

LA VISTA CITY COUNCIL MEETING AGENDA

May 17, 2022

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**
- **Proclamation – National Public Works Week**

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 May 3, 2022 City Council Meeting
3. Approval of the Minutes of the May 5, 2022 Planning Commission Meeting
4. Monthly Financial Report – March 2022
5. Request for Payment – City Centre Music Venue, LLC & Astro Theater, LLC – Disbursement of EDP Award Funds – \$636,290.65
6. Request for Payment – Design Workshop, Inc – Professional Services – La Vista 84th Street Bridge – \$14,620.00
7. Request for Payment – Heimes Corporation – Construction Services – Thompson Creek – Central Park East – \$262,699.92
8. Request for Payment – Sampson Construction – Construction Services – Offstreet Parking District No. 2, Structure No. 2 – \$421,444.00
9. Request for Payment – Olsson, Inc – Professional Services – Chili's Demolition Additional Services – \$613.00
10. Request for Payment – DLR Group – Professional Services – La Vista City Center Parking Structure 2 – \$23,850.00
11. Request for Payment – Olsson, Inc – Professional Services – City Centre Geotechnical Lots 13 & 14 – \$5,900.00
12. Request for Payment – Felsburg, Holt & Ullevig – Professional Services – 84th Street Signal Improvements – \$3,835.00
13. Request for Payment – Olsson, Inc – Professional Services – La Vista City Centre Phase 1 Public Infrastructure – \$2,816.25
14. Request for Payment – HDR Engineering – Professional Services – Project Management for Public Improvements – \$1,833.81
15. Request for Payment – RDG Planning & Design – Professional Services – Land Use & Market Analysis – \$2,000.00
16. Approval of Claims

- Reports from City Administrator and Department Heads
- First Quarter Report – Grow Sarpy

B. Resolution – Transfer of Ownership – Police K-9**C. Planned Unit Development Amendment – Lots 23 – 26 Southport West & a portion of Lot 1 Southport West Replat 4**

1. Public Hearing
2. Resolution

D. Conditional Use Permit – Lot 1 – Southport West Replat Nine

1. Public Hearing
2. Resolution

E. Resolution – Approve First Amendment – Sarpy County and Cities Wastewater Agency – FY2021-2022 Budget**F. Resolution – Approval of Sarpy County and Cities Wastewater Agency FY2022-2023 Budget****G. Resolution – Approve Third Amendment to Interlocal Agreement – Sarpy County and Cities Wastewater Agency**

H. Resolution – Approval of Sarpy County and Cities Wastewater Agency Revised Growth Management Plan

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

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

MINUTE RECORD

A-2

No. 729 — REDFIELD DIRECT E2106195KV

LA VISTA CITY COUNCIL MEETING May 3, 2022

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 May 3, 2022. Present were Councilmembers: Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak and City Engineer Dowse.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on April 20, 2022. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

PROCLAMATION – PUBLIC SERVICE RECOGNITION WEEK

Mayor Kindig proclaimed May 1 – 7, 2022 as Public Service Recognition Week and presented the proclamation to City Administrator Gunn.

PROCLAMATION – PROFESSIONAL MUNICIPAL CLERKS WEEK

Mayor Kindig proclaimed May 1 – 7, 2022 as Professional Municipal Clerks Week and presented the proclamation to City Clerk Buethe and Deputy City Clerk Anderson.

PROCLAMATION – NATIONAL POLICE WEEK & PEACE OFFICERS MEMORIAL DAY

Mayor Kindig proclaimed May 11 – 17, 2022 as National Police Week and May 15, 2022 as Peace Officers' Memorial Day and presented the proclamation to Chief of Police Lausten and the Police Officers present.

APPOINTMENT – PAUL BOHN – PERSONNEL BOARD – FILL VACANCY

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Paul Bohn to the Personnel Board to fill a vacancy for the remainder of a 6 year term. Councilmember Sell motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE APRIL 19, 2022 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$110,897.22
4. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$7,474.30
5. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – 84TH TO 96TH STREET PANEL REPLACEMENT – \$1,456.00
6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$8,400.00
7. REQUEST FOR PAYMENT – NL & L – PROFESSIONAL SERVICES – CHILI'S DEMOLITION – \$85,353.88
8. APPROVE MANAGER APPLICATION – CLASS D LIQUOR LICENSE – KWIK SHOP, INC – ROBERT T. BURKE

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9. **RESOLUTION NO. 22-040 – AWARD OF CONTRACT – EASTERN NEBRASKA OFFICE OF AGING**
10. **RESOLUTION NO. 22-041 – AUTHORIZE PROPOSAL – OMAHA PUBLIC POWER DISTRICT – PERMANENT POWER – LA VISTA CITY CENTER PARKING STRUCTURE 2**
11. **REQUEST FOR PAYMENT – OPPD – PROFESSIONAL SERVICES – LA VISTA CITY CENTER PARKING STRUCTURE 2 - \$15,579.71**
12. **APPROVAL OF CLAIMS**

1000 BULBS, bld&grnds	151.22
4 SEASONS AWARDS, supplies	50.00
AA WHEEL & TRUCK SUPPLY, maint.	95.86
ABM INDUSTRIES INC, services	7,197.59
ACCUCUT LLC, maint.	200.00
ACTION BATTERIES, maint.	158.00
ACTIVE NETWORK LLC, services	83.98
AE SUPPLY, bld&grnds	350.00
AED ZONE, services	460.00
AKRS EQUIPMENT SOLUTIONS, maint.	161.40
ALLEN, J., services	272.50
AMAZON, supplies	1,472.57
AMERICAN HERITAGE LIFE INS CO, services	1,286.17
ANDERSON, P., travel	157.50
A-RELIEF, services	121.00
AT&T MOBILITY LLC, phones	97.66
BOBCAT OF OMAHA, maint.	326.19
BOK FINANCIAL, bonds	64,115.26
BOYCHUK, GLENN, services	500.00
BRODERSEN, C., travel	272.50
BUETHE, P., travel	790.00
BUILDERS SUPPLY CO, bld&grnds	667.35
CCAP AUTO LEASE LTD, services	391.12
CENTER POINT, books	45.54
CENTURY LINK/LUMEN, phones	961.39
CINTAS CORP, services	824.24
CITY CENTRE MUSIC VENUE LLC, grant	259,549.32
CITY OF OMAHA, services	243,829.05
CITY OF PAPILLION, services	247,334.72
COMP CHOICE INC, services	335.00
CONNER PSYCHOLOGICAL, services	770.00
CONSOLIDATED MANAGEMENT, services	42.59
CORNHUSKER STATE INDUSTRIES, supplies	303.00
COX COMMUNICATIONS, services	147.03
CULLIGAN OF OMAHA, bld&grnds	55.50
D & K PRODUCTS, supplies	1,530.00
DANKO EMERGENCY EQUIPMENT, supplies	1,061.73
DATABASEUSA.COM, services	933.00
DATASHIELD CORP, services	20.00
DEARBORN NAT'L LIFE INS CO, services	7,671.78
DEFIANCE HARLEY-DAVIDSON, maint.	2,494.31
DEMCO INC, supplies	335.54
DESIGN WORKSHOP INC, services	25,756.25
DIAMOND BLADE DISTRIBUTORS LLC, maint	1,302.95
DLR GROUP, services	11,925.00
DULTMEIER SALES LLC, maint.	43.01
DXP ENTERPRISES INC, supplies	1,960.00
EDGEWEAR SCREEN PRINTING, apparel	330.00
FASTENAL CO, supplies	168.33
FELSBURG HOLT & ULLEVIG INC, services	4,694.25
FERGUSON ENTERPRISES INC, bld&grnds	37.23
FIKES COMMERCIAL HYGIENE LLC, supplies	46.50
FIRST STATE BANK, services	4,390.89
FOUNTAIN, B., travel	407.00

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GALE, books	75.72
GREATAMERICA FINANCIAL, services	1,232.00
HEIMES CORP, services	42,134.49
HGM ASSOCIATES INC, services	19,171.32
HOME DEPOT, maint.	4,131.98
INDUSTRIAL SALES CO, maint.	529.58
INGRAM LIBRARY SERVICES, books	426.62
JOHNSON, ALLEN L, services	208.00
JOHNSTONE SUPPLY CO, bld&grnds	2.91
JUSTIN KOFOED LLC, services	175.00
K ELECTRIC, bld&grnds	1,088.13
LABRIE, DONALD P, services	225.00
LARSEN SUPPLY CO, supplies	115.00
LIBRA INDUSTRIES INC, maint.	100.00
LINCOLN NAT'L LIFE INS CO, services	6,591.68
LOGAN CONTRACTORS SUPPLY, services	3,538.60
LOWE'S, supplies	175.90
MARCO INC, services	138.98
MEDICA INSURANCE CO, services	114,150.71
MENARDS-RALSTON, supplies	191.75
METLIFE, services	1,047.91
METRO AREA TRANSIT, services	784.00
METRO COMM COLLEGE, services	15,064.68
MUD, utilities	2,252.66
MID-AMERICAN BENEFITS INC, services	19,632.38
MIDWEST TAPE, media	174.10
MIDWEST TURF & IRRIGATION, bld&grnds	1,195.00
MILLER & SONS GOLF CARS, services	544.00
MR. PICNIC, services	4,020.00
MSC INDUSTRIAL SUPPLY CO, maint.	380.19
NE DEPT OF LABOR, services	3,272.82
NE DEPT OF REVENUE, sales tax	58.06
NE ARBORISTS ASSOC, services	190.00
OFFICE DEPOT INC, supplies	464.51
OPPD, utilities	39,123.04
OMAHA TENT CO, services	1,501.50
ON THE SPOT PRODUCTIONS, services	9,500.00
PAPILLION SANITATION, bld&grnds	1,478.78
PAPILLION TIRE INC, maint.	437.77
PAYROLL MAXX, payroll & taxes	394,095.89
PER MAR SECURITY, services	1,183.05
PITNEY BOWES, services	712.59
PROFESSIONAL GROUNDS MGMT, services	500.00
QUALITY AUTO REPAIR, services	84.00
READY MIXED CONCRETE CO, services	12,544.58
RED WING BUSINESS, apparel	600.00
ROBERT HALF, wervices	1,900.00
SAMPSON CONSTRUCTION CO, services	168,425.00
SARPY COUNTY FISCAL ADMIN, services	23,032.35
SHERWIN-WILLIAMS, supplies	107.50
SHI INTERNATIONAL CORP, services	42.05
SIGN IT, services	2,355.00
SITE ONE LANDSCAPE, supplies	194.05
SOLBERG, C., travel	407.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	1,720.82
STRATEGIC GOVT RESOURCES INC, services	4,077.05
TC DECOR CONCRETE DESIGNS INC, services	972.00
THE COLONIAL PRESS INC, services	103.84
THE WALDINGER CORP, services	2,668.78
THOMPSON DREESSEN & DORNER, services	5,201.50
TOSHIBA, services	138.00

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TRACTOR SUPPLY, supplies	100.76
TRAFFIX DEVICES INC, supplies	96.76
TRUCK CENTER COMPANIES, maint.	310.13
TURFWERKS, maint.	38.75
U.S. CELLULAR, phones	1,891.95
VAL VERDE ANIMAL HOSPITAL INC, services	332.64
VERIZON CONNECT NWF, phones	627.75
VERIZON WIRELESS, phones	383.75
VIVERE APARTMENTS, services	1,480.00
WALMART, supplies	1,248.23
WHITE CAP LP, apparel	65.95
WOODHOUSE FORD, maint.	217.00

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn advised there will be a legislative recap coming from the City's Lobbyist.

Recreation Director Scott Stopak reported on activities at the Recreation Center.

Communications Manager Beaumont and Community Events Coordinator Allen provided an update on Salute to Summer activities.

City Engineer Dowse introduced Garrett Delgado, the new Engineer Assistant.

Chief of Police Lausten reported on the law enforcement appreciation lunch May 17, 2022 at the La Vista Police Department, the Police Academy graduation on May 27, 2022 and the recent house fire on 76th Avenue.

B. ORDINANCE – AUTHORIZE BORROWING UP TO \$2,745,000 FROM NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY – EAST LA VISTA SEWER REHABILITATION

Councilmember Thomas introduced Ordinance No. 1452 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SEWER REVENUE BOND, SERIES 2022, OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION SEVEN HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$2,745,000), IN THE FORM OF A PROMISSORY NOTE ISSUED TO EVIDENCE INDEBTEDNESS TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; APPROVING THE FORM OF SAID BOND (ISSUED AS A SINGLE PROMISSORY NOTE) AND RELATED LOAN AGREEMENT; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE SANITARY SEWER SYSTEM OWNED BY THE CITY FOR THE PAYMENT OF SAID BOND; PROVIDING FOR THE ISSUANCE AND SALE OF SAID BOND; AUTHORIZING THE DELIVERY OF SAID BOND TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SAID BOND AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

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

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1452. Councilmember Quick seconded the motion. Upon roll call vote the following Councilmembers voted aye Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the

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

C. RESOLUTION – AUTHORIZE AGREEMENT – PRINTING AND MAILING SERVICES

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-042 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH COLONIAL PRESS, LA VISTA, NEBRASKA, FOR PRINTING AND MAILING SERVICES.

WHEREAS, the Mayor and City Council have determined that printing and mailing services for Community Guides, newsletters, and postcards are necessary; and

WHEREAS, proposals were solicited, and two proposals were received and reviewed; and

WHEREAS, it is determined that Colonial Press is the lowest, most responsible bidder meeting all specifications outlined in the request for proposals; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that an agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Colonial Press, La Vista, Nebraska, for printing and mailing services.

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

D. RESOLUTION – AUTHORIZE AGREEMENT – HYDROLOGY AND HYDRAULIC ANALYSIS – APPLEWOOD CREEK

Councilmember Quick introduced and moved for the adoption of Resolution No. 22-043 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH SCHEMMER, OMAHA, NEBRASKA, TO REVIEW THE HYDROLOGY AND HYDRAULIC (H&H) MODELING ALONG APPLEWOOD CREEK IN AN AMOUNT NOT TO EXCEED \$9,620.

WHEREAS, the Mayor and City Council have determined that the review of the hydrologic and hydraulic modeling along Applewood Creek is necessary; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Schemmer, Omaha, Nebraska, to review hydrology and hydraulic modeling in an amount not to exceed \$9,620.

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

E. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – 84TH STREET SIGNAL IMPROVEMENTS

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-044 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR

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TRAFFIC SIGNAL, PAVEMENT MARKING AND SIGNAGE IMPROVEMENTS TO THE INTERSECTION OF 84TH STREET AND CITY CENTRE DRIVE AND THE INTERSECTION OF 84TH STREET AND MAIN STREET.

WHEREAS, the Mayor and Council have determined that traffic signal, pavement marking and signage improvements to the intersection of 84th and City Centre Drive and the intersection of 84th Street and Main Street are necessary; and

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

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

Publish Notice to Contractors May 11, 2022 and May 18, 2022

Open Bids May 27, 2022 at 11:00am at City Hall

City Council Award Contract June 7, 2022

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 traffic signal, pavement marking and signage improvements to the intersection of 84th Street and City Centre Drive and the intersection of 84th Street and Main Street.

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

F. RESOLUTION – APPROVE PURCHASE AGREEMENT – CRRSAA FUNDS

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-045 entitled: A RESOLUTION OF THE CITY OF LA VISTA, AUTHORIZING THE SIGNING OF THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSSAA) FUND PURCHASE AGREEMENT.

WHEREAS, NDOT has previously entered into an agreement with Metropolitan Area Planning Agency (MAPA) to purchase federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSSA) funds that were made available to entities within MAPA.

WHEREAS, The State's total cash payout will be equal to 90% of the CRRSSA funds purchased by the State from MAPA.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the Mayor is hereby authorized to sign the attached Project CRRSSA Fund Purchase Agreement between the City of La Vista and the NDOT.

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

G. APPROVAL OF APPOINTMENT TO FILL CITY COUNCIL VACANCY – WARD II

Councilmember Thomas made a motion to approve the Mayor's appointment of Josh Frey to fill the vacancy in Ward II. Seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

H. ADMINISTRATION OF OATH OF OFFICE CITY COUNCILMEMBER – WARD II

Mayor Kindig administered the Oath of Office for City Councilmember – Ward II to Josh Frey.

Councilmember Frey took his place at the dais.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

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COMMENTS FROM MAYOR AND COUNCIL

There were no comments from Mayor and Council.

At 6:42 p.m. Councilmember Frey made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk



MEETING MINUTES
CITY OF LA VISTA PLANNING COMMISSION
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128
P: (402) 593-6400

THURSDAY, MAY 5, AT 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, March 3, 2022, in the Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Boulevard. Legal notice of the public meeting and hearing were posted, distributed, and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public. The following Planning Commission members were present and absent:

PRESENT: Mike Krzywicki, Gayle Malmquist, Harold Sargus, Jason Dale, Patrick Coghlan, and Kevin Wetuski

ABSENT: Kathleen Alexander, John Gahan, and Jason Dale

STAFF PRESENT: Bruce Fountain, Community Development Director; Cale Brodersen, Assistant Planner; Patti Anderson, Deputy City Clerk; and Pat Dowse, City Engineer.

1. Call to Order

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

2. Approval of Meeting Minutes From April 7, 2022

Motion: Krzywicki moved, seconded by Dale, to **approve** the April 7th, 2022, minutes.

RESULT:	Motion carried 6-0
MOTION BY:	Krzywicki
SECONDED BY:	Dale
AYES:	Dale, Sargus, Malmquist, Krzywicki, Wetuski, Coghlan
NAYS:	None
ABSTAINED:	None
ABSENT:	Circo, Alexander, Gahan

3. Old Business

None.

4. New Business

A. Planned Unit Development – Lots 23-26 Southport West and portions of Lot 1 Southport West Replat Four – Southport West Partners, LLC

i. **Staff Report – Cale Brodersen, Assistant City Planner:** Brodersen said the request by Southport West Partners, LLC is for an amendment to an existing Planned Unit Development site plan in Southport West. The applicant and their partners are looking to develop a restaurant and entertainment venue on the west portion and a hotel on the east portion. The entire, larger parcel will be developed in 3 phases and tonight's requests are only related to the first phase.

Brodersen stated that the applications tonight are for the PUD Site Plan amendment, a replat to turn the five lots into four lots, and the Conditional Use Permit for the hotel. He discussed the parking requirements for this development and the opportunity to utilize the adjacent, City-owned parking lot during peak times. There will be improvements installed to direct people to the public parking lot and ensure safe crossing of pedestrians.

Staff recommends approval of the PUD Site Plan for a commercial development on proposed Lots 1-2 Southport West Replat Nine contingent upon satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and Zoning Ordinance.

ii. **Applicant Presentation:** Jeff Lake, on behalf of the applicant, delivered a presentation to the Commission showing a detailed plan of the three development phases. He then went over the entertainment component of the project and mentioned that by being provided the ability to use the City parking lot and shared parking through the PUD, they were able to attract the business being in La Vista.

Lake showed the Commission a renderings of the hotel and entertainment/restaurant venue, and discussion was held over the anticipated peak attendance for the entertainment venue.

Krzywicki voiced concern about the off-street parking being across the street while there is parking right next to the hotel. He asked about the possibility that a large event could take away from the hotel parking.

Lake said there have been conversations about that and it will be addressed in a parking management plan. He said that the hotel parking lot does have more stalls than is required, but if it becomes a problem, they will work with the City to come up with the right solution.

Krzywicki asked if they would have the ability to, during the big events, put temporary signage on the islands to let people know there's hotel parking and to not park there. Lake said he feels that would be a good suggestion and would need to work out the details with city staff.

Sargus asked what time of day they would be expecting to hold larger events.

Lake said evenings and weekends would likely be the busiest times.

Sargus said that he had concerns for the safety of people trying to walk across the street and asked if anything is going to be done to ensure safety for those pedestrians.

Lake said they have talked about different solutions with staff.

Sargus asked how many major events would be planned to take place at the site.

Lake said at least 8-10 events a year.

Dale asked if the other building next to the entertainment venue was where the restaurant would be going.

Lake said the other building is the hotel and the entertainment venue is the restaurant.

Krzywicki asked how much of the necessary public improvements to make this go safely and efficiently would be paid for by the city versus the developer.

Fountain said that it's something that is still being reviewed through the subdivision agreement and will have those numbers available before going to City Council.

Krzywicki asked what the timeline for the development is.

Lake said the hotel won't be constructed right away and the entertainment venue/restaurant is doing some design work to accommodate the increase in construction prices, but that they hope to get started in the near future.

iii. Public Hearing: Sargus Opened the Public Hearing

Sargus closed the Public Hearing.

iv. Recommendation: Wetuski moved, seconded by Malmquist, to recommend **approval** of the PUD Site Plan for a commercial development on proposed Lots 1-2 Southport West Replat Nine contingent upon satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance.

RESULT:	Motion carried 6-0.
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MOTION BY:	Wetuski
SECONDED BY:	Malmquist
AYES:	Krzywicki, Coghlan, Wetuski, Sargus, Dale, Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Alexander, Circo, Gahan

B. Replat – Southport West Replat Nine – Southport West Partners, LLC

i. **Staff Report – Cale Brodersen, Assistant Planner:** Brodersen said the application involves Lots 23-26 Southport West and Lot 1 Southport West Replat Four, to be replatted as Lots 1-4 Southport West Replat Nine.

Staff recommends approval of the Replat for Southport West Replat Nine, contingent upon satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the Replat request is consistent with the Comprehensive Plan and the Subdivision Regulations.

ii. **Recommendation:** Krzywicki moved, seconded by Coghlan to recommend **approval** Southport West Replat Nine, contingent upon satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the Replat request is consistent with the Comprehensive Plan and the Subdivision Regulations.

RESULT:	Motion carried 6-0.
MOTION BY:	Krzywicki
SECONDED BY:	Coghlan
AYES:	Krzywicki, Sargus, Dale, Wetuski, Coghlan, Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Circo, Alexander, Gahan

C. Conditional Use Permit – Hotel – Proposed Lot 2 Southport West Replat Nine – Cumming Investments, Inc.

i. **Staff Report – Cale Brodersen, Assistant City Planner:** Brodersen stated that staff recommends approval of the Conditional Use Permit, contingent upon approval of the related PUD Site Plan Amendment and Replat for Southport West Replat Nine, as well as the

satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the Conditional Use Permit is consistent with the Comprehensive Plan and Zoning Ordinance

iii. Public Hearing: Sargus Opened the Public Hearing

Eric Williams from Olsson introduced himself and offered to answer any questions.

Sargus closed the Public Hearing.

iv. Recommendation: Malmquist moved, seconded by Wetuski to recommend approval of the Conditional Use Permit, contingent upon approval of the related PUD Site Plan Amendment and Replat for Southport West Replat Nine, as well as the satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the Conditional Use Permit is consistent with the Comprehensive Plan and Zoning Ordinance

RESULT:	Motion carried 6-0.
MOTION BY:	Malmquist
SECONDED BY:	Wetuski
AYES:	Dale, Krzywicki, Sargus, Malmquist, Wetuski, Coghlan
NAYS:	None
ABSTAINED:	None
ABSENT:	Circo, Alexander, Coghlan

D. 2023-2027 Capital Improvements Plan – City of La Vista

i. Staff Report – Rachel Carl, Assistant to the City Administrator: Carl presented the CIP for FY 23-27. She said the goal of the Capital Improvement Plan is to develop a realistic construction plan that meets the needs of the City and aligns with our strategic priorities that have been set up by City Council. Carl talked about how the CIP was coordinated with the long-range financial plan.

Sargus asked how much money Metro was putting in for the library rotunda renovation project.

Carl said she was unsure about the percentage amount but could find out and let them know.

Krzywicki mentioned that in the past they received a different kind of report that would show how much money was to be paid by the City, County, State or Federal Government, and asked if that information was in this report.

Carl said it is not in the report.

Krzywicki asked if the report shows the dollar amounts that the City is responsible for.

Carl said that the amounts are listed, and the projects being talked about are the City's projects.

Krzywicki asked if a right turn lane at 84th and Giles was in the CIP.

Dowse said it was not.

Krzywicki asked if there was an appetite to look at improvement of traffic flow at the major intersections, like 84th and Giles, and to see about alleviating the backup that happens.

Dowse said the signal time at 84th and Giles is ran by the City of Omaha. He mentioned that there have been some traffic studies done for that intersection, but not specifically regarding the westbound right-turn lane.

ii. Public Hearing: Sargus Opened the Public Hearing.

Sargus closed the Public Hearing.

iii. Recommendation: Coghlan moved, seconded by Malmquist to recommend **approval** of the Capital Improvement Plan for years 2023-2027.

RESULT:	Motion carried 6-0.
MOTION BY:	Coghlan
SECONDED BY:	Malmquist
AYES:	Dale, Krzywicki, Sargus, Malmquist, Wetuski, Coghlan
NAYS:	None
ABSTAINED:	None
ABSENT:	Circo, Alexander, Coghlan

5. Comments from the Floor

None.

6. Comments from the Planning Commission

None.

7. Comments from Staff

Fountain let the Commission know there will be a second meeting in May and that the consultants that are doing the Future Land Use Study and Market Analysis will be at that meeting to lead a work session with Commission members.

