1B	-		53,192	53,192	
Sewer Reserve Fund	1,623,681		1,960,613	336,932	
Qualified Sinking Fund	404,998		402,372	(2,627)	
Net Fund Balance	26,627,654	-	39,258,164	12,630,510	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

General Fund

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(<u>under</u>) <u>Budget</u>	% of Budget <u>Used</u>
REVENUES					
Property Taxes	\$ 9,393,170	\$ 629,745	\$ 9,368,006	\$ (25,164)	100%
Sales and use taxes	3,887,077	483,191	4,996,276	1,109,199	129%
Payments in Lieu of taxes	356,710	-	195,126	(161,584)	55%
State revenue	1,739,301	169,481	2,085,379	346,078	120%
Occupation and franchise taxes	885,022	40,839	754,890	(130,132)	85%
Hotel Occupation Tax	363,215	162,648	787,706	424,491	217%
Licenses and permits	457,113	42,851	498,641	41,528	109%
Interest income	67,207	2,141	27,683	(39,524)	41%
Recreation fees	171,782	9,720	173,319	1,537	101%
Special Services	24,000	3,272	24,799	799	103%
Grant Income	165,736	8,987	1,685,919	1,520,183	1017%
Other	1,062,673	235,857	1,268,109	205,436	119%
Total Revenues	18,573,006	1,788,730	21,865,854	3,292,848	118%
EXPENDITURES					
Administrative Services	582,929	61,453	550,256	(32,673)	94%
Mayor and Council	220,064	16,914	183,717	(36,347)	83%
Boards & Commissions	6,335	1,980	3,646	(2,689)	58%
Building Maintenance	635,049	36,824	400,875	(234,174)	63%
Administration	689,538	70,720	651,024	(38,514)	94%
Police and Animal Control	5,406,114	613,303	5,613,342	207,228	104%
Fire	2,412,062	192,584	2,306,359	(105,703)	96%
Community Development	675,426	69,088	642,196	(33,230)	95%
Public Works	4,112,915	415,748	3,567,663	(545,252)	87%
Recreation	860,732	75,435	758,580	(102,152)	88%
Library	948,460	95,181	877,300	(71,160)	92%
Information Technology	399,586	43,102	358,222	(41,364)	90%
Human Resources	1,001,387	73,691	813,527	(187,860)	81%
Public Transportation	111,198	8,314	86,782	(24,416)	78%
Finance	475,544	48,054	471,701	(3,843)	99%
Communication	216,020	17,103	141,276	(74,744)	65%
Capital outlay	553,394	62,433	571,730	18,336	103%
Total Expenditures	19,306,753	1,901,928	17,998,196	(1,308,557)	93%
REVENUES NET OF EXPENDITURES	(733,747)	(113,198)	3,867,659	4,601,406	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (Lottery)	193,867	13,435	152,574	(41,293)	79%
Operating transfers out (DSF, OSP, CIP)	(940,943)	(10,000)	(369,085)	571,858	39%
Total other Financing Sources (Uses)	(747,076)	3,435	(216,511)	530,565	
NET FUND ACTIVITY	\$ (1,480,823)	\$ (109,763)	\$ 3,651,147.4	\$ 5,131,970	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

	Sewer 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					
User fees	\$ 4,336,482	\$ 373,813	\$ 4,887,653	\$ 551,171	113%
Service charge and hook-up fees	123,065	2,454	69,205	(53,860)	56%
Miscellaneous	19	4	55	36	292%
Total Revenues	4,459,566	376,270	4,956,914	497,348	111%
EXPENDITURES					
Personnel Services	549,189	56,469	542,430	(6,759)	99%
Commodities	35,356	1,773	15,946	(19,410)	45%
Contract Services	3,065,964	279,911	2,980,886	(85,078)	97%
Maintenance	39,084	8,970	33,511	(5,573)	86%
Other	230	-	748	518	325%
Storm Water	55,085	-	23,100	(31,985)	42%
Capital Outlay	290,000	-	-	(290,000)	0%
Total Expenditures	4,034,908	347,123	3,596,620	(438,288)	89%
OPERATING INCOME (LOSS)	424,658	29,148	1,360,294	935,636	Note 1
NON-OPERATING REVENUE (EXPENSE)					
Interest income	9,697	498	5,666	(4,031)	58%
	<u>9,697</u>	<u>498</u>	<u>5,666</u>	<u>(4,031)</u>	<u>58%</u>
INCOME (LOSS) BEFORE OPERATING TRANSFERS	434,355	29,645	1,365,960	931,605	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (Sewer Reserve Fund & Lottery Events)	350,000	665	665	(349,335)	0%
Operating transfers out (CIP & Sewer Reserve Fund)	-	-	-	-	0%
Bond/registered warrant proceeds	-	-	-	-	0%
Capital Improvement	(630,000)	(32,312)	(48,623)	581,377	8%
Total other Financing Sources (Uses)	(280,000)	(31,647)	(47,958)	232,042	17%
NET INCOME (LOSS)	\$ 154,355	\$ (2,002)	\$ 1,318,002	\$ 1,163,647	

Note 1: Explanation of Budget Variance

Net Income (Loss)	\$ 1,163,647
City of Omaha billing in arrears 0 months	-
Capital Outlay delayed to FY22	(290,000)
Sewer Reserve Fund transfer	349,335
Capital Improvement not yet started	(581,377)
Adjusted Net Income (Loss)	641,605

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

Debt Service 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	\$ 891,190	\$ 58,677	\$ 892,475	\$ 1,285	100%
Sales and use taxes	1,943,539	241,595	2,498,138	554,599	129%
Payments in Lieu of taxes	35,279	-	19,513	(15,766)	55%
Other (Special Assessments; Fire Reimbursement)	503,714	41,976	508,062	4,348	101%
Interest income	27,767	489	9,761	(18,006)	35%
Total Revenues	3,401,489	342,738	3,927,948	526,459	115%

EXPENDITURES

Administration	98,571	837	18,320	(80,251)	19%
Fire Contract Bond	122,906	17,794	213,478	90,572	174%
Debt service					
Principal	2,645,000	-	2,440,000	(205,000)	92%
Interest	468,302	13,831	358,588	(109,714)	77%
Total Expenditures	3,334,779	32,462	3,030,387	(304,392)	91%

REVENUES NET OF EXPENDITURES

	66,710	310,276	897,562	830,852
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OTHER FINANCING SOURCES (USES)

Operating transfers in (GF Hwy Alloc)	577,831	-	184,085	(393,746)	32%
Operating transfers out (CIP, OSP)	(1,182,985)	229,242	(952,352)	230,633	81%
Total other Financing Sources (Uses)	(605,154)	229,242	(768,267)	(163,113)	

NET FUND ACTIVITY

	\$ (538,444)	\$ 539,517	\$ 129,294	\$ 667,738
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CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

	Capital Fund					% of Budget Used
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget		
REVENUES						
Interest income	\$ 387	\$ 195	\$ 2,003	\$ 1,616		518%
Grant income	-	-	-	-		0%
Special assessment	-	-	-	-		0%
Other income	-	-	-	-		0%
Total Revenues	387	195	2,003	1,616		518%
EXPENDITURES						
Administration	-	-	166,452	166,452		0%
Other	-	-	-	-		0%
Total Expenditures	-	-	166,452	166,452		0%
REVENUES NET OF EXPENDITURES	387	195	(164,449)	(164,836)		
OTHER FINANCING SOURCES (USES)						
Operating transfers in (GF, DSF)	484,445	(201,017)	351,161	(133,284)		72%
Operating transfers out (DSF)	-	-	-	-		0%
Bond/registered warrant proceeds	6,490,000	-	8,054,913	1,564,913		124%
Capital outlay	(6,979,445)	(763,917)	(4,517,004)	2,462,441		65%
Total other Financing Sources (Uses)	(5,000)	(964,934)	3,889,071	3,894,071		
NET FUND ACTIVITY	\$ (4,613)	\$ (964,739)	\$ 3,724,622	\$ 3,729,235		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

Lottery 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					
Lottery Rev/Community Betterment	\$ 645,147	\$ 60,972	\$ 1,176,899	\$ 531,752	182%
Lottery Tax Form 51	258,067	24,389	361,345	103,278	140%
Interest income	37,731	1,762	15,614	(22,117)	41%
Miscellaneous / Other	-	900	3,000	3,000	0%
Total Revenues	940,945	88,023	1,556,858	615,913	165%
EXPENDITURES					
Professional Services	174,735	44,845	152,614	(22,121)	87%
Salute to Summer	150,127	702	117,190	(32,937)	78%
Community Events	29,840	58	24,988	(4,852)	84%
Events - Marketing	60,000	871	34,953	(25,047)	58%
Recreation Events	1,518	-	-	(1,518)	0%
Concert & Movie Nights	10,900	-	5,642	(5,258)	52%
State Taxes	258,067	24,389	361,345	103,278	140%
Total Expenditures	685,187	70,864	696,733	11,546	102%
REVENUES NET OF EXPENDITURES	255,758	17,158	860,125	604,367	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	-	-	-	-	-
Operating transfers out (GF, SF, DSF)	(293,867)	(42,324)	(233,238)	60,629	79%
Total other Financing Sources (Uses)	(293,867)	(42,324)	(233,238)	60,629	79%
NET FUND ACTIVITY	\$ (38,109)	\$ (25,166)	\$ 626,887	\$ 664,996	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Twelve months ending September 30, 2021
100% of the Fiscal Year 2021
Preliminary as of 11/11/2021

Economic Development					
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> Budget	<u>% of Budget</u> Used
REVENUES					
Other Income	\$ -	\$ -	\$ -	\$ -	0%
Interest income	<u>10,070</u>	<u>492</u>	<u>1,445</u>	<u>(8,625)</u>	<u>14%</u>
Total Revenues	<u>10,070</u>	<u>492</u>	<u>1,445</u>	<u>(8,625)</u>	
EXPENDITURES					
Professional Services	34,500		109,021	74,521	316%
Debt service: (Warrants)					
Principal	-	-	-	-	0%
Interest	<u>48,010</u>	<u>-</u>	<u>-</u>	<u>(48,010)</u>	<u>0%</u>
Total Expenditures	<u>82,510</u>	<u>-</u>	<u>109,021</u>	<u>26,511</u>	<u>132%</u>
REVENUES NET OF EXPENDITURES	<u>(72,440)</u>	<u>492</u>	<u>(107,576)</u>	<u>(35,136)</u>	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF, DSF)	82,510	-	-	(82,510)	0%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	<u>3,000,000</u>	<u>-</u>	<u>5,610,000</u>	<u>2,610,000</u>	<u>187%</u>
Community Development - Grant	<u>(1,000,000)</u>	<u>-</u>	<u>-</u>	<u>1,000,000</u>	<u>0%</u>
Total other Financing Sources (Uses)	<u>2,082,510</u>	<u>-</u>	<u>5,610,000</u>	<u>3,527,490</u>	<u>269%</u>
NET FUND ACTIVITY	\$ <u>2,010,070</u>	\$ <u>492</u>	\$ <u>5,502,424</u>	\$ <u>3,492,354</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Twelve months ending September 30, 2021
100% of the Fiscal Year 2021
Preliminary as of 11/11/2021

Off Street Parking						
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget	% of Budget	Used
REVENUES						
Garage fees	\$ 23,000	\$ 2,743	\$ 23,862	\$ 862		104%
Interest income	1,111	0	37	(1,074)		3%
Total Revenues	24,111	2,743	23,899	(212)		99%
EXPENDITURES						
General & Administrative	160,326	15,579	174,452	14,126		109%
Professional Services	780	250	625	(155)		80%
Maintenance	32,276	-	23,700	(8,576)		73%
Commodities	11,000	2,100	6,127	(4,873)		56%
Debt service: (Warrants)						
Principal	695,000	195,000	695,000	-		100%
Interest	198,683	75,196	181,739	(16,944)		91%
Total Expenditures	1,098,065	288,125	1,081,643	(16,422)		99%
REVENUES NET OF EXPENDITURES	(1,073,954)	(285,382)	(1,057,744)	16,210		
OTHER FINANCING SOURCES (USES)						
Operating transfers in (GF, DSF, RDF)	1,275,065	10,000	1,062,114	(212,951)		83%
Operating transfers out	-	-	-	-		0%
Bond/registered warrant proceeds	-	-	-	-		0%
Capital Improvement	(100,000)	(11,169)	(50,692)	49,308		51%
Total other Financing Sources (Uses)	1,175,065	(1,169)	1,011,421	(163,644)		86%
NET FUND ACTIVITY	\$ 101,111	\$ (286,551)	\$ (46,323)	\$ (147,434)		

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

Redevelopment Fund

	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> Budget	<u>% of Budget</u> Used
REVENUES					
Sales and use taxes	\$ 1,943,539	\$ 241,595	\$ 2,498,138	\$ 554,599	129%
Franchise Fee & Occupation Tax	34,657	26	72	(34,585)	0%
Interest income	60,391	1,141	17,926	(42,465)	30%
Total Revenues	2,038,587	242,762	2,516,136	477,549	123%
EXPENDITURES					
Professional Services	99,700	13,182	17,923	(81,777)	18%
Financial / Legal Fees	196,750	17,390	315,975	119,225	161%
Debt service: (Warrants)					0%
Principal	750,000	-	645,000	(105,000)	86%
Interest	761,125	-	478,874	(282,251)	63%
Total Expenditures	1,807,575	30,572	1,457,772	(349,803)	81%
REVENUES NET OF EXPENDITURES	231,012	212,190	1,058,364	827,352	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	-	-	-	-	0%
Operating transfers out (OSP)	(245,923)	-	(245,923)	-	100%
Bond/registered warrant proceeds	9,615,000	-	153,523	(9,461,477)	2%
Capital Improvement	(4,181,000)	(17,932)	(125,792)	4,055,208	3%
Total other Financing Sources (Uses)	5,188,077	(17,932)	(218,192)	(5,406,269)	
NET FUND ACTIVITY	\$ 5,419,089	\$ 194,258	\$ 840,172	\$ (4,578,917)	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

Police Academy 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					
Academy income	\$ 148,000	\$ 3,054	\$ 164,554	\$ 16,554	111%
Interest income	423	5	94	(329)	22%
Other income	-	-	2,304	2,304	0%
Total Revenues	148,423	3,059	166,952	18,529	112%
EXPENDITURES					
Personnel Services	97,692	10,529	97,885	193	100%
Commodities	2,150	247	2,679	529	125%
Contract Services	11,970	1,558	9,275	(2,695)	77%
Other Charges	4,800	-	9,007	4,207	188%
Total Expenditures	116,612	12,334	118,846	2,234	102%
REVENUES NET OF EXPENDITURES	31,811	(9,275)	48,105	16,294	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF)	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	-	-	-	-	
NET FUND ACTIVITY	\$ 31,811	\$ (9,275)	\$ 48,105	\$ 16,294	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

TIF 1A

	<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>
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REVENUES

Property Tax	\$ 305,081	\$ 137,528	\$ 275,057	\$ (30,024)	90%
Total Revenues	<u>305,081</u>	<u>137,528</u>	<u>275,057</u>	<u>(30,024)</u>	<u>90%</u>

EXPENDITURES

TIF Distributed Funds	349,366	-	183,489	(165,877)	53%
Contract Services	3,051	1,375	2,751	(300)	90%
Total Expenditures	<u>352,417</u>	<u>1,375</u>	<u>186,240</u>	<u>(166,177)</u>	<u></u>

<u>REVENUES NET OF EXPENDITURES</u>	<u>(47,336)</u>	<u>136,153</u>	<u>88,817</u>	<u>136,153</u>
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OTHER FINANCING SOURCES (USES)

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

<u>NET FUND ACTIVITY</u>	<u>\$ (47,336)</u>	<u>\$ 136,153</u>	<u>\$ 88,817</u>	<u>\$ 136,153</u>
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CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

TIF 1B

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

Property Tax	\$ 418,803	\$ 53,729	\$ 107,458	\$ (311,345)	26%
Total Revenues	<u>418,803</u>	<u>53,729</u>	<u>107,458</u>	<u>(311,345)</u>	<u>26%</u>

EXPENDITURES

TIF Distributed Funds	429,895	-	68,473	(361,422)	16%
Contract Services	4,188	537	1,075	(3,113)	26%
Total Expenditures	<u>434,083</u>	<u>537</u>	<u>69,547</u>	<u>(364,536)</u>	<u></u>

<u>REVENUES NET OF EXPENDITURES</u>	<u>(15,280)</u>	<u>53,192</u>	<u>37,911</u>	<u>53,191</u>
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OTHER FINANCING SOURCES (USES)

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

<u>NET FUND ACTIVITY</u>	<u>\$ (15,280)</u>	<u>\$ 53,192</u>	<u>\$ 37,911</u>	<u>\$ 53,191</u>
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CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES

For the Twelve months ending September 30, 2021

100% of the Fiscal Year 2021

Preliminary as of 11/11/2021

Sewer Reserve Fund

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

Interest income	\$ 17,747	\$ -	\$ 3,353	\$ (14,394)	19%
Total Revenues	<u>17,747</u>	<u>-</u>	<u>3,353</u>	<u>(14,394)</u>	<u>19%</u>

EXPENDITURES

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

REVENUES NET OF EXPENDITURES

	\$ 17,747	\$ -	\$ 3,353	\$ (14,394)	
	<u>17,747</u>	<u>-</u>	<u>3,353</u>	<u>(14,394)</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>\$ -</u>	<u>\$ 3,353</u>	<u>\$ 335,606</u>	

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Twelve months ending September 30, 2021
100% of the Fiscal Year 2021
Preliminary as of 11/11/2021

Qualified Sinking Fund					
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<u>REVENUES</u>					
Interest income	\$ 3,757	\$ 124	\$ 899	\$ (2,858)	24%
Total Revenues	\$ 3,757	\$ 124	\$ 899	\$ (2,858)	24%
<u>EXPENDITURES</u>					
Other	-	-	-	-	0%
Total Expenditures	-	-	-	-	-
<u>REVENUES NET OF EXPENDITURES</u>	3,757	124	899	(2,858)	
<u>OTHER FINANCING SOURCES (USES)</u>					
Operating transfers in	50,000	-	50,000	-	100%
Operating transfers out	-	-	-	-	0%
Total other Financing Sources (Uses)	50,000	-	50,000	-	-
<u>NET FUND ACTIVITY</u>	\$ 53,757	\$ 124	\$ 50,899	\$ (2,858)	



Invoice

Reference Invoice Number with Payment

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

HDR Invoice No. 1200384041
Invoice Date 28-OCT-2021
Invoice Amount Due \$2,876.99
Payment Terms 30 NET

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

Remit To PO Box 74008202
ACH/EFT Payments Chicago, IL 60674-8202
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: 29-AUG-2021 To: 23-OCT-2021

Professional Services Summarization	Hours	Billing Rate	Amount
Communications Coordinator	5.50		577.50
Graphic Designer	0.25		29.84
Project Controller	0.50		68.69
Project Manager	8.00		2,159.01
	14.25		\$2,835.04
		Total Professional Services	\$2,835.04

Expense Summarization	Quantity	Billing Rate	Amount
Mileage Personal			8.96
PublicRelations&Advertis (UA)			32.99
Total Expenses			\$41.95

Amount Due This Invoice (USD) **\$2,876.99**

Fee Amount	\$670,695.00
Fee Invoiced to Date	\$507,160.86
Fee Remaining	\$163,534.14

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

05.11.0909.03
R. Ramirez
11-1-21

Invoice

HDR Invoice No. 1200384041
 Invoice Date 28-OCT-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 Controller	Horner, Susan K	0.50	137.37	68.69	
Project Manager	Koenig, Christopher J	3.00	250.92	752.76	
Project Manager	Upton, James Clark (Jim)	5.00	281.25	1,406.25	
		8.50		\$2,227.70	
			Total Professional Services	\$2,227.70	
Expense					
		Qty	Billing Rate	Amount	
Mileage Personal	Koenig, Christopher J	16.00	0.56	8.96	
			Total Expense	\$8.96	
			Total Task	\$2,236.66	

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	5.50	105.00	577.50	
Graphic Designer	Rodriguez, Christina Anne Rolfes	0.25	119.34	29.84	
		5.75		\$607.34	
			Total Professional Services	\$607.34	
Expense					
		Qty	Billing Rate	Amount	
PublicRelations&Advertis (UA)	First National Bank of Omaha			32.99	
			Total Expense	\$32.99	
			Total Task	\$640.33	

Design Workshop, Inc.
Landscape Architecture
Planning
Urban Design

November 8, 2021
Invoice No: 0068939

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

Current Invoice Total \$3,500.00

Project 006515.00 La Vista Wayfinding

Purchase Order # 21-009295

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

Task 001 Project Kick-off and Project Management
Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
	3,500.00	100.00	3,500.00	3,500.00	0.00
Total Fee					0.00
Total this Task					0.00

Task 002 Project Context
Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
	15,000.00	100.00	15,000.00	15,000.00	0.00
Total Fee					0.00
Total this Task					0.00

Task 003 Signage and Wayfinding Framework
Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
	30,000.00	100.00	30,000.00	30,000.00	0.00
Total Fee					0.00
Total this Task					0.00

R. Ramirez
11-9-21P

DESIGNWORKSHOP

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

Project	006515.00	La Vista Wayfinding			Invoice	0068939
Task Fee	004	Signage and Wayfinding Plan				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		9,000.00	100.00	9,000.00	9,000.00	0.00
Total Fee					0.00	
Total this Task					0.00	
Task Fee	005	Add Service #1				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		3,500.00	100.00	3,500.00	0.00	3,500.00
Total Fee					3,500.00	
Total this Task					\$3,500.00	
Task Fee	006	Add Service #2				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		3,500.00	0.00	0.00	0.00	0.00
Total Fee					0.00	
Total this Task					0.00	
Task Fee	099	Reimbursable Expenses				
		Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
		2,500.00	43.9632	1,099.08	1,099.08	0.00
Total Fee					0.00	
Total this Task					0.00	
Total this Invoice					<u>\$3,500.00</u>	

DESIGNWORKSHOP

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1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303.623.5186 • 303.623.2260 (fax)

Project	006515.00	La Vista Wayfinding	Invoice	0068939
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Please include invoice number on remittance to:

1390 Lawrence Street, Suite 100, Denver, CO 80204

DESIGNWORKSHOP

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



A-6

11205 W. 79th St.
Lenexa, KS 66214
913-438-4338

LaVista, NE

Invoice number 10333
Date 11/08/2021

Project 18-540 LA VISTA, NE - OUTDOOR POOL
PLANNING

Services Through October 31,2021

Description	Contract Amount	Percent Complete	Remaining Percent	Prior Billed	Total Billed	Remaining	Current Billed
Planning	44,000.00	100.00	0.00	44,000.00	44,000.00	0.00	0.00
Direct Expenses Allowance							
Travel Expense / Mileage	3,000.00	100.00	0.00	1,794.00	3,000.00	0.00	1,206.00
Concept Plan (prior)	4,700.00	100.00	0.00	4,700.00	4,700.00	0.00	0.00
Total	51,700.00	100.00	0.00	50,494.00	51,700.00	0.00	1,206.00

Invoice total 1,206.00

Terms are Net 30

Email: info@wedesignpools.com

Visit us on the web at wedesignpools.com

Pg # 19-068103
LaVista, NE 11/9/2021



Pat Dowse
City Engineer
City of La Vista
9900 Portal Road
La Vista, NE 68128

October 31, 2021
Project No: 00120661.00
Invoice No: 195640

96th & 108th St Pavement Rehabilitation
M-376 (390) & M-376 (391)

Professional Services from October 1, 2021 to October 24, 2021

Task 00001 Project Management

Professional Personnel

	Hours	Rate	Amount
E1a Professional Engineer/Project Mgr			
O'Bryan, Timothy	6.00	181.00	1,086.00
Totals	6.00		1,086.00
Total Labor			1,086.00
			Total this Task
			\$1,086.00

Task 00004 Final Design

Professional Personnel

	Hours	Rate	Amount
E1a Professional Engineer/Project Mgr			
O'Bryan, Timothy	4.00	181.00	724.00
Totals	4.00		724.00
Total Labor			724.00
			Total this Task
			\$724.00

Task 00005 Construction Observation

Professional Personnel

	Hours	Rate	Amount
E3a Construction Representative III			
Barahona, Alejandro	84.00	103.00	8,652.00
Totals	84.00		8,652.00
Total Labor			8,652.00

Unit Billing

10/24/2021	2020 Chevy Silverado- WJC775 23CVN2	385.0 Miles @ 0.56	215.60
	Total Units		215.60
		Total this Task	\$8,867.60

Project	00120661.00	La Vista 96th & 108th St Pavement Rehab	Invoice	195640
Billing Limits		Current	Prior	To-Date
Total Billings		10,677.60	313,598.08	324,275.68
Limit				490,811.50
Remaining				166,535.82
		Total this Invoice		<u>\$10,677.60</u>

Outstanding Invoices

Number	Date	Balance	
193456	10/5/2021	30,842.94	
Total		30,842.94	OK to Pay PMD 11/10/21 PO# 21-008952

Invoice

olsson

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

October 22, 2021
Invoice No: 401687

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

Invoice Total \$8,010.25

Olsson Project # B16-05460

La Vista NE City Centre Phase 1 Public Infrastructure

Professional services rendered September 12, 2021 through October 9, 2021 for work completed in accordance with agreement dated October 7, 2016 and Amendment #1 dated July 7, 2017, Amendment #2 dated July 21, 2017, Amendment #3 dated November 21, 2017, Amendment #4 dated May 17, 2018, and Amendment #5 dated October 24, 2018.