8. Adjournment

Sargus adjourned the meeting at 7:45 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

A-4

Total All Funds

Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
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OPERATING REVENUES

General Fund	\$ 22,251,240	\$ 1,504,475	\$ 6,734,008	\$(15,517,232)	30%
Sewer Fund	4,681,710	370,999	2,398,497	(2,283,213)	51%
Debt Service Fund	3,821,553	375,426	1,556,418	(2,265,135)	41%
Capital Improvement Fund	664	60	4,177	3,513	629%
Lottery Fund	1,361,363	112,680	656,760	(704,603)	48%
Economic Development Program Fund	143,678	343	2,663	(141,015)	2%
Off Street Parking Fund	32,028	5,787	21,037	(10,991)	66%
Redevelopment Fund	2,312,099	288,196	1,160,985	(1,151,114)	50%
Police Academy	172,058	8	191,766	19,708	111%
TIF 1A	514,534	—	—	(514,534)	—%
TIF 1B	806,735	—	—	(806,735)	—%
Sewer Reserve Fund	1,799	—	3,461	1,662	192%
Qualified Sinking Fund	1,848	108	760	(1,088)	41%
Total Operating Revenues	36,101,309	2,658,082	12,730,533	(23,370,776)	35%

OPERATING EXPENDITURES

General Fund	21,129,107	1,736,146	8,486,777	(12,642,330)	40%
Sewer Fund	4,312,258	326,322	1,763,842	(2,548,416)	41%
Debt Service Fund	3,458,428	342,256	3,110,206	(348,222)	90%
Capital Improvement Fund	—	—	—	—	—%
Lottery Fund	756,877	97,970	275,275	(481,602)	36%
Economic Development Program Fund	48,426	64,115	140,545	92,119	290%
Off Street Parking Fund	1,265,821	85,762	851,541	(414,280)	67%
Redevelopment Fund	1,560,866	21,367	338,213	(1,222,653)	22%
Police Academy	192,250	19,482	80,862	(111,388)	42%
TIF 1A	514,534	—	136,153	(378,381)	26%
TIF 1B	806,735	—	53,192	(753,543)	7%
Sewer Reserve Fund	—	—	—	—	—%
Qualified Sinking Fund	—	—	—	—	—%
Total Operating Expenditures	34,045,302	2,693,420	15,236,607	(18,808,695)	45%

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Total All Funds

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
OPERATING REVENUES NET OF EXPENDITURES					
General Fund	1,122,133	(231,671)	(1,752,769)	(2,874,902)	
Sewer Fund	369,452	44,677	634,655	265,203	
Debt Service Fund	363,125	33,170	(1,553,788)	(1,916,913)	
Capital Improvement Fund	664	60	4,177	3,513	
Lottery Fund	604,486	14,710	381,485	(223,001)	
Economic Development Program Fund	95,252	(63,773)	(137,882)	(233,134)	
Off Street Parking Fund	(1,233,793)	(79,975)	(830,504)	403,289	
Redevelopment Fund	751,233	266,829	822,772	71,539	
Police Academy	(20,192)	(19,474)	110,904	131,096	
TIF 1A	—	—	(136,153)	(136,153)	
TIF 1B	—	—	(53,192)	(53,192)	
Sewer Reserve Fund	1,799	—	3,461	1,662	
Qualified Sinking Fund	1,848	108	760	(1,088)	
Operating Revenues Net of Expenditures	2,056,007	(35,338)	(2,506,074)	(4,562,081)	
OTHER FINANCING SOURCES & USES					
TRANSFERS IN					
General Fund	407,210	—	298,669	(108,541)	73%
Sewer Fund	1,450,150	—	—	(1,450,150)	—%
Debt Service Fund	679,775	—	—	(679,775)	—%
Capital Improvement Fund	1,341,000	—	8,979	(1,332,021)	1%
Lottery Fund	—	—	—	—	—
Economic Development Program Fund	—	—	—	—	—
Off Street Parking Fund	1,233,847	72,521	692,491	(541,356)	56%
Redevelopment Fund	—	—	—	—	—
Police Academy	—	—	—	—	—
TIF 1A	—	—	—	—	—
TIF 1B	—	—	—	—	—
Sewer Reserve Fund	—	—	—	—	—
Qualified Sinking Fund	125,000	—	—	(125,000)	—%
Total Transfers In	5,236,982	72,521	1,000,139	(4,236,843)	19%

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Total All Funds

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
TRANSFERS OUT					
General Fund	(1,300,609)	—	(52,305)	1,248,304	4%
Sewer Fund	—	—	—	—	—%
Debt Service Fund	(1,824,013)	(72,521)	(649,165)	1,174,848	36%
Capital Improvement Fund	—	—	—	—	—%
Lottery Fund	(662,360)	—	—	662,360	—%
Economic Development Program Fund	—	—	—	—	—%
Off Street Parking Fund	—	—	(298,669)	(298,669)	—%
Redevelopment Fund	—	—	—	—	—%
Police Academy	—	—	—	—	—%
TIF 1A	—	—	—	—	—%
TIF 1B	—	—	—	—	—%
Sewer Reserve Fund	(1,450,000)	—	—	1,450,000	—%
Qualified Sinking Fund	—	—	—	—	—%
Total Transfers Out	(5,236,982)	(72,521)	(1,000,139)	4,236,843	19%

NET TRANSFERS

General Fund	(893,399)	—	246,364	1,139,763	—%
Sewer Fund	1,450,150	—	—	(1,450,150)	—%
Debt Service Fund	(1,144,238)	(72,521)	(649,165)	495,073	57%
Capital Improvement Fund	1,341,000	—	8,979	(1,332,021)	1%
Lottery Fund	(662,360)	—	—	662,360	—%
Economic Development Program Fund	—	—	—	—	—%
Off Street Parking Fund	1,233,847	72,521	393,822	(840,025)	32%
Redevelopment Fund	—	—	—	—	—%
Police Academy	—	—	—	—	—%
TIF 1A	—	—	—	—	—%
TIF 1B	—	—	—	—	—%
Sewer Reserve Fund	(1,450,000)	—	—	1,450,000	—%
Qualified Sinking Fund	125,000	—	—	(125,000)	—%
Total Net Transfers	—	—	—	—	—

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Total All Funds

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
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**OTHER REVENUE: BOND
PROCEEDS**

Sewer Fund	4,000,000	—	—	(4,000,000)	—%
Capital Improvement Fund	—	—	—	—	—
Economic Development Program Fund	3,000,000	—	3,080,000	80,000	103%
Off Street Parking Fund	12,500,000	—	13,657,391	1,157,391	109%
Redevelopment Fund	15,567,000	—	—	(15,567,000)	—%
Total Bond Proceeds	35,067,000	—	16,737,391	(18,329,609)	48%

OTHER EXPENDITURES: CIP

Sewer Fund	5,720,000	44,685	221,590	(5,498,410)	4%
Capital Improvement Fund	4,306,000	38,606	256,924	(4,049,076)	6%
Off Street Parking Fund	9,500,000	180,350	594,702	(8,905,298)	6%
Redevelopment Fund	10,689,000	173,886	701,360	(9,987,640)	7%
Total Capital Improvement	30,215,000	437,528	1,774,576	(28,440,424)	6%

**OTHER EXPENDITURES:
GRANTS**

Economic Development Program Fund	8,231,882	259,549	858,128	(7,373,754)	10%
Total Grants	8,231,882	259,549	858,128	(7,373,754)	10%

NET FUND ACTIVITY

General Fund	228,734	(231,671)	(1,506,405)	(1,735,139)
Sewer Fund	99,602	(8)	413,064	313,462
Debt Service Fund	(781,113)	(39,351)	(2,202,953)	(1,421,840)
Capital Improvement Fund	(2,964,336)	(38,547)	(243,768)	2,720,568
Lottery Fund	(57,874)	14,710	381,485	439,359
Economic Development Program Fund	(5,136,630)	(323,322)	2,083,990	7,220,620
Off Street Parking Fund	3,000,054	(187,803)	12,626,007	9,625,953
Redevelopment Fund	5,629,233	92,943	121,413	(5,507,820)
Police Academy	(20,192)	(19,474)	110,904	131,096
TIF 1A	—	—	(136,153)	(136,153)
TIF 1B	—	—	(53,192)	(53,192)
Sewer Reserve Fund	(1,448,201)	—	3,461	1,451,662
Qualified Sinking Fund	126,848	108	760	(126,088)
Net Activity	(1,323,875)	(732,415)	11,598,613	12,922,488

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Total All Funds

	Ending Fund Balance As of		
	9/30/2022	3/31/2022	Variance
FUND BALANCE			
General Fund	11,313,174	9,127,836	(2,185,338)
Sewer Fund	1,734,585	2,893,124	1,158,539
Debt Service Fund	2,506,501	1,357,759	(1,148,742)
Capital Improvement Fund	356,814	3,414,821	3,058,007
Lottery Fund	4,475,677	4,912,470	436,793
Economic Development Program Fund	104,799	7,593,483	7,488,684
Off Street Parking Fund	3,030,802	12,641,655	9,610,853
Redevelopment Fund	10,015,720	4,647,776	(5,367,944)
Police Academy	58,925	190,783	131,858
TIF 1A	—	—	—
TIF 1B	—	—	—
Sewer Reserve Fund	512,858	1,964,073	1,451,215
Qualified Sinking Fund	529,020	403,131	(125,889)
Net Fund Balance	<u>\$ 34,638,875</u>	<u>\$ —</u>	<u>\$ 49,146,913</u>
	<u>\$ 14,508,038</u>		

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

General Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Property taxes	\$ 9,840,484	\$ 449,965	\$ 1,444,991	\$ (8,395,493)	15%
Sales and use taxes	4,566,703	574,413	2,308,078	(2,258,625)	51%
Motor vehicle taxes	606,222	33,607	239,208	(367,014)	39%
Payments in Lieu of taxes	197,077	—	—	(197,077)	—%
State revenue	1,871,045	159,302	986,764	(884,281)	53%
Occupation and franchise taxes	2,248,828	179,356	1,178,903	(1,069,925)	52%
Licenses and permits	504,708	35,883	344,030	(160,678)	68%
Interest income	30,801	1,239	11,610	(19,191)	38%
Charges for services	388,671	48,039	123,182	(265,489)	32%
Grant Income	1,748,848	20,122	77,783	(1,671,065)	4%
Other	247,853	2,548	19,458	(228,395)	8%
Total Revenues	22,251,240	1,504,475	6,734,008	(15,517,232)	30%
EXPENDITURES					
Administrative Services	613,636	65,065	285,340	(328,296)	46%
Mayor and Council	238,915	12,359	77,371	(161,544)	32%
Boards & Commissions	6,335	152	819	(5,516)	13%
Building Maintenance	764,982	33,379	207,684	(557,298)	27%
Administration	738,737	64,611	328,662	(410,075)	44%
Police and Animal Control	5,644,591	568,782	2,630,423	(3,014,168)	47%
Fire	2,608,425	216,863	1,304,014	(1,304,411)	50%
Community Development	743,511	67,618	302,234	(441,277)	41%
Public Works	4,436,712	336,941	1,573,564	(2,863,148)	35%
Recreation	931,897	79,220	332,274	(599,623)	36%
Library	1,069,905	84,790	423,411	(646,494)	40%
Information Technology	464,863	25,631	157,268	(307,595)	34%
Human Resources	1,076,076	47,693	337,605	(738,471)	31%
Public Transportation	115,430	8,559	39,067	(76,363)	34%
Finance	603,025	54,613	280,284	(322,741)	46%
Communication	307,110	24,718	91,172	(215,938)	30%
Capital outlay	764,957	45,152	115,584	(649,373)	15%
Total Expenditures	21,129,107	1,736,146	8,486,777	(12,642,330)	40%
REVENUES NET OF EXPENDITURES	1,122,133	(231,671)	(1,752,769)	(2,874,902)	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

General Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
OTHER FINANCING SOURCES (USES)					
Operating transfers in (Lottery)	407,210	—	298,669	(108,541)	73%
Operating transfers out (DSF, OSP, CIP)	(1,300,609)	—	(52,305)	1,248,304	4%
Total other Financing Sources (Uses)	(893,399)	—	246,364	1,139,763	(28)%
NET FUND ACTIVITY	\$ 228,734	\$ (231,671)	\$ (1,506,405)	\$ (1,735,139)	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Sewer Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
User fees	\$ 4,553,306	\$ 369,145	\$ 2,286,891	\$ (2,266,415)	50%
Service charge and hook-up fees	123,613	1,594	99,939	(23,674)	81%
Miscellaneous	20	1	7,237	7,217	36184%
Total Revenues	4,676,939	370,740	2,394,067	(2,282,872)	51%
EXPENDITURES					
Personnel Services	665,251	61,036	267,605	(397,646)	40%
Commodities	35,356	2,512	11,036	(24,320)	31%
Contract Services	3,159,657	254,766	1,472,113	(1,687,544)	47%
Maintenance	39,084	6,833	11,529	(27,555)	29%
Other	34,730	—	384	(34,346)	1%
Storm Water	58,180	1,176	1,176	(57,004)	2%
Capital Outlay	250,000	—	—	(250,000)	—%
Debt service					
Principal	—	—	—	—	—%
Interest	70,000	—	—	(70,000)	—%
Total Expenditures	4,312,258	326,322	1,763,842	(2,548,416)	41%
OPERATING INCOME (LOSS)	364,681	44,419	630,224	265,543	
NON-OPERATING REVENUE					
Interest income	4,771	258	4,431	(340)	93%
INCOME (LOSS) BEFORE TRANSFERS	4,771	258	4,431	(340)	93%
OTHER FINANCING SOURCES (USES)					
Operating transfers in	1,450,150	—	—	(1,450,150)	—%
Operating transfers out	—	—	—	—	—%
Bond proceeds	4,000,000	—	—	(4,000,000)	—%
Capital Improvement	(5,720,000)	(44,685)	(221,590)	5,498,410	4%
Total other Financing Sources (Uses)	(269,850)	(44,685)	(221,590)	48,260	82%
NET INCOME (LOSS)	\$ 99,602	\$ (8)	\$ 413,064	\$ 313,462	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Debt Service Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Property Taxes	\$ 1,009,029	\$ 45,903	\$ 147,141	\$ (861,888)	15%
Sales and use taxes	2,283,352	287,207	1,154,039	(1,129,313)	51%
Motor vehicle taxes	—	—	751	751	—%
Payments in Lieu of taxes	19,707	—	—	(19,707)	—%
Other (Assessments/Fire Reimbursement)	504,517	42,043	252,258	(252,259)	50%
Interest income	4,948	274	2,228	(2,720)	45%
Total Revenues	3,821,553	375,426	1,556,418	(2,265,135)	41%
EXPENDITURES					
Administration	25,670	250	1,428	(24,242)	6%
Fire Contract Bond	218,096	18,175	109,050	(109,046)	50%
Debt service					
Principal	2,740,000	310,000	2,750,000	10,000	100%
Interest	474,662	13,831	249,728	(224,934)	53%
Total Expenditures	3,458,428	342,256	3,110,206	(348,222)	90%
REVENUES NET OF EXPENDITURES	363,125	33,170	(1,553,788)	(1,916,913)	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF Hwy Alloc)	679,775	—	—	(679,775)	—%
Operating transfers out (CIP, OSP)	(1,824,013)	(72,521)	(649,165)	1,174,848	36%
Total other Financing Sources (Uses)	(1,144,238)	(72,521)	(649,165)	495,073	
NET FUND ACTIVITY	\$ (781,113)	\$ (39,351)	\$ (2,202,953)	\$ (1,421,840)	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Capital Improvement Program Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Interest income	\$ 664	\$ 60	\$ 4,177	\$ 3,513	629%
Grant income	—	—	—	—	—%
Special assessment	—	—	—	—	—%
Other income	—	—	—	—	—%
Total Revenues	664	60	4,177	3,513	629%
EXPENDITURES					
Administration	—	—	—	—	—%
Other	—	—	—	—	—%
Total Expenditures	—	—	—	—	—%
REVENUES NET OF EXPENDITURES					
	664	60	4,177	3,513	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF, DSF)	1,341,000	—	8,979	(1,332,021)	1%
Operating transfers out (DSF)	—	—	—	—	—%
Bond proceeds	—	—	—	—	—%
Capital outlay	(4,306,000)	(38,606)	(256,924)	4,049,076	6%
Total other Financing Sources (Uses)	(2,965,000)	(38,606)	(247,945)	2,717,055	8%
NET FUND ACTIVITY	\$ (2,964,336)	\$ (38,547)	\$ (243,768)	\$ 2,720,568	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Lottery Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Lottery Rev/Community Betterment	\$ 1,000,000	\$ 80,472	\$ 478,716	\$ (521,284)	48%
Lottery Tax Form 51	347,826	32,189	170,618	(177,208)	49%
Interest income	13,537	18	4,277	(9,260)	32%
Miscellaneous / Other	—	—	3,150	3,150	—%
Total Revenues	1,361,363	112,680	656,760	(704,603)	48%
EXPENDITURES					
Professional Services	139,040	100	18,202	(120,838)	13%
Salute to Summer	152,182	55,130	55,268	(96,914)	36%
Community Events	44,924	3,528	22,652	(22,272)	50%
Events - Marketing	60,341	7,024	8,536	(51,805)	14%
Recreation Events	1,564	—	—	(1,564)	—%
Concert & Movie Nights	11,000	—	—	(11,000)	—%
State Taxes	347,826	32,189	170,618	(177,208)	49%
Total Expenditures	756,877	97,970	275,275	(481,602)	36%
REVENUES NET OF EXPENDITURES	604,486	14,710	381,485	(223,001)	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	—	—	—	—	—
Operating transfers out (GF, SF, DSF)	(662,360)	—	—	662,360	—%
Total other Financing Sources (Uses)	(662,360)	—	—	662,360	—%
NET FUND ACTIVITY	\$ (57,874)	\$ 14,710	\$ 381,485	\$ 439,359	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Economic Development Program Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Other Income (Grant Payments)	\$ 143,570	\$ —	\$ —	\$ (143,570)	—%
Interest income	108	343	2,663	2,555	2466%
Total Revenues	143,678	343	2,663	(141,015)	2%
EXPENDITURES					
Professional Services	—	—	—	—	—%
Financial / Legal Fees	500	—	76,430	75,930	15286%
Debt service: (Warrants)					
Principal	—	—	—	—	—%
Interest	47,926	64,115	64,115	16,189	134%
Total Expenditures	48,426	64,115	140,545	92,119	290%
REVENUES NET OF EXPENDITURES	95,252	(63,773)	(137,882)	(233,134)	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF, DSF)	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
Bond proceeds	3,000,000	—	3,080,000	80,000	103%
Community Development - Grant	(8,231,882)	(259,549)	(858,128)	7,373,754	10%
Total other Financing Sources (Uses)	(5,231,882)	(259,549)	2,221,872	7,453,754	(42)%
NET FUND ACTIVITY	\$ (5,136,630)	\$ (323,322)	\$ 2,083,990	\$ 7,220,620	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Off Street Parking Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Garage fees	\$ 29,000	\$ 5,254	\$ 19,450	\$ (9,550)	67%
Interest income	3,028	534	1,588	(1,440)	52%
Total Revenues	32,028	5,787	21,037	(10,991)	66%
EXPENDITURES					
General & Administrative	35,480	250	157,472	121,992	444%
Professional Services	160,908	13,241	83,551	(77,357)	52%
Maintenance	15,700	—	4,624	(11,076)	29%
Commodities	11,000	—	—	(11,000)	—%
Debt service:					
Principal	710,000	—	510,000	(200,000)	72%
Interest	332,733	72,271	95,895	(236,838)	29%
Total Expenditures	1,265,821	85,762	851,541	(414,280)	67%
REVENUES NET OF EXPENDITURES	(1,233,793)	(79,975)	(830,504)	403,289	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF, DSF, RDF)	1,233,847	72,521	692,491	(541,356)	56%
Operating transfers out	—	—	(298,669)	(298,669)	—%
Bond proceeds	12,500,000	—	13,657,391	1,157,391	109%
Capital Improvement	(9,500,000)	(180,350)	(594,702)	8,905,298	6%
Total other Financing Sources (Uses)	4,233,847	(107,829)	13,456,511	9,222,664	318%
NET FUND ACTIVITY	\$ 3,000,054	\$ (187,803)	\$ 12,626,007	\$ 9,625,953	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Redevelopment Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Sales and use taxes	\$ 2,283,352	\$ 287,207	\$ 1,154,039	(1,129,313)	51%
Occupation and franchise taxes	100	14	93	(7)	93%
Interest income	28,647	975	6,853	(21,794)	24%
Total Revenues	2,312,099	288,196	1,160,985	(1,151,114)	50%
EXPENDITURES					
Professional Services	175,000	21,367	132,230	(42,770)	76%
Financial / Legal Fees	36,250	—	450	(35,800)	1%
Debt service: (Warrants)				—	—%
Principal	705,000	—	—	(705,000)	—%
Interest	644,616	—	205,533	(439,083)	32%
Total Expenditures	1,560,866	21,367	338,213	(1,222,653)	22%
REVENUES NET OF EXPENDITURES	751,233	266,829	822,772	71,539	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	—	—	—	—	—%
Operating transfers out (OSP)	—	—	—	—	—%
Bond proceeds	15,567,000	—	—	(15,567,000)	—%
Capital Improvement	(10,689,000)	(173,886)	(701,360)	9,987,640	7%
Total other Financing Sources (Uses)	4,878,000	(173,886)	(701,360)	(5,579,360)	
NET FUND ACTIVITY	\$ 5,629,233	\$ 92,943	\$ 121,413	\$ (5,507,820)	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Police Academy Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of budget Used
REVENUES					
Academy income	\$ 172,000	\$ —	\$ 191,706	\$ 19,706	111%
Interest income	58	8	60	2	104%
Other income	—	—	—	—	—%
Total Revenues	172,058	8	191,766	19,708	111%
EXPENDITURES					
Personnel Services	174,050	19,532	69,181	(104,869)	40%
Commodities	2,150	—	2,045	(105)	95%
Contract Services	11,250	(50)	3,522	(7,728)	31%
Other Charges	4,800	—	6,114	1,314	127%
Total Expenditures	192,250	19,482	80,862	(111,388)	42%
REVENUES NET OF EXPENDITURES	(20,192)	(19,474)	110,904	131,096	
OTHER FINANCING SOURCES (USES)					
Operating transfers in (GF)	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
Total other Financing Sources (Uses)	—	—	—	—	
NET FUND ACTIVITY	\$ (20,192)	\$ (19,474)	\$ 110,904	\$ 131,096	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

TIF 1A Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Property Tax	\$ 514,534	\$ —	\$ —	(514,534)	—%
Total Revenues	514,534	—	—	(514,534)	—%
EXPENDITURES					
TIF Distributed Funds	509,389	—	136,153	(373,236)	27%
Contract Services	5,145	—	—	(5,145)	—%
Total Expenditures	514,534	—	136,153	(378,381)	26%
REVENUES NET OF EXPENDITURES					
	—	—	(136,153)	(136,153)	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
Total other Financing Sources (Uses)	—	—	—	—	—
NET FUND ACTIVITY	\$ —	\$ —	\$ (136,153)	\$ (136,153)	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

TIF 1B Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Property Tax	\$ 806,735	\$ —	\$ —	(806,735)	—%
Total Revenues	806,735	—	—	(806,735)	—%
EXPENDITURES					
TIF Distributed Funds	798,668	—	53,192	(745,476)	7%
Contract Services	8,067	—	—	(8,067)	—%
Total Expenditures	806,735	—	53,192	(753,543)	7%
REVENUES NET OF EXPENDITURES					
	—	—	(53,192)	(53,192)	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
Total other Financing Sources (Uses)	—	—	—	—	—
NET FUND ACTIVITY	\$ —	\$ —	\$ (53,192)	\$ (53,192)	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Sewer Reserve Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Interest income	\$ 1,799	\$ —	\$ 3,461	1,662	192%
Total Revenues	1,799	—	3,461	1,662	192%
EXPENDITURES					
Other	—	—	—	—	—%
Total Expenditures	—	—	—	—	—%
REVENUES NET OF EXPENDITURES					
	1,799	—	3,461	1,662	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	—	—	—	—	—%
Operating transfers out	(1,450,000)	—	—	1,450,000	—%
Total other Financing Sources (Uses)	(1,450,000)	—	—	1,450,000	
NET FUND ACTIVITY	\$ (1,448,201)	\$ —	\$ 3,461	\$ 1,451,662	

CITY OF LA VISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES
For the Six Month Ending March 31, 2022
50% of the Fiscal Year 2022

Qualified Sinking Fund

	Budget (12 month)	Six MTD Actual	YTD Actual	Over(under) Budget	% of Budget Used
REVENUES					
Interest income	\$ 1,848	\$ 108	\$ 760	(1,088)	41%
Total Revenues	1,848	108	760	(1,088)	41%
EXPENDITURES					
Other	—	—	—	—	—%
Total Expenditures	—	—	—	—	—%
REVENUES NET OF EXPENDITURES					
	1,848	108	760	(1,088)	
OTHER FINANCING SOURCES (USES)					
Operating transfers in	125,000	—	—	(125,000)	—%
Operating transfers out	—	—	—	—	—%
Total other Financing Sources (Uses)	125,000	—	—	(125,000)	
NET FUND ACTIVITY	\$ 126,848	\$ 108	\$ 760	\$ (126,088)	

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA**

Subject:	Type:	Submitted By:
CITY CENTRE MUSIC VENUE, LLC AND ASTRO THEATER, LLC APPLICATION FOR PAYMENT – DISBURSEMENT OF EDP AWARD FUNDS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RITA RAMIREZ ASSISTANT CITY ADMINISTRATOR

SYNOPSIS

An application for payment of a portion of Economic Development Program (EDP) Award funds has been submitted by City Centre Music Venue, LLC and Astro Theater, LLC for work completed to date on the Astro Theater in the amount of \$636,290.65.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the EDP award for the Astro Theater project.

RECOMMENDATION

Approval.

BACKGROUND

On September 3, 2021 an Economic Development Program Agreement was executed by the City of La Vista, City Centre Music Venue, LLC and Astro Theater, LLC, authorizing an EDP award of up to \$5,500,000 to be used in conjunction with other funding sources for constructing and equipping the Astro Theater project.

Subsequently, on December 17, 2021 an Amended and Restated Disbursement Agreement was executed by all parties directing how funds, including the EDP award from the City of La Vista, would be disbursed. The agreement outlines several requirements that must be met prior to any disbursement of funds.

Construction of the Astro Theater commenced in the fall of 2021, and the City has received a fifth request for payment* of EDP funds for the project in the amount of \$636,290.65. City staff have reviewed the documentation submitted with the pay request to assure compliance with the disbursement agreement and has obtained copies of all documents required by the agreement. The City Engineer and Chief Building Official have reviewed the pay request documentation and verified that it coincides with the construction progress they have observed on site. Copies of all documentation are on file in the office of the City Clerk.

As construction progresses and additional pay requests are submitted for the remainder of the EDP award, we will continue to follow the process of ensuring that all required documentation has been received and that completed work has been verified by the City Engineer and the Chief Building Official. Subsequent to those verifications, pay requests will be placed on the Council agenda for approval.

*Note: The Application for Payment indicates this is Pay Request No. 7, however this is the fifth request for disbursement of EDP funds from La Vista. City Centre Music Venue LLC is required by the disbursement agreement to use this application for payment requests from all lending agencies as well as the City of La Vista, resulting in the requests being numbered consecutively as they are issued.

EDP Award Total	Pay Application			% of Total	Remaining Balance
	Number	Amount	Date		
\$5,500,000.00	1	\$166,420.42	2/1/22	3.03%	\$5,333,579.58
	2	\$268,288.26	2/15/22	7.90%	\$5,065,291.32
	3	\$163,869.70	3/15/22	10.88%	\$4,901,421.62
	4	\$259,549.32	4/19/22	15.6%	\$4,641,872.30
	5	\$636,290.65	5/17/22	27.17%	\$4,005,581.65

K:\APPS\City Hall\CNCLRPT (Blue Letters)\22file\22 ADM City Centre Music Venue LLC EDP Pay Application #5 05.17.2022.Doc

City of La Vista
8116 Park View Blvd
La Vista, NE 68128
P: (402) 331-4343
CityofLaVista.org

ECONOMIC DEVELOPMENT PROGRAM – DISBURSEMENT REQUEST FORM



Date of Request: 5/3/22 Project Name: Astro Theater – City Centre Music Venue, LLC

Project Address: Lot 13, La Vista City Centre

Request Amount: \$636,290.65

Request No.: 5

See attached for funding disbursement request details.

CITY OF LA VISTA APPROVALS

Assistant City Administrator, Rita Ramirez

No Comments

Comments (see below):

5/12/22

(Date)

City Engineer, Pat Dowsse

No Comments

Comments (see below):

5/11/22

(Date)

Chief Building Official, Jeff Sinnett

No Comments

Comments (see below):

5/12/22

(Date)

Comments/Contingencies:

Approved by City Council?

Yes: Date _____

No

EXHIBIT C
APPLICATION FOR PAYMENT

Request No. 7 Date: 4-26-2022

Amount Requested \$ 636,290.65

To: American National Bank; Petros PACE Finance Titling Trust; Farmers State Bank; City of La Vista; TitleCore National, LLC

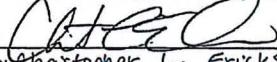
Reference is hereby made to that certain Disbursement Agreement (the "Agreement"), dated as of [**], 2021, by and among CITY CENTRE MUSIC VENUE, LLC, a Nebraska limited liability company ("Improvement Owner"), ASTRO THEATER, LLC, a Nebraska limited liability company ("Tenant"), AMERICAN NATIONAL BANK, a national banking association ("Construction Lender"), PETROS PACE FINANCE TITLING TRUST, a Delaware statutory trust, ("PACE Lender"), FARMERS STATE BANK, a Nebraska state banking corporation ("TIF Lender"), the CITY OF LA VISTA, a Nebraska municipal corporation (the "City" and, together with Construction Lender, PACE Lender and TIF Lender, each a "Lender" and, collectively, the "Lenders"), and TITLECORE NATIONAL, LLC, a Nebraska limited liability company (the "Disbursing Agent"). Capitalized terms used and not otherwise defined herein have the meanings set forth in the Agreement.

The undersigned hereby requests the disbursement of construction funds in accordance with this request, and hereby certifies as follows:

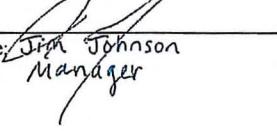
1. The amounts requested either have been paid by the Improvement Owner or Tenant, as applicable, or are justly due to contractors, subcontractors, materialmen, engineers, architects or other persons (whose names are stated on Attachment I hereto and whose invoices are attached hereto) in accordance with the invoice(s) attached hereto who have performed necessary and appropriate work or furnished necessary and appropriate materials, equipment or furnishings in the acquisition, construction and installation of the Project.
2. All construction of the Project prior to the date hereof has been done in substantial accordance with the Plans and all funds previously disbursed by a Lender have been used for one or more purposes permitted under the Financing Agreements for such Lender.
3. The funds from the requested Advance will be used for one or more purposes permitted under the Financing Agreements.
4. Attached hereto is a completed AIA Document G702 or equivalent document, signed by the General Contractor and a list of the applicable payees if payment will be made to an entity or entities other than the General Contractor.
5. True and correct copies of the bills or invoices to be paid with the requested Advance are enclosed herewith, along with conditional lien waivers from all contractors, subcontractors and material suppliers to be paid with the requested Advance and unconditional lien waivers from all contractors, subcontractors and material suppliers paid with the proceeds of prior Advances.
6. Attached hereto is a certification by the Architect certifying that work has been completed and materials are in place as indicated by the request for payment of the General Contractor.

7. The improvements constructed as part of the Project, as completed to date, do not and, if completed in substantial accordance with the Plans, will not, violate any laws.
8. Other than liens and encumbrances permitted by the terms of the Financing Agreements, no liens of any kind have been filed against Improvement Owner, Tenant or the Project (and, to the knowledge of Improvement Owner and Tenant, no stop notice of any kind has been filed or served with respect to any construction work previously performed), or a payment or discharge bond sufficient to protect Lenders and their respective interests in the Project have been recorded as required by applicable Laws.
9. All governmental licenses and permits required for the Project, as completed to date, have been obtained and will be exhibited to Lenders upon request.

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

By: 
Name: Christopher L. Erickson
Title: Manager

ASTRO THEATER, LLC, a Nebraska limited liability company

By: 
Name: John Johnson
Title: Manager

*Astro Theater
Disbursing Agreement*

CITY+VENTURES

Astro Theater

Disbursement Summary

Date: 4/26/2022

Code	Description	Project Cost at Financial Close	Cumulative Adjustments	Current Total Project Cost	Costs Paid Thru Closing	Interest/Fees to Date	Disbursements							Completed to Date	Percent Complete	Balance to Finish		
							1 10/18/21	2 12/6/21	3 1/4/22	4 1/26/22	5 2/24/22	6 3/25/22	7 5/27/20					
Sources of Funds																		
Owner Cash		\$4,080,000		\$4,080,000	\$3,488,331		\$222,704.16		\$0.00	\$368,965.00		\$0.00		\$4,080,000	100.00%	\$0		
Senior Loan		\$8,750,000		\$8,750,000										\$0	0.00%	\$8,750,000		
LaVista Economic Development Program		\$5,500,000		\$5,500,000						\$166,420.42	\$268,288.26	\$169,869.70	\$259,549.32	\$636,290.65	\$1,494,418	27.17%	\$4,005,582	
TIF		\$3,000,000		\$3,000,000			\$	\$	\$	\$ 90,774.77	\$ 146,539.05	\$ 89,383.47	\$ 141,572.35	\$ 347,067.63	\$815,137	27.17%	\$2,184,863	
PACE		\$3,000,000		\$3,000,000			\$0.00	\$0.00	\$612,032.85	\$235,573.62	\$0.00	\$0.00		\$847,606	3.48%	\$2,152,394		
Total Sources of Cash		\$24,330,000		\$0	\$24,330,000	\$3,488,331	\$0.00	\$222,704.16	\$612,032.85	\$861,733.81	\$ 414,627.31	\$ 253,253.17	\$ 401,121.67	\$ 983,358.28	\$7,237,162	29.75%	\$17,092,838	
Uses of Funds																		
100 Acquisition and Closing Costs		\$2,512,476		\$2,512,475.72			\$	-	\$	-	\$	-	\$	-	\$2,512,476	100.00%	\$0	
110 Due Diligence		\$0		\$0	\$0.00		\$	-	\$	-	\$	-	\$	-	\$0	#DIV/0!	\$0	
200 Building Construction & Site		\$15,662,861		\$15,525	\$15,678,386	\$42,821.60	\$ 143,830.77	\$ 250,405.13	\$ 763,410.71	\$ 200,662.62	\$ 249,759.14	\$ 401,121.67	\$ 604,138.60	\$ 2,656,150	16.94%	\$13,022,236		
201 Building Signage		\$100,000			\$100,000		\$0.00	\$	-	\$	-	\$	-	\$	\$0	0.00%	\$100,000	
205 Permits, Utilities Developer Direct Pay		\$104,196			\$104,196		\$0.00	\$	68,773.39	\$	-	\$	-	\$	\$68,773	66.00%	\$35,423	
210 FF&E		\$2,500,000			\$2,500,000		\$0.00	\$	-	\$	97,801.85	\$ 213,964.69	\$	-	\$ 376,205.18	\$687,973	27.52%	\$1,812,027
300 Working Capital		\$500,000			\$500,000		\$0.00	\$	-	\$	-	\$	-	\$	\$0	0.00%	\$500,000	
310 Design - A / E / I		\$1,136,000		(\$155,570)	\$980,430	\$696,075.23	\$ 6,500.00	\$	-	\$	-	\$	-	\$	3,013.50	71.97%	\$274,841	
320 Construction Interest & Inspections		\$618,750			\$618,750		\$0.00	\$0.00	\$ 3,600.00	\$ 256.25	\$ 521.25	\$	-	\$ 3,494.03	\$705,589	1.27%	\$610,878	
325 Financing Fee		\$108,000			\$108,000		\$108,000.00	\$	-	\$	-	\$	-	\$	\$108,000	100.00%	\$0	
330 TIF Expense		\$17,382			\$17,382		\$17,382.00			\$	-	\$	-	\$	\$17,382	100.00%	\$0	
340 PACE Financing Fees / Capitalized Interest		\$450,000		(\$79,379)	\$370,621	\$9,250.00	\$	-	\$	361,371.47	\$	-	\$	-	\$370,621	100.00%	\$0	
350 Legal & Accounting		\$78,394			\$78,394		\$78,394.00	\$	-	\$	-	\$	-	\$	\$78,394	100.00%	\$0	
360 Builders Risk		\$23,932			\$23,932		\$23,932.00	\$	-	\$	-	\$	-	\$	\$23,932	100.00%	\$0	
370 Development Fee		\$292,608			\$292,608		\$0.00	\$	-	\$	-	\$	-	\$	\$0	0.00%	\$292,608	
380 Development Contingency		\$225,401	\$	219,423.99	\$44,825	\$0.00	\$	-	\$	-	\$	-	\$	-	\$0	0.00%	\$444,825	
Total Uses of Cash		\$24,330,000		\$0	\$24,330,000	\$3,488,331	\$	-	\$ 222,704.16	\$ 612,032.85	\$ 861,733.81	\$ 414,627.31	\$ 253,253.17	\$ 401,121.67	\$ 983,358.28	\$7,237,162	29.75%	\$17,092,838

Approved for payment
BF 5/6/22
16.71.0917-STR17005

A-6

Design Workshop, Inc.
Landscape Architecture
Planning
Urban Design
Strategic Services

May 3, 2022
Invoice No: 0070635

Current Invoice Total **\$14,620.00**

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

Project 006605.00 La Vista - 84th Street Bridge

Professional Services from April 1, 2022 to April 30, 2022

Task 001 1.1 Preliminary Design
Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Design Workshop	18,400.00	96.6033	17,775.00	17,775.00	0.00
Consultant	1,500.00	0.00	0.00	0.00	0.00
Reimbursable Expenses	2,000.00	5.45	109.00	109.00	0.00

Total Fee **0.00**

Total this Task **0.00**

Task 002 1.2 Final Design
Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Design Workshop	27,600.00	0.00	0.00	0.00	0.00
Consultant	3,000.00	0.00	0.00	0.00	0.00
Reimbursable Expenses	2,000.00	0.00	0.00	0.00	0.00

Total Fee **0.00**

Total this Task **0.00**

Task 003 2.0 Civil and Structural
Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Schemmer	152,270.00	27.6983	42,176.25	27,556.25	14,620.00
Reimbursable Expenses	2,000.00	0.00	0.00	0.00	0.00

Total Fee **14,620.00**

DESIGNWORKSHOP

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

Project	006605.00	La Vista - 84th Street Bridge	Invoice	0070635
			Total this Task	\$14,620.00
			Total this Invoice	<u>\$14,620.00</u>

Please include invoice number on remittance to: 1390 Lawrence Street, Suite 100, Denver, CO 80204

DESIGNWORKSHOP

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

PAYMENT RECOMMENDATION NO. 4 ON CONTRACT FOR
THOMPSON CREEK – CENTRAL PARK EASTOwner: City of La Vista
8116 Park View Blvd
La Vista, NE 68128Contractor: Heimes Corporation
9144 S. 147th Street
Omaha, NE 68138ORIGINAL CONTRACT AMOUNT \$837,336.45
CURRENT CONTRACT AMOUNT \$843,750.50

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATION(S) \$ 164,962.11

Item	Description	Approx. Qty To Date	Unit Price	Amount To Date
1	Mobilization	0.75	L.S. \$ 23,950.00 / L.S. \$	17,962.50
2	Remove Existing Restroom Building & Utility Services	1	L.S. \$ 8,670.00 / L.S. \$	8,670.00
3	Remove Metal Picnic Structure	1	L.S. \$ 3,840.00 / L.S. \$	3,840.00
4	Clearing and Grubbing	1	L.S. \$ 72,390.00 / L.S. \$	72,390.00
5	Stockpile and Redistribute Topsoil (800 CY Moved Twice), Established Quantity	800	C.Y. \$ 10.50 / C.Y. \$	8,400.00
6	Common Earthwork, In Place, Established Quantity	1,150	C.Y. \$ 16.74 / C.Y. \$	19,251.00
7	Stockpile Excavation, On Site	2,520	C.Y. \$ 6.18 / C.Y. \$	15,573.60
8	Haul Excess Soil Off Site to La Vista Public Works	1,894	C.Y. \$ 9.40 / C.Y. \$	17,803.60
8A	Haul Unsuitable Soil Off Site & Dispose	2,277	C.Y. \$ 20.95 / C.Y. \$	47,703.15
9	Remove and Dispose Existing Culvert Headwall & Railing	1	L.S. \$ 2,575.00 / L.S. \$	2,575.00
10	Remove and Dispose 18"-24" Storm Sewer	35.0	L.F. \$ 35.05 / L.F. \$	1,226.75
11	Remove and Dispose A.C.C. Pavement	1,237	S.Y. \$ 7.52 / S.Y. \$	9,302.50
12	Remove and Dispose P.C.C. Pavement	160	S.Y. \$ 9.20 / S.Y. \$	1,472.00
13	Remove and Dispose of 4 Ft Tall Chain Link Fence	846	L.F. \$ 5.82 / L.F. \$	4,923.72
14	Remove and Dispose of Yard Hydrant & Drinking Fountain	1	EA. \$ 6,525.00 / EA. \$	6,525.00
15	Construct 24" Concrete Collar, In Place	1	EA. \$ 850.00 / EA. \$	850.00
16	Construct 18" RCP Storm Sewer w/Bedding & Couplers, In Place	0	L.F. \$ 143.25 / L.F. \$	0.00
17	Construct 24" RCP Storm Sewer w/Bedding & Couplers, In Place	42.2	L.F. \$ 150.00 / L.F. \$	6,334.50
18	Flex-A-Mat, In Place	216	S.F. \$ 16.15 / S.F. \$	3,488.40

Payment Recommendation No.4
 Thompson Creek – Central Park East
 May 6, 2022
 Page 2 of 3

19	Construct 6" PCC Trail Pavement, In Place	0	S.Y.	\$	83.50	/	S.Y.	\$	0.00
20	Construct 7" PCC Pavement, In Place	Deleted CO #1	S.Y.	\$	78.90	/	S.Y.	\$	0.00
21	Construct 54" I.D. Storm Sewer Manhole, In Place	9.8	V.F.	\$	846.00	/	V.F.	\$	8,307.72
22	Construct SAFL-Baffle, In Place	0	EA.	\$	8,285.00	/	EA.	\$	0.00
23	Construct 18" Reinforced Concrete Flared End Section w/Footing, In Place	0	EA.	\$	3,091.00	/	EA.	\$	0.00
24	Construct 24" Reinforced Concrete Flared End Section w/Footing, In Place	1	EA.	\$	3,425.00	/	EA.	\$	3,425.00
25	Construct 4' Tall, 6' Wide, Black Vinyl Coated, Chain Link Fence Gate, In Place	0	EA.	\$	1,380.00	/	EA.	\$	0.00
26	Construct 6' Tall White Vinyl Privacy Fence, In Place	0	L.F.	\$	90.25	/	L.F.	\$	0.00
27	Construct 4' Tall, Black Vinyl Coated, Chain Link Fence, In Place	0	L.F.	\$	60.35	/	L.F.	\$	0.00
28	Remove Existing Railing & Replace with 4' Tall, Black Vinyl Coated, Chain Link Fence, In Place	0	L.F.	\$	76.15	/	L.F.	\$	0.00
29	Construct Temporary Chain Link Fence, In Place	700	L.F.	\$	10.95	/	L.F.	\$	7,665.00
30	Construct PCC Weir Structure, In Place	0	L.F.	\$	294.50	/	L.F.	\$	0.00
31	Construct Armorflex 40L Creek Reinforcement, In Place	6,450	S.F.	\$	22.77	/	S.F.	\$	146,866.50
32	Wetland Soil Amendment, In Place	150	C.Y.	\$	70.35	/	C.Y.	\$	10,552.50
33	Construct Gabion Baskets w/Stone, In Place	22	C.Y.	\$	405.00	/	C.Y.	\$	8,910.00
34	Furnish & Install Tensar Bionet, C125BN	0	S.Y.	\$	3.25	/	S.Y.	\$	0.00
35	Furnish & Install Tensar Bionet, SC150BN	0	S.Y.	\$	3.10	/	S.Y.	\$	0.00
36	Install, Maintain, and Remove Stabilized Construction Entrance	0.50	EA.	\$	3,065.00	/	EA.	\$	1,532.50
37	Furnish, Install and Maintain Fabric Silt Fence, In Place	30	L.F.	\$	4.80	/	L.F.	\$	144.00
38	Remove and Dispose Fabric Silt Fence	0	L.F.	\$	0.85	/	L.F.	\$	0.00
39	Water Management, Complete	0.5	L.S.	\$	20,700.00	/	L.S.	\$	10,350.00
40	Furnish and Install K-31 Fescue Seed, w/Straw Mulch, In Place	0	AC.	\$	3,735.00	/	AC.	\$	0.00

Payment Recommendation No.4
 Thompson Creek – Central Park East
 May 6, 2022
 Page 3 of 3

41	Furnish, Install, Maintain and Remove Orange Safety Fence	1,450	L.F.	\$ 4.50	/	L.F.	\$ 6,525.00
42	Furnish & Install Prairie D Plus Seeding, In Place	0	AC.	\$ 3,450.00	/	AC.	\$ 0.00
43	Furnish & Install Low Prairie Seeding, In Place	0	AC.	\$ 5,750.00	/	AC.	\$ 0.00
CO-1.1	Increase Qty of Common Earthwork, Contract Item 6	0	C.Y.	\$ 16.74	/	C.Y.	\$ 0.00
CO-1.2	Increase Qty of Stockpile Excavation on Site, Contract Item 7	0	C.Y.	\$ 6.18	/	C.Y.	\$ 0.00
CO-1.3	Increase Qty of Remove and Dispose A.C.C. Pavement, Contract Item 11	27.0	S.Y	\$ 7.52	/	S.Y	\$ 203.04
CO-1.4	Increase Qty of 6" PCC Trail Pavement, In Place, Contract Item 19	0	S.Y	\$ 83.50	/	S.Y	\$ 0.00
CO-1.5	Furnish & Place Crushed Rock Surfacing, (1-1/2" Minus Limestone) In Lieu of 7" PCC	0	TN	\$ 39.50	/	TN	\$ 0.00
CO-1.6	Increase Qty of Armorflex 40L Creek Reinforcement, In Place, Contract Item 31	915	S.F.	\$ 22.77	/	S.F.	\$ 20,834.55
CO-1.7	Increase Qty of Prairie 3 Plus Seeding, In Place, Contract Item 42	0	AC.	\$ 3,450.00	/	AC.	\$ 0.00
CO-1.8	Furnish & Maintain Sidewalk Detour Signs	0.5	LS	\$ 745.00	/	LS	\$ 372.50
CO-1.9	Remove Additional Trees	4	EA.	\$ 300.00	/	EA.	\$ 1,200.00
TOTAL							\$ 475,180.03
LESS 10% RETAINED							\$ 47,518.00
LESS PREVIOUS PAYMENT RECOMMENDATION(S)							\$ 164,962.11
TOTAL DUE TO CONTRACTOR							\$ 262,699.92 ←

We recommend that payment in the amount of \$262,699.92 be made to Heimes Corporation.

Respectfully submitted,



Bradley P. Huyck, P.E.
 THOMPSON, DREESSEN & DORNER, INC.

OK TO PAY
 PMO 5/5/22
 16-71-0917000 - PAYMENT 001

Pay This
 Amount

cc: Heimes Corporation – Brenda Koster & Cassie Brumbaugh via email

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing
Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 5

APPLICATION DATE: 5/2/2022

PERIOD TO: 4/30/2022

ARCHITECT'S PROJECT NO: 21108

LAVISTA PARKING GARAGE

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)	
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	REINFORCING STEEL	701,000	85,000	69,742	●	154,742	● 22%	546,258	15,474
2	POST TENSION CABLE	197,000	25,000	5,000	●	30,000	● 15%	167,000	3,000
3	FOOTINGS & POURED WALLS	1,239,000		10,000	●	10,000	● 1%	1,229,000	1,000
4	CAST IN PLACE COLUMNS	233,000		5,000	●	5,000	● 2%	228,000	500
5	SLAB AND BEAM FORMWORK	1,426,000						1,426,000	0
6	CONCRETE SLABS	1,761,000						1,761,000	0
7	STRUCTURAL PRECAST	1,522,000	20,000	40,000	●	60,000	● 4%	1,462,000	6,000
8	MASONRY	39,000						39,000	0
9	STEEL MATERIAL	349,000	49,300			49,300	14%	299,700	4,930
10	STEEL & PRECAST ERECTION	199,000						199,000	0
11	ROUGH CARPENTRY	6,000						6,000	0
12	SPRAY FOAM INSULATION	6,000						6,000	0
13	TRAFFIC COATING	8,000						8,000	0
14	WATERPROOFING	65,000						65,000	0
15	WATER REPELLANTS	16,000						16,000	0
16	ROOFING & FLASHING	62,000						62,000	0
17	METAL WALL PANELS	941,000	92,800	20,000	●	112,800	● 12%	828,200	11,280
18	JOINT SEALANTS	55,000						55,000	0
19	PREFORMED JOINT SEALS	23,000						23,000	0
20	FIRESTOPPING	6,000						6,000	0
21	HOLLOW METAL FRAMES/DOORS/HARDWARE	44,000	2,000			2,000	5%	42,000	200
22	ALUMINUM & GLAZING	305,000	8,250			8,250	3%	296,750	825
23	METAL STUDS & DRYWALL	108,000						108,000	0
24	TILE & RESILIENT FLOORING	4,000						4,000	0
25	PAINT	230,000						230,000	0
26	SEALED CONCRETE	102,000						102,000	0
27	MISC. SPECIALTIES	5,000		4,561	●	4,561	● 91%	439	456
28	SIGNAGE	108,000						108,000	0
29	PARKING ACCESS/REVENUE CONTROL SYSTEM	102,000	5,000			5,000	5%	97,000	500
30	ELEVATOR	265,000	78,889	15,000	●	93,889	● 35%	171,111	9,389

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 5

APPLICATION DATE: 5/2/2022

PERIOD TO: 4/30/2022

ARCHITECT'S PROJECT NO: 21108

LAVISTA PARKING GARAGE

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
31	FIRE SPRINKLER	47,000	5,700			5,700	12%	41,300	570
32	PLUMBING & HVAC	352,000	15,000			15,000	4%	337,000	1,500
33	ELECTRICAL	861,000	15,000			15,000	2%	846,000	1,500
34	EXCAVATION & SITE DEMO	276,000	90,000	101,400	●	191,400	● 69%	84,600	19,140
35	AUGER CAST PILING	323,000	15,000	120,334	●	135,334	● 42%	187,666	13,533
36	PAVING & SIDEWALKS	100,000						100,000	0
37	PAVEMENT MARKING	14,000						14,000	0
38	LANDSCAPING & IRRIGATION	19,000						19,000	0
39	SEGMENTAL RETAINING WALL	45,000						45,000	0
40	UTILITIES	280,000	25,000	77,234	●	102,234	● 37%	177,766	10,223
41	PERFORMANCE & PAYMENT BOND	63,000	46,837			46,837	74%	16,163	4,684
42	BUILDERS RISK INSURANCE	7,000	7,000			7,000	100%		700
GRAND TOTALS		12,514,000	585,776	468,271		1,054,047	● 8%	11,459,953	105,405

Invoice


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

April 22, 2022
 Invoice No: 418195

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

Invoice Total **\$613.00**

Olsson Project # T16-05460 La Vista Community Development Agency Existing Chilis Demolition
 Additional Services

Professional services rendered March 13, 2022 through April 9, 2022 for work completed in accordance with agreement dated April 29, 2021.