NTP: 12.06.16

PO: 20-008346

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

Labor

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

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

Unit Billing

Field Vehicle 1248	4.0 Miles @ 0.75	3.00
Total Units		3.00
	Total this Phase	\$3.00

Project	B16-05460	La Vista NE City Centre Phase 1 Public	Invoice	401687
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Phase 402 SWPPP Inspections (Including Amendment 5, 7, 11)

Fee

Number of Mo Insp Fees	1.00
Fee Each	800.00
Subtotal	800.00

Subtotal	800.00
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Total this Phase	\$800.00
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Phase 403 Astro Theater Amd 11

Labor

	Hours	Rate	Amount
Technician			
Belling, James	3.75	60.00	225.00
Blume, Timothy	6.00	60.00	360.00
Cernik, Stephanie	2.00	60.00	120.00
Loghry, Cody	4.25	60.00	255.00
Snyder, Sue	2.25	60.00	135.00
Wilkins, Daniel	4.00	60.00	240.00
Lab Tech Support			
Busch, Colten	3.00		0.00
Petersen, Clinton	2.25		0.00
Drilling Crew Support			
Bunner, Ethan	8.75		0.00
Humann, Dustin	2.00		0.00
Kujath, Trevor	8.00		0.00
Snook, Adam	1.00		0.00
Sorgenfrei, Michael	8.00		0.00
Wentland, Michael	5.00		0.00
Project Manager CS			
Markham, Matthew	4.50	115.00	517.50
Totals	64.75		1,852.50
Total Labor			1,852.50

Unit Billing

9/30/2021	Field Vehicle 1425	31.0 Miles @ 0.75	23.25
	Field Vehicle 1434	47.0 Miles @ 0.75	35.25
	Field Vehicle 1336	23.0 Miles @ 0.75	17.25
	Field Vehicle 1265	5.0 Miles @ 0.75	3.75
Settlement Plate Installed			
3	Settlement Plate Installed		5,100.00
	Total Units		5,179.50
		Total this Phase	\$7,032.00

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

Project	B16-05460	La Vista NE City Centre Phase 1 Public	Invoice	401687
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Billing Limits	Current	Prior	To-Date
Total Billings	8,010.25	1,171,567.17	1,179,577.42
Limit			1,215,505.92
Balance Remaining			35,928.50

AMOUNT DUE THIS INVOICE **\$8,010.25**

Email Invoices to: pdowse@cityoflavista.org

Authorized By: Anthony Egelhoff

OK to Pay
PMD 11/10/21



5022 S 114th Street
Suite 200
Omaha, NE 68137
(712) 323-0530

INVOICE

Invoice Number: 702619-11
Date: October 26, 2021
Client Code: 7220
P.O. Number: 20-008340

City of LaVista

Attn: Mr. Patrick Dowse, P.E.
9900 Portal Road
LaVista, NE 68128

Progress billing for engineering services for the East LaVista Sewer and Pavement Rehabilitation - Phase 2 Final Design, per agreement dated June 4, 2019 & Amendments..

HGM - Survey & Design
Through: October 15, 2021

	Hours	Rate	Current Period	Billed To Date
001: Phase I Investigation (LS \$53,340)		90% Complete		\$48,006.00
002: Trekk (\$90,420) (Hrly)				\$89,172.71
003: Thiele Geotech (\$18,675) (Hrly)				\$18,675.00
004: Emspace & Lovgren (\$9,775) (Hrly)				\$10,134.67
005: Amendment 1 HGM (LS \$923)		100% Complete		\$923.00
006: Amendment 1 TREKK (\$4,000) (Hrly)				\$4,000.00
007: Phase 2 Final Design (Hrly)				
Design Engineer	120.50	87.82	\$10,582.31	
Design Engineer	93.00	125.80	\$11,699.40	
Engineer Technician III	4.50	103.85	\$467.33	
Senior Project Engineer	88.00	194.49	<u>\$17,115.12</u>	
			\$39,864.16	\$84,513.06

Total Amount Billed	\$255,424.44
Less Previous Invoices	\$213,317.78
Invoice Total	<u>\$42,106.66</u>

OK to Pay
PMD 11/10/21

Outstanding Invoices

Invoice	0 - 30	31 - 60	61-90	Over 90	Balance
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INVOICE

Emspace + Lovgren
105 N. 31st Ave., Ste. 100
Omaha, NE 68131
emspacegroup.com

TEL. 402-398-9448

Invoice #: 90352

HGM Associates Inc.
5022 S. 114th St., Suite 200
Omaha NE 68137
Attn: Bill Glismann, P.E.

Date: Sep 30 2021

Title: 2021-10-HGM / East La Vista Sanitary Sewer + Pavem

PO Number:

Description:

Services through September 30, 2021

Scope Of Work	Amount
5307 - HGM / Project Management + Administration	
Strategic planning and project management	
Professional Services	
Project Manager - Lauren Fischer	\$1,080.00
Project Administrator - Keelie Haner	\$937.50
	\$142.50
	Subtotal
	\$1,080.00
5308 - HGM / Public Involvement + Neighborhood Coordination	
Design and revisions to yard sign, post card and project sheet	
Professional Services	
Project Manager - Lauren Fischer	\$1,162.50
Content Specialist - Leen Glenn	\$412.50
Graphics Designer - Tom Nemitz	\$37.50
	\$712.50
	Subtotal
	\$1,162.50
Terms:	
^ Taxable item. Sales tax is included in the line item unless it is separately shown in the total. This does not apply to tax exempt organizations.	
Total Due	
\$2,242.50	

Thank you! Payment in 30 days or earlier is appreciated. Please make checks payable to
EMSPACE, Inc. Notifications for electronic funds transfers should be sent to billing@
emspacegroup.com. Fed ID #47-0770522



SUMMARY SHEET

Remit To: **Emspace + Lovgren**
105 North 31 Avenue, Suite 100
Omaha, NE 68131

HGM Associates

Expenses and Progress through September 2021

Invoice #: **90352** Date: **10-14-2021**

Projected Contract Dates: June 1, 2019 – December 2021

METALAB, LLC
2003 KANE ST
HOUSTON, TX 77007
(713)426-3640
andrew@metalabstudio.com

METALAB]

INVOICE

BILL TO

LVG La Vista Gateway
8116 Park View Blvd.
La Vista, NE 68128

84th Street Underpass

INVOICE # 2539
DATE 11/01/2021
DUE DATE 11/01/2021
TERMS Due on receipt

ACTIVITY	QTY	RATE	AMOUNT
Services:Lump Sum Design Services (1 of 3)			6,900.00
BALANCE DUE			\$6,900.00

OK to pay
BF 11/9/21
Acct. 16-53-0314

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF A REQUEST FOR A CHANGE OF LOCATION FOR THE LIQUOR LICENSE OF CHILI'S GRILL AND BAR.

WHEREAS, Chili's Grill and Bar currently holds a valid Class I Liquor License from the Nebraska Liquor Control Commission; and

WHEREAS, Chili's Grill and Bar has made a request to Nebraska Liquor Control for change of location from 7865 South 84th Street to 8373 Bartmettler Dr. Ste 105; and

WHEREAS, the Nebraska Liquor Control Commission has asked that this request be presented to the City Council for action.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista do hereby approve the request for change of location as presented by Chili's Grill and Bar and instructs the City Clerk to inform the Nebraska Liquor Control Commission of said approval.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



Pete Ricketts
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Robert B. Rupe
Executive Director
301 Centennial Mall South 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814 or (402) 471-2374
TRS USER 800 833-7352 (TTY)

October 28, 2021

LaVista City Clerk
8116 Park View Blvd
La Vista Ne. 68128-2198
Dear Clerk:

Please present the following application for **CHANGE OF LOCATION** to your board and send us the results of that action.

CHANGE OF LOCATION

LICENSE #: I-086128

LICENSEE: MMG Nebraska F & B Inc

TRADE NAME: Chili's Grill & Bar

ADDRESS: 7865 S 84th St

CITY/COUNTY: LaVista/Sarpy

CONTACT NUMBER: 402-592-4900

CONTACT PERSON: Stephanie Hinman

EMAIL: lavista@catchilis.com or jessica@hielangroup.com

REQUEST: CHANGE OF LOCATION-8373 BARTMETTLER DR. STE 105

MAKING THE NEW DESCRIPTION READ: ONE STORY BUILDING APPROX 72 X 80

APPROVED _____ **DISAPPROVED** _____

Tracy Burmeister
Licensing Division

TB

**APPLICATION FOR CHANGE OF
LOCATION TO LIQUOR LICENSE**

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

Office Use	RECEIVED
	OCT 25 2021
	NEBRASKA LIQUOR CONTROL COMMISSION

Application:

- Must include processing fee of \$45.00 checks made payable to Nebraska Liquor Control Commission (NLCC) or you may pay online at www.ne.gov/go/NLCCpayport
- Must include a copy of the lease, deed or purchase agreement showing ownership of new location. This document must read in the name liquor license is issued to, i.e. if license is issued to a corporation must read corporate name
- Must include simple hand drawn sketch of new location, must include outside dimensions in feet (not square feet), showing direction north
NO BLUE PRINTS
- May include approval from the local governing body; new location shall not 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
- Change of location application will not be accepted if moving to a different jurisdiction (i.e. city or county); a new application will need to be filed.

LIQUOR LICENSE # 086128CLASS TYPE Alcohol on Sale OnlyLICENSEE NAME MMG Nebraska F & B incTRADE NAME Chili's Grill & BarCURRENTLY LICENSED ADDRESS 7865 S 84th StreetCITY LaVista ZIP CODE 68128 COUNTY SarpyCONTACT PERSON Stephanie HinmanPHONE NUMBER OF CONTACT PERSON 402-592-4900EMAIL ADDRESS OF CONTACT PERSON lavista@eatchilis.com *Stephanie Hinman* hinchangroup.com

Payport
10/25/21
No fee submitted



2100012360

Stephanie Hinman
FORM 111
REV APR 2015
Page 1 of 3

NEW PREMISE

Street Address #1 8373 Bartmettler Dr Suite 105 LaVista NE

Street Address #2 _____

Zip Code 68128 New Premise Phone Number _____

Business e-mail address lavista@eatchilis.com

MAILING ADDRESS FOR NEW LOCATION

Street Address #1 8951 Collin McKinney Pkwy Ste 1302

Street Address #2 _____

City Mckinney State TX Zip Code 75070

1. Describe the new building to be licensed

- ✓ Include sketch of building to be licensed with length & width in feet
- ✓ If outdoor area to be licensed include on sketch with length & width
- ✓ Indicate the direction north
- ✓ Indicate single story building or give number of floors, how many are licensed
- ✓ Indicate if there is a basement to be included in the licensed description

2. Include proof of ownership (must be in the name liquor license is issued under)

- ✓ deed
- ✓ purchase agreement
- ✓ lease; date lease expires _____

3. Is the new premise location 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

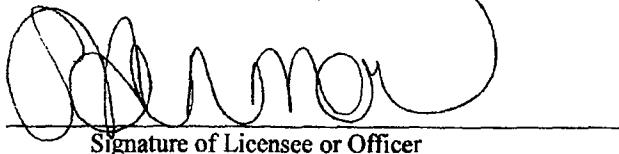
If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1).

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>

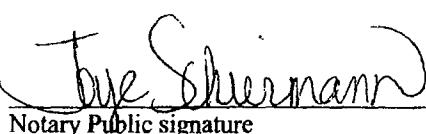
4. When do you expect on moving into the new location? Jan 1 2022

I acknowledge under oath that the premises into which such move is made comply in all respects with the requirements of the act. Neb Rev Stat 853-129



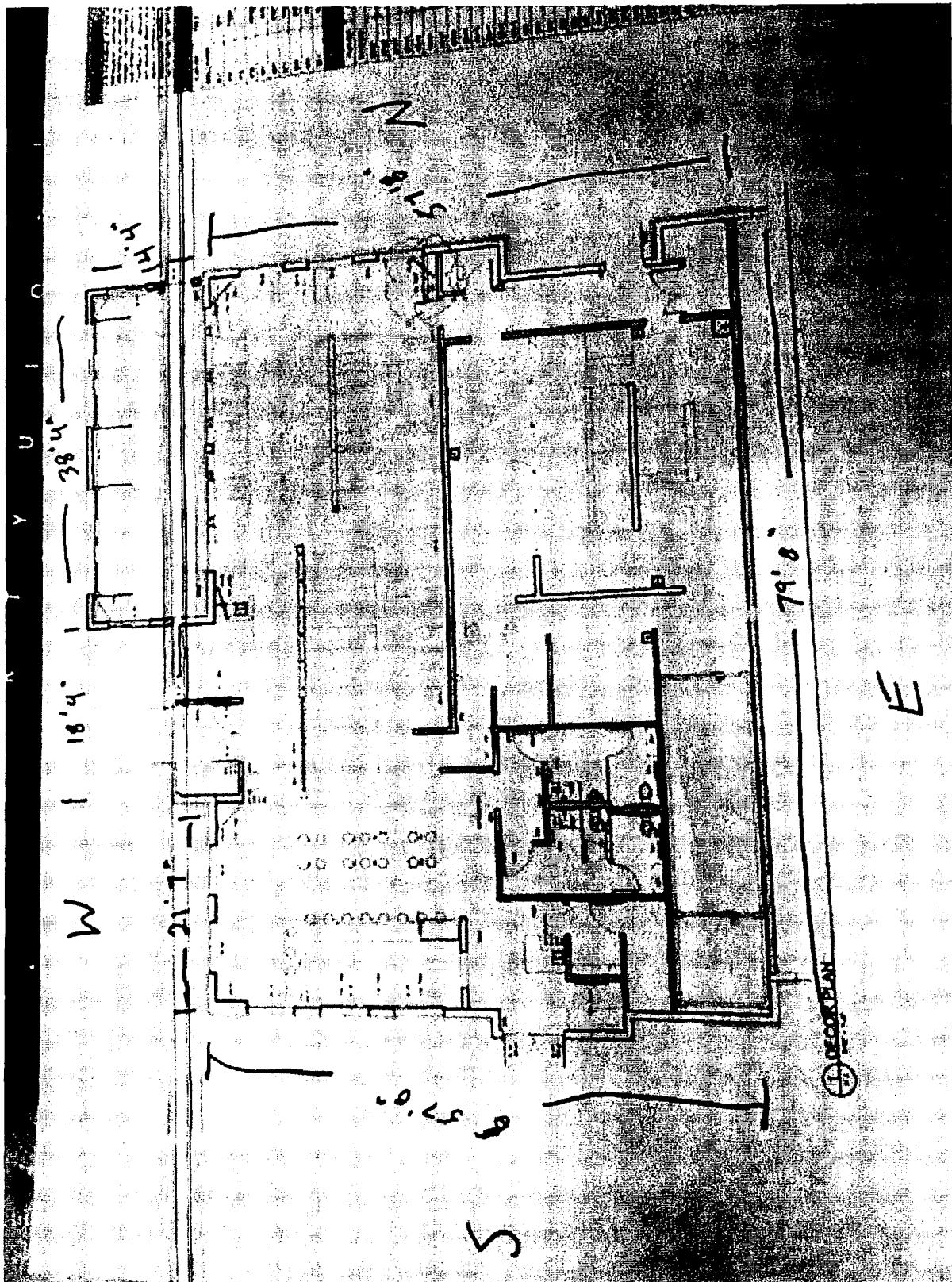
Signature of Licensee or Officer

State of Nebraska Douglas The foregoing instrument was acknowledged before me this
County of Douglas by Stephanie Hinman
October 22, 2021 name of person acknowledged (individual(s) signing document)
Date



Notary Public signature

Affix Seal	JOYE SCHIERMANN General Notary - State of Nebraska My Commission Expires Jan 9, 2024
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Check #	Check Date	Vendor Name	Amount	Voided
1663(E)	10/31/2021	ACTIVE NETWORK LLC	25.06	N
1664(E)	10/31/2021	AMERICAN HERITAGE LIFE INSURANCE CO	1,244.72	N
1665(E)	10/31/2021	CENTURY LINK/LUMEN	138.50	N
1666(E)	10/31/2021	DEARBORN NATIONAL LIFE INSURANCE CO	1,085.00	N
1667(E)	10/31/2021	DEARBORN NATIONAL LIFE INSURANCE CO	6,000.92	N
1668(E)	10/31/2021	LINCOLN NATIONAL LIFE INS CO	6,071.29	N
1669(E)	10/31/2021	MEDICA INSURANCE COMPANY	105,189.21	N
1670(E)	10/31/2021	MID-AMERICAN BENEFITS INC	4,229.98	N
1671(E)	10/31/2021	MID-AMERICAN BENEFITS INC	12,508.27	N
1672(E)	10/31/2021	UNITED HEALTHCARE INSURANCE CO	996.20	N
1673(E)	11/02/2021	CITIBANK COSTCO VISA	4,791.73	N
135865	11/03/2021	ALFRED BENESCH & COMPANY	31,693.66	N
135866	11/03/2021	DESIGN WORKSHOP INC	3,856.00	N
135867	11/03/2021	DLR GROUP	22,109.10	N
135868	11/03/2021	FELSBURG HOLT & ULLEVIG INC	9,619.14	N
135869	11/03/2021	THOMPSON DREESSEN & DORNER, INC.	11,715.10	N
135870	11/03/2021	VALUATION SERVICES	2,500.00	N
1674(E)	11/04/2021	ACTIVE NETWORK LLC	62.31	N
1675(E)	11/04/2021	CCAP AUTO LEASE LTD	449.00	N
1676(E)	11/04/2021	CENTURY LINK/LUMEN	164.46	N
1677(E)	11/04/2021	FIRST STATE BANK	4,399.70	N
1678(E)	11/04/2021	FIRST STATE BANK	5,668.85	N
1679(E)	11/04/2021	FIRST STATE BANK	2,137.23	N
1680(E)	11/04/2021	FNIC	243,489.75	N
1681(E)	11/04/2021	GREAT PLAINS COMMUNICATION	777.60	N
1682(E)	11/04/2021	NE DEPT OF REVENUE-LOTT/51	78,056.00	N
1683(E)	11/08/2021	PAYROLL MAXX	350,690.34	N
135871	11/16/2021	3CMA MEMBERSHIP	400.00	N
135872	11/16/2021	A-RELIEF SERVICES INC	1,480.00	N
135873	11/16/2021	ACTION BATTERIES UNLTD INC	338.70	N
135874	11/16/2021	AMAZON CAPITAL SERVICES, INC.	581.45	N
135875	11/16/2021	BAUER BUILT INC	1,180.00	N
135876	11/16/2021	BERENS-TATE CONSULTING GROUP, INC.	3,000.00	N
135877	11/16/2021	BOLD OFFICE SOLUTIONS	236.70	N
135878	11/16/2021	BRITE IDEAS DECORATING	4,268.00	N
135879	11/16/2021	CENTER POINT, INC.	373.92	N
135880	11/16/2021	CINTAS CORPORATION NO. 2	127.38	N
135881	11/16/2021	CITY OF PAPILLION	34,058.09	N
135882	11/16/2021	CONTROL MASTERS INCORPORATED	217.50	N
135883	11/16/2021	COX COMMUNICATIONS, INC.	170.15	N
135884	11/16/2021	CULLIGAN OF OMAHA	23.00	N
135885	11/16/2021	CUMMINS CENTRAL POWER LLC	547.95	N
135886	11/16/2021	D & K PRODUCTS	3,486.95	N
135887	11/16/2021	DATASHIELD CORPORATION	20.00	N
135888	11/16/2021	DELL MARKETING L.P.	481.74	N
135889	11/16/2021	DULTMEIER SALES LLC	385.00	N
135890	11/16/2021	ECHO GROUP INCORPORATED	612.60	N

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
135891	11/16/2021	FIKES COMMERCIAL HYGIENE LLC	48.00	N
135892	11/16/2021	FIRST WIRELESS INC	1,002.80	N
135893	11/16/2021	FLUID MECHANICAL	46.00	N
135894	11/16/2021	FOUNTAIN, BRUCE	153.44	N
135895	11/16/2021	GALE	50.98	N
135896	11/16/2021	GALLS LLC	428.89	N
135897	11/16/2021	GENUINE PARTS COMPANY-OMAHA	1,432.39	N
135898	11/16/2021	GOODWIN TUCKER GROUP	192.50	N
135899	11/16/2021	GRAINGER	399.25	N
135900	11/16/2021	GUARDIAN ALLIANCE TECHNOLOGIES INC	12.00	N
135901	11/16/2021	HAPPY TREES LLC	1,100.00	N
135902	11/16/2021	HARROD, RAYMOND	24.70	N
135903	11/16/2021	HEIM, JAMES A	3,510.00	N
135904	11/16/2021	HOBBY LOBBY STORES INC	316.28	N
135905	11/16/2021	HOME DEPOT CREDIT SERVICES	301.25	N
135906	11/16/2021	HUMANITIES NEBRASKA	75.00	N
135907	11/16/2021	INDUSTRIAL SALES COMPANY INC	845.82	N
135908	11/16/2021	INGRAM LIBRARY SERVICES	66.25	N
135909	11/16/2021	J & A TRAFFIC PRODUCTS	825.00	N
135910	11/16/2021	K & J ELITE SPORTS TURF INC	3,800.00	N
135911	11/16/2021	KEVIN JONES	1,750.00	N
135912	11/16/2021	KIMBALL MIDWEST	206.40	N
135913	11/16/2021	KRIHA FLUID POWER CO INC	232.35	N
135914	11/16/2021	LA VISTA COMMUNITY FOUNDATION	2,500.00	N
135915	11/16/2021	LIBRARY IDEAS LLC	323.55	N
135916	11/16/2021	LOGAN CONTRACTORS SUPPLY	12.42	N
135917	11/16/2021	MARCO INCORPORATED	184.00	N
135918	11/16/2021	MENARDS-RALSTON-CORPORATE	270.15	N
135919	11/16/2021	METROPOLITAN COMMUNITY COLLEGE	43,517.50	N
135920	11/16/2021	MIDLANDS BUSINESS JOURNAL	75.00	N
135921	11/16/2021	MIDWEST TURF & IRRIGATION	72.01	N
135922	11/16/2021	MILLARD METAL SERVICES INC	1,249.00	N
135923	11/16/2021	MOHOC INC	4,591.86	N
135924	11/16/2021	MUNICIPAL PIPE TOOL CO LLC	2,173.07	N
135925	11/16/2021	NEBRASKA CITY MANAGERS ASSOCIATION	100.00	N
135926	11/16/2021	NEBRASKALAND TIRE, INC.	1,176.08	N
135927	11/16/2021	O'REILLY AUTO PARTS	752.20	N
135928	11/16/2021	OCLC INC	164.44	N
135929	11/16/2021	OFFICE DEPOT INC	782.66	N
135930	11/16/2021	OMAHA WINNELSON SUPPLY	72.10	N
135931	11/16/2021	ONE CALL CONCEPTS INC	259.86	N
135932	11/16/2021	PAPILLION LA VISTA COMMUNITY SCHOOL	12,175.00	N
135933	11/16/2021	PAPILLION SANITATION	275.70	N
135934	11/16/2021	PITNEY BOWES GLOBAL FIN SVCS	429.99	N
135935	11/16/2021	PROJECT LIFESAVER INC	141.26	N
135936	11/16/2021	QUALITY AUTO REPAIR & TOWING, INC.	150.00	N
135937	11/16/2021	RTG BUILDING SERVICES INC	6,665.00	N

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
135938	11/16/2021	SCHOLASTIC LIBRARY PUBLISHING	109.20	N
135939	11/16/2021	SECURITY EQUIPMENT INC.	110.00	N
135940	11/16/2021	SIGN IT	175.00	N
135941	11/16/2021	SOUTHERN UNIFORM & EQUIPMENT LLC	301.72	N
135942	11/16/2021	SUBURBAN NEWSPAPERS INC	669.15	N
135943	11/16/2021	THE COLONIAL PRESS, INC	150.58	N
135944	11/16/2021	THE SCHEMMER ASSOCIATES INC	455.00	N
135945	11/16/2021	THE WALDINGER CORPORATION	615.07	N
135946	11/16/2021	THOMPSON DREESSEN & DORNER, INC.	637.50	N
135947	11/16/2021	TRANS UNION RISK AND ALT. DATA SOL.	75.00	N
135948	11/16/2021	TRI-CITY FOOD PANTRY	240.00	N
135949	11/16/2021	U.S. CELLULAR	1,770.83	N
135950	11/16/2021	ULINE, INC.	487.17	N
135951	11/16/2021	UNITE PRIVATE NETWORKS LLC	4,400.00	N
135952	11/16/2021	USBORNE BOOKS & MORE ED. SVCS.	322.77	N
135953	11/16/2021	VERIZON WIRELESS	380.13	N
135954	11/16/2021	WESTLAKE HARDWARE INC NE-022	1,410.93	N
135955	11/16/2021	WESTLAKE HARDWARE INC NE-022	65.75	N
135956	11/16/2021	WOODHOUSE FORD-BLAIR	257.32	N

113 CHECKS PRINTED

TOTAL CLAIM AMOUNT:

\$1,069,223.52

0

11/12/2021 10:47:40 AM

User: mgustafson

DB: La Vista

ACCOUNTS PAYABLE CHECK REGISTER

Page: 4/4

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
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APPROVED BY COUNCIL MEMBERS ON: 11/16/2021

COUNCIL MEMBER



LA VISTA
CITY
CENTRE

PO Box 241468
Omaha, NE 68124

Invoice

Date	Invoice #
11/15/2021	2513

Bill To
City of La Vista
C/O Pat Dowse
9900 Portal Road
La Vista NE 68128

P.O. No.	Terms	Project

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

Subject:	Type:	Submitted By:
RIGHT-OF-WAY VACATION – PART OF 78 TH ST. WEST OF PARK VIEW BLVD	◆ RESOLUTION ◆ ORDINANCE ◆ RECEIVE/FILE	CALE BRODERSEN, AICP ASSISTANT PLANNER

SYNOPSIS

An ordinance has been prepared to approve the vacation of a portion of unused 78th Street public right-of-way southwest of Park View Boulevard, in order to convey it to two adjacent property owners. This unused property will be added to the tax base and one property owner intends to utilize the additional buildable area to construct an attached garage.

FISCAL IMPACT

The adjacent property owners will reimburse the City for any and all expenses incurred in the process of vacating and conveying the property.

RECOMMENDATION

Approval.

BACKGROUND

The City of La Vista received a request by Terry Frecks and Wyatt Buls to vacate and convey a portion of the 78th Street right-of-way southwest of Park View Boulevard to be split between the two adjacent property owners. Frecks and Buls currently maintain the property, however the transfer of legal ownership would give Mr. Buls the necessary buildable area to construct an attached garage to his home located at 7801 Park View Boulevard. Staff has confirmed that the City has no use for the property and supports its conveyance.

An ordinance has been prepared to vacate that portion of the 78th Street right-of-way as shown on Exhibit A and the vicinity map included in this packet. Exhibit B shows that portion which would be conveyed to Wyatt and Elizabeth Buls, and Exhibit C shows that portion which would be conveyed to Terry and Mary Frecks. A notice of the sale and the manner and terms of the sale (attached to this staff report) will be published for three consecutive weeks in the newspaper. A remonstrance can be filed against the sale of the property if at least 30% of the electors voting in the last City election sign the remonstrance. A remonstrance against the sale must be filed within 30 days after the passage and publication of the ordinance. If a remonstrance is not filed, the City will prepare deeds in which the City quitclaims its interest in the vacated right-of-way to Terry and Mary Frecks and Wyatt and Elizabeth Buls, and the properties will be replatted to establish two new legal lots of record. A drainage and utility easement will be included on the Final Plat to ensure adequate maintenance access to the storm sewer line located under a portion of the right-of-way to be vacated.

ORDINANCE NO. _____

AN ORDINANCE VACATING, AND RESERVING AND RETAINING TITLE IN THE CITY TO, AND DIRECTING THE SALE AND CONVEYANCE OF, A PART OF 78TH STREET RIGHT-OF-WAY LOCATED IN THE NW 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

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

Section 1. It is hereby declared necessary, expedient, proper and for the public good to vacate, and for the City to reserve and retain title to (for sale and conveyance of), a part of 78TH Street right-of-way located in the NW 1/4 of Section 14, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described or depicted as Parcel 1 in Exhibit A, attached hereto ("Parcel 1"); and said Parcel 1 is hereby vacated and the City reserves and retains title thereto for sale and conveyance thereof as directed in Section 2 below. Such vacation, sale and conveyance, in addition to any other conditions specified in this Ordinance, shall be subject to approval, execution, and filing with the Sarpy County Register of Deeds of one or more replats incorporating applicable portions of Parcel 1, as described below, into abutting lots owned by the Grantees, and shall be effective on the date that the quitclaim deeds described in Section 2 below are filed with the Sarpy County Register of Deeds.

Section 2. Upon payment of adequate consideration and such costs and fees incurred by the City in connection with the vacation, sale and conveyance of Parcel 1 as determined satisfactory by the Community Development Director, the City shall provide quitclaim deeds selling and conveying Parcel 1 as follows:

<u>Description</u>	<u>Grantee</u>
The portion of Parcel 1 described or depicted as Parcel 2 in Exhibit B, and	Wyatt & Elizabeth Buls, husband and wife ("Buls")
The portion of Parcel 1 described or depicted as Parcel 3 in Exhibit C,	Terry & Mary Frecks, husband and wife ("Frecks")

subject to the rights, conditions and limitations set forth in this Ordinance, including without limitation those set forth in this Section 2 below, and in accordance with the manner and terms of conveyance specified in Exhibit D attached hereto, which rights, conditions, limitations, manner and terms are hereby deemed to be in the best interests of the City; and all of which rights, conditions, limitations, manner and terms shall constitute covenants running with the land and continue in perpetuity and be binding on Buls, Frecks, and all successors or assigns of Buls, Frecks, Parcel 2, or Parcel 3, or any of them.

- a. In addition to any reserved rights provided elsewhere in this Ordinance or in any document or instrument of conveyance or under applicable law, the following rights, conditions and limitations shall be reserved in perpetuity to the City of La Vista with respect to each of Parcel 2 and Parcel 3:
 - i. the right to maintain, operate, repair, replace, extend and renew sewers and other improvements now existing in, on, over, under or across Parcel 2 or Parcel 3 and in the future to construct, maintain, repair, replace, extend and renew additional or other sewers and improvements;

- ii. the right to authorize public utilities, cable television companies and other persons, systems or services to construct, maintain, repair, replace, renew, extend and operate now or hereafter installed water mains and gas mains, poles, lines, conduits, equipment and appurtenances above, in, on, over, across or below the surface of the ground for the purpose of serving the general public or abutting property;
- iii. the right to authorize such connections or branch lines as may be ordered, desired or permitted by the City or such other utility, person, system or service; and
- iv. the right to enter upon Parcel 2 or Parcel 3 to accomplish the above or to enforce or exercise any other rights or requirements set forth in this Ordinance or under any applicable laws, rules, or regulations, and any related or similar purposes at any and all times.

b. Parcel 1 abuts an existing residential property on Lot 1301, La Vista, owned and occupied by Buls, and an existing residential property on Lots 880 & 881, La Vista, owned and occupied by Frecks. Due to the proximity of the lots to their respective properties, the Buls and Frecks each desires and represents to the City that they each shall acquire their respective portions of Parcel 1 described in this Ordinance for the sole purpose of incorporating, owning and maintaining said parcels into and in connection with their respective homes on lots 1301, 880, and 881.

Vacation, conveyances, and closing of or on Parcel 2 to Buls and Parcel 3 to Frecks shall be subject to the following conditions:

- i. Buls and Frecks at their sole cost and expense shall apply for and receive approval of preliminary and final plats incorporating Parcel 2 and Parcel 3 into the existing abutting properties (Lots 1301, 880, and 881, La Vista) on such conditions as satisfactory to the Mayor and City Council; and
- ii. Any construction, maintenance, or use of or on the properties shall be subject to satisfaction of all applicable federal, state and local laws, rules, and regulations, as adopted, modified or superseded from time to time, including without limitation any applicable permitting, zoning, building code, or other requirements.

Such conveyances shall be executed by the Mayor and City Clerk, who are hereby authorized to take such action. Exhibits A through D as referenced above shall be incorporated into this Ordinance by reference.

Section 3. The City Clerk is hereby authorized and directed to publish notice of the sale of Parcel 1 and the terms of such sale in accordance with the requirements of Section 16-202 of the Revised Statutes of Nebraska.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

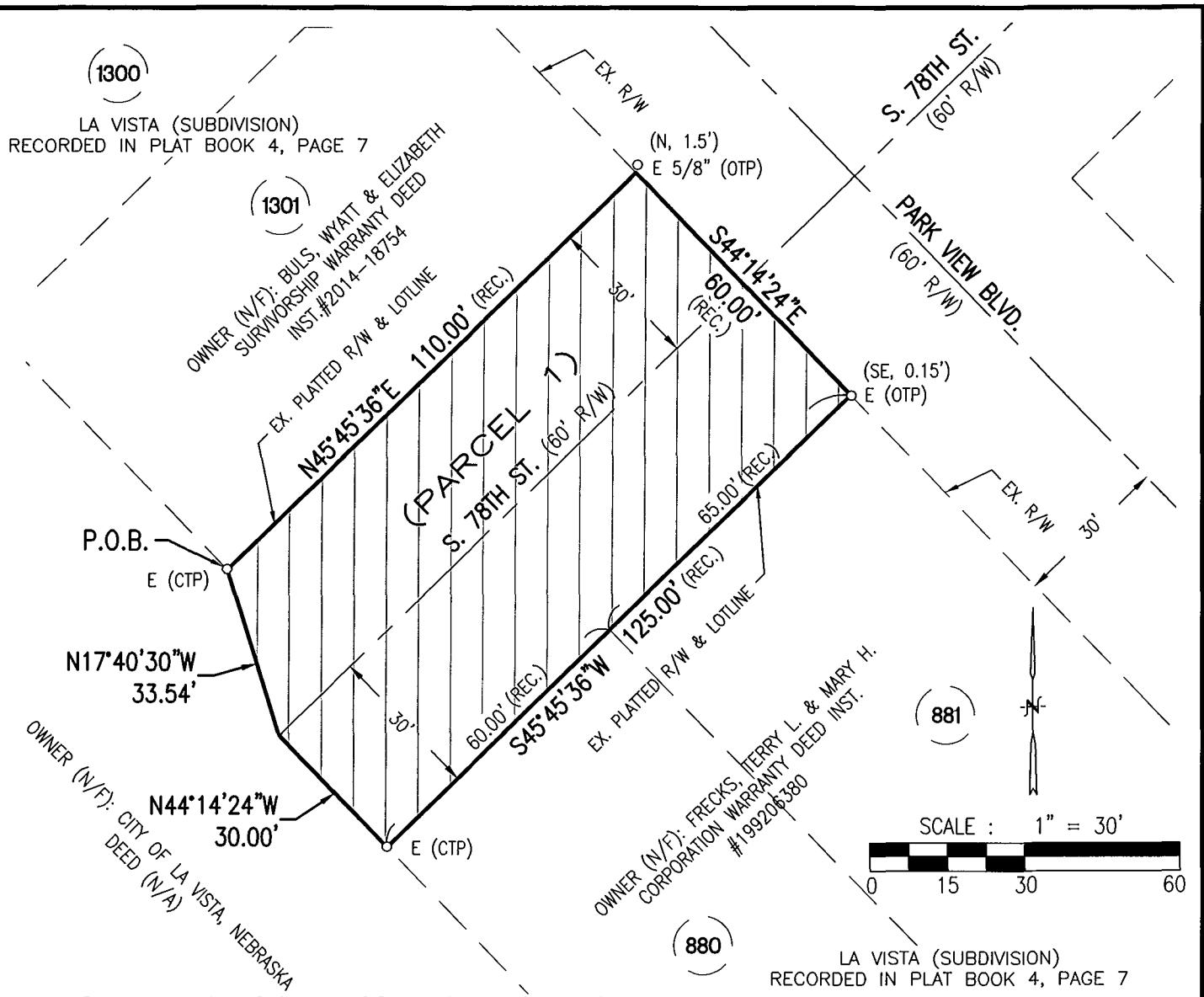
PASSED AND APPROVED THIS 16th DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



PROPERTY DESCRIPTION - (PARCEL 1)

A PART OF THE PLATTED 60.00-FOOT WIDE SEVENTY-EIGHTH (78TH) STREET RIGHT-OF-WAY LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, AS SHOWN BY LA VISTA, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 7 OF THE RECORDS OF THE REGISTER OF DEEDS OF SARPY COUNTY, NEBRASKA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH PRINCIPAL MERIDIAN, LA VISTA, SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1301 OF SAID LA VISTA (SUBDIVISION), SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID (78TH) STREET; THENCE WITH THE SAID WESTERLY RIGHT-OF-WAY LINE, N45°45'36"E, 110.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1301 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, S44°14'24"E, 60.00 FEET TO THE NORTHWEST CORNER OF LOT 881 OF SAID LA VISTA (SUBDIVISION) AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID (78TH) STREET; THENCE WITH SAID EASTERLY RIGHT-OF-WAY LINE, S45°45'36"W, 125.00 FEET TO THE SOUTHWEST CORNER OF LOT 880 OF SAID LA VISTA (SUBDIVISION); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N44°14'24"W, 30.00 FEET TO THE CENTERLINE OF SAID (78TH) STREET; THENCE N17°40'30"W, 33.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 7,275 SQUARE FEET (0.167 ACRES), MORE OR LESS.

TREKK
DESIGN GROUP, LLC
2858 SPRAGUE STREET
OMAHA, NE 68111
PH: (402) 339-2982

EXHIBIT "A"

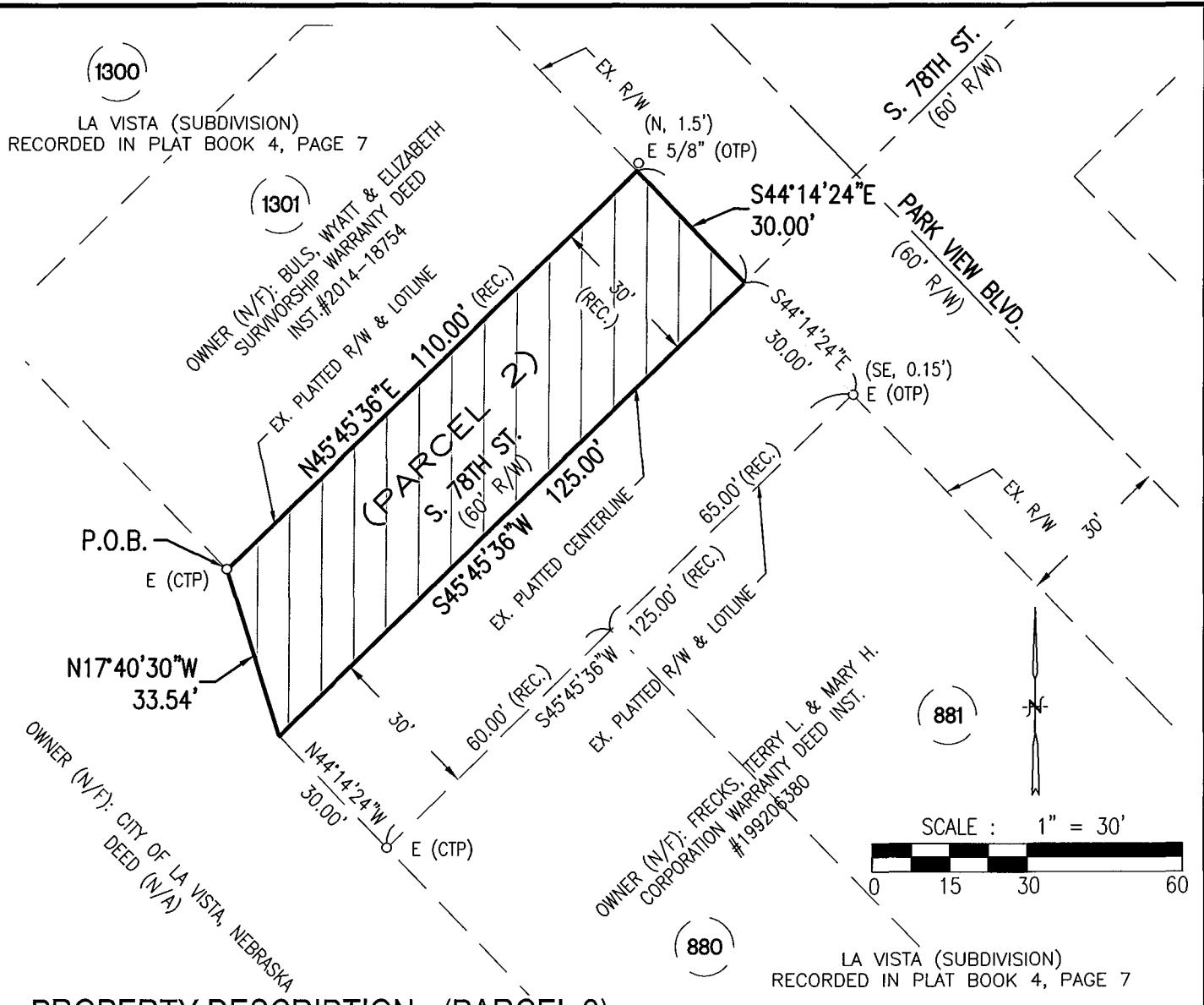
CITY OF LA VISTA
SARPY COUNTY, NEBRASKA

BOOK
PAGE

PROJECT NUMBER:
21-0196

SCALE
1"=30'

DATE
SEPT. 24, 2021



PROPERTY DESCRIPTION - (PARCEL 2)

THE WEST ONE-HALF (1/2) OF THAT PART OF THE PLATTED 60.00-FOOT WIDE SEVENTY-EIGHTH (78TH) STREET RIGHT-OF-WAY LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, AS SHOWN BY LA VISTA, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 7 OF THE RECORDS OF THE REGISTER OF DEEDS OF SARPY COUNTY, NEBRASKA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH PRINCIPAL MERIDIAN, LA VISTA, SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1301 OF SAID LA VISTA (SUBDIVISION), SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID (78TH) STREET; THENCE WITH THE SAID WESTERLY RIGHT-OF-WAY LINE, N45°45'36"E, 110.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1301 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, S44°14'24"E, 30.00 FEET TO THE PLATTED CENTERLINE OF SAID (78TH) STREET; THENCE WITH SAID PLATTED CENTERLINE, S45°45'36"W, 125.00 FEET; THENCE LEAVING SAID PLATTED CENTERLINE, N17°40'30"W, 33.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,525 SQUARE FEET (0.081 ACRES), MORE OR LESS.

TREKK
DESIGN GROUP, LLC
2858 SPRAGUE STREET
OMAHA, NE 68111
PH: (402) 339-2982

EXHIBIT "B"

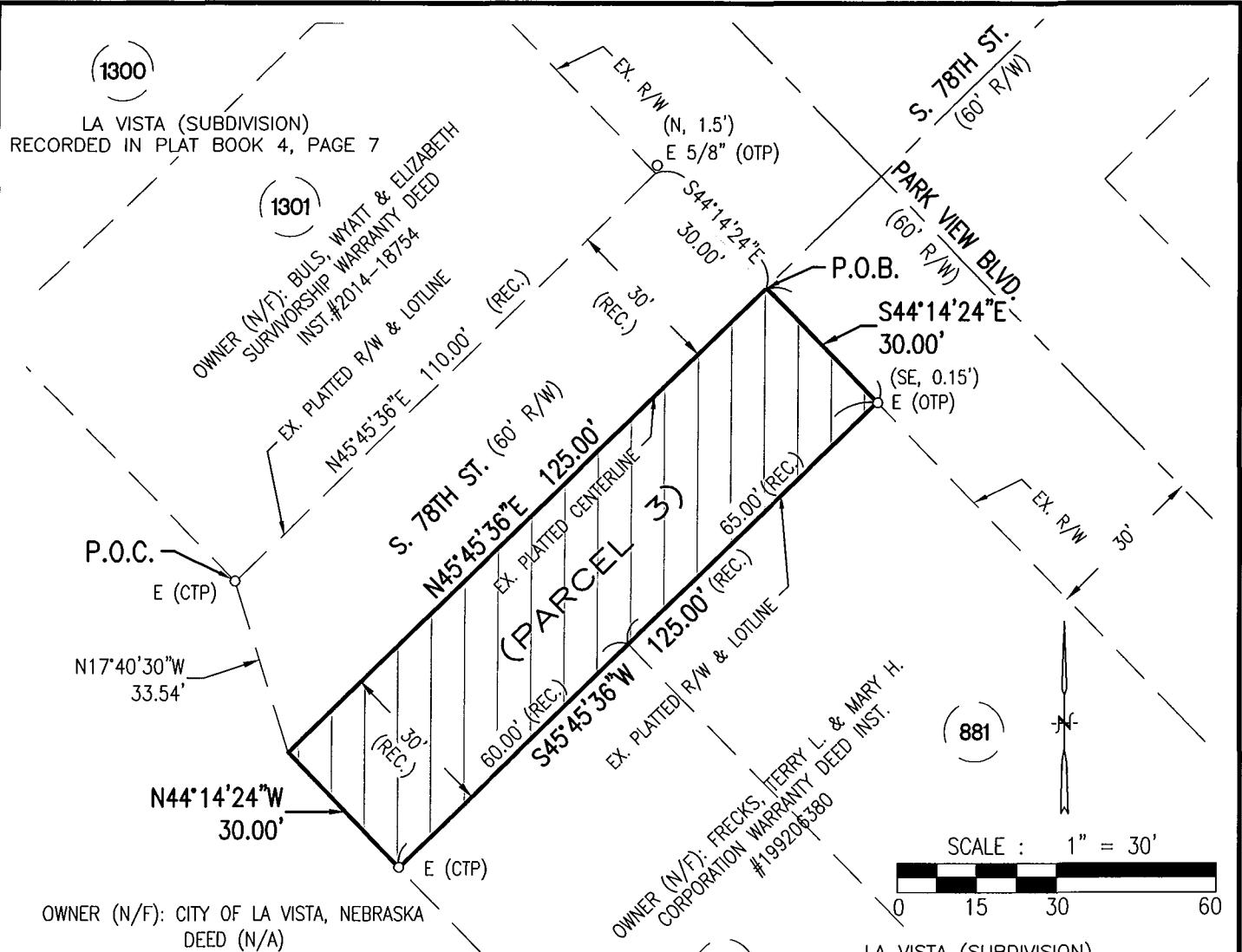
CITY OF LA VISTA
SARPY COUNTY, NEBRASKA

BOOK
PAGE

PROJECT NUMBER:
21-0196

SCALE
1"=30'

DATE
OCT. 7, 2021



PROPERTY DESCRIPTION - (PARCEL 3)

(880)

LA VISTA (SUBDIVISION)
RECORDED IN PLAT BOOK 4, PAGE 7

THE EAST ONE-HALF (1/2) OF THAT PART OF THE PLATTED 60.00-FOOT WIDE SEVENTY-EIGHTH (78TH) STREET RIGHT-OF-WAY LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD, AS SHOWN BY LA VISTA, A SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 7 OF THE RECORDS OF THE REGISTER OF DEEDS OF SARPY COUNTY, NEBRASKA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH PRINCIPAL MERIDIAN, LA VISTA, SARPY COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1301 OF SAID LA VISTA (SUBDIVISION), SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID (78TH) STREET; THENCE WITH THE SAID WESTERLY RIGHT-OF-WAY LINE, N45°45'36"E, 110.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1301 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PARK VIEW BOULEVARD; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, S44°14'24"E, 30.00 FEET TO THE PLATTED CENTERLINE OF SAID (78TH) STREET AND THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, S44°14'24"E, 30.00 FEET TO THE NORTHWEST CORNER OF LOT 881 OF SAID LA VISTA (SUBDIVISION) AND THE EASTERN RIGHT-OF-WAY LINE OF SAID (78TH) STREET; THENCE WITH SAID EASTERN RIGHT-OF-WAY LINE, S45°45'36"W, 125.00 FEET TO THE SOUTHWEST CORNER OF LOT 880 OF SAID LA VISTA (SUBDIVISION); THENCE LEAVING SAID EASTERN RIGHT-OF-WAY LINE, N44°14'24"W, 30.00 FEET TO THE SAID PLATTED CENTERLINE OF (78TH) STREET; THENCE WITH SAID PLATTED CENTERLINE, N45°45'36"E, 125.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,750 SQUARE FEET (0.086 ACRES), MORE OR LESS.