Phase 200 Project Management

Billing Limits	Current	Prior	To-Date
Total Billings	0.00	664.00	664.00
Limit			750.00
Balance Remaining			86.00
		Total this Phase	0.00

Phase 300 Final Construction Documents

Billing Limits	Current	Prior	To-Date
Total Billings	0.00	5,000.00	5,000.00
Limit			5,000.00
		Total this Phase	0.00

Phase 310 Hazardous Materials Survey (Contractor)

Fee	Billing Phase	Fee	Percent Complete	Billed To Date	Previous Fee Billing	Current Fee Billing
	Hazardous Materials Survey (Contractor)	1,375.00	100.00	1,375.00	1,375.00	0.00
	Total Fee	1,375.00		1,375.00	1,375.00	0.00
			Subtotal			0.00

Project	T16-05460	La Vista Comm Dev Agency Chilis Demo	Invoice	418195
			Total this Phase	0.00
Phase	500	On-Site Construction Administration		
Billing Limits		Current	Prior	To-Date
Total Billings		0.00	285.00	285.00
Limit				1,750.00
Balance Remaining				1,465.00
			Total this Phase	0.00
Phase	540	On-Site Construction Observation		
Labor		Hours	Rate	Amount
Davelis, Jason		8.00	71.00	568.00
Totals		8.00		568.00
Total Labor				568.00
Unit Billing				
Field Vehicle 1257		60.0 Miles @ 0.75	45.00	45.00
Total Units			45.00	45.00
Billing Limits		Current	Prior	To-Date
Total Billings		613.00	1,015.00	1,628.00
Limit				6,250.00
Balance Remaining				4,622.00
			Total this Phase	\$613.00
Phase	545	Survey Post Verification		
Billing Limits		Current	Prior	To-Date
Total Billings		0.00	0.00	0.00
Limit				3,500.00
Balance Remaining				3,500.00
			Total this Phase	0.00
Phase	550	Special Inspections / Testing		

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

Project	T16-05460	La Vista Comm Dev Agency Chilis Demo	Invoice	418195
Billing Limits		Current	Prior	To-Date
Total Billings		0.00	120.00	120.00
Limit				1,500.00
Balance Remaining				1,380.00
			Total this Phase	0.00
		AMOUNT DUE THIS INVOICE		\$613.00

Email Invoice(s) to: pdowse@cityoflavista.org

Authorized By: Eric Williams

Ok to PA-1
 Pmo 5/7/22
 16.71.0910.000-CMIXXXXX

Invoice**DLRGROUP**

listen.DESIGN.deliver
 6457 Frances Street, Suite 200
 Omaha, NE 68106
 402-393-4100 Fax 402-393-8747

Pat Dowse
 Director Public Works
 City of La Vista
 Email Inv: pdowse@cityoflavista.org
 City of La Vista
 8116 Park View Boulevard
 La Vista, NE 68128-2198

May 10, 2022
 Project No: 10-17105-41
 Invoice No: 0202811

Project 10-17105-41 La Vista City Cntr Parking Structure2 CS

Billing Period: April 1, 2022 to April 30, 2022

Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	198,750.00	40.00	79,500.00	55,650.00	23,850.00
Total Fee	198,750.00		79,500.00	55,650.00	23,850.00
Total Fee					23,850.00
Billing Limits		Current	Prior	To-Date	
Expenses		0.00	42.87	42.87	
Limit				13,000.00	
Remaining				12,957.13	
Total this Invoice					\$23,850.00

Billings to Date

	Current	Prior	Total
Fee	23,850.00	55,650.00	79,500.00
Consultant	0.00	871.48	871.48
Expense	0.00	42.87	42.87
Totals	23,850.00	56,564.35	80,414.35

We appreciate your confidence in us and thank you in advance for your payment.
 Being environmentally friendly, we encourage payments via Wire Transfer.
 Routing number: 121000248 Account Number: 4945435436

Matthew Gulsvig, AIA, LEED AP

OK TO PAY
 PMD 5/11/22

15-31-0917.CCC - CMV18002

Invoice

olsson

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

April 26, 2022
 Invoice No: 418781

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

Invoice Total **\$5,900.00**

Olsson Project # 019-19500 City of La Vista Lots 13 and 14 City Center Geotechnical
 Professional services rendered through April 9, 2020 for work completed in accordance with Agreement dated March 7, 2019.

PO 20-008350

Phase 100 Geotechnical Exploration
 Fee

Billing Phase	Fee	Percent Complete	Billed To Date	Previous Fee Billing	Current Fee Billing
Geotechnical Exploration	6,490.90	100.00	6,490.90	6,490.90	0.00
Total Fee	6,490.90		6,490.90	6,490.90	0.00
		Subtotal			0.00
				Total this Phase	0.00

Phase 200 Geotechnical Exploration
 Fee

Billing Phase	Fee	Percent Complete	Billed To Date	Previous Fee Billing	Current Fee Billing
Geotechnical Exploration	5,900.00	100.00	5,900.00	0.00	5,900.00
Total Fee	5,900.00		5,900.00	0.00	5,900.00
		Subtotal			5,900.00
				Total this Phase	\$5,900.00
				AMOUNT DUE THIS INVOICE	\$5,900.00

Email invoices to: pdowse@cityoflavista.org

Authorized By: Patrick Deacon

OK TO PA 1
 PMD 5/11/22
 16.710917.00 - PAB18061



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

INVOICE

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

April 28, 2022
 Project No: 115453-20
 Invoice No: 33435

Project 115453-20 84th Street Signal Improvements

Professional Services for the Period: March 1, 2022 to March 31, 2022

Professional Personnel

	Hours	Rate	Amount
Principal I Meisinger, Mark	.50	235.00	117.50
Engineer V Denney, Adam	15.50	185.00	2,867.50
Sr Designer Moffatt, Brian	5.00	170.00	850.00
Labor	21.00		3,835.00
Total Labor			3,835.00

Contract Limits	Current	Prior	To-Date
Total Billings	3,835.00	2,652.50	6,487.50
Contract Maximum			15,675.00
Remaining Contract			9,187.50

TOTAL AMOUNT DUE \$3,835.00

Billed-To-Date Summary

	Current	Prior	Total
Labor	3,835.00	2,652.50	6,487.50
Totals	3,835.00	2,652.50	6,487.50

Project Manager Adam Denney

Ok to Pay

PMO 5/7/22

05-07-2022 - 05-07-2022

Invoice


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

April 21, 2022
Invoice No: 417866

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

Invoice Total \$2,816.25

Olsson Project # B16-05460 La Vista NE City Centre Phase 1 Public Infrastructure

Professional services rendered January 2, 2022 through April 9, 2022 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 211 Amd 10 Exhibits for Public Documents
Fee**

Billing Phase	Fee	Percent Complete	Billed To Date	Previous Fee Billing	Current Fee Billing
Amd 10 Exhibits for Public Docs	1,500.00	100.00	1,500.00	1,500.00	0.00
Total Fee	1,500.00		1,500.00	1,500.00	0.00
		Subtotal			0.00
			Total this Phase		0.00

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

Labor

	Hours	Rate	Amount
Team/Technical Leader			
Egelhoff, Anthony	2.25	185.00	416.25
Totals	2.25		416.25
Total Labor			416.25

Project	B16-05460	La Vista NE City Centre Phase 1 Public	Invoice	417866
			Total this Phase	\$416.25
<hr/>				
Phase	402	SWPPP Inspections (Including Amendment 5, 7, 11)		
Fee				
Number of Mo Insp Fees		3.00		
Fee Each		800.00		
Subtotal		2,400.00		
		Subtotal		2,400.00
			Total this Phase	\$2,400.00
Billing Limits		Current	Prior	To-Date
Total Billings		2,816.25	1,185,212.17	1,188,028.42
Limit				1,215,505.92
Balance Remaining				27,477.50
			AMOUNT DUE THIS INVOICE	\$2,816.25

Email Invoices to: pdowse@cityoflavista.org

Authorized By: Anthony Egelhoff

OK TO PAY
PMD 5/11/22
16-71-0917.000-CMDU17008



Reference Invoice Number with Payment

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

HDR Invoice No. 1200427065
Invoice Date 27-APR-2022
Invoice Amount Due \$1,833.81
Payment Terms 30 NET

Remit To PO Box 74008202
City of La Vista Chicago, IL 60674-8202
Rita Ramirez Bank of America ML US
8116 Park View Blvd ABA# 081000032
La Vista, NE 68128 Account# 355004076604

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

RRamirez@cityoflavista.org

Project Management for Services for Public Improvements and Other Works.

Purchase Order : 20-008348

Professional Services
From: 27-FEB-2022 To: 23-APR-2022

Professional Services Summarization	Hours	Billing Rate	Amount
Project Manager	7.00		1,826.79
	7.00		\$1,826.79
Total Professional Services			\$1,826.79

Expense Summarization	Quantity	Billing Rate	Amount
Mileage Personal			7.02
Total Expenses			\$7.02
Amount Due This Invoice (USD)			\$1,833.81

Fee Amount	\$670,695.00
Fee Invoiced to Date	\$522,713.82
Fee Remaining	\$147,981.18

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

05.11.0909.03
R.Ramirez
5/13/22

Invoice

HDR Invoice No. 1200427065
Invoice Date 27-APR-2022

Professional Services and Expense Detail			
Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs
Task Number:	1.0	Task Description:	Project Management
Professional Services			
Project Manager	Koenig, Christopher J	Hours	Billing Rate
		7.00	260.97
		7.00	\$1,826.79
		Total Professional Services	
			\$1,826.79
Expense			
Mileage Personal	Koenig, Christopher J	Qty	Billing Rate
		12.00	0.585
		12.00	7.02
		Total Expense	
			\$7.02
		Total Task	
			\$1,833.81

A-15
Approved to pay
BF 5/11/22
05.71.0919.000-CMDV22001



Remit To:
RDG Planning & Design
1302 Howard Street
Omaha, NE 68102

Bruce Fountain
City of La Vista
9900 Portal Road
LaVista, NE 68128

March 31, 2022
Project No: R3005.282.00
Invoice No: 50588

Project R3005.282.00 La Vista, NE - Land Use & Market Analysis

Professional Services through March 31, 2022

Fee

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Fee	40,000.00	5.00	2,000.00	0.00	2,000.00
Total Fee	40,000.00		2,000.00	0.00	2,000.00
Total Fee					2,000.00
			Total this Invoice		\$2,000.00



User: mgustafson

DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
1974(E)	04/30/2022	ACTIVE NETWORK LLC	17.01	N
1975(E)	04/30/2022	MID-AMERICAN BENEFITS INC	354.67	N
1976(E)	04/30/2022	FIRST STATE BANK	2,137.23	N
136958	05/04/2022	ALFRED BENESCH & COMPANY	1,456.00	N
136959	05/04/2022	NL & L CONCRETE	85,353.88	N
136960	05/04/2022	OMAHA PUBLIC POWER DISTRICT	15,579.71	N
136961	05/04/2022	RDG PLANNING & DESIGN	110,897.22	N
136962	05/04/2022	THOMPSON DREESSEN & DORNER, INC.	15,874.30	N
1965(E)	05/06/2022	US BANK NATIONAL ASSOCIATION	15,505.14	N
1977(E)	05/11/2022	CCAP AUTO LEASE LTD	449.00	N
1978(E)	05/11/2022	CENTURY LINK/LUMEN	166.52	N
1979(E)	05/11/2022	FH BLACK & COMPANY INCORPORATED	7,863.75	N
1980(E)	05/11/2022	GREAT PLAINS COMMUNICATION	777.60	N
1981(E)	05/11/2022	MID-AMERICAN BENEFITS INC	2,727.29	N
1982(E)	05/11/2022	NE DEPT OF REVENUE-LOTT/51	90,213.00	N
1983(E)	05/11/2022	PAYROLL MAXX	386,571.60	N
1984(E)	05/11/2022	PITNEY BOWES-EFT POSTAGE	1,388.00	N
1985(E)	05/11/2022	ROBERT HALF	7,588.13	N
1986(A)	05/12/2022	CITY OF PAPILLION - MFO	233,475.00	N
1987(A)	05/12/2022	STRATEGIC GOVERNMENT RESOURCES INC	6,311.70	N
136963	05/12/2022	NE DEPT OF MOTOR VEHICLE-94789	13.20	N
136964	05/12/2022	UNITED STATES POSTAL SERVICE	1,650.12	N
136965	05/12/2022	UNITED STATES POSTAL SERVICE	1,448.43	N
136966	05/17/2022	4 SEASONS AWARDS	56.90	N
136967	05/17/2022	A-RELIEF SERVICES INC	96.00	N
136968	05/17/2022	AA WHEEL & TRUCK SUPPLY INC	80.81	N
136969	05/17/2022	AMAZON CAPITAL SERVICES, INC.	931.66	N
136970	05/17/2022	AMERICAN LEGAL PUBLISHING CO	4,414.00	N
136971	05/17/2022	ANDERSON AUTO GROUP LINCOLN	28,970.00	N
136972	05/17/2022	ANDERSON AUTO GROUP LINCOLN	28,970.00	N
136973	05/17/2022	BACON LETTUCE CREATIVE	2,900.00	N
136974	05/17/2022	BEACON ATHLETICS LLC	200.00	N
136975	05/17/2022	BERGANKDV LLC	10,400.00	N
136976	05/17/2022	BIG RED LOCKSMITHS	90.00	N
136977	05/17/2022	BISHOP BUSINESS EQUIPMENT COMPANY	1,956.36	N
136978	05/17/2022	BIZCO, INC.	95.16	N
136979	05/17/2022	BRIAN SMILES	300.00	N
136980	05/17/2022	BUETHE, PAM	59.50	N
136981	05/17/2022	BUILDERS SUPPLY CO INC	290.00	N
136982	05/17/2022	CINTAS CORPORATION NO. 2	17.22	N
136983	05/17/2022	COMP CHOICE INC	1,368.22	N
136984	05/17/2022	CONSOLIDATED MANAGEMENT CO	314.72	N
136985	05/17/2022	COX COMMUNICATIONS, INC.	170.15	N
136986	05/17/2022	CULLIGAN OF OMAHA	80.75	N
136987	05/17/2022	CUMMINS CENTRAL POWER LLC	761.31	N
136988	05/17/2022	D & K PRODUCTS	4,218.36	N
136989	05/17/2022	DATASHIELD CORPORATION	120.00	N

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DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
136990	05/17/2022	DATASHIELD CORPORATION	60.00	N
136991	05/17/2022	DELL MARKETING L.P.	57,088.56	N
136992	05/17/2022	DEMCO INCORPORATED	359.57	N
136993	05/17/2022	ECHO GROUP INCORPORATED	445.73	N
136994	05/17/2022	ESRI INC	3,100.00	N
136995	05/17/2022	EYMAN PLUMBING INC	4,197.51	N
136996	05/17/2022	FAC PRINT & PROMO COMPANY	659.00	N
136997	05/17/2022	FASTENAL COMPANY	5.24	N
136998	05/17/2022	FIRESPRING PRINT, INC	648.04	N
136999	05/17/2022	FITZGERALD SCHORR BARMETTLER	27,820.20	N
137000	05/17/2022	FUN SERVICES	4,416.00	N
137001	05/17/2022	GALE	23.99	N
137002	05/17/2022	GRAINGER	189.64	N
137003	05/17/2022	GT DISTRIBUTORS, INC.	399.88	N
137004	05/17/2022	GUARDIAN ALLIANCE TECHNOLOGIES INC	682.00	N
137005	05/17/2022	H & H CHEVROLET LLC	756.00	N
137006	05/17/2022	HARM'S CONCRETE INC	227.50	N
137007	05/17/2022	HAYES, REBEKAH	900.00	N
137008	05/17/2022	HEIMES CORPORATION	284.02	N
137009	05/17/2022	HITOUCH BUSINESS SERVICES	207.24	N
137010	05/17/2022	HOTSY EQUIPMENT COMPANY	105.95	N
137011	05/17/2022	HY-VEE INC	65.00	N
137012	05/17/2022	INDUSTRIAL SALES COMPANY INC	14.26	N
137013	05/17/2022	INGRAM LIBRARY SERVICES	1,897.13	N
137014	05/17/2022	J & J SMALL ENGINE SERVICE	242.49	N
137015	05/17/2022	JAMES BALLARIN	1,800.00	N
137016	05/17/2022	JOCHIM PRECAST CONCRETE CO	2,500.00	N
137017	05/17/2022	JOSH HOYER	4,250.00	N
137018	05/17/2022	JUSTIN KOFOED LLC	300.00	N
137019	05/17/2022	K ELECTRIC	2,294.27	N
137020	05/17/2022	KANOPIY, INC.	100.00	N
137021	05/17/2022	KINDIG, DOUGLAS	161.08	N
137022	05/17/2022	KRIHA FLUID POWER CO INC	130.40	N
137023	05/17/2022	LARSON, CRYSTAL	120.00	N
137024	05/17/2022	LOGAN CONTRACTORS SUPPLY	808.21	N
137025	05/17/2022	LOGO LOGIX EMBROIDERY & SCREEN	47.65	N
137026	05/17/2022	LOU'S SPORTING GOODS	1,332.00	N
137027	05/17/2022	LOWE'S CREDIT SERVICES	236.49	N
137028	05/17/2022	MAINTAINX, INC	1,950.00	N
137029	05/17/2022	MATT COX (BAND)	2,100.00	N
137030	05/17/2022	MENARDS-RALSTON-CORPORATE	1,205.68	N
137031	05/17/2022	METROPOLITAN COMMUNITY COLLEGE	12,410.35	N
137032	05/17/2022	MIDWEST TAPE	25.09	N
137033	05/17/2022	MILLARD METAL SERVICES INC	55.00	N
137034	05/17/2022	MOSS ADAMS	13,073.63	N
137035	05/17/2022	MOTOROLA SOLUTIONS INC	502.04	N
137036	05/17/2022	MSC INDUSTRIAL SUPPLY CO	170.58	N

User: mgustafson

DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
137037	05/17/2022	NATIONAL LEAGUE OF CITIES	1,604.00	N
137038	05/17/2022	NDEE SWIMMING POOLS	120.00	N
137039	05/17/2022	NEBRASKA LAW ENFORCEMENT	625.00	N
137040	05/17/2022	NEBRASKA LIBRARY COMMISSION	2,093.91	N
137041	05/17/2022	NEBRASKA STATE FIRE MARSHAL	324.00	N
137042	05/17/2022	NEBRASKALAND TIRE, INC.	984.16	N
137043	05/17/2022	NICHE ACADEMY LLC	1,600.00	N
137044	05/17/2022	O'REILLY AUTO PARTS	1,431.53	N
137045	05/17/2022	OCLC INC	328.88	N
137046	05/17/2022	OFFICE DEPOT INC	116.38	N
137047	05/17/2022	OMAHA TENT COMPANY	6,451.50	N
137048	05/17/2022	OMAHA WINNELSON SUPPLY	1,039.13	N
137049	05/17/2022	OMNI ENGINEERING	298.77	N
137050	05/17/2022	ONE CALL CONCEPTS INC	328.12	N
137051	05/17/2022	PAPILLION RECREATION ORGANIZATION	1,628.00	N
137052	05/17/2022	PAPILLION SANITATION	1,620.24	N
137053	05/17/2022	PER MAR SECURITY SERVICES	137.01	N
137054	05/17/2022	READY MIXED CONCRETE COMPANY	5,082.01	N
137055	05/17/2022	REGAL AWARDS INC.	2,114.81	N
137056	05/17/2022	RESOURCE RENTAL CENTER INC	1,388.00	N
137057	05/17/2022	ROWMAN & LITTLEFIELD PUBLISHING CO	55.24	N
137058	05/17/2022	RTG BUILDING SERVICES INC	6,665.00	N
137059	05/17/2022	SCHOOL OF ROCK OMAHA	900.00	N
137060	05/17/2022	SIGN IT	399.00	N
137061	05/17/2022	SITE ONE LANDSCAPE SUPPLY LLC	37.87	N
137062	05/17/2022	SOUTHERN UNIFORM & EQUIPMENT	99.00	N
137063	05/17/2022	SOUTHERN UNIFORM AND TACTICAL, INC.	3,847.65	N
137065	05/17/2022	SUBURBAN NEWSPAPERS INC	371.47	N
137066	05/17/2022	SUN COUNTRY DISTRIBUTING LTD	97.16	N
137067	05/17/2022	THE COUNCIL OF STATE GOVERNMENTS	112.50	N
137068	05/17/2022	THE SCHEMMER ASSOCIATES INC	380.00	N
137069	05/17/2022	THE UNIVERSITY OF NEBRASKA MED CTR	1,350.00	N
137070	05/17/2022	TORNADO WASH LLC	385.00	N
137071	05/17/2022	TRANS UNION RISK AND ALT. DATA SOL.	75.00	N
137072	05/17/2022	TREMCO PRODUCTS INC	530.90	N
137073	05/17/2022	TROUT, DONNA L	2,000.00	N
137074	05/17/2022	UNITE PRIVATE NETWORKS LLC	4,400.00	N
137075	05/17/2022	UNITED PARCEL SERVICE	20.36	N
137076	05/17/2022	USBORNE BOOKS & MORE ED. SVCS.	535.51	N
137077	05/17/2022	VAL VERDE ANIMAL HOSPITAL INC	121.17	N
137078	05/17/2022	VERIZON CONNECT NWF, INC.	615.22	N
137079	05/17/2022	VERIZON WIRELESS	365.75	N
137080	05/17/2022	VR GAME TRUCK NEBRASKA	1,723.00	N
137081	05/17/2022	WESTLAKE HARDWARE INC NE-022	1,618.89	N
137082	05/17/2022	WESTLAKE HARDWARE INC NE-022	7.19	N
137083	05/17/2022	WHITE CAP LP	33.39	N
137084	05/17/2022	WOODHOUSE FORD OF OMAHA	69.79	N

5/12/2022 4:30:03 PM

ACCOUNTS PAYABLE CHECK REGISTER

Page: 4/5

User: mgustafson

DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
137085	05/17/2022	WOODHOUSE FORD-BLAIR	432.88	N
142	CHECKS PRINTED		TOTAL CLAIM AMOUNT:	\$1,281,611.43

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA**

Subject:	Type:	Submitted By:
TRANSFER OF OWNERSHIP – POLICE DOG	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared to authorize the Mayor to retire police K9 “Vinny” from the La Vista Police Department and entrust K9 “Vinny” to the care and ownership of Police Officer Mike Loyd.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

Mike Loyd has requested to take ownership of police canine “Vinny”. He will become a house dog. Mike Loyd has taken care of Vinny and will continue to do so.

A *Transfer of Ownership Agreement* (Exhibit A) is attached. The document addresses that all future costs regarding K-9 “Vinny” will be the responsibility of Mike Loyd as, with this action, we are officially transferring the ownership of “Vinny” to Mike Loyd who also agrees to accept the responsibility for all future needs, including medical, of “Vinny”. As part of the *Transfer of Ownership Agreement*, Mike Loyd will make arrangements for a private donor to purchase a replacement K-9 for the amount of \$10,000.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO RETIRE POLICE SERVICE DOG VINNY FROM THE LA VISTA POLICE DEPARTMENT AND ENTRUSTING POLICE SERVICE DOG VINNY TO THE CARE AND OWNERSHIP OF MIKE LOYD.

WHEREAS, PSD "VINNY" has rendered faithful and dedicated service to the City of La Vista; and

WHEREAS, PSD "VINNY" is retiring; and

WHEREAS, her handler, Police Officer Mike Loyd has offered to provide PSD "VINNY" a permanent retirement home and assume all of the responsibilities accompanying pet ownership;

WHEREAS, Mike Loyd has made arrangements for a private donor to purchase a replacement K9 in the amount of \$10,000.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, resolves that PSD "VINNY" be retired from active service with the La Vista Police Department; and the Mayor is authorized to enter into an agreement transferring care and custody of PSD "VINNY" to Mike Loyd. A copy of the agreement is attached hereto as Exhibit A and incorporated by this reference.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk

EXHIBIT A

**TRANSFER OF
OWNERSHIP AGREEMENT**

This is an Agreement by and between the City of La Vista (hereinafter the "City"), and Officer Mike Loyd. The parties are desirous of working out mutually agreeable arrangements for the retirement of one of the City's canine dogs, VINNY, to Officer Mike Loyd.

1. The parties hereby agree that, effective after the City Council approves this Agreement that on May 17, 2022, VINNY will be retired from service for the City.

2. As a result of the retirement, the City agrees to transfer ownership of VINNY to Officer Mike Loyd at no cost. Officer Loyd understands and agrees that the City offers no warranty as to the current or future condition or health of VINNY; Officer Loyd agrees to accept ownership of VINNY "as is" and that he is taking full responsibility for any and all costs associated with the care and maintenance of VINNY. This transfer means that all ownership and rights after May 17, 2022 belong to Officer Loyd.

3. Officer Loyd agrees that he will not put VINNY into service as a canine drug/patrol dog for any entity at any time in the future, including actual use in narcotics searches, detection or patrol functions, as well as for any training associated with narcotics searches, detection or patrol functions. Officer Loyd agrees not to sell VINNY for profit, loan VINNY out, or give him away, if the purpose of such transfer is for the purpose of VINNY engaging in narcotics detection, searches or patrol functions.

4. Officer Loyd agrees that VINNY's certification for conducting narcotics detection, searches or patrol functions will expire upon VINNY's retirement from service with the City on May 17, 2022. Officer Loyd agrees that he will not attempt to re-certify VINNY for narcotics detection, searches and patrol functions, and will not offer VINNY's services to any private or public entity, or personally use VINNY for narcotics detection or patrol functions.

5. Officer Loyd agrees to return any and all Departmental property issued for use with canine drug/patrol dogs, at the direction of the Chief of Police.

6. Officer Loyd agrees to hold the City of La Vista harmless and also agrees to file no claim of any kind, including but not limited to, a grievance, lawsuit, Fair Labor Standards Act action (state or federal), or any other claim or suit arising out of VINNY's service to the City, VINNY's retirement as a canine drug/patrol dog from the City, or Officer Loyd's claim for salary or benefits for prior maintenance and care of VINNY.

7. Officer Loyd agrees not to retrain VINNY for other police-related services (i.e., patrol, search, etc.) for the purposes of financial gain.