TREKK
DESIGN GROUP, LLC
2858 SPRAGUE STREET
OMAHA, NE 68111
PH: (402) 339-2982

EXHIBIT "C"

CITY OF LA VISTA
SARPY COUNTY, NEBRASKA

BOOK
PAGE

PROJECT NUMBER:
21-0196

SCALE
1"=30'

DATE
OCT. 7, 2021

EXHIBIT "D"

MANNER AND TERMS OF CONVEYANCE

Manner of Conveyance: Quitclaim Deeds of vacated right-of-way in two conveyances west and east of the approximate center line of such vacated right-of-way from the City to owners of properties abutting such vacated right-of-way, with reservation of easements and other rights.

Terms of Conveyance:

- 1) Legal Description(s):

West Parcel: The west one-half (1/2) of that part of the platted 60.00-foot wide seventy-eighth (78th) Street right-of-way lying south of the southerly right-of-way line of Park View Boulevard, as shown by La Vista, a subdivision, as recorded in plat book 4, page 7 of the records of the Register of Deeds of Sarpy County, Nebraska, located in the northwest quarter of Section 14, Township 14 North, Range 12 East of the 6th Principal Meridian, La Vista, Sarpy County, Nebraska, and being more particularly described as follows: beginning at the southeast corner of Lot 1301 of said La Vista (subdivision), said point being on the westerly right-of-way line of said (78th) Street; thence with the said westerly right-of-way line, N45°45'36"E, 110.00 feet to the northeast corner of said Lot 1301 and the southerly right-of-way line of Park View Boulevard; thence leaving said westerly right-of-way line, S44°14'24"E, 30.00 feet to the platted centerline of said (78th) Street; thence with said platted centerline, S45°45'36"W, 125.00 feet; thence leaving said platted centerline, N17°40'30"W, 33.54 feet to the point of beginning and containing 3,525 square feet (0.081 acres), more or less.

East Parcel: The east one-half (1/2) of that part of the platted 60.00-foot wide seventy-eighth (78th) Street right-of-way lying south of the southerly right-of-way line of Park View Boulevard, as shown by La Vista, a subdivision, as recorded in plat book 4, page 7 of the records of the Register of Deeds of Sarpy County, Nebraska, located in the northwest quarter of section 14, township 14 north, range 12 east of the 6th Principal Meridian, La Vista, Sarpy County,

Nebraska, and being more particularly described as follows: commencing at the southeast corner of Lot 1301 of said La Vista (subdivision), said point being on the westerly right-of-way line of said (78th) Street; thence with the said westerly right-of-way line, N45°45'36"E, 110.00 feet to the northeast corner of said Lot 1301 and the southerly right-of-way line of Park View Boulevard; thence leaving said westerly right-of-way line, S44°14'24"E, 30.00 feet to the platted centerline of said (78th) Street and the point of beginning: thence from the point of beginning, S44°14'24"E, 30.00 feet to the northwest corner of Lot 881 of said La Vista (subdivision) and the easterly right-of-way line of said (78th) Street; thence with said easterly right-of-way line, S45°45'36"W, 125.00 feet to the southwest corner of Lot 880 of said La Vista (subdivision); thence leaving said easterly right-of-way line, N44°14'24"W, 30.00 feet to the said platted centerline of (78th) Street; thence with said platted centerline, N45°45'36"E, 125.00 feet to the point of beginning and containing 3,750 square feet (0.086 acres), more or less.

- 2) Consideration to be paid to City: Reimbursement of such engineering, legal, advertising, or other costs and expenses incurred by the City in connection with vacation or conveyance of such Property as determined by the City Administrator, Community Development Director, or her or his designee.
- 3) Method of Payment: Cash at closing.
- 4) Closing Date: As parties may agree.
- 5) Purchasers:
 - a. West Parcel: Wyatt & Elizabeth Buls, husband and wife; and
 - b. East Parcel: Terry & Mary Frecks, husband and wife

**VACATION AND CONVEYANCE OF EXCESS RIGHT-OF-WAY
S 78TH STREET WEST OF PARK VIEW BLVD**

Ordinance vacating right-of-way	City Council 11/16/2021
Publish ordinance	11/24/2021
Publish Notice of Real Estate Sale for 3 weeks immediately after passage and publication of ordinance	12/1, 12/8, 12/15
Passage of 30 days after publication of ordinance (without filing of remonstrance)	12/27/2021
Closing	12/28/2021 (or such later date as agreed)

NOTICE OF REAL ESTATE SALE

NOTICE IS HEREBY GIVEN that at an open and public meeting of the Mayor and the City Council of the City of La Vista held at 6:00 P.M. on November 16, 2021, the City exercised by ordinance its power to sell and convey real estate by directing by ordinance the conveyance of the following parcels of real estate by quitclaim deeds to abutting property owners on the terms specified:

West Parcel: The west one-half (1/2) of that part of the platted 60.00-foot wide seventy-eighth (78th) Street right-of-way lying south of the southerly right-of-way line of Park View Boulevard, as shown by La Vista, a subdivision, as recorded in plat book 4, page 7 of the records of the Register of Deeds of Sarpy County, Nebraska, located in the northwest quarter of Section 14, Township 14 North, Range 12 East of the 6th Principal Meridian, La Vista, Sarpy County, Nebraska, and being more particularly described as follows: beginning at the southeast corner of Lot 1301 of said La Vista (subdivision), said point being on the westerly right-of-way line of said (78th) Street; thence with the said westerly right-of-way line, N45°45'36"E, 110.00 feet to the northeast corner of said Lot 1301 and the southerly right-of-way line of Park View Boulevard; thence leaving said westerly right-of-way line, S44°14'24"E, 30.00 feet to the platted centerline of said (78th) Street; thence with said platted centerline, S45°45'36"W, 125.00 feet; thence leaving said platted centerline, N17°40'30"W, 33.54 feet to the point of beginning and containing 3,525 square feet (0.081 acres), more or less.

East Parcel: The east one-half (1/2) of that part of the platted 60.00-foot wide seventy-eighth (78th) Street right-of-way lying south of the southerly right-of-way line of Park View Boulevard, as shown by La Vista, a subdivision, as recorded in plat book 4, page 7 of the records of the Register of Deeds of Sarpy County, Nebraska, located in the northwest quarter of section 14, township 14 north, range 12 east of the 6th Principal Meridian, La Vista, Sarpy County, Nebraska, and being more particularly described as follows: commencing at the southeast corner of Lot 1301 of said La Vista (subdivision), said point being on the westerly right-of-way line of said (78th) Street; thence with the said westerly right-of-way line, N45°45'36"E, 110.00 feet to the northeast corner of said Lot 1301 and the southerly right-of-way line of Park View Boulevard; thence leaving said westerly right-of-way line, S44°14'24"E, 30.00 feet to the

platted centerline of said (78th) Street and the point of beginning: thence from the point of beginning, S44°14'24"E, 30.00 feet to the northwest corner of Lot 881 of said La Vista (subdivision) and the easterly right-of-way line of said (78th) Street; thence with said easterly right-of-way line, S45°45'36"W, 125.00 feet to the southwest corner of Lot 880 of said La Vista (subdivision); thence leaving said easterly right-of-way line, N44°14'24"W, 30.00 feet to the said platted centerline of (78th) Street; thence with said platted centerline, N45°45'36"E, 125.00 feet to the point of beginning and containing 3,750 square feet (0.086 acres), more or less.

Purchasers: West Parcel: Wyatt & Elizabeth Buls, husband and wife; and East Parcel: Terry & Mary Frecks, husband and wife

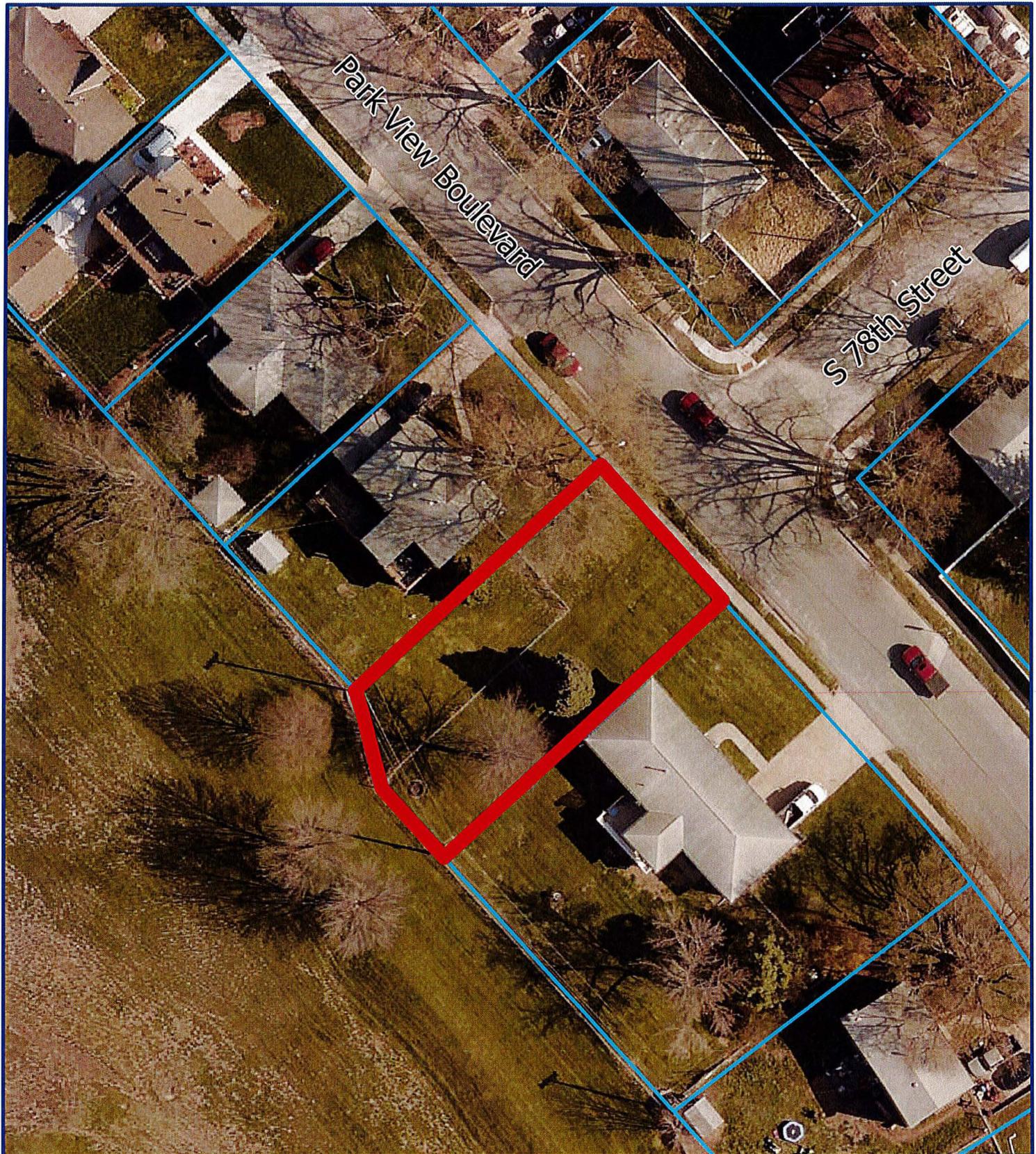
Purchase Price: Reimbursement of such engineering, legal, advertising, or other costs and expenses incurred by the City in connection with vacation or conveyance of such Property as determined by the City Administrator, Community Development Director, or her or his designee.

Method of Payment: Cash at closing

Closing Date: As parties may agree

The Parcels will be sold to the specified purchasers after 30 days have elapsed since the passage and publication of the ordinance authorizing and directing the sale, unless a valid and timely remonstrance petition against such sale is signed and filed in accordance with Neb. Rev. Stat. Section 16-202.

Pamela A. Buethe, CMC
City Clerk



Vicinity Map: 78th Street Right of Way Vacation



Legend

- La Vista Parcels
- Proposed Right-of-Way Vacation



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

Subject:	Type:	Submitted By:
AMEND MASTER FEE ORDINANCE – CHARGING STATION RATES	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

An ordinance has been prepared to amend the Master Fee Ordinance.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

The City in conjunction with the Omaha Public Power District has completed the installation of two City owned charging stations at 12703 Westport Parkway (Parking District #1) for public vehicle charging. One is a two-port standard charging station, and one is a single port rapid charging station.

The charging stations were funded and constructed by OPPD through a federal grant. The City is a sub-recipient of the grant and will be billed \$20,405 as a matching contribution that is included in the CIP budget. The City will own and operate the charging stations through the vendor Charge Point. An operator agreement was approved by the City Council April 6, 2021.

Based on data received from the Omaha Public Power District and from surrounding area charging stations, the following rates are recommended:

- The standard charge station with a lower KW demand
 - o \$2/per hour for the first six hours
 - o \$0.33/minute after six hours (\$19.80/hour)
- The rapid charging station with a higher KW demand
 - o \$5/per hour for the first two hours
 - o \$0.33/minute after two hours (\$19.80/hour)

Future fee recommendations will be provided annually as necessary at the time of the biennial budget preparation based on historical expenditures for electricity and maintenance. Usage data and operational control of the charging stations is available on a Charge Point dashboard. Credit card transactions are processed by Charge Point and net proceeds automatically deposited to the City's bank account.

ORDINANCE NO. 1424

AN ORDINANCE TO AMEND ORDINANCE NO.14081424, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

Section 1. General Fee Schedule. The fees and taxes charged by the City of La Vista for various services, facilities, and occupations shall be, and the same hereby are, fixed in accordance with the following schedule, no modifier shall be used, and such fees and taxes charged shall be in accordance with such rules as the City Council may establish:

BUILDING & USE FEES

(Apply inside City limits and within the Extra-territorial zoning jurisdiction)

Building Permit

(Building valuation is determined by the most current issue of the ICC Building Valuation Data)

General	\$30 Base fee + see building fee schedule
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Commercial/Industrial	\$30 Base fee + see building fee schedule
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Plan Review Fee

Commercial (non-refundable)	\$100 or 10% of building permit fee (whichever is greater)
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Design Review (non-refundable)

Tenant Bay Façade Renovation	\$500 (min. fee or actual fee incurred)
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Bldgs. 24,999 sq. ft. or less	\$1,500 (min. fee) (or actual fee Incurred)
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Bldgs. 25,000 – 49,999 sq. ft.	\$2,000 (min. fee) (or actual fee Incurred)
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Bldgs. 50,000 -99,999 sq. ft.	\$3,000 (min. fee) (or actual fee Incurred)
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Bldgs. 100,000 + sq. ft.	\$4,000 (min. fee) (or actual fee Incurred)
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Replacement Plan Review Fee

	\$100 + Request for records fees
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Engineer's Review

	\$500
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Rental Inspection Program

License Fees:

Multi-family Dwellings	\$6.00 per unit
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Single-family Dwellings	\$50.00 per property
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Duplex Dwellings	\$50.00 per unit
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Additional Administrative Processing Fee (late fee)	\$100.00
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Inspection Fees:

Primary Inspection	No charge
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Class B Property Inspection (after primary inspection):	
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Violation corrected	No charge
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Violation not corrected	See Re-inspection Fee below
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Re-inspection Fee (no show or follow up inspection)	See Re-inspection Fee below
-----------------------------------------------------	-----------------------------

Re-inspection Fee	\$100.00
Vacant Property Registration Fee	\$250 Original Registration Fee \$500 First Renewal \$1,000 Second Renewal \$2,000 Third Renewal \$2,500 Fourth Renewal \$2,500 Fifth and Subsequent Renewals
Penalty Fee Refund Policy	3x Regular permit fee 75% will be refunded when the project is cancelled or not complete within one year. No refund will be given after one year. (Sewer Hook-up Fee is 100% refunded)
Certificate of Occupancy	\$ 50
Temporary Certificate of Occupancy	\$750
Pre-occupancy fee (Occupancy without C.O.)	\$750
Temporary Use Permit (includes tents, greenhouses, event structures)	\$ 50 plus \$10/day
Sign Permit	\$150/sign
Identification Sign, Incidental Sign	\$75/sign
Master Sign Plan (more than 1 sign)	\$150
Common Sign Plan	\$150
Temporary Sign Permit:	
Non-profit or tax exempt organization	\$0
All other temporary signs	\$ 30/year
Tower Development Permit	\$8,500 (min fee) (or actual fee incurred)
Co-locates – Towers	\$5,000 (min fee) (or actual fee incurred)
Tarp Permit (valid for 6 months)	\$ 30
Solar Panel Permit	\$ 30
Satellite Dish Permit	\$ 30
Wading/ Swimming Pools at residence	\$ 30
Dedicated Electrical circuit for pumps	\$ 30
Mechanical Permits	\$30 Base fee + See mechanical fee schedule
Plumbing Permits	\$30 Base fee + See plumbing fee schedule
Sewer Repair Permit	\$30
Backflow protector permit	\$ 30 (\$22 permit & \$8 backflow)
Underground Sprinklers	\$ 30 (\$22 issue fee & \$8 fixture)
Electrical Permits	\$30 Base Fee + See electrical fee
City Professional License (Plumbers; Mech. Contractors)	\$ 15 and a \$1,000,000
Liability, and a \$500,000 bodily injury insurance Certificate per each occurrence	
Also a \$5,000 Bond is required, naming the City as the recipient.	
Demolition of building	\$250 plus Insurance Certificate
Moving Permit (buildings 120 square feet or greater)	\$250 plus Insurance Certificate
Sheds and Fences	\$ 30.00
Sidewalks	\$ 30.00
Driveway Replacement	\$ 30.00
Driveway Approach w/o curb cut or grinding	\$ 30.00

With curb requiring cut plus the 4' apron on each side)	
Contractor (Contractor performs curb cut or grind)	\$ 30.00 plus \$1.00/ft.
City Charge (if City performs curb cuts)	\$50 + \$5/ft. (\$40 set up fee; \$10 permit fee)
City charge (if City performs curb grinds)	\$50 + \$6/ft. (\$40 set up fee; \$10 permit fee)
Utility Cut Permit	\$30.00

Appeal Fee Regarding Issuance or Denial of Curb Cut/Driveway	
Approach Construction Permit	\$250
Street Paving, Surfacing, Resurfacing, Repairing, Sealing or Resealing Permit	\$ 30.00/Yearly
Appeal Fee Regarding Issuance or Denial of Street Paving, Resurfacing, etc. Permit	\$250

RIGHT-OF-WAY PERMIT FEES

The following are one-time permit fees for structures occupying the public right-of-way:

Canopy or Awning	\$50 for the first 25 ft. + \$10 each additional foot
Balcony	\$75 each
Bicycle Rack	\$50
Light Fixture	\$75 for the first + \$10 each additional light fixture
Marquee	\$50 for the first 25 ft. + \$10 each additional ft.
Sidewalk Café	\$100
Sign	\$100 each (if less than 25 sq. ft.) \$300 each (if 25 sq. ft. or larger)
Windscreen	\$400 each
Planter	\$50
Combination of Awning/Canopy/Sign /Light	\$500
Skywalk	\$500
String Lights	\$150
Other structures as approved by the City Administrator	\$300

Provided, however, notwithstanding anything in this Ordinance to the contrary, all property, or parts thereof or improvements thereon, with respect to which legal title is or will be held by or for the benefit of the City of La Vista, La Vista Community Development Agency, City of La Vista Facilities Corporation, La Vista/Metropolitan Community College Condominium Owners Association, Inc., or any other entity directly or indirectly controlled by the City of La Vista as determined by the City Administrator, for a public purpose, and all owners of such property, parts, or improvements, shall be exempt from the Building and Use Fees and/or any other fees in this ordinance. The City of La Vista pursuant to a policy of the City Council also may provide for waiver of any or all such Building and Use Fees, or any other fees under this Ordinance that are payable to the City, with respect any political subdivisions that levy property taxes within the corporate limits of the City, or any entity controlled by any such political subdivision.