8. Officer Loyd agrees to provide funding for a replacement canine in the amount of \$10,000 by May 31, 2022.

9. This document is the full and complete agreement between the parties regarding this matter. The parties' signatures below constitute consent to the Agreement and transfer of ownership of VINNY to Officer Loyd.

CITY OF LA VISTA

POLICE OFFICER MIKE LOYD

Douglas Kindig, Mayor

Mike Loyd

ATTEST:

Pamela A. Buethe, MMC
City Clerk

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA

Subject:	Type:	Submitted By:
PUD SITE PLAN AMENDMENT – LOTS 23-26 SOUTHPORT WEST AND A PORTION OF LOT 1 SOUTHPORT WEST REPLAT 4	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and resolutions prepared to approve a PUD Site Plan Amendment, Southport West Replat Nine – Phase 1, to allow for the construction of a restaurant and a hotel, located on approximately 6.07 acres in Southport West.

FISCAL IMPACT

None.

RECOMMENDATION

Approval subject to completion of all requirements and conditions specified in the Planning Division Recommendation Report included with this agenda item.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by Southport West Partners LLC for a PUD Site Plan Amendment, Southport West Replat Nine – Phase 1, to allow for the construction of a restaurant and a hotel on approximately 6.07 acres currently platted as Lots 23-26 Southport West and a portion of Lot 1 Southport West Replat Four. The site is located southwest of the intersection of Giles Road and Southport Parkway, east of Cabela's.

The original PUD Site Plan for this property was approved on December 21, 2004. The property lies within the Gateway Corridor Overlay District as well as Southport West and is subject to the building design review process. The applicant will be submitting the building design for staff review after the approval of the PUD. Design review must be completed prior to the issuance of a building permit, along with completion of any other specified requirements and conditions.

The replat of the property, and related subdivision agreement, to align the lot lines with the layout within the PUD Site Plan will be presented to City Council at a later date.

A detailed staff report is attached.

The Planning Commission held a public hearing on May 5, 2022 and voted unanimously to recommend approval of the PUD Site Plan Amendment for a commercial development contingent on the satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN AMENDMENT FOR LOTS 23-26, SOUTHPORT WEST, AND LOT 1 SOUTHPORT WEST REPLAT FOUR, LOCATED IN THE SE 1/4 OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above-described property have applied for approval of a PUD Site Plan Amendment for Lots 23-26 Southport West, and Lot 1 Southport West Replat Four; and

WHEREAS, the Deputy Community Development Director and the City Engineer have reviewed the PUD Site Plan Amendment; and

WHEREAS, the La Vista Planning Commission held a public hearing on May 5, 2022, and voted unanimously to recommend approval of the PUD Site Plan Amendment; and

WHEREAS, the PUD Site Plan Amendment request is consistent with the Comprehensive Plan and the Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the PUD Site Plan Amendment presented at this meeting for Lots 23-26 Southport West, and Lot 1 Southport West Replat Four, located in the Southeast 1/4 of Section 18, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, generally located south of Southport Parkway between Giles Road and S. 125th Street, be, and hereby is, approved, subject to completion of all requirements and conditions specified in the Planning Division Recommendation Report included with this agenda item to the satisfaction of the City Administrator, City Engineer, or her or his designee.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Patricia Anderson
Deputy City Clerk



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

CASE NUMBERS: PPUD22-0002;

FOR HEARING OF: MAY 17, 2022
REPORT PREPARED ON: MAY 11, 2022

I. GENERAL INFORMATION

A. APPLICANT:

Southport West Partners, LLC
832 S. 249th Street
Waterloo, NE 68069

B. PROPERTY OWNER:

Southport West Partners, LLC
832 S. 249th Street
Waterloo, NE 68069

C. LOCATION: Southwest of the intersection of Giles Road and Southport Parkway.

D. LEGAL DESCRIPTION: Lots 23-26 Southport West, together with a portion of Lot 1 Southport West Replat Four.

E. REQUESTED ACTION(S): PUD Site Plan amendment to allow for a commercial development with shared parking.

F. EXISTING ZONING AND LAND USE: C-3 Highway Commercial/Office Park District, Gateway Corridor District (Overlay District), and Southport West PUD District (Overlay District); the properties are currently vacant.

G. PURPOSE OF REQUEST: Authorize a PUD Site Plan amendment with shared parking to allow for a commercial development.

H. SIZE OF SITE: Approximately 6.07 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The existing site is vacant ground. The property slopes gradually downward to the southeast;

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
Northwest	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Embassy Suites
Northeast	Commercial	C-3 PUD Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District);	Vacant
Southeast	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Vacant
West	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Cabela's

C. RELEVANT CASE HISTORY:

1. The PUD Plan and Ordinance for Southport West was originally approved on December 21, 2004.
2. The PUD Ordinance for Southport West was last amended on February 16, 2016.
3. Southport West Replat Four was approved on February 26, 2008.

D. APPLICABLE REGULATIONS:

1. Section 5.12 of the Zoning Regulations – C-3 Highway Commercial / Office Park District.
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development District (Overlay District).
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District).

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. Primary access to the site will be at an intersection at 125th and Portside Parkway. A second access will be added with the construction of Phase 2 to the south.
2. Applicant has provided a traffic impact study (TIS) in relation to the development of this project. The study, dated March 2022, finds that traffic is generally anticipated to operate with acceptable delay.
3. If a traffic signal is warranted at the intersection of 125th and West Giles Road, based on proposed revisions to the TIS, the signal will need to be constructed in conjunction with this project.
4. The review of the TIS also concluded that various pedestrian improvements are needed at the intersection of 125th/Westport Parkway and Southport Parkway.
5. Applicant should install all access and signage improvements as recommended in the revised Traffic Impact Study.

D. UTILITIES:

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

E. PARKING REQUIREMENTS:

1. As per the minimum parking calculations within the Zoning Ordinance, the proposed restaurant/recreational use on Lot 1 would require 303 parking stalls, for which the applicant has provided 157 stalls on-site. For the proposed hotel on Lot 2, the minimum stall requirement is calculated at 151, for which the applicant has provided 164 stalls on site.

Lot 1 is located directly across S 125th Street from City Parking Lot #1 to the west. Staff has concluded that on-site parking, combined with the flexibility provided by a cross-parking easement within the proposed PUD area, will provide sufficient parking for business activities on Lot 1, considering that City Parking Lot #1 will provide sufficient overflow parking during high periods of activity. Applicant has been informed that staff parking should occur in City Parking Lot #1 during expected high periods of activity to allow for more available on-site parking spaces.

F. LANDSCAPING:

1. The landscaping for any developments on this site will need to comply with the requirements of the Zoning Ordinance and of the Southport West Design Guidelines. The design review process for the PUD Site Plan map set needs to be substantially complete prior to City Council review.

IV. REVIEW COMMENTS:

- A. The design of the buildings and the overall site will be reviewed through the City's Architectural Design Review process and must be substantially complete prior issuance of any building permits.
- B. All primary structures in the PUD Site Plan are depicted to meet the setbacks of the underlying C-3 Highway Commercial / Office Park Zoning District.
- C. Applicant has been made aware that developments on this property will require FAA approval prior to the issuance of a building permit due to proximity of the Millard Airport.
- D. The development will be required to meet the requirements for a Post Construction Storm Water Management Plan as per City regulations.

V. STAFF RECOMMENDATION – PLANNED UNIT DEVELOPMENT SITE PLAN AMENDMENT:

Approval of the PUD Site Plan for a commercial development on proposed Lots 1-2 Southport West Replat Nine contingent upon satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VI. PLANNING COMMISSION RECOMMENDATION – PLANNED UNIT DEVELOPMENT SITE PLAN AMENDMENT:

The La Vista Planning Commission held a public hearing on May 5, 2022 and voted unanimously to recommend approval of the Planned Unit Development Site Plan amendment for a commercial development on proposed Lots 1-2 Southport West Replat Nine contingent upon satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VI. ATTACHMENTS TO REPORT:

- A. Vicinity Map
- B. Review Letters
- C. Draft PUD Site Plan map set
- D. Draft Preliminary and Final Plat map set
- E. Traffic Impact Study

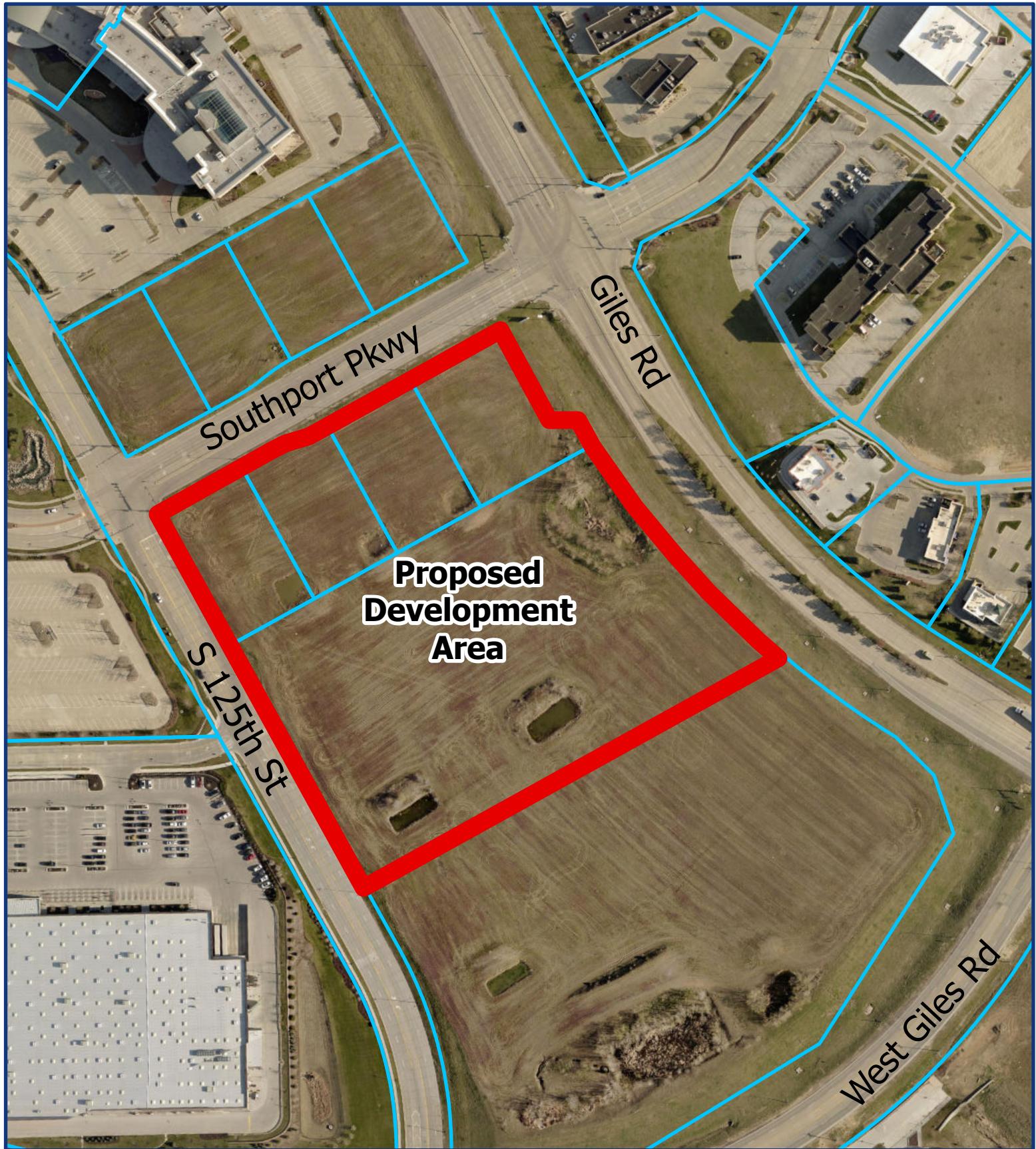
VIII. COPIES OF REPORT SENT TO:

- A. Pat Kerrigan, Southport West Partners
- B. Eric Williams, Olsson Associates
- C. Public Upon Request

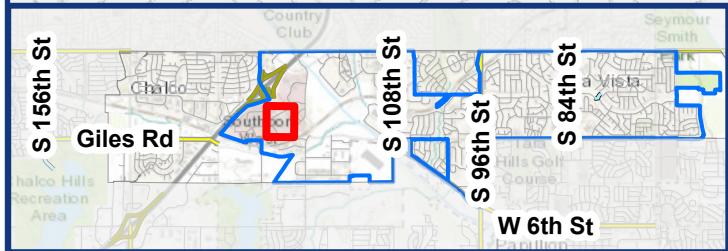

Prepared by: Deputy Community Development Director


Community Development Director


Date



Vicinity Map: Southport West Replat Nine PUD



Legend

- La Vista Parcels
- PUD Area





April 6, 2022

Eric Williams
Olsson Associates
2111 N 67th Street, STE 200
Omaha, NE 68106

RE: Planned Unit Development Amendment – Initial Review Letter
Lots 23-26 Southport West and Lot 1 Southport West Replat Four

Mr. Williams,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Zoning Ordinance, the City has the following comments:

General Comments

1. As discussed in the pre-application meeting, in an effort to push the northern two lots through the process as quickly as possible, the PUD plan set should concentrate on only the development of the northern two lots. Except for sheet C3.0, the PUD plan set should not include the site design below the southern lot line of lots 2 and 3.
2. Please revise the title of sheet C3.0 to "Conceptual PUD Phasing Plan" and change the phasing to only include lots 2 and 3 in Phase 1.

The size and location of the proposed retail building on Lot 4 blocks visibility and the visible route to the proposed fast food restaurant on Lot 1 from entrances to the property.

No trash enclosures are depicted for the restaurant on Lot 3 or the retail building on Lot 4. For all trash enclosures, please include a depiction the structure and door swing at each location.

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

Community Development
8116 Park View Blvd.
402.593.6400 P
402.593.6445 F

Library
9110 Giles Rd.
402.537.3900 P
402.537.3902 F

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

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

3. The site plan depicts an additional drive-through restaurant on lot 1. Approval of an additional drive-thru restaurant in Southport West would require an amendment to the Southport West PUD Ordinance. Staff is considering potential amendment(s) to the ordinance at this time.
4. Per Section 5.15.04.01, please provide a schedule of construction consistent with the provisions stated within this section.
5. Applicant will need to obtain approval by the FAA for this development prior to issuance of building permits due to the proximity of this development to the Millard Airport, per Section 5.15.04.01.
6. Per Section 5.15.04.03, Applicant shall provide certain assurances for any public improvements and/or joint improvements to ensure performance in case of abandonment. These assurances will be required through the subdivision agreement.
7. Regarding Section 5.15.04.04, the traffic impact analysis is currently being reviewed by the City's consultant traffic engineer. Comments, changes, and/or additional information may need to be addressed as a result of this review.
8. Per Section 5.15.04.05, the application to amend the PUD needs to be signed by at least 51% of the initial PUD property owners. Provision of signed letters of support would be acceptable.
9. Per Section 5.15.04.08, please confirm the number of parking stalls, including the distribution of ADA and ADA van parking stalls. If cross parking easements and/or shared parking within the PUD is anticipated, said easement should be submitted and reviewed as part of the PUD application. The required parking stall count for the development on Lot 3 should state 303 parking stalls. The difference between the stalls required and the stalls provided on Lot 3 should be listed as "Provided (Public Parking, Lot 2 SPW Replat One)" (matching the existing format within the table). The required parking count for Lot 4 should be 100 stalls. The requirement for general retail is 1 stall per 200 square feet, per Section 7.06 of the La Vista Zoning Ordinance.
10. Per Section 5.15.04.13, the PUD District shall include such provisions for the ownership and maintenance of common spaces as are reasonably necessary to satisfy the provisions of this section. Please submit plans for common area maintenance. Such provisions will be included in the Subdivision Agreement.

11. Sidewalk connections to buildings on lots 1, 2, and 4 need to be added for safe pedestrian connections to these developments, per Section 5.15.04.15.
12. Regarding Section 5.15.04.18, the Traffic Impact Analysis is currently being reviewed by the City's consultant traffic engineer for pedestrian connections from the PUD site to the City Parking Lot. Additional sidewalks and or pedestrian safety improvements may be required at the time the site is opened, and/or in the future following this review.
13. Confirm lighting levels and fixtures are consistent with the surrounding existing development, per Section 5.15.04.22.
14. Please reference the City of La Vista as the local agency in the draft drainage study. It currently mentions the City of Papillion.
15. Grading work will require a grading permit. Please reach out to La Vista's Chief Building Official, Jeff Sinnett, at (402) 593-6400 for information on how to obtain your grading permit prior to the start of any grading.
16. Ensure any covenants and/or ordinances pertaining to Southport West are satisfied.
17. The PUD Site Plan does not depict the locations of any proposed monument signage. Please provide proposed locations of this signage to ensure conformance with the zoning regulations.

Emergency Vehicle Access Plan

1. The Emergency Vehicle Access Plan doesn't adequately depict how the hotel on Lot 2 will be accessed.

Landscape Plan

1. Confirm all landscaping/berm requirements are being met per current PUD, unless otherwise noted within a proposed PUD amendment.
2. Expand the Area Calculations/Parking Statistics table to include information that details the linear street frontage of each lot, the number of trees required as per Section 7.17 of the Zoning Ordinance and the number of trees provided.

3. The landscaping plan is currently under review by the City's Design Review Architect. A separate design review letter will be forwarded once the initial review has been completed.

Please submit 2 full size revised copies of the PUD plans and related documents (along with electronic copies) to the City for further review. A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed.

If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,



Christopher Solberg, AICP
Deputy Community Development Director
City of La Vista
csolberg@cityoflavista.org
(402) 593-6400

CC:

Pat Kerrigan, Southport West Partners, LLC
Bruce Fountain, Community Development Director – City of La Vista
Cale Brodersen, Assistant City Planner – City of La Vista
Pat Dowse, City Engineer – City of La Vista

Comment Response: PUD Southport West -Letter dated 4/06/22

1. As discussed in the pre-application meeting, in an effort to push the northern two lots through the process as quickly as possible, the PUD plan set should concentrate on only the development of the northern two lots. Except for sheet C3.0, the PUD plan set should not include the site design below the southern lot line of lots 2 and 3.

Please revise the title of sheet C3.0 to "Conceptual PUD Phasing Plan" and change the phasing to only include lots 2 and 3 in Phase 1.

The size and location of the proposed retail building on Lot 4 blocks visibility and the visible route to the proposed fast food restaurant on Lot 1 from entrances to the property.

Response: Per discussions, the plans have been revised to reflect the design for the north 2 lots only and phasing clarification has been updated accordingly.

2. No trash enclosures are depicted for the restaurant on Lot 3 or the retail building on Lot 4. For all trash enclosures, please include a depiction the structure and door swing at each location.

Response: Trash enclosure has been added.

3. The site plan depicts an additional drive-through restaurant on lot 1. Approval of an additional drive-thru restaurant in Southport West would require an amendment to the Southport West PUD Ordinance. Staff is considering potential amendment(s) to the ordinance at this time.

Response: Understood. We have revised the phasing line also to remove this from approval review.

4. Per Section 5.15.04.01, please provide a schedule of Construction consistent with the provisions stated within this section.

Response: This will be provided by ownership.

5. Applicant will need to obtain approval by the FAA for this development prior to issuance of building permits due to the proximity of this development to the Millard Airport, per Section 5.1 5.04.01.

Response: FAA has been submitted for review and waiting for approval.

6. Per Section 5.15.04.03, Applicant shall provide certain assurances for any public improvements and/or joint improvements to ensure performance in case of abandonment. These assurances will be required through the subdivision agreement.

Response: This will be provided as necessary in the subdivision agreement.

7. Regarding Section 5.1 5.04.04, the traffic impact analysis is currently being reviewed

by the City's consultant traffic engineer. Comments, Changes, and/or additional information may need to be addressed as a result of this review.

Response: Understood

8. Per Section 5.15.04.05, the application to amend the PUD needs to be signed by at least 51 % of the initial PUD property owners. Provision of signed letters of support would be acceptable.

Response: This is in process with ownership.

9. Per Section 5.15.04.08, please confirm the number of parking stalls, including the distribution of ADA and ADA van parking stalls. If cross parking easements and/or shared parking within the PUD is anticipated, said easement should be submitted and reviewed as part of the PUD application. The required parking stall count for the development on Lot 3 should state 303 parking stalls. The difference between the stalls required and the stalls provided on Lot 3 should be listed as "Provided (Public Parking, Lot 2 SPW Replat One)" (matching the existing format within the table). The required parking count for Lot 4 should be 100 stalls. The requirement for general retail is 1 stall per 200 square feet, per Section 7.06 of the La Vista Zoning Ordinance.

Response: Parking stall and tables have been updated accordingly based on comments and modifications.

10. Per Section 5.15.04.13, the PUD District shall include such provisions for the ownership and maintenance of common spaces as are reasonably necessary to satisfy the provisions of this section. Please submit plans for common area maintenance. Such provisions will be included in the Subdivision Agreement.

Response: This is in process with ownership.

11. Sidewalk connections to buildings on lots 1, 2, and 4 need to be added for safe pedestrian connections to these developments, per Section 5.15.04.15.

Response: Sidewalk connections have been added.

12. Regarding Section 5.15.04.18, the Traffic Impact Analysis is currently being reviewed by the City's consultant traffic engineer for pedestrian connections from the PUD site to the City Parking Lot. Additional sidewalks and or pedestrian safety improvements may be required at the time the site is opened, and/or in the future following this review.

Response: Understood.

13. Confirm lighting levels and fixtures are Consistent with the surrounding existing development, per Section 5.15.04.22.

Response: Light poles have been added to the plans. Fixtures utilized will match the requirements noted in the PUD.

14. Please reference the City of La Vista as the local agency in the draft drainage study. It currently mentions the City of Papillion.

Response: This has been updated.

15. Grading work will require a grading permit. Please reach out to La Vista's Chief Building Official, Jeff Sinnott, at (402) 593-6400 for information on how to obtain your grading permit prior to the start of any grading.

Response: Understood.

16. Ensure any covenants and/or ordinances pertaining to Southport West are satisfied.

Response: These have been reviewed and confirmed.

17. The PUD Site Plan does not depict the locations of any proposed monument signage. Please provide proposed locations of this signage to ensure conformance with the zoning regulations.

Response: Future monument sign locations have been shown and will be finalized with the end users.

Emergency Vehicle Access Plan

1. The Emergency Vehicle Access Plan does not adequately depict how the hotel on Lot 2 will be accessed.

Response: This has been revised to show the path through the hotel site.

Landscaping Plan

1. Confirm all landscaping/berm requirements are being met per current PUD, unless otherwise noted within a proposed PUD amendment.

Response: These have been confirmed.

2. Expand the Area Calculations/Parking Statistics table to include information that details the linear street frontage of each lot, the number of trees required as per Section 7.17 of the Zoning Ordinance and the number of trees provided.

Response: The table has been revised as noted.

3. The landscaping plan is currently under review by the City's Design Review Architect. A separate design review letter will be forwarded once the initial review has been completed.

Response: Understood.



April 22, 2022

Eric Williams
Olsson Associates
2111 N 67th Street, STE 200
Omaha, NE 68106

RE: Planned Unit Development Amendment – 2nd Review Letter
Lots 23-26 Southport West and Lot 1 Southport West Replat Four

Mr. Williams,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Zoning Ordinance, the City has the following comments:

General Comments

1. For ease of future tracking, please rename the project from "Southport West South Lots" to "Southport West Replat Nine PUD – Phase 1" on all PUD plan set sheets.
2. Regarding Section 5.15.04.04, the traffic impact analysis is currently being reviewed by the City's consultant traffic engineer. Comments, changes, and/or additional information may need to be addressed as a result of this review.
3. Per Section 5.15.04.08, a cross-parking easement needs to be added to the Final Plat.
4. Regarding Section 5.15.04.18, the Traffic Impact Analysis is currently being reviewed by the City's consultant traffic engineer for pedestrian connections from the PUD site to the City Parking Lot. Additional sidewalks and or pedestrian safety improvements may be required at the time the site is opened, and/or in the future following this review.

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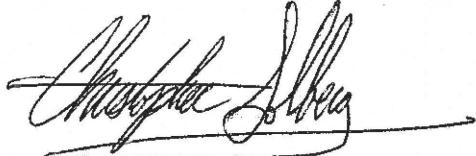
Landscaping Plan

1. The landscaping plan is currently under review by the City's Design Review Architect. A separate design review letter will be forwarded once the initial review has been completed. As a reminder, the building design for each building must be approved through the City's design review process prior to submitting applications for building permits. Applications and building material samples will need to be submitted in addition to the elevations to begin review.

We have published the legal ad for your application to be reviewed by the Planning Commission on May 5th, 2022 at La Vista City Hall (8116 Park View Blvd, La Vista, NE 68128) at 6:30pm. For this item to move forward at this May 5th Planning Commission meeting, please submit a revised PUD plan set to incorporate the changes mentioned in the comments above by close-of-business Tuesday, April 26th for packet preparation. Assuming that deadline is met, please have a representative in attendance at the May 5th Planning Commission meeting to introduce your request and answer any questions that the Planning Commission might have.

If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,



Christopher Solberg, AICP
Deputy Community Development Director
City of La Vista
csolberg@cityoflavista.org
(402) 593-6400

cc:

Pat Kerrigan, Southport West Partners, LLC
Bruce Fountain, Community Development Director – City of La Vista
Cale Brodersen, Assistant City Planner – City of La Vista
Pat Dowse, City Engineer – City of La Vista



Comment Response: PUD Southport West -Letter dated 4/22/22

1. For ease of future tracking, please rename the project from "Southport West South Lots" to "Southport West Plat Nine PUD — Phase 1" on all PUD plan set sheets

Response: Sheets have been updated as noted.