FIRE INSPECTION FEES

Plan Review Fees

Commercial Building	10% of building permit fee with a maximum of \$1,000
Fire Sprinkler Plan Review 1-20 devices	\$100

21-50 devices	\$200
51-100 devices	\$300
101-200 devices	\$400
201-500 devices	\$500
Over 500 devices	\$500 plus \$1.00 per device over 500
Fire Alarm Plan Review	\$50.00

Child Care Facilities:

0 – 8 Children	\$50.00
9 – 12 Children	\$55.00
13 or more children	\$60.00

Foster Care Homes:

Inspection	\$25.00
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Liquor Establishments:

Non-consumption establishments	\$60.00
Consumption establishments	\$85.00

Nursing Homes:

50 beds or less	\$55.00
51 to 100 beds	\$110.00
101 or more beds	\$160.00

Fire Alarm Inspection:

Four year license (Test)	\$100.00
NICET	\$25.00 per year NICET certification last
Annual test (witnessed)	\$30.00

Sprinkler Contractor Certificate:

Annual	\$100.00
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Fuels Division:

Above ground Hazardous Substance Storage Tanks (Title 158)	
Registration	\$25.00 per tank
Re-registration	\$25.00 per tank (Required whenever change is made to tank or contents)
Above ground Petroleum Storage Tanks (Title 153, Chapter 17)	
Inspection Fee	\$50.00 (Per installation regardless of the number of tanks)

Underground Storage Tanks (Title 159, Chapter 2)

Farm, residential and heating oil tanks (tanks with a capacity of 1100 gallons or less)	\$10.00 one-time registration fee
All other tanks	\$30.00 per tank, annually
Petroleum Release Remedial Action Fund	\$90.00 per tank, annually
Tank installation	\$60.00 per tank
Piping only installation	\$60.00

GRADING PERMIT FEES

5 acres or less	\$ 500
More than 5 acres	\$1,000

TAX INCREMENT FINANCING (TIF) APPLICATION FEES

Application Fee	\$3,000
Administrative Fee	1.5% on TIF Principal up to \$2,000,000 1% on TIF Principal amount above \$2,000,000 thru \$4,000,000 No additional administrative fee for TIF Principal above \$4,000,000

Bond Related Fee	Actual Fees, Costs & Expenses Incurred by the City
<u>PACE PROGRAM</u>	
Application Fee	\$1,000
Administrative Fee	1% of loan amount maximum \$40,000 subject to 50% reduction if a TIF project
Annual Fee	\$500
<u>ZONING FEES</u>	
Comprehensive Plan Amendment	\$500
Zoning Map Amendment (rezoning)	\$500
Zoning Text Amendment	\$500
Zoning Verification Letter	\$50
Subdivision Text Amendment	\$500
Conditional Use Permit (1 acre or less)	\$300
Conditional Use Permit (more than 1 acre)	\$500
Conditional Use Permit Amendment	\$200
Flood Plain Development Permit	\$500
Administrative Plat – Lot Split, Lot Consolidation or Boundary Adjustment	\$750+ additional fee of \$250 for review of revised drawings
Preliminary Platting	\$1,000 +additional fee of \$250 for review of revised drawings
Final Platting	\$1000+additional fee of \$250 for review of revised drawings
Subdivision Agreement	\$500 (min. fee) or actual fee incurred
Revised Preliminary Plat	\$500+additional fee of \$250 for review of revised drawings
Replat	\$1500 +additional fee of \$250 for review of revised drawings
P.U.D.	\$1,000+additional fee of \$250 for review of revised drawings
P.U.D. Amendment	\$500 (min. fee) or actual fee incurred
Vacation of Plat and Right of Way Vacation	\$150
Variance, Appeals, Map Interpretation (B.O.A.)	\$250
Watershed Fees –apply to all new development or significant redevelopment as specified in Exhibit "G" to the interlocal agreement for the Papillion Creek Watershed Partnership: (fees are remitted to Papillion Creek Watershed Partnership)	
<u>OCCUPATION TAXES</u>	
Publication fees	\$Actual cost

Class A Liquor License Holder	\$200
Class B Liquor License Holder	\$200
Class C Liquor License Holder	\$600
Class D Liquor License Holder	\$400
Class I Liquor License Holder	\$500
Class L Liquor License Holder	\$500
Class Z Liquor License Holder	\$500
Class AB Liquor License Holder	\$400
Class AD Liquor License Holder	\$600
Class ADK Liquor License Holder	\$800
Class AK Liquor License Holder	\$400
Class ABK Liquor License Holder	\$600
Class BK Liquor License Holder	\$400
Class CK Liquor License Holder	\$800
Class DK Liquor License Holder	\$600
Class IB Liquor License Holder	\$700
Class IBK Liquor License Holder	\$900
Class ID Liquor License Holder	\$900
Class IDK Liquor License Holder	\$1100
Class IK Liquor License Holder	\$700
Special Designated Permit – Liquor Control	\$ 50/day except non-profits
Transfer of Liquor License from One Location to Another (These fees are in addition to the State Fee Requirement)	\$ 25
Amusement Concessions (i.e. Carnivals) (This would include any vendors set up for special functions at the La Vista Sports Complex)	\$ 10/concession/day
Auto dealers - new and used - \$250 plus \$.01 per sq. ft. of inside area, and \$.005 per sq. ft. of outside area used for display, sales or storage.	
Auto repair	\$100
Banks, small loan and finance companies	\$250 plus \$75/each detached facility.
Barber shops, beauty salons, tanning & nail salons	\$ 75 plus \$10 per operator over one.
Bowling Alleys or Billiard/Pool Halls	\$ 50/year + \$10/table or alley (Additional fees for Restaurants or Drinking Places if applicable)
Car washes	\$100 (includes all vacuum & supply vending machines)
Circus, Menagerie or Stage Show	\$ 50/day
Collecting agents, detective agents or agencies and bail bondsmen	\$ 75
Construction/Tradesmen	\$ 75 and a \$1,000,000
Liability, \$500,000 bodily injury insurance certificate	
Convenience stores	\$ 75 (Additional fees for Restaurants or Drinking Places if applicable)
Convenience store with car wash	\$120 (Includes all vacuum & supply vending machines)
Dry cleaning or laundry and tailoring	\$ 50
Funeral homes	\$150
Gaming Device Distributors	5% of gross receipts (non-profits exempt)
Games of Chance/Lotteries	5% of gross receipts (non-profits exempt)
Games of Chance/Lottery License Fee	\$ 50/1st location - \$10/ea additional
Gas Companies	5% of gross receipts
Hawkers/Peddlers	\$ 75/day or \$500/year

Home Occupations (not specified elsewhere)	
Home Occupation Permit Application Fee	\$30
Home Occupation 1 and Child Care Home	\$50
Home Occupation Conditional Use Permit – see Zoning Fees	

Hotels/motels – Any hotel or motel in the City shall pay to the City monthly an Occupation Tax equal to 5% of gross receipts from room rentals. Any shops restaurants, and/or drinking places which are part of, associated with, or located in or with a hotel or motel facility will be considered a separate classification of business and taxed in accordance with the provisions of this Ordinance and the applicable classification(s) of the shops, restaurants, and/or drinking places hereunder. The Occupation Taxes with Respect to any banquet and/or ballroom facilities of, or associated with, or located in or with, any such hotel or motel shall be determined in accordance with the square footage schedule above, based on the actual square footage of said facilities, which occupation taxes shall be additional to any other applicable occupation taxes such as restaurants or drinking places occupation taxes.

Mobile Food Vendors	\$100/year
Movie theatres	\$150/complex and \$75/viewing room (Additional fees for Restaurants or Drinking Places if applicable)
Music, Vending, & Pinball Machines Provider Fee of \$75.00 for business outside the City that provides machines for local businesses	\$ 20/year/machine +Service
Nurseries, greenhouses, landscaping businesses, and tree trimmers	\$ 75
Nursing homes, assisted living, hospitals and retirement homes	\$ 5 per bed
Pawnbrokers transaction evidenced by a pawnbroker card or ledger entry per Neb. Rev. Stat. Section 69-204. Minimum of \$30/year	\$ 1.00/pawnbroker
Professional services - engineers, architects, physicians, dentists, chiropractors, osteopaths, accountants, photographers, auctioneers, veterinarians, attorneys, real estate offices and insurance agents or brokers - \$75 plus \$10 per agent or professional over one (1)	
Recreation businesses - indoor and outdoor	\$100
Restaurants, Drinking Places, and drive-in eating establishments	\$ 50 (5 employees or less) \$100 (more than 5 employees) Effective 10/1/19 – Fee of 1.5% of gross receipts pursuant to Municipal Code Section 113.10

Retail, Manufacturing, Wholesale, Warehousing and Other - Any person or entity engaged primarily in a manufacturing, wholesale, and/or warehousing business shall pay an Occupation Tax based on the schedule below and the actual interior or enclosed square footage of facilities in the City used by said person or entity in the conduct of such business; and any person or entity engaged in a business of making retail sales of groceries, clothing, hardware, notions, furniture, home furnishings, services, paint, drugs, or recreational equipment, and any other person or entity engaged in a business for which an Occupation Tax is not specifically provided elsewhere in this Ordinance, shall pay an Occupation Tax based on the schedule below and actual interior or enclosed square footage of facilities in the City used by said person or entity in the conduct of such business; provided, however, that persons or entities that use a basement or one or more additional floors in addition to the main floor (the main floor being the floor with the greatest total square footage) in the conduct of one or more specified businesses of sales at retail

shall determine square footage for purposes of the Occupation Tax imposed hereunder based on the square footage of the entire main floor plus one-half (1/2) of the square footage of all such basement and additional floors.

0	999 sq. ft.	\$ 50
1,000	2,999 sq. ft.	\$ 65
3,000	4,999 sq. ft.	\$ 80
5,000	7,999 sq. ft.	\$ 120
8,000	9,999 sq. ft.	\$ 150
10,000	14,999 sq. ft.	\$ 200
15,000	24,999 sq. ft.	\$ 225
25,000	39,999 sq. ft.	\$ 300
40,000	59,999 sq. ft.	\$ 400
60,000	99,999 sq. ft.	\$ 500
100,000	and greater	\$ 750

Schools - trade schools, dance schools, music schools, nursery school or any type of school operated for profit	\$ 50
Service providers, such as persons, firms partnerships or corporations delivering any product, good or service whatsoever in nature within the City	\$ 75
Service stations selling oils, supplies, accessories for service at retail	\$ 75 + \$25.00 for attached car wash
Telephone Companies (includes land lines, wireless, cellular, and mobile)	5% of gross receipts
Telephone Surcharge - 911	\$1.00 per line per month
Tobacco License	\$ 15 (based on State Statute)
Tow Truck Companies	\$ 75
Late Fee (Up to 60 days)	\$ 35
Late Fee (60-90 days)	\$ 75
Late Fee (over 90 days)	Double Occupation tax or \$100, whichever is greater

CONVENIENCE FEES

Restaurant & Drinking Places Occupation Tax, Hotel Occupation Tax, and General Business Occupation Tax Payments through online portal Credit Cards, Debit Cards, & Digital Wallet	2.5% of transaction + \$0.30
E-Checks	\$1.50 for transactions \leq \$60,000

All Other Payments

Credit Cards	3% of transaction with \$2 minimum transaction
E-Checks	\$3 for transactions \leq \$10,000 \$10 for transactions $>$ \$10,000

OTHER FEES

Barricades	\$ 60/barricade
Deposit Fee (returnable)	\$ 5/barricade per day
Block Parties/Special Event	\$30 ea. (7 days maximum)
Construction Use	
Blasting Permit	\$1,000
Bucket Truck Rental w/operator	\$150 per hour

Charging Station Fees

Standard Charge Station	\$2/hr. – First 6 hours \$0.33/min. after 6 hours
Rapid Charge Station	\$5/hr. – First 2 hours .033/min. after 2 hours

Community Garden Plot Rental	\$20 annually
Conflict Monitor Testing	\$200
Cat License Fee (per cat – limit 3)	\$ 5 each if spayed/neutered \$ 15 each if not spayed/neutered \$ 10 each (delinquent) if spayed/neutered \$ 30 each (delinquent) if not spayed/neutered
Senior Citizen Discount (Age 65+)	Free if spayed/neutered
Dog License Fee (per dog – limit 3)	\$ 5 each if spayed/neutered \$ 15 each if not spayed/neutered \$ 10 each (delinquent) if spayed/neutered \$ 30 each (delinquent) if not spayed/neutered
Senior Citizen Discount (Age 65+)	Free if spayed/neutered
Dog/Cat License Handling Fee (in addition to above fees)	\$5
Dog or Cat License Replacement if Lost	\$1
Dog or Cat Capture and Confinement Fee	\$10 + Boarding Costs

MAXIMUM OF 4 DOGS AND/OR CATS WITH NO MORE THAN 3 OF EITHER SPECIES

On-Street Parking	1-15 (\$5) with an additional \$5 per day
Parking Ticket Fees	
If paid within 7 days of violation date	\$ 20 (\$5 + \$15 admin fee)
If paid after 7 days of violation date but within 30 days	\$ 25 (\$10 + \$15 admin fee)
If paid after 30 days of violation date	\$ 35 (\$20 + \$15 admin fee)

Pawnbroker Permit Fees:	
Initial	\$ 150
Annual Renewal	\$ 100

Pet Store License	\$ 50 (In addition to Occ. License)
Police Officer Application Fee	\$ 20
Public Assembly Permit (requires application and approval)	\$ 00
Returned Check Fee (NSF)	\$ 35
Storage of Explosive Materials Permit	\$ 100
Towing/Impound Fee	\$ 30
Trash Hauling Permit Performance Bond	\$ 25/yr./truck + \$25,000

PUBLIC RECORDS

Request for Records	\$15.00/Half Hour + Copy Costs* (May be subject to deposit)
Audio Tapes	\$5.00 per tape
Video Tapes or CD/DVD	\$10.00 per tape/CD
*Copy costs shall be established by the Finance Director	
Unified Development Ordinance	\$100
Comprehensive Plan	\$ 50
Zoning Map	\$5 11"x17" \$10 12"x36" \$30 36"x120"
Zoning Ordinance w/Map	\$ 30
Subdivision Regulations	\$ 30
Future Land Use Map	\$5 11"x17" \$10 12"x36" \$30 36"x120"
Ward Map	\$ 2
Fire Report	\$ 5
Police Report	\$ 5
Police Photos (5x7)	\$ 5/ea. for 1-15 \$ 3/ea. for additional
Police Photos (8x10)	\$10/ea. for 1-15 \$ 5/ea. for additional
Police Photos (Digital)	\$10/ea. CD
Criminal history	\$10

FALSE AND NUISANCE ALARMS

Registration Fee for Alarm System (not to include single family or duplexes)	\$25
Renewal Fee for Alarm System (not to include single family or duplexes)	\$25
Late Registration Charge	\$35

False Alarm Fee for any false alarm generated by the registrant's alarm system, a fee in accordance with the following schedule (from 1 January through 31 December of each year) shall be charged:

Number of False/Nuisance Alarms	False/Nuisance Alarm Charge
1	No Charge
2	No Charge
3	\$100.00
4 or more	\$250.00

False Alarm Fee for Alarm Systems without Registration - \$250 per alarm after 1st alarm
(not to include single family or duplexes)

RESPONSE TO LARGE HAZARDOUS MATERIALS INCIDENTS

A Dispatch and mobilization charge of \$300 + mileage shall be charged for response to any incident where no action is taken. If services are provided, the following rates shall apply:

Response Vehicles: One-hour minimum charge. All charges will be made to the closest 1/4 hour. Mileage will be charged at \$8.00 per mile per vehicle.

Pumper/Tanker Truck	\$500/hour
Weed Truck	\$150/hour
Aerial Ladder Truck	\$750/hour
Utility Vehicle	\$200
Command Vehicle	\$100

Equipment Charges:

Jaws of Life	\$250
Power Saw	\$75
Hydraulic jack/chisels	\$75
Cribbing Blocks	\$10
Winches	\$10

Air Bags	\$50
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High Lift Jack	\$20
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Supplies: The actual City cost of the supplies plus 25% shall be charged for all supplies including but not limited to safety flares, Class A foam, Class B foam, absorbent pads, absorbent material, salvage covers, and floor dry.

RESCUE SQUAD FEES

Basic Life Support Emergency	\$650
Basic Life Support Non-Emergency	\$450
Advanced Life Support Emergency 1	\$750
Advanced Life Support Emergency 2	\$950
Advanced Life Support Non-Emergency	\$550
Mileage - per loaded mile	\$ 15

LIBRARY FEES

Membership (Non-Resident Family)	6 month	\$ 35.00
	1 year	\$ 60.00
	1 month	\$ 7.00
Fax		\$2.00 up to 5 pages
Fines		
Books		\$.05/day
Audio Books/Board Games/CDs		\$.10/day
DVDs/		\$ 1.00/day

Playaway device	\$ 1.00/day
Board Game not returned to Circulation Desk	\$5.00
Damaged & Lost items	\$5.00 processing fee + actual cost
Color Copies	\$.50
Copies	\$.10
PLA filament	\$.10/gram
Inter-Library Loan	\$3.00/transaction
Lamination – 18" Machine	\$2.00 per foot
Lamination – 40" Machine	\$6.00 per foot
Children's Mini-Camp	-\$15.00
Seasonal/Special Workshops	\$15.00

RECREATION FEES

Refund Policy (posted at the Community Center)	\$10.00 administrative fee on all approved refunds
Late Registration Fee <u>Community Center</u>	\$10.00

	<u>Resident</u>	<u>Non-Resident</u>	<u>Business Groups</u>
Facility Rental			
Gym (1/2 Gym)	\$ 38/Hour	\$ 75/Hour	\$ 75/Hour
Gym (Full)	\$ 75/Hour	\$150/Hour	\$150/Hour
Gym/Stage (Rental)	\$400/Day	\$500/Day	\$500/Day
Whole Community Center	\$600/Day	\$800/Day	\$800/Day
Game Room	\$ 22/Hour	\$ 44/Hour	\$ 44/Hour
Meeting Rooms (Rental)	\$ 12/Hour/Room	\$ 22/Hour/Room	\$ 27/Hour
Kitchen (Rental)	\$ 19/Hour	\$ 27/Hour	\$ 33/Hour
Racquetball Court	\$ 7/Hour	\$ 14/Hour	\$ 14/Hour
Stage (Rental)	\$ 12/Hour	\$ 22/Hour	\$ 27/Hour
Facility Usage			
<u>Resident</u>		<u>Non-Resident</u>	
Daily Visit (19 and up)	\$ 3.00	\$ 4.00	
Daily Visit (Seniors 55+)	\$ -0-	\$ 2.00	
Fitness Room (19 and up)			
Membership Card	\$27.00/month		
(Exercise Room, Gym, Racquetball/Wallyball Courts)			
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit	
Gym (19 and up)			
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit	
Resident Punch Card	\$50.00		
(20 punches)			
Non-resident Punch Card		\$35.00	
(10 punches)			
Senior (Resident)	\$-0-		
Non-resident Sr. Punch Card		\$20.00	
(10 punches)			

Variety of programs as determined by the Recreation Director
Fees determined by cost of program
Classes

<u>Contractor</u>	<u>City</u>
75%	25%

Contract Instructor Does Registration and Collects Fees

Fields:

Tournament Fees	\$ 30/Team/Tournament
Tournament Field Fees	\$ 40/Field/Day
Field Rentals (Resident and Non Resident)	\$ 40 / 2 Hours
Gate/Admission Fee	10% of Gross

<u>Resident</u>	<u>Non Resident</u>
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Model Airplane Flying

Field Pass	\$30*	\$40*
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* includes \$10 club membership 1 – year license

Park Shelters	\$15/3 hours	\$25/3 hours
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Swimming Pool Resident Non-Resident

Youth Daily	\$ 2	\$ 4
Adult Daily	\$ 3	\$ 4
Resident Tag	\$ 2	
Family Season Pass	\$105	\$165
Youth Season Pass	\$ 65	\$ 95
Adult Season Pass	\$ 75	\$105

30-Day Pass	\$ 55	\$ 85
Season Pass (Day Care)	\$275	\$275
Swim Lessons	\$ 30	\$ 55

*Swimming Pool memberships and specials prices shall be established by the Finance Director

Youth Recreation Programs Resident Non-Resident

Coed T-Ball Ages 5-6	\$ 45/55	\$60/70
Softball/Baseball Ages 7-8	\$ 50/60	\$65/75
Softball/Baseball Ages 9-10	\$ 65/75	\$85/95
Softball/Baseball Ages 11-12	\$ 75/85	\$105/115
Softball/Baseball Ages 13-14	\$ 85/95	\$105/115
Softball/Baseball Age 15-18	\$110/120	\$140/150

Basketball Clinic	\$ 17/27	\$22/32
Basketball Grades 3-8	\$ 55/65	\$65/75
Soccer Academy	\$ 33/43	\$53/63
Flag Football	\$ 33/43	\$53/63
Volleyball	\$ 55/65	\$65/75

3 yr. old Soccer Clinic	\$17/27	\$22/33
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Programs

Adult Volleyball– Spring	\$ 55	\$ 55
Adult Spring Softball – Single	\$215	\$215
Adult Spring Softball – Double	\$420	\$420

Adult Volleyball – Fall/Winter	\$110	\$110
Adult Fall Softball – Single	\$120	\$120
Adult Fall Softball – Double	\$235	\$235

Senior Spring Softball	\$15 per game per team
Senior Fall Softball	\$17 per game per team

Special Services Van Fees

Zone 1 Trip within city limits (La Vista & Ralston)	\$1.00 one way
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Includes trips to grocery stores and senior center

Zone 2 Trip outside city limits	\$3.00 one way
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Zone 3 Trip outside city limits	\$10.00 one way
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Bus pass (each punch is worth \$1.00)	\$30.00
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Section 2. Sewer Fee Schedule.

§3-103 Municipal Sewer Department; Rates.

- A. Levy of Sewer Service Charges. The following sewer service charges shall be levied against the user of premises, property or structures of every kind, nature and description, which has water service from any supply source and are located within the wastewater service area of the City of La Vista.
- B. Computation of Sewer Service Charges. For the months of December, January, February and March, the monthly charge for residential sewer services will be computed on the actual water used for these months. The monthly charge for residential sewer service in the months of April, May, June, July, August, September, October and November will be computed on the average water usage of the four (4) preceding winter months of December, January, February and March or for such portion of said consumption, whichever is the lesser. At the option of the City of La Vista, water used from private wells shall be either metered or estimated for billing purposes.
- C. Amount of Sewer Service Charges. The total sewer service charge for each sewer service user will be the sum of three (3) charges: (1) customer charge, (2) flow charge, and (3) abnormal charge.
 - 1. The customer charge is as follows
 - a. For sewer service users classified as Residential, the same being sewer service to a single family dwelling, or a duplex, apartment, or other multi-family dwelling (e.g. apartments) wherein each dwelling unit has a separate water meter that is read and charged for water and sewer use by the Metropolitan Utilities District - -\$12.72 per month.
 - b. For sewer service users classified as Residential-Multi-Family, the same being sewer service to Multi-Family dwellings (e.g. apartments) wherein there is only a separate water meter to each building or complex that is read and charged for water and sewer use by the Metropolitan Utilities District - \$13.64 per month.
 - c. For sewer service users classified as General Commercial: Customers who normally use less than 100,000 cubic feet of water per month and who are not Residential users or Residential-Multi-Family users - \$13.64 per month. For sewer service users in this category that require manual billing, add \$10.00 for a total of \$23.64. The manual billing of the customer charge will come from the City of La Vista instead of the Metropolitan Utilities District.
 - 2. The flow charge for all sewer service users shall be \$4.16 per hundred cubic feet (ccf).
 - 3. If users have abnormal strength sewage as determined by the terms of the Wastewater Service Agreement between the City of La Vista and the City of Omaha, then additional charges will be billed to the user at the applicable rates as determined by said Agreement.
 - 4. If users other than those classified herein are connected to the wastewater collection system, the Customer Charges, the Flow Charges and Other Charges will be determined by the City Council in accordance with rules and regulations of the EPA and the Agreement between the City of La Vista and the City of Omaha.

Section 3. Sewer/Drainage Connection Fee Schedule. A fee shall be paid to the City Treasurer as set forth in this section for each structure or tract to be connected to the sewer system of the City. No connection permit or building permit shall be issued until the following connection fees have been paid.

Single Family Dwelling	\$1,364	\$1,432
Duplex	\$1,364/unit	\$1,432/unit
Multiple Family	\$ 1,064/unit	\$1,117/unit
Commercial/Industrial	\$7,407/acre of land as platted	\$7,777/acre of land as platted

The fee for commercial (including industrial) shall be computed on the number of acres within each platted lot or tract, irrespective of the number of structures to be constructed thereon.

The applicable fee shall be paid in respect to each lot or building site as a condition of City's issuance of any building or sewer connection permit.