2. Regarding Section 5.15.04.04, the traffic impact analysis is currently being reviewed by the City's consultant traffic engineer. Comments, changes, and/or additional information may need to be addressed as a result of this review

Response: Understood

3. Per Section 5.15.04.08, a cross-parking easement needs to be added to the Final Plat

Response: Per discussions, a note will be added to the Preliminary and Final Plat regarding cross parking for the lots.

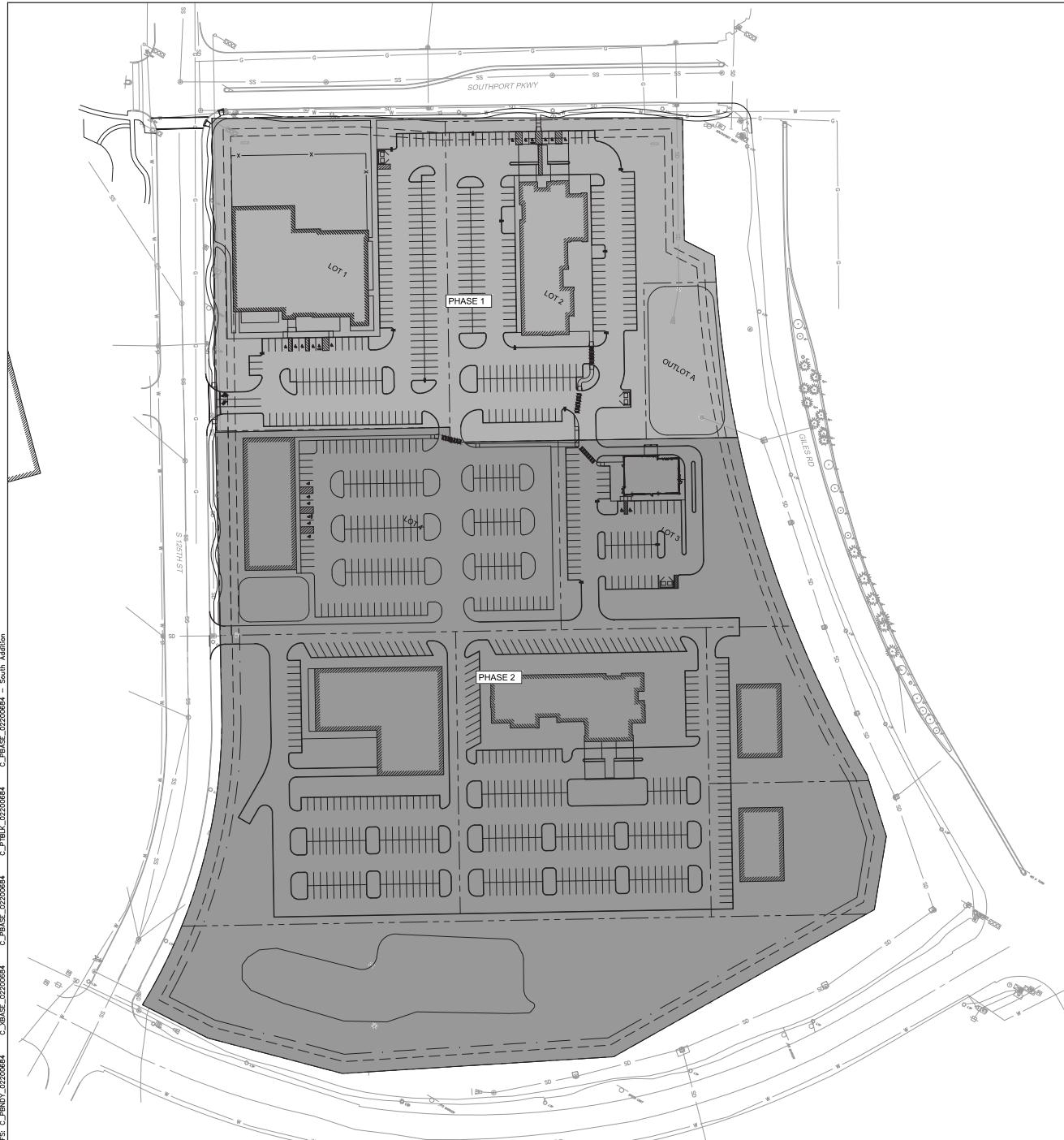
4. Regarding Section 5.15.04.18, the Traffic Impact Analysis is Currently being reviewed by the City's consultant traffic engineer for pedestrian connections from the PUD site to the City Parking Lot. Additional sidewalks and or pedestrian safety improvements may be required at the time the site is opened, and/or in the future following this review.

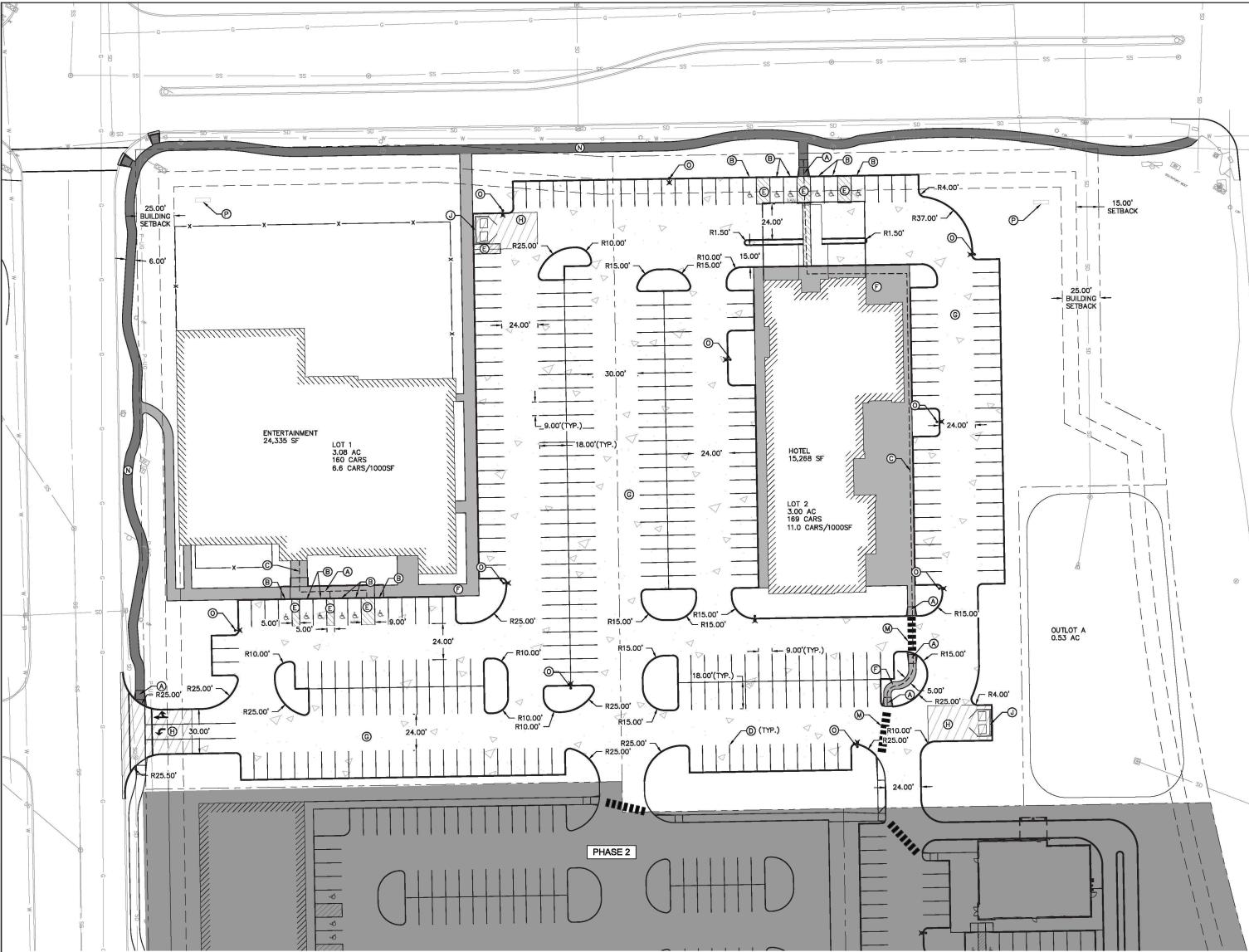
Response: Understood.

Landscaping Plan

1. The landscaping plan is Currently under review by the City's Design Review Architect. A separate design review letter will be forwarded once the initial review has been completed. As a reminder, the building design for each building must be approved through the City's design review process prior to submitting applications for building permits. Applications and building material samples will need to be submitted in addition to the elevations to begin review.

Response: Understood. We will work with the developments to move this forward.





SITE KEY NOTES

④ CONSTRUCT CURB RAMPS PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET AND CITY OF OMAHA STANDARD PLATE 500-3.

⑥ INSTALL ADA PARKING STALL AND ASSOCIATED STRIPING AND SIGNAGE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET.

⑦ PROPOSED ADA ACCESSIBLE ROUTE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS.

⑧ INSTALL 4-INCH WHITE PAINTING STRIPING. PAINT SHALL MEET OR EXCEED CITY OF OMAHA STANDARD SPECIFICATION (TYP.)

⑨ INSTALL 4-INCH WHITE PAINTING STRIPING AT 45°. 2-FEET O.C. PAINT SHALL MEET OR EXCEED CITY OF OMAHA STANDARD SPECIFICATIONS (TYP.)

⑩ CONSTRUCT 4-INCH THICK P.C.C. SIDEWALK. REFERENCE DETAIL SHEET AND CITY OF OMAHA STANDARD PLATE 500-3.

⑪ CONSTRUCT 6-INCH THICK STANDARD DUTY P.C.C. CONCRETE PAVEMENT. REFERENCE DETAIL SHEET.

⑫ CONSTRUCT 6-INCH THICK STANDARD DUTY P.C.C. CONCRETE PAVEMENT. REFERENCE DETAIL SHEET.

⑬ CONSTRUCT 6-INCH THICK STANDARD DUTY P.C.C. CONCRETE PAVEMENT. REFERENCE DETAIL SHEET.

⑭ CONSTRUCT TYPE "A" INTEGRAL CURB AND GUTTER PER CITY OF OMAHA STANDARD PLATE 500-01.

⑮ TRASH ENCLOSURE. REFERENCE ARCHITECTURAL PLANS. CONSTRUCT HEAVY DUTY METAL PAVEMENT APRON AS SHOWN ON PLAN.

⑯ INSTALL STOP SIGN PER MUTCD STANDARDS AND PER CITY OF OMAHA STANDARD PLATE 906-03 AND 906-04. REFERENCE DETAIL SHEET.

⑰ STRUCTURAL STOOL AND DOOR. REFERENCE ARCHITECTURAL PLANS FOR EXACT LOCATION, SIZE, AND SLOPE.

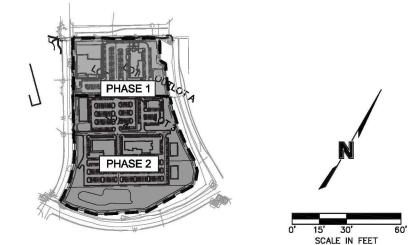
⑱ INSTALL 24-INCH WIDE CROSSWALK PAINTING STRIPING. REFERENCE DETAIL SHEET. PAINT SHALL MEET OR EXCEED CITY OF OMAHA STANDARD SPECIFICATIONS (TYP.)

⑲ CONSTRUCT 6-INCH THICK STANDARD DUTY P.C.C SIDEWALK IN PUBLIC R.O.W. 5' WIDE AND SPACED 6.5' OFF BACK OF CURB OF PUBLIC STREET (UNLESS OTHERWISE NOTED ON PLANS).

⑳ LIGHT POLE AND BASE. REFERENCE SITE LIGHTING PLAN.

㉑ PROPOSED MONUMENT SIGN. REFERENCE ARCHITECTURAL PLANS. SEPARATE SIGNAGE PERMIT IS REQUIRED.

SITE INFORMATION TABLE	
LEGAL DESCRIPTION:	SOUTHPORT LOTS 1, 2, 3, 4, OUTLOT A
EXISTING ZONING:	C-3 PUD WITH A GATEWAY CORRIDOR OVERLAY
PROPOSED ZONING:	C-3 PUD WITH A GATEWAY CORRIDOR OVERLAY
SETBACKS:	
FRONT YARD:	25'-0"
FRONT YARD: (PARKING PRESENT IN FRONT YARD)	50'-0"
SIDE YARD:	15'-0"
REAR YARD:	15'-0"
BUILDING COVERAGE:	13%
IMPERVIOUS COVERAGE:	62%
PARKING REQUIREMENTS:	
REQUIRED: (LOT 1)	300 STALLS
PROVIDED: (LOT 1)	ON-SITE PARKING: 160 STALLS (6.6 CARS PER 1,000 SF) & PUBLIC PARKING: (LOT 2 SPW REPLAT ONE)
REQUIRED: (LOT 2)	151 STALLS (1 PER RENTAL UNIT; 151 UNITS; MAX 8 FLOORS; REQUIRES 151 STALLS)
PROVIDED: (LOT 2)	ON-SITE PARKING: 169 STALLS (11.0 CARS PER 1,000 SF)
TOTAL REQUIRED:	451 STALLS
TOTAL PROVIDED:	328 STALLS
ACCESSIBLE PARKING:	
REQUIRED: (LOT 1)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
PROVIDED: (LOT 1)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
REQUIRED: (LOT 2)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
PROVIDED: (LOT 2)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
REQUIRED:	12 (INCLUDING 2 VAN ACCESSIBLE STALLS)
PROVIDED:	12 (INCLUDING 2 VAN ACCESSIBLE STALLS)



PHASING MAP

2111 South 87th Street, Suite 200

2111 South 67th Street, Suite 200
Omaha, NE 68106
TEL 402.341.1116
www.olsen.com

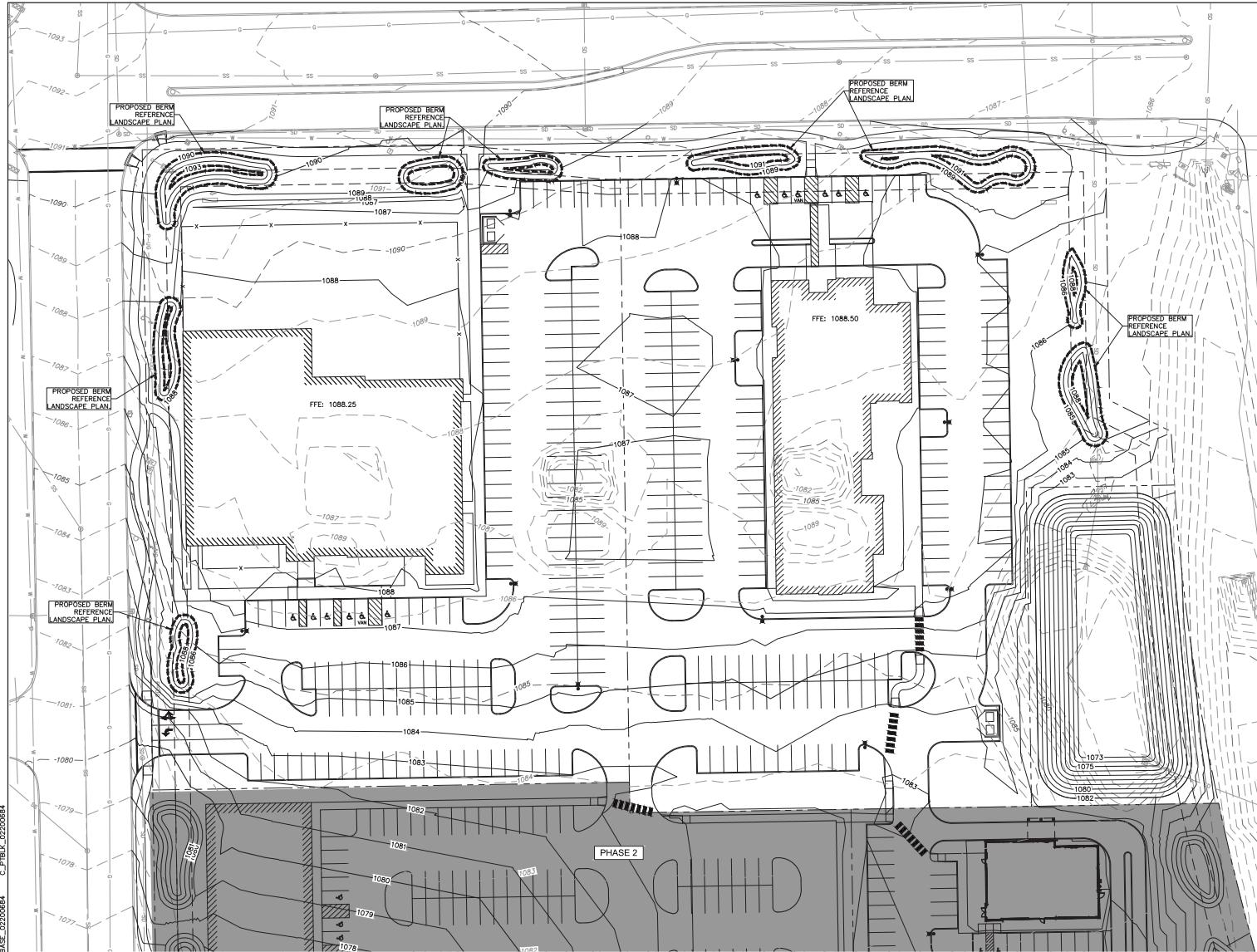
104

WEST REPLAT NINE PUD
SITE PLAN
PUD PLANS

**SITE PLAN
PUD PLANS**

drawn by: K
checked by: E
approved by: _____
QAQC by: _____
project no.: 022-0081
drawing no.: 03.21.2003
date: 03.21.2003

SHEET
C4.1



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REFS: C:\REFS\20200644
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LEGEND

— 10XX —	EXISTING MAJOR CONTOUR
— 10XX —	EXISTING MINOR CONTOUR
— 10XX —	PROPOSED MAJOR CONTOUR
— 10XX —	PROPOSED MINOR CONTOUR

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Omaha, NE 68106
TEL: 402.341.1166
www.ossom.com

ossom

GRADING INFORMATION TABLE		
AREA	CONTOURS REPRESENT	CONTRACTOR TO GRADE TO
STREETS/INTERNAL DRIVES	FINISHED GROUND (TOP OF SLAB)	SUBGRADE (REF. SITE PLANS FOR PAVEMENT THICKNESS)
PARKING LOT PAVED AREAS	FINISHED GROUND (TOP OF SLAB)	SUBGRADE (REF. SITE PLANS FOR PAVEMENT THICKNESS)
BUILDING AREAS	FINISHED GROUND (FINISHED FLOOR ELEV.)	SUBGRADE (REF. ARCHITECTURAL PLANS FOR FLOOR SLAB AND SUBBASE THICKNESS)
ALL OTHER NON-PAVED/ NON-BUILDING AREAS	FINISHED GROUND	6" BELOW CONTOURS (FOR TOPSOIL)*

* NOTE: AFTER COMPLETION AND APPROVAL OF MASS GRADING BY ENGINEER, ENTIRE SITE SHALL RECEIVE 6" MIN. OF TOPSOIL FOR FINAL SEEDING AND STABILIZATION.

NOTES

1. CONTOURS REPRESENT TOP OF SLAB ELEVATION IN PAVED AREAS AND FINISHED GRADE ELEVATION IN NON-PAVED AREAS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING AND GARAGE PAD AREAS AND PAVEMENTS.
3. REFERENCE THE GRADING INFORMATION TABLE FOR CONTRACTOR TO GRADE TO.
4. REFERENCE THE FILL PLACEMENT / COMPACTION REQUIREMENTS TABLE FOR MINIMUM SUBGRADE PREPARATION REQUIREMENTS FOR VARIOUS AREAS OF THE PROPERTY.
5. CONTOURS ARE SHOWN AT 1' INTERVALS FOR BOTH EXISTING AND PROPOSED.
6. DEVELOPMENT OF NEW LOTS CREATING MORE THAN 5,000 SQUARE FEET OF IMPERVIOUS SURFACE FOR THE PURPOSES OF VEHICULAR TRAVEL AND PARKING SHALL PRODUCE A STORM WATER MANAGEMENT FACILITY FOR WATER QUALITY AS REQUIRED BY SECTION 154.19 OF THE LA VISTA MUNICIPAL CODE AND SHALL BE DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OMAHA REGIONAL STORM WATER DESIGN MANUAL. SUCH WATER QUALITY FACILITIES SHALL BE MAINTAINED BY BROWNSFIELD OWNERSHIP. THE REQUIREMENT FOR THE 2-YEAR STORM RUNOFF PEAK FLOWS WILL BE PROVIDED BY THE CITY OWNED FACILITIES.

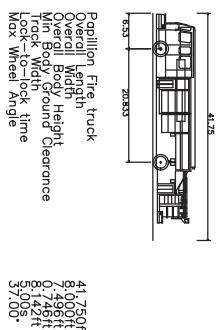
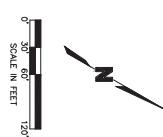
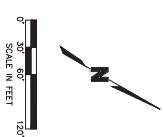
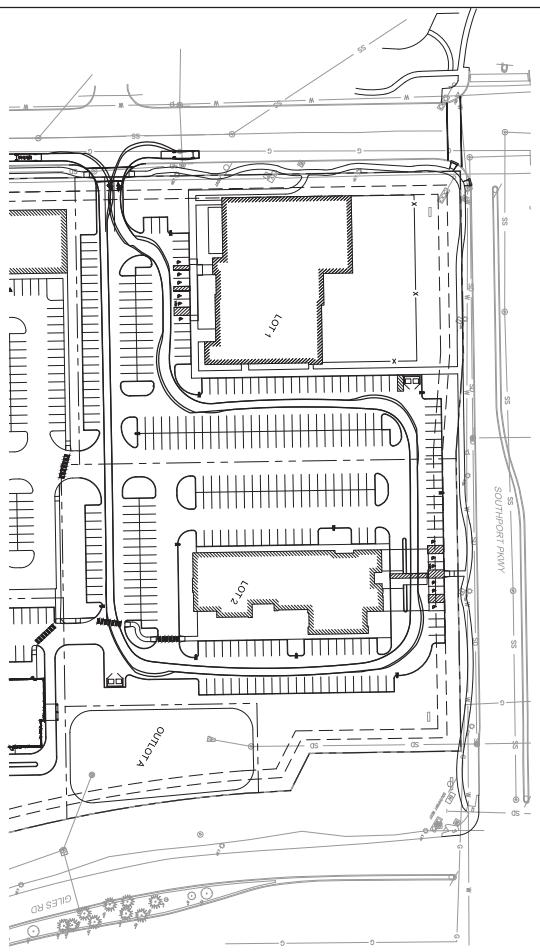
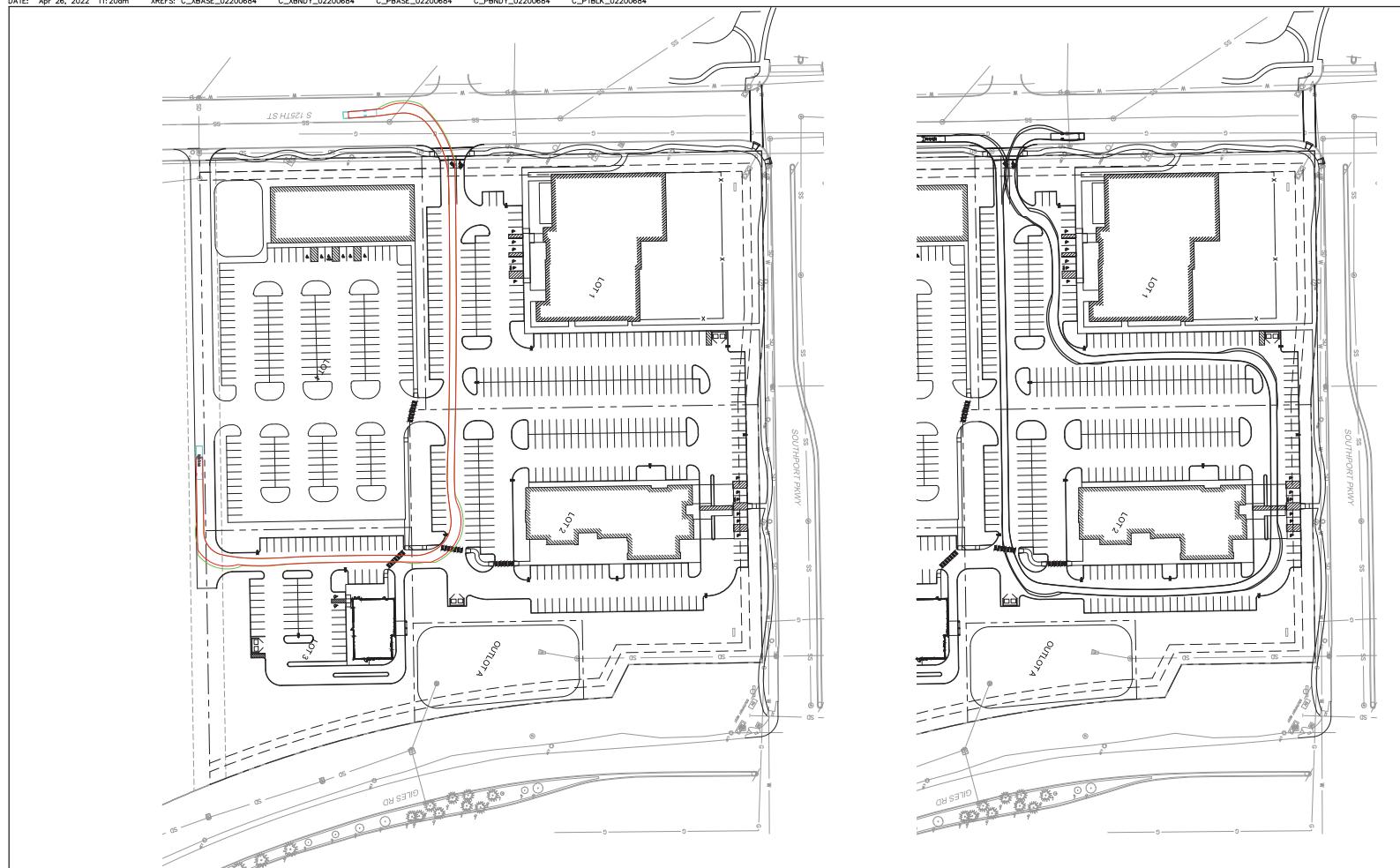
REV.	DATE	REVISIONS DESCRIPTION
NO.		