- A. Changes in Use. If the use of a lot changes subsequent to payment of the fee, which different use would require payment of a fee greater than that payable in respect to the use for which the fee was originally paid, the difference in fee shall be paid to the City at time of such change in use.
- B. Existing Structures. Structures for which sewer connection and building permits have been issued, and all permit fees in respect thereto paid, prior to the effective date hereof shall be exempt from the fees herein imposed.
- C. Preconnection Payments. Where preconnection payment charges for a subdivision or portion thereof have been paid to City at time of subdivision of a tract pursuant to agreement between the City and the developer and the sanitary and improvement district, if any, financing improvements of the subdivision, the preconnection payment so made shall be credited by City to the sewer/drainage fees payable at time of connection of the individual properties to the sewer/drainage systems of the City.
- D. Sewer Tap and Inspection and Sewer Service Fees. The fees imposed by Section 3 hereof are in addition to and not in lieu of (1) sewer tap and inspection fees payable pursuant to Section 3-122 of the La Vista Municipal Code and listed herein and (2) sewer service charges imposed by Section 2 hereof.

Section 4. Sewer Inspection Charges Established for Installation. Inspection charges for nonresidential property sewer installation shall be:

Sewer Tap Fee (Inspection Fee)		
Service Line w/inside diameter of 4"		\$400
Service Line w/inside diameter of 6"		\$600
Service Line w/inside diameter of 8"		\$700
Service Line w/inside diameter over 8"		Special permission/set by Council

Section 5. Miscellaneous Sewer Related Fees: Miscellaneous sewer related fees shall be:

Private Sewage Disposal System Const. Permit	\$	1,500
Appeal Fee Re: Issuance or Denial of Sewer Permits	\$	1,500

Section 6. Repeal of Ordinance No.14081424. Ordinance No. 1408-1424 as originally approved on September 157, 2020-2021 and all ordinances in conflict herewith are hereby repealed.

Section 7. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 8. Effective Date. This Ordinance shall take effect from and after its passage, approval and publication in pamphlet form as provided by law; provided, however, that:

(1) Pawnbroker occupation taxes of Section 1 shall be effective April 1, 2003. Pawnbroker occupations taxes shall be payable on a monthly basis no later than the last day of the calendar month immediately following the month in which the subject pawnbroker transactions occur. For example, the occupation tax on pawnbroker transactions for the month of April 2003 shall be due and payable on or before May 31, 2003.

(2) Pawnbroker permit fees shall be effective January 1, 2004. Annual pawnbroker permit fees shall be due and payable annually on or before January 1. Initial pawnbroker permit fees shall be due and payable on or before the date that the pawnbroker license is issued. Issuance of renewal of pawnbroker permits shall be subject to payment of applicable permit fees.

(3) Rental Inspection Program License fees shall be effective January 1, 2011

(4) The remaining provisions of this Ordinance other than those specified in Sections 8(1), 8(2) and 8(3) shall take effect upon publication, unless a different effective date is otherwise expressly provided in this Ordinance.

PASSED AND APPROVED THIS 7TH16TH DAY OF SEPTEMBERNOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

CUSTOMER AGREEMENT
(ELECTRIC VEHICLE CHARGING STATIONS)

OMAHA PUBLIC POWER DISTRICT ("OPPD"), a public corporation and political subdivision of the State of Nebraska, and City of LaVista ("Customer") (each, a "party" and together, the "parties"), agree this 10th day of April, 2021 (the "Effective Date"), as follows:

1. **Equipment; Access to Customer Property; Ownership of Equipment.** On or about Spring 2021, OPPD shall deliver certain electric vehicle charging station equipment (the "Equipment") as described in Exhibit "A-1" hereto ("Schedule of Equipment") to Customer for installation at Customer's property at a location, and on an estimated date, specified in Exhibit "A-2" hereto. Customer grants OPPD and its employees, contractors, and agents access to Customer's property during normal business hours (Monday through Friday, 7:00 a.m. to 5:00 p.m.) for the delivery and installation (if required hereunder) of the Equipment and all other purposes set forth in this Agreement. Customer shall expect some work to be performed during non-regular business hours and shall provide access to Customer's property during such times by mutual agreement. Upon delivery of the Equipment to Customer's property, Customer accepts title of, risk of loss for, and all liability with respect to the Equipment. Customer shall execute all documents deemed necessary by OPPD to effectuate the transfer of title, risk of loss and liability with respect to the Equipment. During the Term (hereinafter defined) Customer shall allow OPPD to install signage on the Equipment for marketing purposes.
2. **Installation of Equipment.** Installation of the Equipment shall be conducted either by OPPD (or its contractor), or by Customer (or its contractor), as described on Exhibit "B" hereto ("Description of Installation Services").
3. **Additional Services.** If, prior to or during installation of the Equipment, OPPD determines that additional services beyond the Description of Installation Services are needed ("Additional Services"), OPPD shall notify Customer and provide an itemized invoice of the costs for such Additional Services prior to commencing to perform or procure such Additional Services. Customer must pay such invoice to OPPD for the Additional Services before OPPD will commence the Additional Services.
4. **Term; Data Plan.** The term of this Agreement (the "Term") shall commence on the Effective Date and continue until the fifth (5th) anniversary following the date the installation of the Equipment is completed and the Equipment is placed into service. During the Term, Customer shall not remove the Equipment from the designated installation location on the Customer's property and make the Equipment, and two parking stalls adjacent to the Equipment, available for use by the general public 24 hours per day / 7 days per week. Without limiting the generality of the foregoing, Customer hereby grants the general public an access easement over the Customer's property in order to allow vehicles to get to the Equipment and associated parking stalls, to use the Equipment for as long as it reasonably is necessary to charge such person's vehicle using the Equipment and to exit the Customer's property. As a condition of this Agreement, Customer shall (a) enroll its Equipment in a data plan, as described in

Exhibit "C" hereto ("Data Plan"), no later than seven (7) days after the completion of installation of the Equipment, and (b) provide written notice to OPPD of enrollment in the Data PlanCustomer shall provide to OPPD and the Nebraska Department of Environment and Energy (the "NDEE") all data generated from the Data Plan during the Term. At the conclusion of the Term, Customer may choose to continue or terminate the Data Plan.

5. **Cost and Payment.** The total price for the Equipment and installation (if applicable) is as follows:

- a. Equipment: **\$81,930**
- b. Installation Services (by OPPD or its contractor): **\$59,148**
- c. Total Amount: **\$141,078**

The NDEE grant will contribute **\$100,267**

OPPD will contribute **\$20,406**

City of LaVista will contribute **\$20,405**

Total Amount **\$141,078**

OPPD shall pay invoices during construction and installation period, then submit to NDEE and city of LaVista for reimbursements.

6. **Operation and Maintenance of Equipment; Information Sharing; Advertisement.**

Customer shall, at Customer's sole cost and expense, operate the Equipment in accordance with the manufacturer's recommendations and prudent operating practices and shall maintain and repair the Equipment, as needed, and as recommended by the manufacturer and required by prudent operating practices to keep the Equipment in good working order, including but not limited to repairs required due to damage or vandalism. The Customer agrees to use its best efforts to keep the Equipment from being out of service for a period greater than seventy-two (72) hours. Customer agrees to share with OPPD its lessons learned and challenges associated with the operation and maintenance of the Equipment. Customer shall register each charging site location with the Alternative Fuels Data Center Station Locator tool located at <https://afdc.energy.gov>. OPPD and Customer agree that each party may advertise the availability of the Equipment to the public through additional channels, and each party shall provide the other party copies (whether in video, audio, print, or digital form) of any such advertisements. After the Term, Customer's information and data sharing obligations to OPPD and the NDEE shall terminate, and Customer shall continue to have all ownership rights and obligations and liabilities related to the Equipment, including the obligation to properly decommission and dispose of the Equipment. During the Term, Customer must submit annual station utilization data to NDEE. The following information shall be provided for each charger installed:

- Number of charging events
- Number of unique vehicles connected
- Total kWh dispensed
- Average kWh per charging event

- Average peak power (kW) per event
- Peak power demand by month
- Average duration of charging events
- Percent charger downtime

7. **Customer Responsibility for Electric Service; Charges for Use of Equipment.** Customer shall pay OPPD, or the applicable local utility if it is not OPPD, for all electric service and related charges for the Equipment, pursuant to the applicable utility rate schedule, and shall comply with all applicable utility service regulations. Customer may charge its customers for the use of the Equipment on the basis of time used or on a flat fee, but Customer shall not charge based on electricity usage. Customer agrees to comply with all federal, state, and local laws, ordinances, and regulations with respect to the ownership, operation, use, use by customers, maintenance, and repair of the Equipment.

8. **Termination.** This Agreement may be terminated by either party, upon thirty (30) days written notice, in the event the other party fails to perform any one of its material obligations hereunder and such failure, as identified in the notice, remains uncured during such thirty (30) day period. In the event of termination by OPPD for breach, OPPD and/or NDEE shall have the right to remove the Equipment from Customer's property, upon which time the title and risk of loss of such Equipment shall transfer to the party removing such Equipment from Customer's property. Customer agrees to execute any document reasonably requested by OPPD and/or NDEE to evidence the transfer of ownership of the Equipment as described in this paragraph. This Agreement shall terminate automatically, without notice, if either party: becomes insolvent or bankrupt, makes a general assignment for the benefit of, or enters into any arrangement with, creditors, files a voluntary petition under any bankruptcy, insolvency, or similar law, or has proceedings under any such laws or proceedings seeking appointment of a receiver, trustee or liquidator instituted against it. Upon such a termination, title and ownership of the Equipment shall automatically transfer to OPPD. Each Party's termination rights shall be without prejudice to the rights or claims it may have hereunder against the other with respect to its performance, nonperformance or breach of obligations hereunder.

9. **Security Interest.** OPPD and Customer agree that OPPD and NDEE each have a security interest in the Equipment from the date of delivery of the Equipment to Customer until the end of the Term in order to secure all of Customer's obligations under this Agreement. Customer hereby grants OPPD and NDEE a security interest in the Equipment and authorizes OPPD and/or NDEE to file all necessary financing statements, or related documentation, to perfect such security interest, at OPPD and/or NDEE's sole expense and cost. Customer acknowledges and agrees that during the Term, Customer will not grant a security interest in, pledge, assign, mortgage, sell, offer to sell, create or permit a lien or levy or encumbrance upon the Equipment.

10. **Liability and Indemnity.** Customer agrees to add the Equipment to its property insurance policy for damage, vandalism and theft and provide proof of insurance to OPPD. Customer acknowledges and agrees that it is responsible for all liability and risk associated with the ownership, operation, use and maintenance of the Equipment, including but not limited to tripping, shock, electrocution, Equipment failure, Equipment damage, vandalism, and damage to a vehicle by a malfunction of the Equipment. Customer accepts this liability and risk with full knowledge of the consequences, and

waives and relinquishes any claims or causes of action, known or unknown, against OPPD, and its directors, officers, employees, and contractors, with respect to the ownership, operation, and maintenance of the Equipment. Furthermore, to the maximum extent permitted by law, Customer shall indemnify, defend and hold harmless OPPD, and its directors, officers, employees, and contractors, against and from all claims, causes of action, damages, expenses (including but not limited to reasonable attorneys' fees and litigation expenses) and liabilities of any kind (collectively, "Liabilities") that arise from or are related to the ownership, operation, use and maintenance of the Equipment, unless such Liabilities are caused by the gross negligence of OPPD or its employees or contractors.

Customer acknowledges that the NDEE may hold OPPD and/or Customer liable for any loss, damage, neglect, or unreasonable deterioration of the Equipment throughout the Term. Customer agrees to indemnify and hold harmless OPPD from any liabilities arising from any such loss, damage, neglect, or unreasonable deterioration of the Equipment. Moreover, if the Equipment is used for a purpose that is not approved by OPPD, or the Customer fails to maintain the Equipment in operation throughout the Term, then Customer agrees to indemnify and hold harmless OPPD for any amounts required to be paid by OPPD to NDEE as a result of any such acts or omissions by Customer.

11. **Exclusion of Warranties; Limitation of Damages.**

CUSTOMER UNDERSTANDS AND AGREES THAT OPPD MAKES NO WARRANTY, EXPRESS, IMPLIED OR STATUTORY, AS TO ANY MATTER WHATSOEVER, INCLUDING THE CONDITION OF THE EQUIPMENT, ITS MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE.

TO THE FULLEST EXTENT PERMITTED BY LAW, AND EXCEPT FOR FRAUD OR WILLFUL MISCONDUCT, OPPD SHALL NOT BE LIABLE TO CUSTOMER FOR ANY LOSSES, DAMAGES, COSTS OR EXPENSES FOR ANY SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL, OR PUNITIVE DAMAGES, INCLUDING BUT NOT LIMITED TO LOSS OF PROFIT OR REVENUE, LOSS OF THE USE OF EQUIPMENT, LOSS OF GOODWILL, COST OF SUBSTITUTE EQUIPMENT, COST OF CAPITAL, COST OF TEMPORARY EQUIPMENT OR SERVICES, COST OF REPLACEMENT POWER, WHETHER BASED IN WHOLE OR IN PART IN CONTRACT, IN TORT, INCLUDING NEGLIGENCE, STRICT LIABILITY, OR ANY OTHER THEORY OF LIABILITY.

12. **Nondiscrimintation.** The Nebraska Fair Employment Practice Act prohibits discrimination against any employee, or applicant for employment, in the performance of such Agreements, with respect to hire, tenure, terms, conditions or privileges of employment because of race, color, religion, sex, disability or national origin. Customer represents and warrants compliance with the Nebraska Fair Employment Practice Act, and breach of this provision shall be regarded as a material breach of this Agreement.

13. **New Employee Work Eligibility.** Customer is required and hereby agrees to use, and require subcontractors to use, a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal

immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

The Customer understands and agrees that lawful presence in the United States is required and the Customer may be disqualified or the contract terminated if such lawful presence cannot be verified as required by Neb. Rev. Stat. §4-108.

14. **Waiver.** The failure of a party to this Agreement to insist, on any occasion, upon strict performance of any provision of this Agreement will not be considered a waiver of any obligation, right, or duty of, or imposed upon, such party. Any waiver at any time by either party of its rights with respect to this Agreement shall not be deemed a continuing waiver or a waiver with respect to any other failure to comply with any other obligation, right, duty of this Agreement.
15. **Severability.** If any provision or portion of this Agreement shall for any reason be held or adjudged to be invalid or illegal or unenforceable by any court of competent jurisdiction (a) such portion or provision shall be deemed separate and independent, (b) the parties shall negotiate in good faith to restore insofar as practicable the benefits to each party that were affected by such ruling, and (c) the remainder of this Agreement shall remain in full force and effect.
16. **No Third-Party Beneficiaries.** Except for the NDEE, this Agreement is not intended to and does not create rights, remedies, or benefits of any kind whatsoever in favor of any persons, corporations, associations, or entities other than the parties, and the obligations herein assumed are solely for the use and benefit of the parties, their successors in interest and where permitted, their assigns.
17. **No Partnership.** This Agreement shall not be interpreted or construed to create an association, joint venture, agency relationship, or partnership between the parties or to impose any partnership obligation or partnership liability upon either party. Neither party shall have any right, power or authority to enter into any agreement or undertaking for, or act on behalf of, or to act as or be an agent or representative of, or to otherwise bind, the other party.
18. **Contractors.** Nothing in this Agreement shall prevent a party from utilizing the services of any contractor as it deems appropriate to perform its obligations under the Agreement; provided, however, that each party shall require its contractors to comply with all applicable terms and conditions of the Agreement in providing such services and each party shall remain primarily liable to the other party for the performance of this Agreement.
19. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. Neither party may assign this Agreement without the prior written consent of the other party. Notwithstanding the foregoing, in the event that Customer desires to sell or otherwise transfer the relevant Customer property during the Term to another party, then Customer must first obtain

agreement from OPPD to allow Customer to assign its rights and obligations under this Agreement, which consent will not be unreasonably withheld, and thereafter, Customer must deliver to OPPD a signed assignment and assumption agreement from its proposed successor, in a form reasonably acceptable to OPPD, assigning all rights under this Agreement and assuming all obligations set forth hereunder as well as in the bill of sale delivered by OPPD to Customer associated herewith.

20. **Governing Law.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Nebraska, without regard to its conflict of laws principles. Any civil action to enforce this Agreement or to adjudicate any dispute between the parties hereto relating to the subject matter of this Agreement shall be brought and maintained in the District Court of Douglas County, Nebraska or the United States District Court for the District of Nebraska, located in Douglas County, Nebraska. The parties hereby waive any objection based on venue or forum non conveniens with respect to any legal action or proceeding instituted in connection with or related to this Agreement.
21. **Notices.** Unless otherwise expressly provided herein, all notices, certificates, requests, demands and other communications in connection with this Agreement shall be in writing and shall be (a) personally delivered, (b) sent by first class United States certified mail, (c) sent by a nationally recognized overnight courier, or (d) transmitted by trackable electronic mail, in each case addressed to the party to whom notice is being given at its address or email address set forth below or at any other address hereafter designated by that party in a written notice to the other party:

OPPD:
Omaha Public Power District
444 South 16th Street Mall
Omaha, Nebraska 68102-2247
Attn: _____
Email:
Phone:

CUSTOMER:

With a copy to:
Fraser Stryker PC LLO
500 Energy Plaza
409 South 17th Street
Omaha, Nebraska 68102-2663
Attn: Stephen M. Bruckner, Esq.
Email: sbruckner@fraserstryker.com
Phone: 402-341-6000

22. **Entire Agreement.** This Agreement, a Bill of Sale associated with this Agreement, and the attached Exhibits constitute the entire agreement between the parties with respect to the subject matter hereof, and all prior agreements, statements and negotiations are hereby superseded. This Agreement may be amended only by a writing signed by each party. This Agreement may be executed by the parties on one or more counterparts, each of which shall be part of one Agreement.

[Signature Pages Follow].

Omaha Public Power District

Signature: Kirk Estee

Name: Kirk Estee

Title: Customer Alternative Energy Solutions Manager

Date: 4/28/2021

[Customer Name]

Signature: 

Name: Douglas Hindig

Title: Mayor

Date: 4/16/2021

2389556

Exhibit "A-1"

Schedule of Equipment

One (1) Chargepoint CT4021 Level 2 Electric Vehicle Charger, including 5-year maintenance plan, 5-year service contract and 5-year data plan.

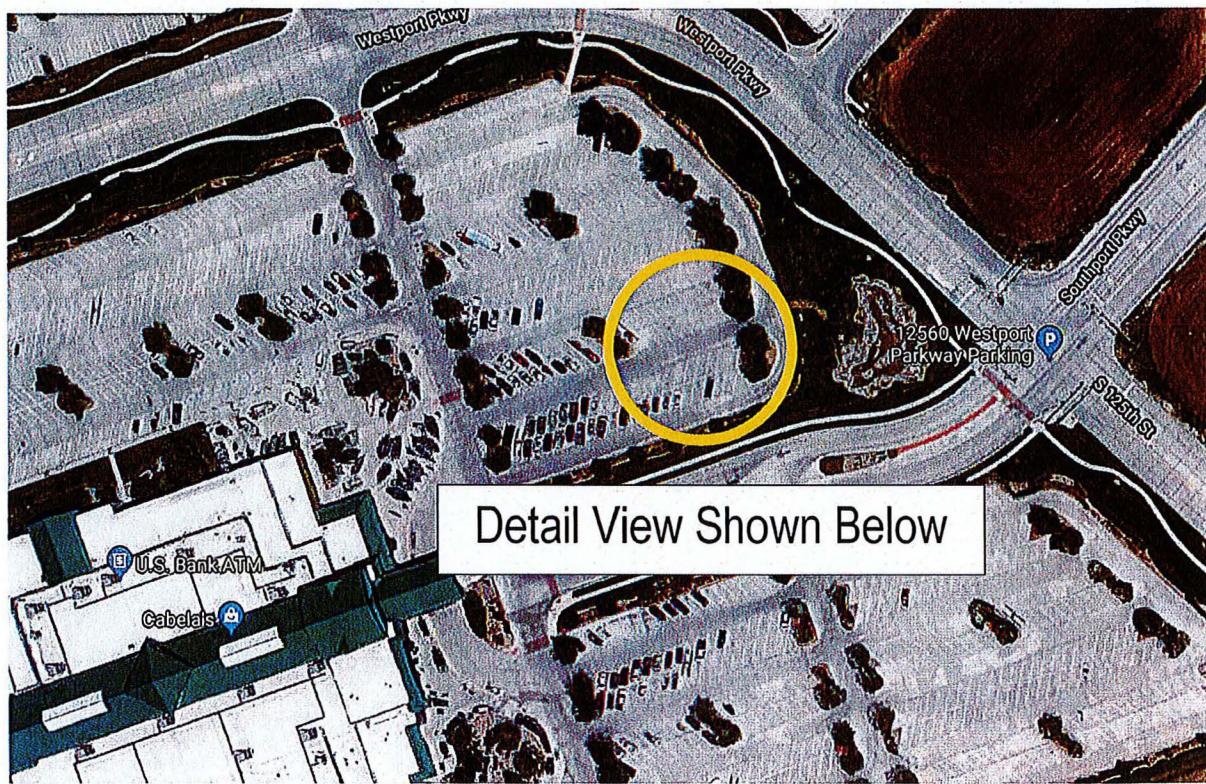
One (1) Chargepoint CPE250 Level 3 DC Fast Charger, including 5-year maintenance plan, 5-year service contract and 5-year data plan.

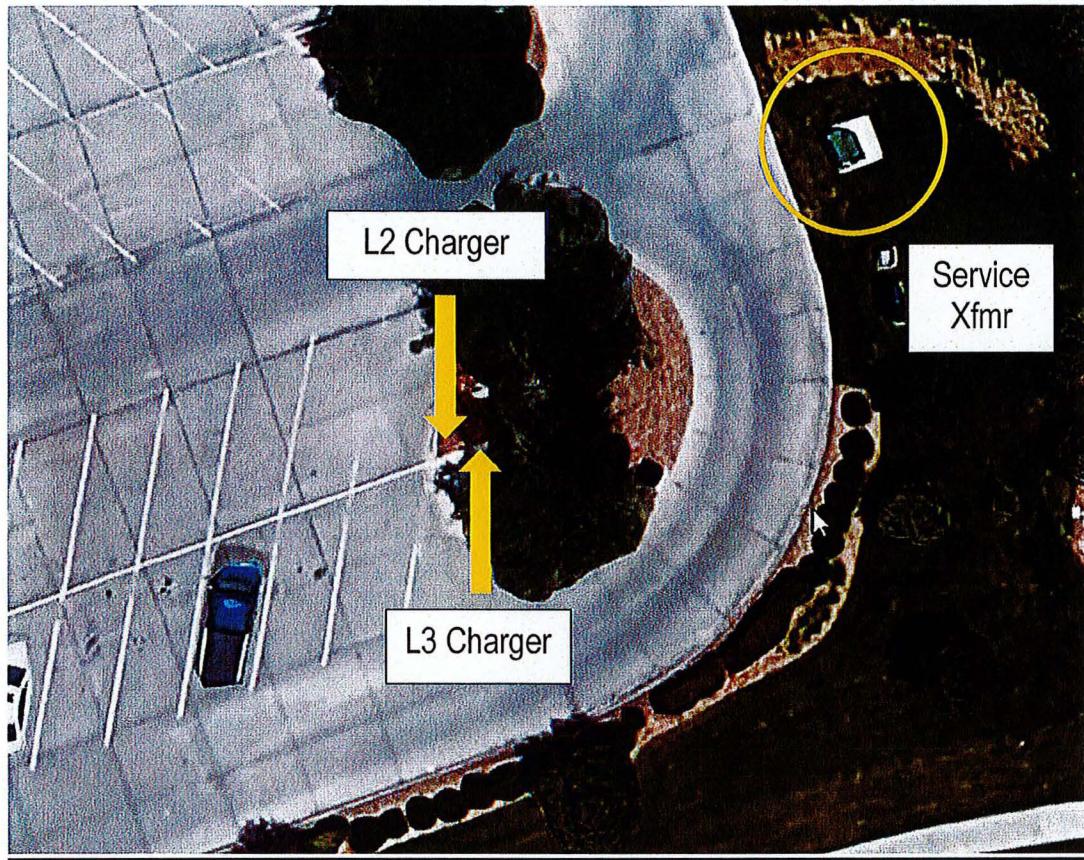
Exhibit "A-2"

Location of Equipment and Estimated Delivery/Installation Dates

Location of Equipment:

Cabela's Parking Lot: 12703 Westport Parkway, LaVista, NE





Estimated Date to Commence Installation of Equipment:

All work associated with this contract must be completed by the grant deadline of March 31, 2022. Actual schedule to be determined through coordination between city of LaVista, OPPD and the installation contractor.

Exhibit "B"

Description of Installation Services

OPPD, or OPPD's contractor, will provide labor and materials to install the Equipment in a workmanlike manner in compliance with all applicable grant requirements, legal requirements, manufacturer recommendations, and industry practices. Customer will reimburse OPPD as shown in Section 5 of this agreement.

Exhibit "C"

Data Plan

Charging equipment must be connected to a network by Wi-Fi or cellular connection. Customer must maintain appropriate charging network service that includes capabilities for remote diagnostics, remote start of the equipment, and collecting and reporting usage data.

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

Subject:	Type:	Submitted By:
AUTHORIZE CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES – CENTRAL PARK PAVILION & SITE IMPROVEMENT PROJECTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing the execution of the Construction Manager at Risk Contract for Preconstruction and Construction Services with JE Dunn Construction. Preconstruction Services are not to exceed \$15,000 and Construction Services are not to exceed 5.5% of the Guaranteed Maximum Price (GMP), which will be established via Contract Amendment.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the proposed services.

RECOMMENDATION

Approval

BACKGROUND

On September 21, 2021, City Council approved contract negotiations to begin with JE Dunn Construction for the Central Park Pavilion and Site Improvement Project.

Guaranteed Maximum Price to be established as part of the preconstruction efforts and will be added to this agreement by way of a Contract Amendment.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF THE CONSTRUCTION MANAGER AT RISK CONTRACT FOR PRECONSTRUCTION AND CONSTRUCTION SERVICES WITH JE DUNN CONSTRUCTION, OMAHA, NEBRASKA. PRECONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED \$15,000.00 AND CONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED 5.5% OF THE GUARANTEED MAXIMUM PRICE WHICH WILL BE ESTABLISHED VIA CONTRACT AMMENDMENT.

WHEREAS, the Mayor and City Council have determined that preconstruction and construction services for the Central Park Pavilion and Site Improvement Project are necessary; and

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

WHEREAS, on September 21, 2021, City Council approved contract negotiations to begin with JE Dunn Construction; and

WHEREAS, Guaranteed Maximum Price to be established as part of the preconstruction efforts and will be added to this agreement by way of a Contract Amendment;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a Construction Manager at Risk contract, in a form satisfactory to the City Administrator and City Attorney, be authorized with JE Dunn Construction, Omaha, Nebraska for preconstruction services in an amount not to exceed \$15,000.00 and construction services in an amount not to exceed 5.5% of the Guaranteed Maximum Price which will be established via Contract Amendment.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

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

Subject:	Type:	Submitted By:
AUTHORIZE REQUEST FOR PROPOSALS EMPLOYEE ASSISTANCE PROGRAM SERVICES	◆RESOLUTION ORDINANCE RECEIVE/FILE	RACHEL CARL ASSISTANT TO THE CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared authorizing the issuance of a Request for Proposals for Employee Assistance Program Services.

FISCAL IMPACT

The FY21/FY22 Biennial Budget contains funding for the proposed services.

RECOMMENDATION

Approval.

BACKGROUND

The City of La Vista currently offers employee assistance services through Best Care EAP. The City has not requested proposals for these services for many years. In order to provide optimal and clearly defined services to our employees at a reasonable rate, staff prepared the attached RFP. The current intention is to bring the selected vendor's proposal for Council approval on January 4, 2022 and begin a new contract with the approved vendor on February 1, 2022.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A REQUEST FOR PROPOSALS FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES.

WHEREAS, the Mayor and Council have determined that employee assistance program services are necessary; and

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

WHEREAS, proposals will be due December 17, 2021 with the approval of a selected firm by the City Council on January 4, 2022, subject to the discretion of the City;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the request for proposals for employee assistance program services.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

City of La Vista, Nebraska

Request for Proposals



Employee Assistance Program

ISSUE DATE:

November 17, 2021

SUBMISSIONS DUE:

December 17, 2021 – 10:00a.m. CST*

*Late Proposals Will Be Rejected

REPLY TO:

Pamela A. Buethe
City Clerk
8116 Park View Blvd.
La Vista, NE 68128
PBuethe@CityofLaVista.org
402.331.4343

City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

Published	November 24, 2021
Deadline for Questions	December 10, 2021
Deadline for Submission of Proposals	December 17, 2021

Proposal Submission

Sealed proposals will be received until 10:00a.m. local time on December 17, 2021, at the La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska, 68128. Proposals received after this time will not be accepted.

Proposal submittals should be addressed as follows:

City of La Vista – Sealed Proposal for Employee Assistance Program
Attn: Pamela A. Buethe, City Clerk
8116 Park View Blvd.
La Vista, NE 68128-2198

It should be noted that all information submitted to the City is subject to the open records laws of the State of Nebraska. Proprietary information must be appropriately marked.

The City of La Vista reserves the right to disqualify incomplete proposals, waive minor defects in proposals, waive formalities or irregularities, request additional information from any respondent, change or modify the scope of the project, negotiate terms with one or more of the respondents, reject any or all proposals, and/or take any steps it deems necessary to act in the City's best interest, without penalty.

City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

Notice

The City of La Vista is accepting proposals from qualified suppliers for an Employee Assistance Program (EAP), with services available to all full-time and part-time city employees and their families, with coverage effective on the first day of employment.

Background

For many years, the City has offered an EAP program through a contracted supplier for services including, but not limited to: medical and/or health practitioners for up to five counseling sessions per year, financial counseling, 24-hour crisis telephone response, brown-bag educational sessions, supervisor resources, and substance abuse expertise/counseling. The total number of eligible employees is approximately 150.

General Information

La Vista is one of the fastest growing cities in the State of Nebraska with a population of approximately 17,000. It is a relatively young, progressive city situated in the southwestern portion of the Omaha Metropolitan Area. The City has a Mayor-Council form of government and employs a professional City Administrator to serve as the chief administrative officer of the City. La Vista has seven departments including Administration, Administrative Services, Community Development, Library, Police, Public Works, and Recreation.

Scope of Project

The City of La Vista is soliciting proposals from qualified vendors to provide EAP services for all full-time and part-time employees and their dependents.

Minimum Work Requirements

Service

Administration of a comprehensive Employee Assistance Program including a well-qualified network of providers and trained staff, strong communication and education components for employees and managers, compliance with all relevant federal and state laws and regulations, ability to provide competitive fees and rates, robust reporting and outstanding customer service.

Rate Guarantees

Rates and fees should be guaranteed for a minimum of 3 years. Please indicate your willingness to extend such guarantees by line of coverage on the Rate Proposal (Attachment C) provided.

Commission

Please ensure all pricing is net of commissions.

Customer Service

The supplier must provide ongoing customer service functions for covered persons and for HR staff. The supplier must be capable of recording and maintaining information regarding service-related or other complaints reported by covered employees and/or employee representative.

Account Management

The selected supplier is expected to designate an account manager who has the authority to respond to the City's needs in a timely manner.

Communications and Marketing

The selected supplier will provide marketing ad information materials to provide employees with education and resources. We are also asking for assistance with communication of the EAP program prior to implementation on February 1, 2022 to ensure effective education of the program and help achieve stronger understanding and utilization by employees.

Reports

The selected supplier must provide quarterly and annual utilization reports to the City's HR Department.

Quality Assurance

The supplier will monitor all aspects of services and identify ways to improve services. The EAP account manager will be responsible for all program goals. He/she will meet on a regular basis with the City of La Vista Human Resources designee to review utilization, promotional activities, program strengths and weaknesses, and opportunities for development. The selected supplier must have a documented quality management program and professionals that are dedicated to overseeing implementation and continuous improvement. Examples of quality improvement tracking include confidential client questionnaires results, management evaluations, training evaluations, referral tracking and problem solution.

Confidentiality

The supplier agrees to maintain the confidentiality of all EAP, medical, financial, and other patient-specific data pertaining to members, as required by state and federal law. The supplier agrees that except as otherwise provided herein, such data will not be released to individuals or entities other than the member to which the data related or such member's authorized representative, except as required by law or as may be required by order of a court having jurisdiction over the manner.

Eligibility

Eligibility for EAP services will be presumed for all individuals that contact your organization and identify themselves as City employees or dependents of City employees.

Deliverables & Schedule

The successful bidder will be expected to work with the City to ensure the achievement of the objectives and administer the program in accordance with the needs of the organization to begin February 1, 2022.

Place of Performance

Contract performance may take place in the City's facility, the vendor's facility, a third-party location or any combination thereof.

Period of Performance

A contract awarded as a result of this RFP will be for a three-year term and is intended to begin on February 1, 2022 and end on January 31, 2025.

The City of La Vista reserves the right to extend the contract resulting from this RFP for a period of two (2) one (1) year renewal periods, with the same terms and conditions, by service of a written notice of its intention to do so prior to the contract termination date.

Continuation of Services

The services under this RFP and subsequent contract are vital to the City of La Vista and must be continued without interruption. Upon contract expiration or termination, the proposer will be asked to exercise its reasonable best efforts and cooperation to affect an orderly and efficient transition of patient services to a successor.

Insurance/Bond

Prior to the start of any work, the successful vendor shall provide a certificate of insurance to the City Clerk of the City of La Vista indicating the following:

General Liability

Limits of at least:

- \$1,000,000 Per Occurrence
- \$2,000,000 General Aggregate
- \$2,000,000 Completed Operations Aggregate
- \$1,000,000 Personal and Advertising Injury
 - The City of La Vista, its agents, officers, directors and employees shall be named as Additional Insured on a primary and non-contributory basis including completed operations.
 - Policy shall contain a waiver of subrogation in favor of the City.

Umbrella / Excess

Limits of at least:

- \$4,000,000 Per Occurrence
 - Policy shall provide liability coverage over the specified Employers Liability and Commercial General Liability
 - Policy shall be Primary/Noncontributory coverage over the specified Commercial General Liability.
 - Policy shall contain a waiver of subrogation in favor of the City.

Workers Compensation

Limits: Statutory coverage

Employers Liability limits:	\$500,000 Each Accident
	\$500,000 Disease – Per Person
	\$500,000 Disease – Policy Limit

- Policy shall contain a waiver of subrogation in favor of the City.

Professional Liability (aka E&O Insurance)

- Limits of at least \$1,000,000 per claim and aggregate.

These certificates and the insurance policies required above shall contain a provision that coverage afforded under the policies will not be canceled or allowed to expire until at least 30 days prior written notice has been given to the City of La Vista.

Required Contents of Proposals

The purpose of the proposal process is to allow Providers the opportunity to demonstrate and clearly articulate the qualifications, service level, costs for services, competency and capacity of the firm seeking to provide EAP services.

At a minimum, each proposal must include the following:

1. Transmittal Letter – Provide a transmittal letter signed by an authorized representative of the firm.
2. Attachment A: Cover (Page 9 of 18)
3. Attachment B: Requested Plan and Proposed Plan (Pages 10-12 of 18)
4. Attachment C: Rate Proposal (Page 13 of 18)
5. Attachment D: References (Page 14 of 18)
6. Attachment E: Questionnaire (Pages 15-17 of 18)
7. Copies of Sample Documents Requested by the City

Instructions and Other Considerations

1. Interested firms shall submit one (1) unbound, single-sided original on standard-weight paper (no heavy weight paper or tabbed dividers), three (3) printed double-sided bound copies, and one (1) flash drive containing a pdf file of the proposal.
2. Faxes or electronic submissions, or any other media other than listed in #1 are not acceptable.
3. Any proposer may withdraw his/her proposal, either personally or by written request, at any time prior to the closing time for receipt of proposals.
4. Proposals received after the scheduled closing time for receipt of proposals will be returned, unopened, to the proposer(s).
5. No proposals may be withdrawn after the scheduled closing time for receipt of Proposals for at least sixty (60) days.
6. All proposals may be rejected if the City determines that rejection is in the public interest.
7. The City of La Vista is not bound to recommend a proposal on the basis of the lowest quoted price alone.
8. Questions regarding the Scope of Work received less than five business days before the Proposal opening shall not be answered. Any interpretation or correction of the proposed documents will be made only by addendum, duly issued, and a copy of such addendum will be posted on the City's website: www.CityofLaVista.org. The City is not responsible for any other explanations or interpretations of the proposed documents.
Questions should be directed in writing to Pam Buethe, City Clerk, at PBuethe@CityofLaVista.org before proposal is submitted.

9. Any addenda will be posted on the City's website, www.CityofLaVista.org. Each proposer may ascertain prior to submitting his/her proposal that he/she is in receipt of all addenda issued by telephoning the City Clerk's Office at 402-331-4343 or emailing the same at PBuethe@CityofLaVista.org. Proposer shall acknowledge all addenda in accordance with the instructions on Attachment A of the proposal.
10. All proposal prices shall be guaranteed by the proposer to remain unchanged for a period of three (3) years from and including the date of the proposal opening.
11. The selected firm is expected to maintain the highest level of confidentiality involving all information considered such.
12. The City will not be liable for any costs incurred by the proposer in preparation of a proposal submitted in response to this RFP, in conducting a presentation or any other related activities.
13. Any bidder's exceptions to the terms and conditions or deviation from the written specifications shall be shown in writing as outlined in Attachment E, Part A. However, such exceptions may be cause for rejection of the bid.
14. The vendor will be responsible for providing all services which are necessary within the general parameters described in this RFP, and consistent with established industry practices, regardless of whether those services are specifically mentioned in this RFP or not. The proposer should clearly identify any omissions to the requirements set forth in the RFP as outlined in Attachment E, Part A.
15. Proposals must be submitted on the forms provided in a sealed envelope plainly marked **"CITY OF LA VISTA – SEALED PROPOSAL FOR EMPLOYEE ASSISTANCE PROGRAM"** with the date and time of closing written thereon. All bid proposals must be signed by an authorized officer or employee of the company and include the firm name.
16. As required by State Law, neither the vendor nor his subcontractors shall discriminate against any employee or applicant for employment, to be employed in the performance of this contract, with respect to their hire, tenure, terms, conditions, or privileges of employment or because of their race, color, religion, sex, disability, or natural origin.

Evaluation of Proposals

Proposals received in response to this RFP will be evaluated by a Review Committee. Committee reviewed results and recommendation will proceed through the approval process with the City Council.

Proposals will be evaluated based on the responsiveness of the proposal, which may be weighted by the City in any manner deemed appropriate. Proposals will be evaluated based on

■ Completeness & Quality of Proposal	■ Reasonableness of Cost
■ Scope of EAP Services Provided	■ References
■ Experience	■ Customer Service
■ Staffing	■ Resources and Communication

A brief oral presentation may be required after all written proposals have been received. A representative from the City of La Vista will schedule the time and place for this presentation if necessary.

Staff will make a recommendation to the Mayor and City Council on or about January 4, 2022. Contract negotiations will commence following approval of the recommended firm by Mayor and Council. If a contract agreement is not reached with the selected firm, another finalist may be recommended to the Mayor and City Council for approval followed by contract negotiations and final approval by the Mayor and City Council.

Tentative Schedule

The following dates are being provided for your information and planning purposes. Although every effort will be made to follow this schedule, we reserve the right to modify the dates as necessary.

<u>Action</u>	<u>Date</u>
Release of RFP	November 17, 2021
Published	November 24, 2021
Deadline for Questions	December 10, 2021
Deadline for Submission of Proposals	December 17, 2021
Oral Presentations, if applicable, week of	December 27, 2021
Contract Awarded	January 4, 2022
EAP Program Implementation	February 1, 2022



City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

ATTACHMENT A: COVER SHEET

Legal Name of Applicant/Company/Agency: _____

Street Address _____

City _____ State _____ Zip _____

Contact Person _____ Title _____

Phone _____ Fax _____

Email Address _____ Tax ID Number _____

Program Location (if different than address above) _____

ADDENDA:

Proposer shall insert number of each addendum received. If no addenda were received, please mark "NONE".

No. _____ Dated: _____ No. _____ Dated: _____ No. _____ Dated: _____

NONE _____

NOTE: Failure to acknowledge receipt of addenda may render the proposal non-responsive.

I certify to the best of my knowledge the information contained in this proposal is accurate and complete including all forms required for submission in accordance with the terms and conditions listed in this request for proposals and any subsequent addenda and that I have the legal authority to commit this agency to a contractual agreement. I realize that the final funding for any service is based upon funding levels and the approval of the La Vista City Council.

Signature

Date

Print Name

Title



City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

ATTACHMENT B: REQUESTED PLAN AND PROPOSED PLAN

* Please complete and submit all three (3) pages of Attachment B. *

PLAN FEATURE	REQUESTED PLAN	YOUR PLAN
# of Service Hours included in Base Rate	<i>Please specify.</i>	
Availability	24-hour toll-free telephone line, 7 days per week	
	Appointments made within 3 business days of request.	
	Level of clinician <i>answering the phone</i> : -during the day: CEAP, Bachelor's, or Master's -all other times: Master's	
Referrals	Appointment made by: -caller -provider	
Basic Services	An Employee Assistance Professional will provide the following basic services: - EAP Account Manager is assigned to consult on EAP design, policies, and procedures. - Short-term counseling and referral services - Supervisory Training Sessions - Management and Supervisory Consultation - Organizational Consultation - Crisis Intervention - Substance abuse resources and counseling - On-demand, virtual employee orientations and/or supervisory training - Onsite Critical Incident Debriefing - Critical Incident Stress Debriefings - Job Performance Referrals - Employee Seminars (up to 10 per year) - Wellness Brown Bag Seminars - Anti-Harassment Training - Diversity and Inclusion Training - Dedicated resources for first responders	

Enhanced Resources	<p>Program will provide enhanced resources for:</p> <ul style="list-style-type: none"> - Child care - Elder care - First responders - Financial services - Legal services <p>Please include how enhanced resources are provided (e.g. printed materials, virtual on-demand classes, etc.) and include any additional fees for these resources.</p>	
Travel Time/Costs	<p>Travel time and costs are built into the service hours and rates proposed.</p>	
Optional Services	<p>Additional training on specialized topics is available at a per hour fee.</p> <p>Ability to custom-tailor a training program specific to the City of La Vista's needs based on input from Human Resources at a per hour fee.</p> <p><i>(Fee includes travel costs.)</i> Include hourly fee in response.</p>	
Standard Communications Materials	<ul style="list-style-type: none"> - Supervisor Manuals (Electronic) - Employee Brochures (Electronic) - Worksite posters (8 posters per year) - Wallet Cards / Business Cards (150 per year) - EAP orientation video, at no additional cost - Monthly newsletter that can be provided to participants via email 	
Management / Utilization Reports	<p>Confidential utilization reports provided <i>quarterly</i> and <i>annually</i>. These reports should include:</p> <ul style="list-style-type: none"> - Number of employees utilizing program - Types of problems identified - Review of EAP program activities - Suggestions for program reinforcement 	
Client Satisfaction Reports	<p>Confidential client satisfaction reports provided <i>quarterly</i> and <i>annually</i>. These reports should include:</p> <ul style="list-style-type: none"> - Level of satisfaction (in the aggregate) from employees utilizing program 	
Number of Assessors / Providers	<p>Specify the number within the Omaha – Council Bluffs Metropolitan Area.</p>	

Counselors' or Providers' Credentialing	<ul style="list-style-type: none">- Appropriate degree from an accredited institution (at least Master's Degree level)- Valid, unrestricted state license/certification- Board Certified or eligible (MD's)- Acceptable history of clinical malpractice claims experience- Proof of adequate insurance coverage- Completion of a signed application and agreement of participant- Face-to-face interviews in over 95% of cases	
------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--



City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

ATTACHMENT C: RATE PROPOSAL

**Please ensure that all pricing is NET of broker commission. **

Provide a detailed fee schedule of the costs for all services that are being proposed. If your fee schedule does not include all services requested in the Minimum Work Requirements (on pages 3-5) and Attachment B: Requested Plan and Proposed Plan (pages 10-12) in this request, please provide a detailed breakdown of any deviations in Section A of Attachment E: Questionnaire on page 15.

The term of the agreement shall be for three (3) years beginning on February 1, 2022 and ending January 31, 2025. Prices should be guaranteed for a period of three (3) years. The City of La Vista reserves the right to extend the contract resulting from this RFP for a period of two (2) one-year renewal periods, with the same terms and conditions.

Indicate whether your pricing is based on PEPM (per employee, per month), flat fee for service, or some other structure. If you are unable to provide services at a particular level, please type "N/A".

The estimated number of employees is 150. The exact number of employees is subject to change and will be provided upon execution of the contract.

	PEPM	Flat Fee	Other Structure
February 1, 2022 – January 31, 2023			
Six (6) sessions per year			
Eight (8) sessions per year			
Ten (10) sessions per year			
February 1, 2023 – January 31, 2024			
Six (6) sessions per year			
Eight (8) sessions per year			
Ten (10) sessions per year			
February 1, 2024 – January 31, 2025			
Six (6) sessions per year			
Eight (8) sessions per year			
Ten (10) sessions per year			



City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

ATTACHMENT D: REFERENCES

Every vendor is expected to provide three (3) references with accurate contact information. Every proposal/bid must include this sheet to facilitate proposal evaluation. This is a requirement that will not be waived.

REFERENCE 1:

Name of Company/Agency _____

Address _____

City _____ State _____ Zip _____

Contact Person _____ Title _____

Phone _____ Email _____

REFERENCE 2:

Name of Company/Agency _____

Address _____

City _____ State _____ Zip _____

Contact Person _____ Title _____

Phone _____ Email _____

REFERENCE 3:

Name of Company/Agency _____

Address _____

City _____ State _____ Zip _____

Contact Person _____ Title _____

Phone _____ Email _____



City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

ATTACHMENT E: QUESTIONNAIRE

Directions: Please answer each question clearly and completely. If you are unable to answer a question, please indicate why you cannot. If you are unwilling to disclose particular information asked in a question, please indicate why. Please attach any additional relevant information that you feel will aid the City of La Vista in our selection process and provide specific page number references.

A. Deviations

1. Does your proposal contain **any** deviations from the benefits, general conditions, stipulations or other provisions of the specifications outlined in the Minimum Work Requirements and in Attachment B: Requested Plan and Proposed Plan in this request? If yes, provide details in a separate cover letter. Otherwise, confirm that you have responded according to proposal conditions.

B. Experience

1. How many years has your firm provided employee assistance program (EAP) administration?
2. Provide the number of client organizations added or dropped within the last two (2) years and your annual employee turnover percentage.
3. Describe your firm's ability and past experience in providing focused programs to protective service employees. Does your firm provide services specific to the needs of first responders?
4. Describe what your firm feels gives it a competitive advantage or makes it stand out over other firms that provide these services.
5. Describe your firm's experience in marketing EAP services. As an example, describe how your firm would market this EAP to City employees.
6. Describe your experience and services for handling critical incidents and violence in the workplace.

C. Staffing

1. Describe how your firm provides, manages, and guarantees 24/7/365 EAP service coverage. Note any hours that are covered by an answering machine or service.
2. What are your typical timeframes to schedule routine, urgent, and crisis appointments? Please provide examples of situations that would receive an elevated priority as urgent or crisis.
3. Describe how the needs for extended counseling would be met if an EAP participant requires more than the allotted counseling sessions.

4. Will a training coordinator be assigned to the City's account?
5. Please provide a résumé/Curriculum Vitae for each of the EAP clinicians who conduct assessments and counseling.