GRADING PLAN PUD PLANS		SOUTHPORT WEST REPLAT NINE PUD PHASE 1		LA VISTA, NE
2022				
REVISIONS				
REV.				
NO.				

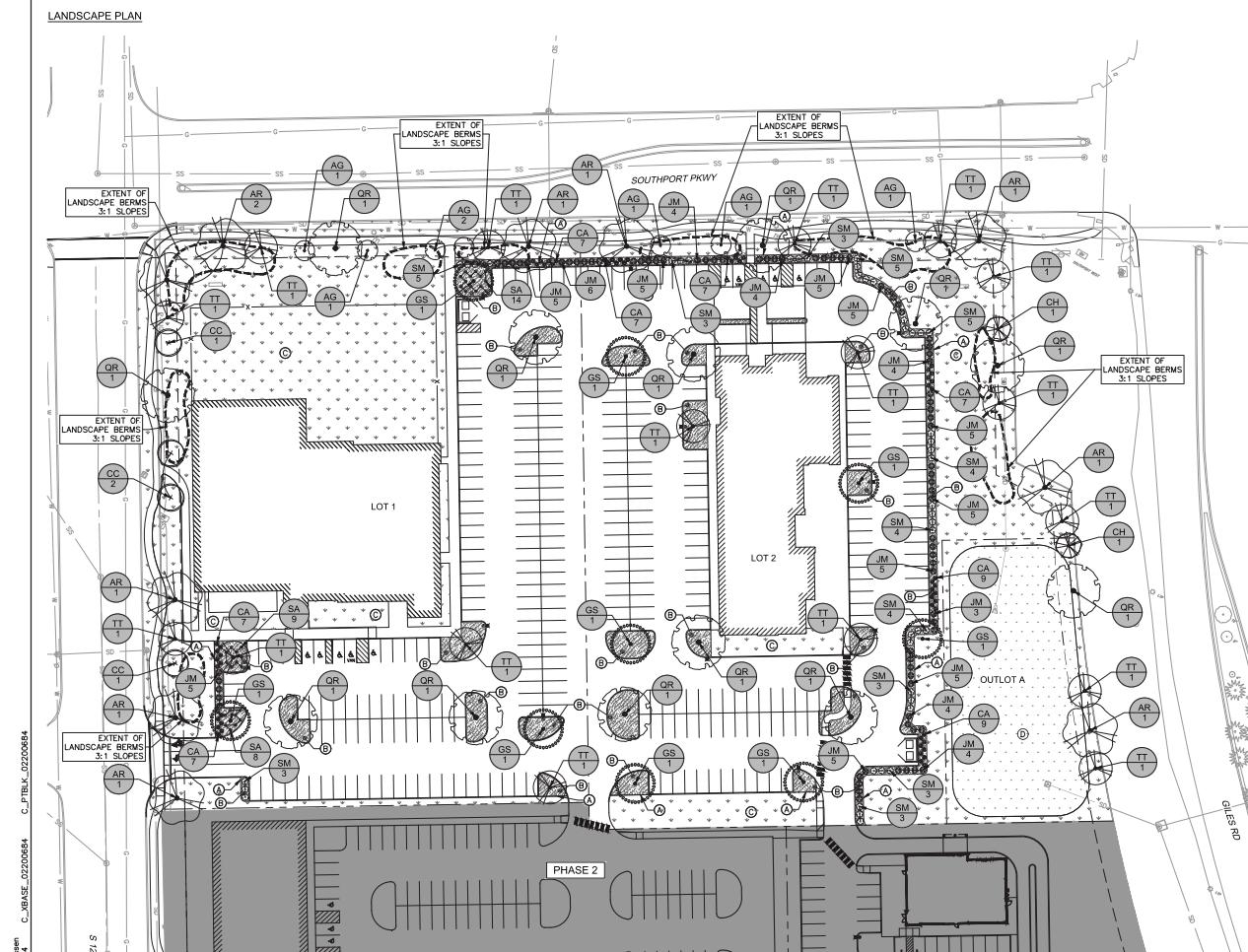


0' 15' 30' 60'
SCALE IN FEET

checked by: *[Signature]* *[Signature]*
GARDEN
project no.: 02200644
drawing no.: 02200644
date: 03.21.22
SHEET
C5.0



SHEET	LA VISTA, NE	EMERGENCY VEHICLE ACCESS PLAN PUD PLANS			REVISIONS	olsson
		REV. NO.	DATE	REVISIONS DESCRIPTION		
	SOUTHPORT WEST REPLAT NINE PUD PHASE 1					2111 South 67th Street, Suite 200 Omaha, NE 68106 TEL: 402.341.1116 www.olsson.com



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DATE: Aug 26, 2022 11:21pm
REFS: C:\\Jenby\\2022\\00684
C:\\PLSCP\\D220684
C:\\XBASE\\0220684
C:\\PTBLK\\0220684

PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL/HT	CONTAINER	PLNT. HT.	M. HT.	M. SPR.
	AR	10	ACER RUBRUM 'RED SUNSET' RED SUNSET MAPLE	2" CAL	B&B	6'	35'	50'
	GS	9	GLEIDITIS TRIACANTHOS INERMIS 'SHADEMASTER' SHADEMASTER HONEY LOCUST	2" CAL	B&B	6'	50'	35'
	GR	13	QUERUS RUBRA RED OAK	2" CAL	B&B	6'	60'	50'
	TT	17	TILA TOMENTOSA SILVER LINDEN	2" CAL	B&B	6'	50'	30'
ORNAMENTAL TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL/HT	CONTAINER	PLNT. HT.	M. HT.	M. SPR.
	AG	7	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' AUTUMN BRILLIANCE APPLE SERVICEBERRY	1.5" CAL	B&B	6'	20'	15'
	CC	4	CERCIS CANADENSIS EASTERN REBIDUB	1.5" CAL	B&B	6'	25'	20'
	CH	2	CRATAEGUS CRUS-GALLI COCKSPUR HAWTHORN	1.5" CAL	B&B	6'	25'	20'
DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.	M.SPR.	PLNT.HT.	
	SM	45	SYRINGA MEYERI KOREAN LILAC	3 GAL	5'	5'	2'	
EVERGREEN SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.	M.SPR.	PLNT.HT.	
	JM	79	JUNIPERUS CHINENSIS 'MANEY' MANEY JUNIPER	3 GAL	4'	5'	2'	
ORNAMENTAL GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.	M.SPR.	PLNT.HT.	
	CA	58	CALAMAGROSTIS X ACUTIFLORA FEATHER REED GRASS	1 GAL	3'	3'	10"	
	SA	31	SEDUM X 'AUTUMN JOY' AUTUMN JOY SEDUM	1 GAL	2'	2'	12"	
INERTS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.			
		11,803 SF	MULCH MULCH SHREDDED HARD WOOD WOOD MULCH	---				
SOD / SEED	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.			
		89,013 SF	TURF SOD DROUGHT TOLERANT TURF-TYPE FESCUE	SEED				

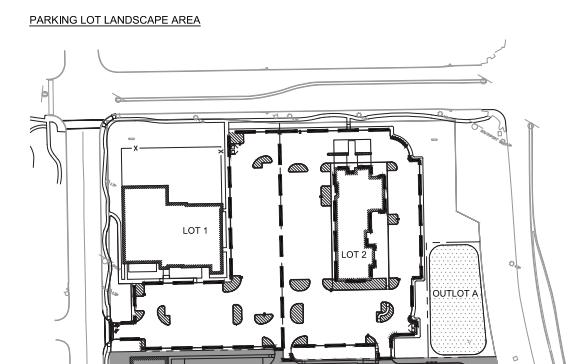
olsson
2115 South 67th Street, Suite 200
Olathe, KS 66061
www.olsson.com
TEL: 402.341.1166

REVISIONS	REVISIONS DESCRIPTION

**LANDSCAPE PLAN
PUD PLANS**
SOUTHPORT WEST PLAT NINE PUD
PHASE 1

REV. NO.	DATE
	2022

checked by: *[Signature]*
GARDEN: *[Signature]*
project no.: 0220684
drawing no.: 0220684
date: 03.21.22



AREA CALCULATIONS/PARKING STATISTICS				
	LOT 1	LOT 2	OUTLOT A	TOTAL
PARKING LOT AREA	59,447	82,560	NA	142,007
PARKING LOT LANDSCAPE	4,209	6,919	NA	11,128
	7.08%	8.38%	NA	7.84%
LINEAR STREET FRONTAGE	742	571	213	1,526
TREES REQUIRED (1 / 40 LF)	18.6	14.3	5.3	38.2
TREES PROVIDED	19	14	5	38

LAVISTA, NE
checked by: *[Signature]*
GARDEN: *[Signature]*
project no.: 0220684
drawing no.: 0220684
date: 03.21.22

SHEET L1.0

SOUTHPORT WEST REPLAT NINE

LOTS 23-26 OF SOUTHPORT WEST
LOT 1, OF SOUTHPORT WEST REPLAT 4
LA VISTA, SARPY COUNTY, NEBRASKA

LEGEND

FOUND 5/8" REBAR (UNLESS OTHERWISE NOTED)
SET IN REBAR W/CAP L.S. 607
MEASURED PROPERTY
PLATTED DISTANCE
BOUNDARY LINE
PARKING PROPERTY LINE
EXISTING PROPERTY LINE
EXISTING EASEMENT LINE
EXISTING EASEMENT
TO BE PLATED
EXISTING LANDSCAPE SETBACK
EXISTING STORM SEWER EASEMENT
EXISTING UTILITY EASEMENT

EXISTING ZONING		
ZONING	DESC.	
LOTS 1, 23, 24, 25, & 26	C-3	COMMERCIAL

PROPOSED ZONING		
ZONING	DESC.	
LOTS 1 THRU 4 & OUTLOT A	C-3	COMMERCIAL

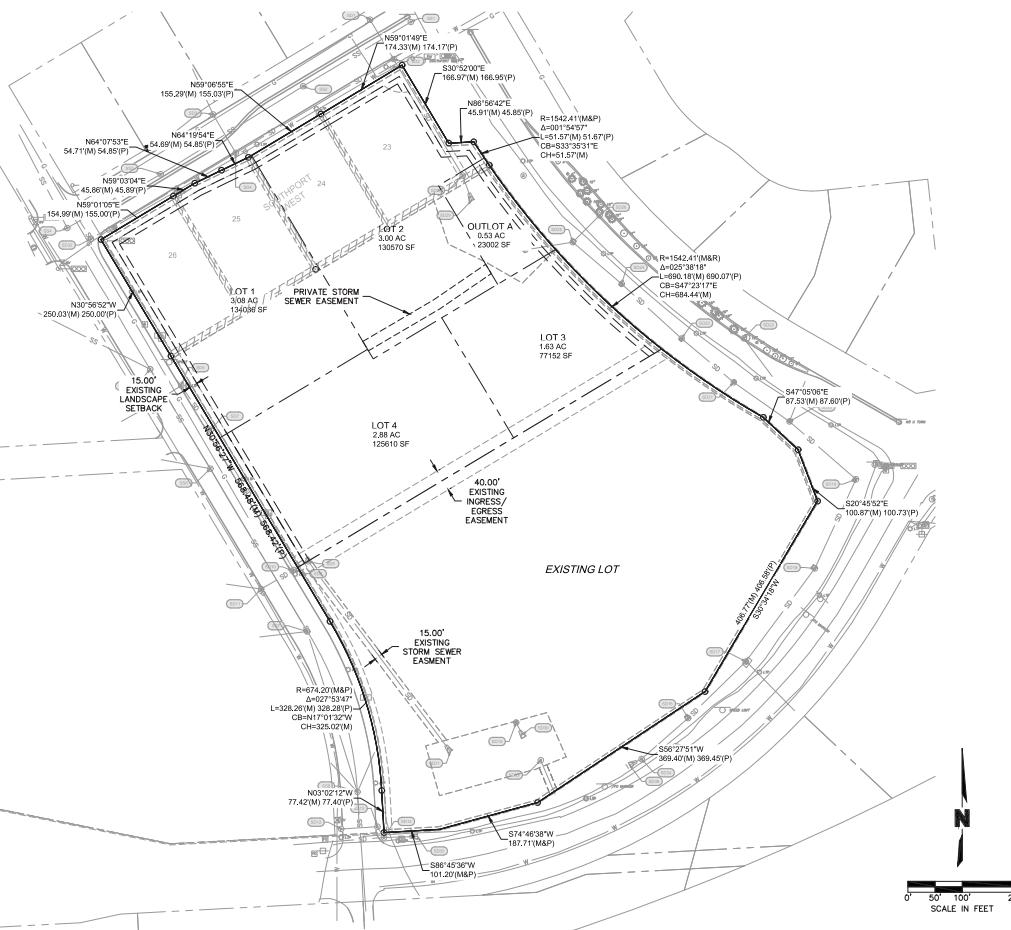
DEVELOPER: PAT KERIGAN
SURVEYOR: TERRY ROTHANZL, L.S.
ENGINEER: ERIC WILLIAMS
SOUTHPORT WEST PARTNERS, LLC
OLSSON
2111 S. 67TH STREET
SOUTHPORT
WATERLOO, NE 68069
SOUTHPORT
OMAHA, NE 68106

SURVEY CERTIFICATION

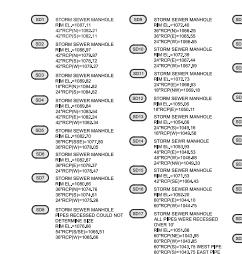
TERRY ROTHANZL, L.S.

CITY OF LA VISTA PLAT APPROVAL

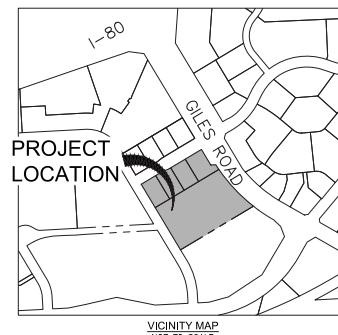
NOTES:
1. PERMANENT RECIPROCAL PARKING ACCESS IS
ALLOWED OVER AND ACROSS LOTS 1 THRU 4
AND OUTLOT A.



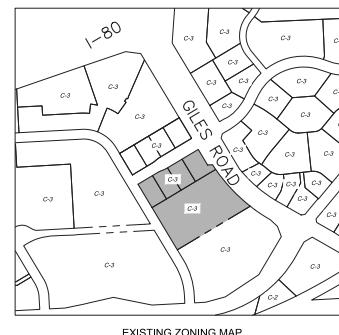
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PHASING MAP



VICINITY MAP
NOT TO SCALE



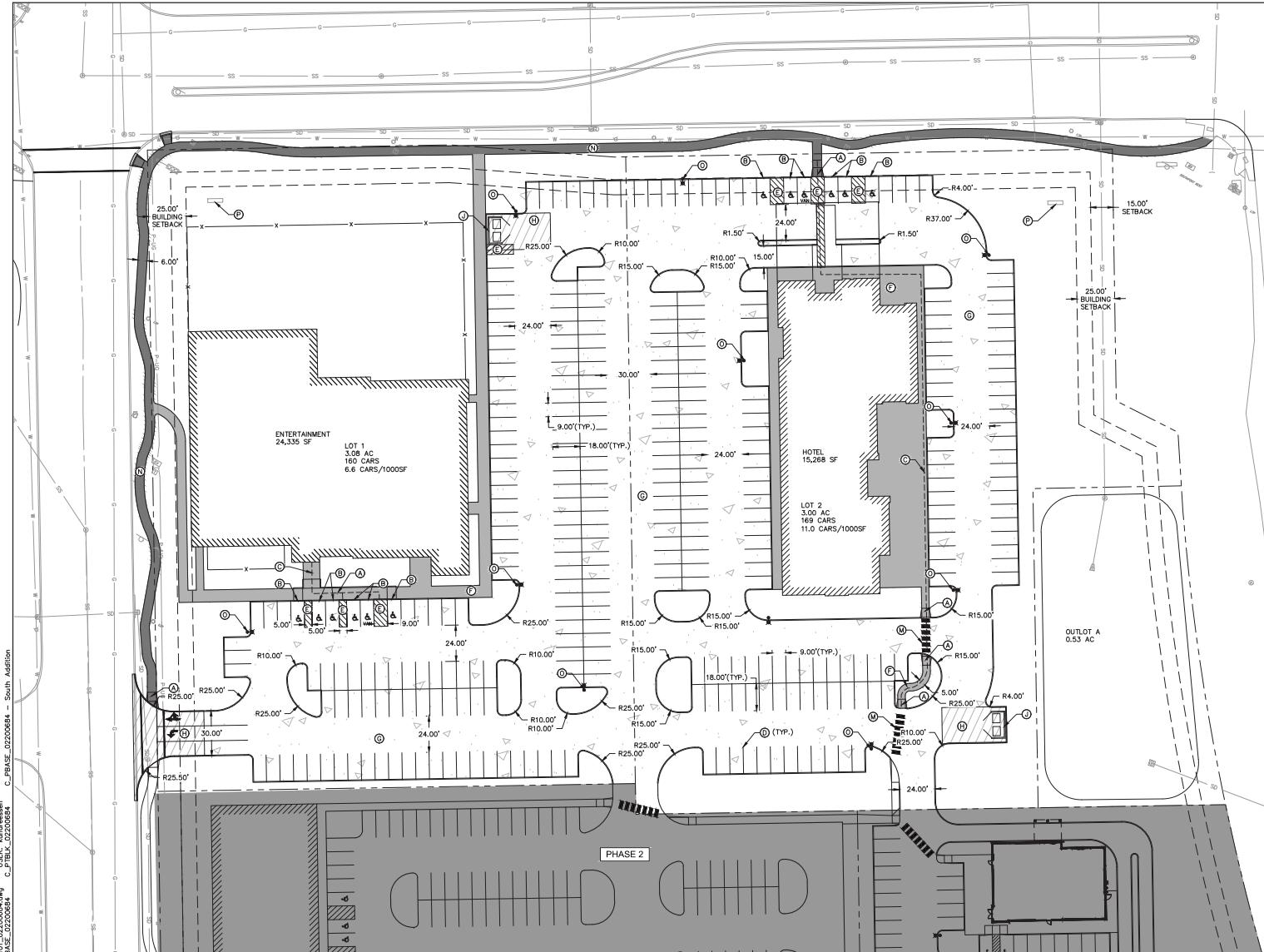
EXISTING ZONING MAP
NOT TO SCALE

PRELIMINARY PLAT
PRELIMINARY PLAT SUBMITTAL
SOUTHPORT WEST REPLAT NINE
PHASE 1
LA VISTA, NE

REVISIONS
REVISIONS DESCRIPTION
REV. NO.
DATE

2022

olsson
2115 South 67th Street, Suite 200
Omaha, NE 68106
www.olsson.com
TEL: 402.341.1166
FAX: 402.341.1166



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DATE: Aug 26, 2022 11:32am SHEET: 0220084-01200\\022-2022084.dwg

TIME: 11:32am C:\\JBASE.0220084 C:\\JFbase.0220084 C:\\JFBASE.0220084

SITE KEY NOTES	
⑥	CONSTRUCT CURB RAMP PER ADA REGULATIONS AND LOCAL REQUIREMENTS. REFERENCE DETAIL SHEET AND CITY OF OMAHA STANDARD PLATE 503-01.
⑥	INSTALL ADA PARKING STALL AND ASSOCIATED STRIPING AND SIGNAGE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET.
⑥	PROPOSED ADA ACCESSIBLE ROUTE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS.
⑥	INSTALL 4-INCH WHITE PAVEMENT STRIPING. PAINT SHALL NOT EXCEED CITY OF OMAHA STANDARD SPECIFICATIONS (TPR.)
⑥	INSTALL 4-INCH WHITE PAVEMENT STRIPING AT 45°, 2-FEET O.C. PAINT SHALL MEET OR EXCEED CITY OF OMAHA STANDARD SPECIFICATIONS (TPR.)
⑥	CONSTRUCT 6-INCH THICK STANDARD DUTY P.C. SIDEWALK. REFERENCE DETAIL SHEET AND CITY OF OMAHA STANDARD PLATE 503-01.
⑥	CONSTRUCT 6-INCH THICK STANDARD DUTY P.C. CONCRETE DRIVE. REFERENCE DETAIL SHEET.
⑥	CONSTRUCT 6-INCH DRIVE ENTRANCE APRON HEAVY DUTY P.C. CONCRETE PAVEMENT. REFERENCE DETAIL SHEET.
⑥	CONSTRUCT TYPE 'A' INTEGRAL CURB AND GUTTER PER CITY OF OMAHA STANDARD PLATE 503-01.
⑥	TRASH ENCLOSURE. REFERENCE ARCHITECTURAL PLANS. CONSTRUCT HEAVY DUTY PAVEMENT APRON AS SHOWN ON ARCHITECTURAL PLANS.
⑥	INSTALL STOP SIGN PER MUTCD STANDARDS AND PER CITY OF OMAHA STANDARD PLATES 906-03 AND 906-04. REFERENCE DETAIL SHEET.
⑥	CONSTRUCT 6-INCH THICK STANDARD DUTY P.C. SIDEWALK IN PUBLIC R.O.W. 5' WIDE AND SPACED 6.5' OFF BACK OF CURB OF PUBLIC STREET UNLESS OTHERWISE NOTED ON PLANS.
⑥	LIGHT POLE AND BASE. REFERENCE SITE LIGHTING PLAN.
⑥	PROPOSED MONUMENT SIGN. REFERENCE ARCHITECTURAL PLANS. SEPARATE SIGNAGE PERMIT IS REQUIRED.

SITE INFORMATION TABLE	
LEGAL DESCRIPTION:	SOUTHPORT LOTS 1, 2, 3, 4, OUTLOT A
EXISTING ZONING:	C-3 PUD WITH A GATEWAY CORRIDOR OVERLAY
PROPOSED ZONING:	C-3 PUD WITH A GATEWAY CORRIDOR OVERLAY
SETBACKS:	
FRONT YARD:	25'-0"
FRONT YARD: (PARKING PRESENT IN FRONT YARD)	50'-0"
SIDE YARD:	15'-0"
REAR YARD:	15'-0"
BUILDING COVERAGE:	13%
IMPERVIOUS COVERAGE:	62%
PARKING REQUIREMENTS:	
REQUIRED: (LOT 1)	300 STALLS
PROVIDED: (LOT 1)	ON-SITE PARKING: 160 STALLS (6.6 CARS PER 1,000 SF) & PUBLIC PARKING: (LOT 2 SFW REPLAT ONE)
REQUIRED: (LOT 2)	151 STALLS (1 PER RENTAL UNIT: 151 UNITS MAX 6 FLOORS. REQUIRES 151 STALLS)
PROVIDED: (LOT 2)	ON-SITE PARKING: 169 STALLS (11.0 CARS PER 1,000 SF)
TOTAL REQUIRED:	451 STALLS
TOTAL PROVIDED:	329 STALLS
ACCESSIBLE PARKING:	
REQUIRED: (LOT 1)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
PROVIDED: (LOT 1)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
REQUIRED: (LOT 2)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
PROVIDED: (LOT 2)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
REQUIRED:	12 (INCLUDING 2 VAN ACCESSIBLE STALLS)
PROVIDED:	12 (INCLUDING 2 VAN ACCESSIBLE STALLS)

SITE PLAN
PRELIMINARY PLAT SUBMITTAL
SOUTHPORT WEST REPLAT NINE
PHASE 1

LA VISTA, NE

drawn by: EK
checked by: EK
GARDEN project no.: 0220084
drawing no.: 0220084
date: 03.21.22

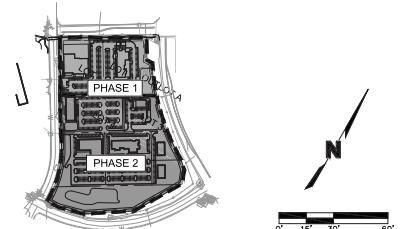
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REV. NO. DATE REVISIONS DESCRIPTION

2022

REV. NO. DATE REVISIONS DESCRIPTION

2022

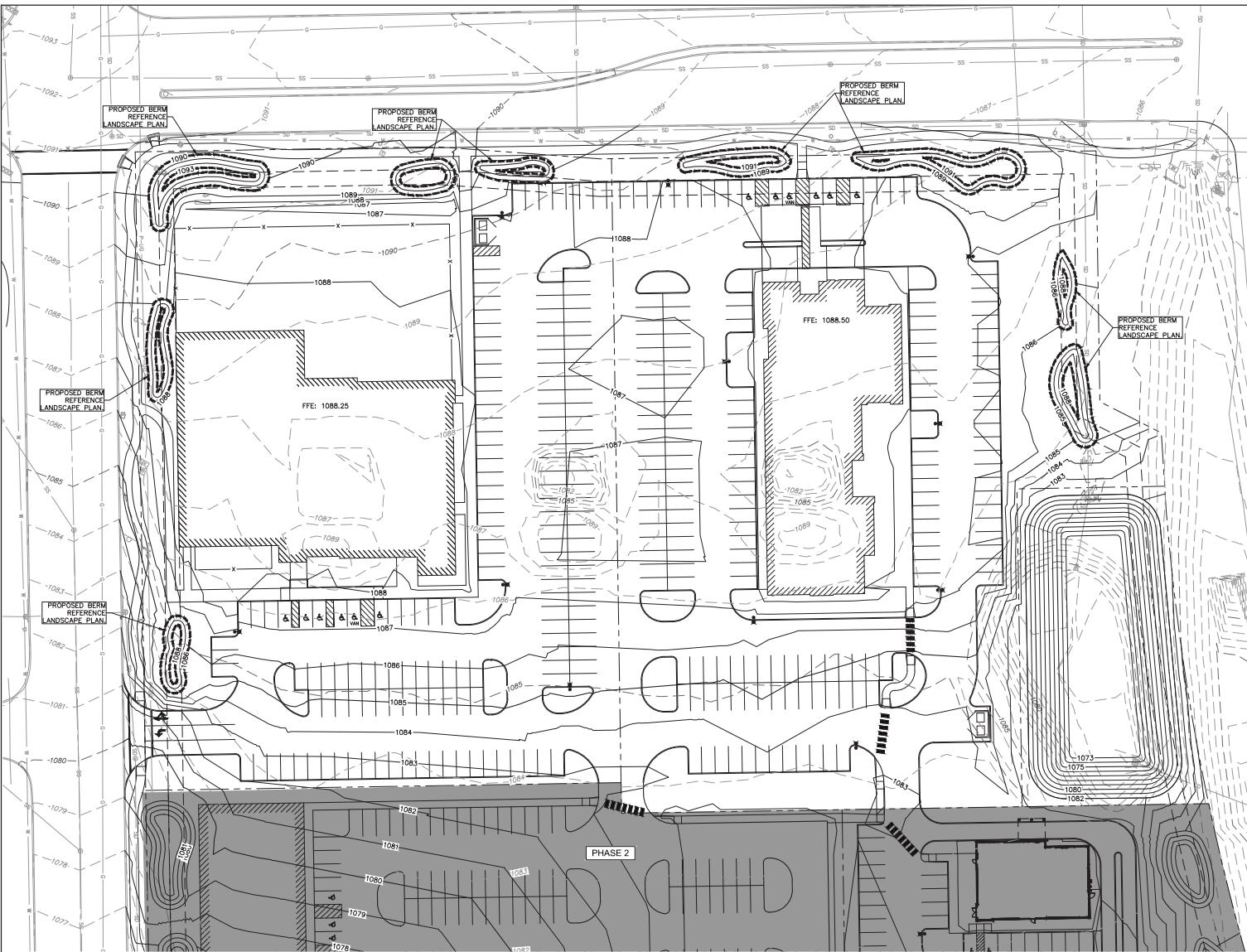


PHASING MAP

0' 15' 30' 60'

SCALE IN FEET

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Omaha, NE 68106
TEL: 402.341.1116
www.olson.com



LEGEND

— 10XX —	EXISTING MAJOR CONTOUR
— 10XX —	EXISTING MINOR CONTOUR
— 10XX —	PROPOSED MAJOR CONTOUR
— 10XX —	PROPOSED MINOR CONTOUR

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Omaha, NE 68106
TEL 402.341.1116
www.dlscon.com

GRADING INFORMATION TABLE		
AREA	CONTOURS REPRESENT	CONTRACTOR TO GRADE TO
STREETS/INTERNAL DRIVES	FINISHED GROUND (TOP OF SLAB)	SUBGRADE (REF. SITE PLANS FOR PAVEMENT THICKNESS)
PARKING LOT PAVED AREAS	FINISHED GROUND (TOP OF SLAB)	SUBGRADE (REF. SITE PLANS FOR PAVEMENT THICKNESS)
BUILDING AREAS	FINISHED GROUND (FINISHED FLOOR ELEV.)	SUBGRADE (REF. ARCHITECTURAL PLANS FOR FLOOR ELEV. AND SUBGRADE THICKNESS)
ALL OTHER NON-PAVED AND GRADED AREAS	FINISHED GROUND	6" BELOW CONTOURS (FOR TOPSOIL*)

* NOTE: AFTER COMPLETION AND APPROVAL OF MASS GRADING BY ENGINEER, ENTIRE SITE SHALL RECEIVE 6" MIN. OF TOPSOIL FOR FINAL SEEDING AND STABILIZATION.