D. Customer Service

1. What types of personal and behavioral health problems do your EAP clinicians handle? Include any specialized EAP counseling services you offer (e.g., financial, credit, career, etc.)
2. Provide a list of all available facilities, providers, and services within the Omaha – Council Bluffs Metropolitan Area that your firm intends to use for primary appointments and referrals. Please note any service specializations or referral providers (e.g., addictions, PTSD, etc.)
3. Describe how services are accessed (e.g., toll-free number, online, etc.). Specify whether calls are answered by clerical staff or clinicians. If answered by clerical staff, indicate whether a clinician is present and hours of availability of an on-site clinician. Indicate a call-back time when a clinician is not present, if applicable.
4. Do you have protocol in place to assure the privacy of City employees – for instance, ensuring that employees' appointments would not be scheduled concurrently or consecutively, or that separate waiting spaces are available?
5. Describe the criteria used in initial case assessment and referral, including level of care criteria. Describe the referral process used in selecting providers for short-term counseling including how counselors are matched with specific problem areas.
6. Describe your quality control process.
7. The City's preference is always for a referral for a face-to-face session with a local licensed clinician. How will you ensure this is the process your employees follow when providing referrals?
8. For referrals, are appointments made by the provider or by the employee?
9. How do you propose to integrate your EAP with a participant's medical plan? Please include how continuity of treatment is ensured.
10. Does your firm have a program to determine client satisfaction? Does the program include client satisfaction surveys? If so, describe your firm's survey process.

E. Resources and Communication

1. Provide samples of the type of utilization reports that your firm can provide quarterly and annually. Is there a charge for requesting ad-hoc reports?
2. Provide a description of training programs that are available to an employer from your firm including information pertaining to wellness, work/life balance issues, etc. and if the training program is included in the base program or an enhanced (for fee) resource. If you have a catalogue, please provide a copy.

3. List your top ten most popular workshops, training seminars, or online training services.
4. How many hours of annual on-site training are included in your cost proposal?
5. Describe the process for setting up a training session. Are there additional steps for setting up a custom training session?
6. What types of materials do you supply for EAP promotion and employee communications? Provide examples of printed communication and links to online resources, if available. If available, provide a hyperlink to your firm's EAP resource website that would be available to eligible users and with a temporary password for evaluation purposes.
7. Are employee communication materials customized or boilerplate? Can these materials be branded?
8. Describe how often your company refreshes its content (e.g., trainings, training material, promotional material, etc.).
9. Describe how your firm would provide on-going outreach to employees throughout the term of the agreement. Specifically provide the methods of EAP promotion to the City and its employees.
10. Are additional services available beyond what is described within this RFP and/or your proposal? If so, identify these services and the corresponding fee(s).

F. Sample Agreement

1. Please provide a sample of your employee assistance services agreement.

G. Wellness Services – Responses to these questions are for informational purposes only and will not be used to evaluate the EAP.

1. What wellness services, programs, or resources are offered? Please describe. Are all of these services included in your rate quote? If not, please specify any that have an additional fee.
2. Do you offer a Health Risk Appraisal? If so, is the service included in your rate quote? If not, please specify any additional fee.
3. Do you maintain a separate website for wellness information?



City of La Vista, Nebraska
Request for Proposals
Employee Assistance Program

ATTACHMENT F: PROPOSAL SUBMITTAL CHECKLIST

The following forms are required to be submitted as part of the proposal. Proposal may be considered non-responsive if you fail to submit the required documents at the closing date/time.

- Transmittal Letter
- Attachment A: Cover Page
 - Acknowledgement of addenda, if applicable
- Attachment B: Requested Plan and Proposed Plan
- Attachment C: Rate Proposal
- Attachment D: References
- Attachment E: Questionnaire
 - Including any additional relevant information or documents requested
- Complete set of proposal documents in the following formats:
 - One (1) unbound, single-sided original on standard-weight paper (no heavy weight paper or tabbed dividers)
 - Three (3) printed double-sided bound copies
 - One (1) flash drive containing a pdf of the proposal

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

Subject:	Type:	Submitted By:
ADVERTISEMENT FOR BIDS – THOMPSON CREEK REHABILITATION – CENTRAL PARK EAST	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing the advertisement for bids for creek channel rehabilitation, grading and storm sewer reconstruction within Central Park East.

FISCAL IMPACT

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

RECOMMENDATION

Approval

BACKGROUND

The Thompson Creek Rehabilitation project has been a multiyear effort, to which this remaining section of creek from Edgewood Boulevard to the flagpole entrance to the park along Park View Boulevard will complete channel work originally contemplated in 2014. The project will shift as well as meander the creek alignment slightly to the southwest as to allow for a more maintainable channel cross section and will also provide water quality improvements.

Preparation of plans and specifications for this project have been completed by Thompson, Dreessen and Dorner (TD2). The Engineer's estimate for the proposed work is \$1,200,000.00. The recommended schedule for bidding this work is:

Publish Notice to Contractors	November 24th, and December 1st, 2021
Open Bids	December 10th, 2021 at 10:00am City Hall
City Council Award Contract	December 21st, 2021

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

RESOLUTION NO. 21 _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THOMPSON CREEK REHABILITATION – CENTRAL PARK EAST.

WHEREAS, the Mayor and Council have determined that creek channel rehabilitation, grading and storm sewer reconstruction within Central Park East is necessary; and

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

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

Publish Notice to Contractors	November 24, 2021 and December 1, 2021
Open Bids	December 10, 2021 at 10:00am at City Hall
City Council Award Contract	December 21, 2021

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for Thompson Creek Rehabilitation – Central Park East.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

NOTICE TO CONTRACTORS

City of La Vista
La Vista, Nebraska

THOMPSON CREEK – CENTRAL PARK EAST

Sealed proposals will be received by Pamela Buethe, Clerk of said City, at the City of La Vista, City Hall, 8116 Parkview Boulevard, La Vista, NE 68128, until 10:00 AM on the 10th day of December 2021 for the furnishing of all labor, materials, use of Contractor's equipment, plant and all else necessary to construct properly all of the improvements within the improvement of THOMPSON CREEK – CENTRAL PARK EAST. At such hour, or as soon as practicable thereafter, the City of La Vista will proceed to publicly open in the presence of all bidders and consider the bids received for the furnishing of such labor, materials, and equipment necessary for the proper construction of such improvements. The extent of the work consists of the construction or other effectuation of the items listed below and other related preparatory and subsidiary work from issuance of the Notice to Proceed:

Item	Description	Approx. Quantity	Unit
Demolition and Grading:			
1	Mobilization	1	L.S.
2	Remove Existing Restroom Building & Utility Services	1	L.S.
3	Remove Metal Picnic Structure	1	L.S.
4	Clearing and Grubbing	1	L.S.
5	Stockpile and Redistribute Topsoil (800 C.Y. Moved Twice), Established Quantity	1,600	C.Y.
6	Common Earthwork, In Place, Established Quantity	800	C.Y.
7	Stockpile Excavation On Site	2,500	C.Y.
8	Haul Excess Soil Off Site	5,850	C.Y.
9	Remove and Dispose Existing Culvert Headwall & Railing	1	L.S.
10	Remove and Dispose 18" - 24" Storm Sewer	215	L.F.
11	Remove and Dispose A.C.C. Pavement	1,200	S.Y.
12	Remove and Dispose P.C.C. Pavement	125	S.Y.
13	Remove and Dispose of 6' Tall Chain Link Fence	25	L.F.
14	Remove and Dispose of Yard Hydrant & Drinking Fountain	1	EA.
Infrastructure Installation:			
15	Construct 24" Concrete Collar, In Place	1	EA.
16	Construct 18" R.C.P. Storm Sewer W/ Bedding & Couplers, In Place	70	L.F.
17	Construct 24" R.C.P. Storm Sewer W/ Bedding & Couplers, In Place	50	L.F.
18	Flex-A-Mat, In Place	550	S.F.
19	Construct 6" P.C.C. Trail Pavement, In Place	645	S.Y.
20	Construct 7" P.C.C. Pavement, In Place	270	S.Y.
21	Construct 54" I.D. Storm Sewer Manhole, In Place	36	V.F.
22	Construct SAFL Baffle, In Place	4	EA.
23	18" Reinforced Concrete Flared End Section W/ Footing, In Place	3	EA.
24	24" Reinforced Concrete Flared End Section W/ Footing, In Place	1	EA.
25	Construct 4' Tall 6' Wide Vinyl Coated Black Chain Link Fence W/ Gate, In Place	1	EA.
26	Construct 6' Tall White Vinyl Privacy Fence, In Place	500	L.F.
27	Construct 4' Tall Vinyl Coated Black Chain Link Fence, In Place	555	L.F.
28	Replace Existing Railing W/ 4' Tall Vinyl Coated Black Chain Link Fence Both Sides of Edgewood Blvd, In Place	140	L.F.
29	Construct Temporary Chain Link Fence, In Place	500	L.F.
Special Treatments:			
30	Construct P.C.C. Weir Structure, In Place	20	L.F.
31	Armorflex 40L Creek Reinforcement, In Place	8,100	S.F.

32	Wetland Soil Amendment, In Place	470	C.Y.
33	Gabion Baskets W/ Recycled Stone, In Place	95	C.Y.
34	Tensar Bionet C125BN	1,820	S.Y.
35	Tensar Bionet SC150BN	5,155	S.Y.

Erosion Control:

36	Install, Maintain and Remove Stabilized Construction Entrance	1	EA.
37	Install and Maintain Fabric Silt Fence, In Place	1,070	L.F.
38	Remove and Dispose Fabric Silt Fence	1,070	L.F.
39	Water Management, Complete	1	L.S.
40	K-31 Fescue Seed W/ Straw Mulch, In Place	1.1	AC.
41	Install, Maintain and Remove Orange Safety Fence	1,390	L.F.

Plantings:

42	Prairie 3 Plus Seeding, In Place	1.28	AC.
43	Low Prairie Seeding, In Place	0.15	AC.

All work called for in the drawings and specifications shall be furnished in strict accordance with the drawings and specifications prepared by Thompson, Dreessen & Dorner, Inc., Engineers for the City of La Vista, and now filed in the office of Thompson, Dreessen & Dorner, Inc., 10836 Old Mill Road, Omaha, NE 68154.

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

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

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

The City of La Vista, Nebraska reserves the right to waive informalities and to reject all or any bids.

CITY OF LA VISTA, NEBRASKA

Douglas Kindig, Mayor

TD2 File No. 171-417.28

Pamela Buethe, Clerk

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

Subject:	Type:	Submitted By:
AUTHORIZE REQUEST FOR PROPOSALS – LAND USE & MARKET ANALYSIS STUDY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the advertisement of a Request for Proposals (RFP) for the preparation of a Land Use and Market Analysis Study for the City of La Vista.

FISCAL IMPACT

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

RECOMMENDATION

Approval

BACKGROUND

La Vista's **Look Out La Vista – City of La Vista Comprehensive Plan** was adopted in 2018. This plan set forth a vision for the creation of a community that is "memorable, inspirational, and appealing to generations and rooted in a strong vision."

While the Future Land Use section of the Comprehensive Plan identified the existing mix of land uses and provided data such as percentages of various land uses, it did not delve into appropriate land use in light of La Vista's landlocked situation or provide data as to whether there is a good balance of various land uses within the City. Additionally, since adoption of the plan, the nation has witnessed sizeable shifts in land use due to the global pandemic and the growing impact of online sales. Although some of the shifts may be temporary, others may have longer, farther-reaching impacts on the overall development of La Vista. The last time the City conducted such a land use study was in 2001.

The intent of this RFP is to select an individual or firm to prepare a Land Use and Market Study to identify land use types that reflect the goals of the City's Comprehensive Plan and will provide a proper mix of land uses relative to the current economic conditions and market trends. The study will also reflect the understanding that La Vista's growth area is limited and identify proper land use choices that will be needed for long-term economic and community sustainability. Identifying potential areas for future redevelopment and the impact on the community will also be a part of the study.

The following schedule is recommended:

Publish Notice of Request for Proposals	November 24, 2021 and December 1, 2021
Receive Proposals	Until December 17, 2021 at 3:30 pm, local time
Award Contract	January 18, 2021

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISING OF THE REQUEST FOR PROPOSALS FOR THE PREPARATION OF A LAND USE AND MARKET ANALYSIS FOR THE CITY OF LA VISTA.

WHEREAS, the Mayor and Council have determined that requesting proposals for the preparation of a land use and market analysis for the City of La Vista is necessary, and

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

WHEREAS, Proposals will be due December 17, 2021 with the approximate contract award date of January 18, 2021;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the advertising of the request for proposals for the preparation of a land use and market analysis for the City of La Vista.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

REQUEST FOR PROPOSALS

Land Use and Market Analysis City of La Vista, Nebraska

Purpose

The City of La Vista, Nebraska is seeking proposals for a Land Use and Market Analysis from firms that are interested, experienced, and knowledgeable in preparing comprehensive plans, land use plans, zoning ordinances, and planning related documents.

Section 1: Background

About La Vista

The City of La Vista is situated in the southwest portion of the Omaha metropolitan area. The youngest city in Nebraska, La Vista is one of the fastest growing communities in the state. The City enjoys access from Interstate 80 and borders Omaha, Bellevue, Papillion, and Ralston. The population of La Vista in the 2020 Census was 16,746. However, the estimated population in the projected growth area for La Vista indicates the community could be home to over 38,000 residents. La Vista's commercial areas are developing quickly in the western portion of the city with nationally recognized companies such as PayPal, Cabela's, Streck Laboratories, Rotella's Bakery, Yahoo Oath, Costco, and an Embassy Suites and Marriott Courtyard Hotels adjoining the La Vista Conference Center.

La Vista has a strong history of community planning and plan implementation. The most visible example of this is the development of the Vision 84 Plan and various subsequent plans related to redevelopment of the 84th Street Corridor.

As La Vista has grown over the years, so have the surrounding communities in Sarpy County. As a result of the corporate boundaries of these cities and related growth agreements, La Vista's future growth area is constrained and intensifies the need for the City to make wise land use determinations.

Project History and Objectives

La Vista's ***Look Out La Vista – City of La Vista Comprehensive Plan*** was adopted in 2018. This plan set forth a vision for the creation of a community that is "memorable, inspirational, and appealing to generations and rooted in a strong vision."

Since the adoption of the plan, the global pandemic combined with an increasingly challenged brick-and-mortar retail sector prior to the pandemic have the potential to significantly alter land use in the post-COVID-19 economy. Although some of the shifts may be temporary, others may have longer, farther-reaching impacts on the overall development of La Vista.

The City seeks to retain an individual or firm to prepare a Land Use and Market Study to identify land use types that will provide a proper mix of land uses that reflect the goals of the City's Comprehensive Plan. The study will also reflect the understanding that La Vista's growth area is limited and proper land use choices are necessary for long-term economic and community sustainability. Future redevelopment areas are also necessary for the City's long-term financial success.

Study Area

The study area for this analysis is the corporate city limits and extra-territorial jurisdiction of the City of La Vista. A map outlining these areas is attached to the this RFP.

Section 2: Scope of Services

Task A. Analysis of Current Conditions

Tasks for the current conditions analysis should include the following:

- Data collection to prepare a summary of all relevant documentation for the study, including, but not limited to: previous land-use study reviews (as applicable), current approved land uses, any proposed developments, and existing land-use codes and regulations.
- Conduct a site visit to the study area.
- Prepare a report to document the existing conditions within the study area, to include, at minimum, the information noted above.
- Identify market strengths and weaknesses of the study area.

Task B. Analysis of Future Market Conditions

Evaluate and project the market demand over the next five to twenty years for development/redevelopment within the study area. Study findings will include information on the potential mix of land uses, the intensity of development, and target markets (demographic segments and mix of uses). The study will also discuss the impacts of short-term decisions based on the current market on the long-term development of the community.

Task C. Development Strategy

Inventory the land use and value of parcels within the study area, identify vacant and underutilized parcels, and potential site assembly redevelopment areas. Recommend appropriate public investments and strategies, such as TIF, to promote future development. Identify any connectivity issues such as barriers to access, including walking, biking, or transit.

Site Visits

It is estimated that the consultant would make a minimum of three (3) visits to La Vista: one initial site visit to meet with staff and research the city and surrounding areas; one visit to conduct key stakeholder focus group meetings; and one visit to present draft findings to City Council. The draft findings will also be presented to the Planning Commission in a virtual format prior to the City Council presentation site visit.

Project Deliverables

- Draft findings and recommendations, shared in a presentation to the City of La Vista.
- A final report including the following elements:
 - An executive summary.
 - Information on the market area, local characteristics, and other locational factors affecting the market in the study area.
 - An analysis of current supply of land/buildings for economic development, including vacancy and lease rates.
 - Five- and ten-year forecasts of demand for residential and commercial uses in the area. Findings should be presented for the entire study area and may be broken down by sub-area.
 - Recommendations on the appropriate mix of land uses in the study area.
 - A strategy showing how future demand and growth should be allocated, including an analysis of vacant developable sites, possible redevelopment sites and potential timelines for development.
 - An analysis of city income for the contributions that a total build-out, based on the five- and ten-year demand, of the study area may add to the City.
 - Policy recommendations to encourage and support desired development.
 - Recommendations on how to effectively market the area to achieve the desired development.
 - Maps and conceptual drawings illustrating the above components and land use designation recommendations.

Section 3: Qualifications

The City is sending this RFP to consulting firms known for their land use market analysis and planning expertise. There are five primary areas in which the city is interested:

1. *Process*: Expertise in setting up and managing the overall structure of the project.
2. *Content*: A land use market analysis that is well thought out, carefully researched, and shows an understanding of how the proper mix of land uses are key to the successful implementation of a comprehensive plan.
3. *Outreach*: Effectively connecting with a wide range of community members and other stakeholders.
4. *Facilitation*: Making sure meetings run fairly and efficiently, and helping to articulate the opinions of those unfamiliar with land use and government terminology.
5. *Planning*: Experience in land use planning and related fields.

The City will establish a project page on the City's website (with information provided by the consultant) for the Land Use and Market Analysis project, which will be available on the City of La Vista webpage.

In addition, the City will be including articles in the CityWise quarterly newsletter to notify community members about the project and describe the opportunities for involvement.

Section 4: Proposal Content

Cover Letter

Please begin with a letter introducing your firm and summarizing your general qualifications and your specific approach to completing the planning and public engagement processes. This section should indicate the length of time for which the proposal is effective (minimum of 90 days).

Work Program

Please provide a detailed plan for the services to be provided. Identify any tasks that City staff are expected to complete.

Schedule

The proposal shall include a preliminary project schedule that identifies milestones and completion dates by task from the beginning through formal review and acceptance of the Land Use and Market Analysis by the City Council. Initial project work is anticipated to commence in February and conclude within 6 to 8 months from the date of commencement.

Budget and Fees

The consultant should provide a fee estimate, broken down to a task-by-task basis. The proposal shall include a spreadsheet identifying personnel, hourly rates, project responsibilities, and estimated amount of time expected for each task, expressed in person-hours. The proposed budget is to be presented as not-to-exceed, with all overhead/expenses included in the figure. The consultant should outline the terms of payment, based on monthly billings to the City.

Key Personnel

The consultant should provide the names of key personnel that will be involved and their level of involvement, their respective titles, experience, and periods of service with the firm. Please clearly identify the project manager for the proposal. If sub-consultants will be used in any aspects of the plan, include details for these sub-consultants in this section.

Qualifications/Project List

Provide a synopsis of previous projects of a similar nature (*maximum of 6 examples*), focusing particularly on the criteria listed in Section 5, along with relevant background information. For projects that were completed by a team of consultants, please clarify the specific contribution of your firm. Hyperlinks to the copies of the final study for each of these projects shall be provided as well.

Availability

Provide a brief statement of the availability of key personnel of the firm to undertake the proposed project.

References

Names and contact information of persons whom the City can call for references regarding the firm's performance, preferably on similar projects.

Section 5: Selection Process

Please submit six (6) bound copies, one (1) unbound, single-sided copy on standard-weight paper (no heavy-weight paper or tabbed dividers), and one (1) flash drive including a PDF copy of your proposal at your earliest convenience, but no later than December 17, 2021, at 12 p.m. to:

Pamela A. Buethe, City Clerk
City of La Vista
8116 Park View Blvd
La Vista, NE 68128

Proposals will be reviewed by an internal review committee. It is anticipated the review committee will conduct interviews in January (3rd – 7th), with the intent of providing a single recommendation for the review and approval of the City Council at a public meeting on January 18, 2021.

Section 6: Evaluation, Right to Reject, Etc.

Due to the nature of the services sought, evaluation of proposals will in large part be subjective. Award of a contract will be based on a number of factors, and may or may not be on the basis of lowest cost to the City. The City reserves the right to accept any proposal in whole or in part and to reject any and all proposals, to waive irregularities and to negotiate and revise terms with proposers without notice to other proposers.

Section 7: Reference Material

- **Comprehensive Plan – Look Out La Vista –**
(<http://www.cityoflavista.org/655/Comprehensive-Plan>)
- **A Vision Plan for 84th Street –**
(<http://www.cityoflavista.org/index.aspx?nid=704>)
- **La Vista Zoning Ordinance –** (<http://www.cityoflavista.org/index.aspx?NID=621>)
- **Gateway Corridor Design Guidelines**
(<http://ne-lavista2.civicplus.com/DocumentCenter/View/79>)
- **Long Range Transportation Plan 2035 (MAPA)**
(http://www.mapacog.org/images/stories/SSH_LRTP/LRTP_2035_OrderRef.pdf)
- **Heartland 2050 Regional Vision (MAPA)**
(<http://www.mapacog.org/heartland-2050>)
- **Heartland Connections Regional Transit Vision (MAPA)**
(<http://www.heartland2050.org/connections>)

Thank you for your consideration of this project. If you have any questions during the preparation of your proposal, please contact Pam Buethe, City Clerk, at (402) 331-4343.

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 16, AGENDA

Subject:	Type:	Submitted By:
HOTEL & CONFERENCE CENTER FACILITIES MASTER DEVELOPMENT AGREEMENT — CONSENT TO TRANSACTIONS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared to approve a proposed consent presented by JDHQ Hotels, LLC pursuant to the 2007 master development agreement for the hotel and conference center facilities in Southport West.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

In accordance with the 2007 master development agreement for the hotel and conference center facilities in Southport West (assigned in 2018 to current owner JDHQ Hotels LLC), City consent is required for certain transactions. A proposed resolution and form of consent are presented with this agenda item for transactions described in the consent.

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,
NEBRASKA APPROVING PROPOSED CONSENT PURSUANT TO 2007 MASTER
DEVELOPMENT AGREEMENT FOR THE HOTEL AND CONFERENCE CENTER FACILITIES
IN SOUTHPORT WEST**

WHEREAS, in conjunction with Hotel and Conference Center facilities in Southport West, the City in 2007 entered a Master Development Agreement with John Q. Hammons ("JQH") and JQH affiliated entities, as amended, ("Agreement"), which Agreement was assigned in 2018 to current owner JDHQ Hotels LLC, a Delaware limited liability company.

WHEREAS, The Agreement requires City consent to certain transactions involving the Hotel and Conference Center facilities;

WHEREAS, JDHQ Hotels LLC requests City consent to certain transactions described in the proposed consent on file with the City ("Proposed Consent").

NOW THEREFORE, BE IT RESOLVED, that the Proposed Consent is approved, subject to any additions, subtractions, or modifications that the City Administrator in consultation with the City Attorney determines necessary or appropriate (the Proposed Consent as revised and satisfactory to the City Administrator shall be referred to as "Final Consent").

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, or any designee of the Mayor or City Administrator shall be authorized to take all actions as he or she determines necessary or appropriate to carry out this Resolution, including without limitation executing and delivering the Final Consent on behalf of the Mayor and City Council.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC

City Clerk

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Agreement Consent 11.16.2021.Docx