NOTES

1. CONTOURS REPRESENT TOP OF SLAB ELEVATION IN PAVED AREAS AND INDICATE GRADE ELEVATION IN NON-PAVED AREAS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING AND GARAGE PAD AREAS AND PAVEMENTS.
3. REFERENCE THE GRADING INFORMATION TABLE FOR CONCRETE INSTRUCTIONS.
4. REFERENCE THE FULL PLACEMENT / COMPACTION REQUIREMENTS TABLE FOR MINIMUM SUBGRADE PREPARATION REQUIREMENTS FOR VARIOUS AREAS OF THE PROPERTY.
5. CONTOURS ARE SHOWN AT 1' INTERVALS FOR BOTH EXISTING AND PROPOSED.
6. DEVELOPMENT OF THE LOTS CREATING MORE THAN 5,000 SQ.FT. OF IMPERVIOUS SURFACE FOR THE PURPOSE OF VEHICULAR TRAVEL AND PARKING SHALL PROVIDE ON-SITE STORM WATER MANAGEMENT FACILITIES FOR THE IMPACTS AS DETERMINED BY SECTION 14.10 OF THE LA VISTA MUNICIPAL CODE AND SHALL BE DESIGNED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE OMAHA STORM WATER MANAGEMENT CODE. STORM WATER QUALITY FACILITIES SHALL BE MAINTAINED BY BRYNMOR PROPERTY GROUP MANAGEMENT OF THE PROPERTY. RAINWATER HARVESTING FLOWS WILL BE PROVIDED BY THE CITY OWNED FACILITIES.

ALSO LOCATED IN:
NW 1/4 SE 1/4 18-14-12
SW 1/4 SE 1/4 18-14-12
SE 1/4 SE 1/4 18-14-12

SOUTHPORT WEST REPLAT NINE

LOTS 1 THRU 4 AND OUTLOT A

A TRACT OF LAND BEING A REPLAT OF LOTS 23 THRU 26, SOUTHPORT WEST AND LOT 1, SOUTHPORT WEST REPLAT FOUR, BOTH PLATTED AND RECORDED SUBDIVISIONS IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

LIEN HOLDER CONSENT

THE UNDERSIGNED HOLDER OF THAT CERTAIN LIEN AGAINST THE REAL PROPERTY DESCRIBED IN THE PLAT KNOWN AS SOUTHPORT WEST REPLAT NINE, LOTS 1 THRU 4 AND OUTLOT A (HEREINAFTER "PLAT"), SAID LIEN BEING RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF SARPY COUNTY, NEBRASKA AS INSTRUMENT NO. 2006-17152, (HEREINAFTER "LIEN"), DOES HEREBY CONSENT TO THE DEDICATION OF AND SUBORDINATE THE LIEN TO ANY UTILITY (SEWER, WATER, ELECTRIC, CABLE TV, TELEPHONE, NATURAL GAS) EASEMENTS, OR STREETS OR ROADS, PEDESTRIAN WAY EASEMENTS, AND ACCESS EASEMENTS AND RELINQUISHEMENTS OF ACCESS, DEDICATED TO THE PUBLIC, ALL AS SHOWN ON THE PLAT, BUT NOT OTHERWISE. THE UNDERSIGNED CONFIRMS THAT IT IS THE HOLDER OF THE LIEN AND HAS NOT ASSIGNED THE LIEN TO ANY OTHER PERSON.

(NAME OF LIEN HOLDER)

BY: _____

(PRINT THE NAME OF INDIVIDUAL)

TITLE: _____

ACKNOWLEDGEMENT OF NOTARY

STATE OF _____)
COUNTY OF _____)
ss

ON THE ____ DAY OF 2022, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED,

_____, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND 2022 LAST ABOVE MENTIONED.

NOTARY PUBLIC

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF SOUTHPORT WEST REPLAT NINE, LOTS 1 THRU 4 AND OUTLOT A WAS REVIEWED BY THE SARPY COUNTY PUBLIC WORKS ON THIS ____ DAY OF ____ 2022.

SARPY COUNTY PUBLIC WORKS

SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

SARPY COUNTY TREASURER DATE

APPROVAL BY LA VISTA CITY PLANNING COMMISSION

THE PLAT OF SOUTHPORT WEST REPLAT NINE, LOTS 1 THRU 4 AND OUTLOT A WAS APPROVED BY THE LA VISTA CITY PLANNING COMMISSION,

ON THIS ____ DAY OF ____ 2022.

CHAIRPERSON, LA VISTA PLANNING COMMISSION

ACCEPTANCE BY LA VISTA CITY COUNCIL

THE PLAT OF SOUTHPORT WEST REPLAT NINE, LOTS 1 THRU 4 AND OUTLOT A WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA

ON THIS ____ DAY OF ____ 2022, IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

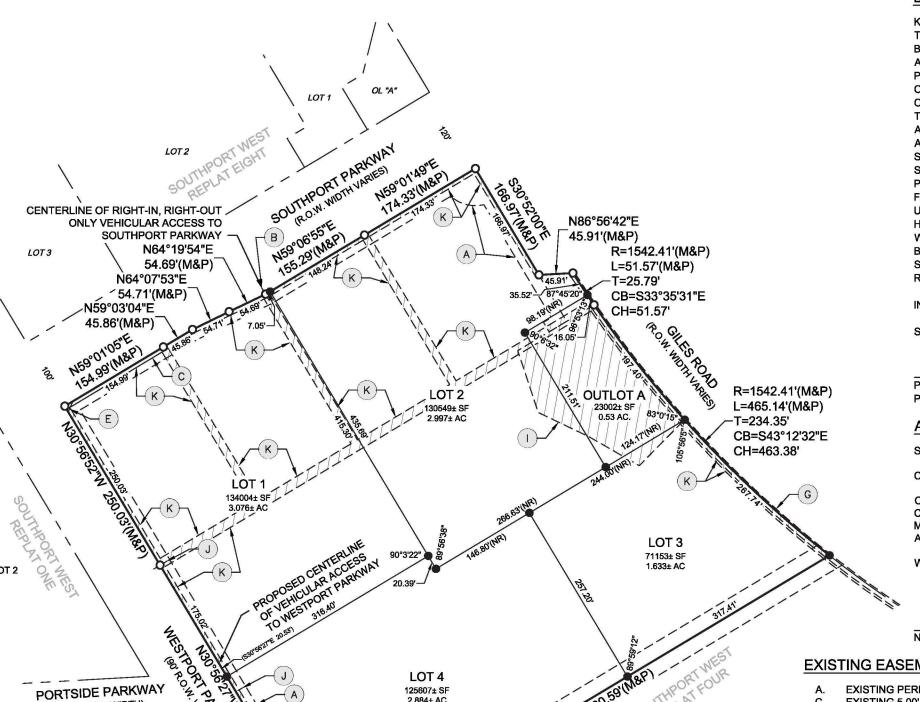
MAYOR

ATTEST CITY CLERK

USER: drafting

dwg

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DATE: Apr 26, 2022 10:14pm



LEGEND

- FOUND 5/8" REBAR (UNLESS OTHERWISE NOTED)
- SET 5/8" REBAR W/CAP L.S. 607
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- BOUNDARY LINE
- - - PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- EXISTING EASEMENT (TO BE VACATED)



0' 2.5' 5' 10'
SCALE IN FEET

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, SOUTHPORT WEST PARTNERS, LLC, OWNERS OF THE PROPERTY DESCRIBED IN THE CERTIFICATION OF SURVEY AND EMBRACED WITHIN THE PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS SOUTHPORT WEST REPLAT NINE, LOTS 1 THRU 4 AND OUTLOT A, AND WE DO HEREBY PATRY AND APPROVE THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THE PLAT, PERPETUAL EASEMENTS SHALL BE GRANTED TO THE OMAHA PUBLIC POWER DISTRICT AND ANY TELECOMMUNICATIONS ENTITY OR OTHER CORPORATION TRANSMITTING COMMUNICATION SIGNALS AUTHORIZED TO USE THE CITY STREETS, TO ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CABLES, CONDUITS, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION ON, OVER, THROUGH, UNDER AND ACROSS A (5') FIVE-FOOT-WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES, AN (8') EIGHT-FOOT-WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED, AND WE DO FURTHER GRANT A PERPETUAL EASEMENT TO METROPOLITAN UTILITIES DISTRICT OF OMAHA AND BLACK HILLS/NEBRASKA GAS UTILITY, LLC, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW, PIPELINES, HYDRANTS, VALVES AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A (5') FIVE-FOOT-WIDE STRIP OF LAND ABUTTING ALL STREETS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

IN WITNESS HEREOF, WE DO SET OUR HANDS

SOUTHPORT WEST PARTNERS, LLC

PATRICK J. KERRIGAN
PRESIDENT

ACKNOWLEDGEMENT OF NOTARY

STATE OF _____)
COUNTY OF _____)
ss

ON THE ____ DAY OF 2022, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED, PATRICK J. KERRIGAN, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID MANAGER.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND 2022 LAST ABOVE MENTIONED.

NOTARY PUBLIC

EXISTING EASEMENTS

- A. EXISTING PERMANENT LANDSCAPE AND SIGN EASEMENT GRANTED TO S.I.D. NO. 253, INSTRUMENT NO.'S 2005-21955 AND 2008-05315.
- C. EXISTING 5.00' WIDE PERMANENT M.U.D. CONSTRUCTION AND MAINTENANCE OF WATER MAINS AND RELATED FACILITIES EASEMENT ON THE NORTHERLY 5.00 FEET OF LOTS 25 AND 26, SOUTHPORT WEST. INSTRUMENT NO. 2005-30969.
- D. EXISTING 20.00 FOOT WIDE PERMANENT INGRESS/EGRESS AND STORM SEWER EASEMENT GRANTED TO S.I.D. NO. 253 AND THE CITY OF LA VISTA. INSTRUMENT NO. 2005-23875.
- E. PERMANENT 5.00 FOOT WIDE STORM SEWER EASEMENT GRANTED TO S.I.D. NO. 253 AND THE CITY OF LA VISTA. INSTRUMENT NO.'S 2005-21955 AND 2008-05315.
- F. EXISTING 5.00' WIDE PERMANENT INGRESS/EGRESS AND STORM SEWER EASEMENT GRANTED TO S.I.D. NO. 253 AND THE CITY OF LA VISTA. INSTRUMENT NO. 2005-23875.
- G. TERMS, PROVISIONS, CONDITIONS, RESTRICTIONS AND EASEMENTS SET FORTH IN THE RETURN OF APPRAISERS RECORDED JULY 23, 1992 AT INSTRUMENT NO. 1993-32937 OF THE RECORDS OF SARPY COUNTY, NEBRASKA, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON ACCESS, TEMPORARY EASEMENTS, AND RESERVATION OF MINERAL RIGHTS.
- H. TERMS, PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS AND LIENS PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR SOUTHPORT WEST REPLAT NINE RECORDED JULY 5, 2005 AS INSTRUMENT NO. 2005-22474 OF THE RECORDS OF SARPY COUNTY, NEBRASKA, BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION ON RADIAL, PERPENDICULAR, OR SIDEWALK EASEMENTS. THE EXCEPT THAT THE COVENANT, CONDITION OR RESTRICTION (A) IS EXEMPT UNDER SECTION 42 OF THE UNIFORM STATES CODE, OR (B) RELATES TO HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS, AS AMENDED BY THE FIRST AMENDMENT AT INSTRUMENT NO. 2006-17152, THE SECOND AMENDMENT AT INSTRUMENT NO. 2015-32100, AND THE THIRD AMENDMENT AT INSTRUMENT NO.: 2021-23694 AND AS ASSIGNED AT INSTRUMENT NO.: 2006-19335 AND 2008-06886 AND AS RATIFIED BY CONSENT TO AND RATIFICATION OF DECLARATION RECORDED JULY 5, 2005 AT INSTRUMENT NO. 2005-22497. (BLANKET TYPE EASEMENT)

EXISTING EASEMENTS (TO BE VACATED)

- B. EXISTING CENTERLINE OF RIGHT-OUT ONLY VEHICULAR ACCESS TO SOUTHPORT PARKWAY INST. NO. 2008-05315.
- I. PERMANENT DRAINAGE DETENTION EASEMENT GRANTED TO S.I.D. NO. 253 AND THE CITY OF LA VISTA. INSTRUMENT NO.'S 2005-21955 AND 2008-05315.
- J. EXISTING CENTERLINE OF UNRESTRICTED FULL ACCESS FOR VEHICULAR INGRESS/EGRESS INSTRUMENT NO.'S 2005-21955 AND 2008-05315.
- K. EXISTING DEDICATED UTILITY EASEMENTS, INSTRUMENT NO. 2005-21955.

SURVEYOR'S CERTIFICATION

I, TERRY L. ROTHANZL, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR SURVEYS" ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. FURTHER, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS WILL BE SET AT ALL LOT CORNERS, ANGLE POINTS AND AT THE ENDS OF ALL CURVES WITHIN THE SUBDIVISION TO BE KNOWN AS SOUTHPORT WEST REPLAT NINE, LOTS 1 THRU 4 AND OUTLOT A BEING A REPLAT OF LOTS 23 THRU 26, SOUTHPORT WEST AND LOT 1, SOUTHPORT WEST REPLAT FOUR, BOTH SUBDIVISIONS, AS SURVEYED, PLATTED, AND RECORDED IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, CONTAINING 11.19 ACRES, MORE OR LESS.

Terry L. Rothanzl
NEBRASKA L.S. 607
TERRY L. ROTHANZL
04.25.2022

drawn by: D2H
checked by: EW
QACD by: TLR
project no.: 022-00684
drawing no.: 022-00684
date: 04.25.2022
SHEET 1 of 1

olsson
2111 South 67th Street, Suite 200
Omaha, NE 68106
TEL: 402.341.1116
FAX: 402.341.5895
www.olsson.com

Exhibit E

Southport South Traffic Impact Study Table of Contents, Executive Summary, and Summary and Conclusions

A copy of the full traffic impact analysis can be found
on file with the City Clerk at La Vista City Hall.

Southport South

TRAFFIC IMPACT STUDY

La Vista, NE

Prepared For:

Malibu Properties LLC
21008 Cumberland Drive, Suite 110
Omaha, NE 68022

Prepared By:

Olsson
2111 S. 67th Street, Suite 200
Omaha, NE
68106

Olsson Project No. 022-00684
March 2022

olsson

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- Appendix H Plus Site Geometric Improvement Evaluation
- Appendix I 2025 Plus Site Capacity Analysis Synchro Report
- Appendix J 2050 Plus Site Capacity Analysis Synchro Report

DRAFT

EXECUTIVE SUMMARY

This report documents the results of impact analyses conducted for a proposed multi-sport development bounded by Giles Road on the south and 120th Street / Eastport Parkway (Eastport Parkway) on the west in La Vista, Nebraska. This study reviewed the operations at study intersections for 2025 and 2050 conditions.

The proposed site plan includes general office, retail, restaurant, and hotel land uses. There are three direct access points proposed as part of the development. Site drives and unsignalized intersections were evaluated for signalization and other intersection improvements with site traffic.

Based on the results of the capacity analysis and intersection control evaluations, the following improvements are recommended:

Background Improvements

Giles Road

- *Construct six-lane divided section from Harrison Street through 120th Street.

I-80 and Giles Road Interchange

- Construct additional northbound Giles Road to eastbound I-80 lane to improve lane utilization along Giles Road.
 - The configuration would include one exclusive northbound right-turn lane and one shared through-right lane. An additional I-80 eastbound on-ramp lane is not included in the Metro Area Travel Improvement Study (MTIS) and should be coordinated with the Nebraska Department of Transportation (NDOT).
- *Construct additional southbound Giles Road to westbound I-80 lane as a “free right” north of the interchange.
- Extend northbound left-turn lane to include 500 feet of storage length.
 - Consider constructing dual left-turn lanes with the expansion of the bridge with the widening of Giles to a six-lane section. This should be reevaluated before the Giles Road widening project.
- All improvements at the interchange should be coordinated between the City of La Vista and the NDOT to determine timeframe and implementation to improve current queuing issues.

Giles Road and West Giles Road / Eastport Parkway

- Extend westbound left-turn lane to include at least 370 feet of storage (extend by approximately 70 feet). [2025 Background]
- Construct dual westbound left-turn lanes with at least 275 feet of storage length with Giles Road widening project.
 - Modify signal phasing to protected only.
- Construct dual northbound right-turn lanes with at least 200 feet of storage length with Giles Road widening project.
 - Modify signal phasing to protected plus overlap phasing.
- Construct dual northbound left-turn lanes with at least 250 feet of storage length with Giles Road widening project.
 - Modify signal phasing to protected only.

West Giles Road

- Realign West Giles Road west of 126th Street to intersect 132nd Street where existing Giles Road connects.

125th Street / Westport Parkway and West Giles Road

- Construct traffic signal.**
 - Intersection should be monitored for signalization as developments build out in the area.
- Restripe north leg to include single left-turn lane, through lane, and right-turn lane.

*Roadway improvements recommended by MTIS.

**Anticipated to be satisfied by year 2050.

Plus Site Improvements

Giles Road

- Update signal timings throughout the corridor when the proposed facility opens.
 - Coordinate the signal timing updates with the completion of the Nebraska Multi-sport Complex.
 - When Giles Road widens to a six-lane section, signal timings should again be revisited and updated.

125th Street / Westport Parkway and West Giles Road

- Construct traffic signal when volumes satisfy signal warrants.
 - Note that the intersection is anticipated to satisfy signal warrants with future background growth. With the proposed development, the intersection is anticipated to satisfy signal warrants sooner.
 - The intersection should be monitored as the development builds out to determine when a traffic signal should be constructed.
- Restripe north leg to include single left-turn lane, through lane, and right-turn lane.

Westport Parkway and Portside Parkway / Site Drive 1

- Construct east leg as two-lane approach (exclusive left and shared through-right).

Westport Parkway and Site Drive 2

- Construct site drive as proposed in site plan drawings.

Southport Parkway and Site Drive 3

- Coordinate drive location with City of La Vista.

In addition to the above recommendations, during overflow parking conditions for Lot 3 in the proposed development, pedestrians crossing 125th Street / Westport Parkway from the parking lot to the west of the site should be monitored to determine the need for higher visibility pedestrian crossing applications like the RRFB or HAWK beacon systems at a midblock location.

7. SUMMARY AND CONCLUSIONS

This report documents the results of impact analyses conducted for a proposed multi-use development located in the Southport development south of Southport Parkway and west of Giles Road in La Vista, Nebraska. This study was conducted to identify the anticipated trips that would be generated by the proposed development and to determine the effects of site traffic on the surrounding roadway network. There were five scenarios analyzed as part of this study: Existing, 2025 Background conditions, 2050 Background conditions, 2025 plus Site conditions and 2050 plus Site conditions. The year 2050 was chosen as the long-range horizon year, which corresponds to the most recent MAPA long-range travel demand model. The year 2025 was chosen to represent the opening day of the proposed site. AM and PM peak hours were analyzed for all scenarios.

The proposed site plan includes general office, retail, restaurant, and hotel land uses. There are three direct access points proposed as part of the development. One access is proposed at the existing full-movement intersection of Westport Parkway and Portside Parkway. The second is a proposed full-movement access located approximately 310 feet south of Portside Parkway on Westport Parkway. A third right-in, right-out (RIRO) access is proposed on Southport Parkway between Westport Parkway and Giles Road.

In all future scenarios, traffic signal timings were modified to improve intersection operations based on background traffic growth and site traffic additions to the network. Generally, signalized intersections are anticipated to operate at acceptable levels of service. Some individual movements at signalized intersection are anticipated to experience heavy delay and queueing during peak hours.

Based on the capacity analysis, intersection control evaluation, previous traffic studies completed in the area, and a review of regional and local transportation studies, the following improvements are recommended:

Background Improvements

Giles Road

- *Construct six-lane divided section from Harrison Street through 120th Street.

I-80 and Giles Road Interchange

- Construct additional northbound Giles Road to eastbound I-80 lane to improve lane utilization along Giles Road.
 - The configuration would include one exclusive northbound right-turn lane and one shared through-right lane. An additional I-80 eastbound on-ramp lane is not included in the MTIS study and should be coordinated with the NDOT.
- *Construct additional southbound Giles Road to westbound I-80 lane as a “free right” north of the interchange.
- Extend northbound left-turn lane to include 500 feet of storage length.
 - Consider constructing dual left-turn lanes with the expansion of the bridge with the widening of Giles to a six-lane section. This should be reevaluated before the Giles Road widening project.
- All improvements at the interchange should be coordinated between the City of La Vista and the NDOT to determine timeframe and implementation to improve current queuing issues.

Giles Road and West Giles Road / Eastport Parkway

- Extend westbound left-turn lane to include at least 370 feet of storage (extend by approximately 70 feet). [2025 Background]
- Construct dual westbound left-turn lanes with at least 275 feet of storage length with Giles Road widening project.
 - Modify signal phasing to protected only.
- Construct dual northbound right-turn lanes with at least 200 feet of storage length with Giles Road widening project.
 - Modify signal phasing to protected plus overlap phasing.
- Construct dual northbound left-turn lanes with at least 250 feet of storage length with Giles Road widening project.
 - Modify signal phasing to protected only.

West Giles Road

- Realign West Giles Road west of 126th Street to intersect 132nd Street where existing Giles Road connects.

[Background improvements continue on next page]

125th Street / Westport Parkway and West Giles Road

- Construct traffic signal.**
 - Intersection should be monitored for signalization as developments occur in the area.
- Restripe north leg to include single left-turn lane, through lane, and right-turn lane.

*Roadway improvements recommended by MTIS.

**Anticipated to be satisfied by year 2050.

Plus Site Improvements

Giles Road

- Update signal timings throughout the corridor when the proposed facility opens.
 - Coordinate the signal timing updates with the completion of the Nebraska Multi-sport Complex.
 - When Giles Road widens to a six-lane section, signal timings should again be revisited and updated.

125th Street / Westport Parkway and West Giles Road

- Construct traffic signal when volumes satisfy signal warrants.
 - The intersection is anticipated to satisfy signal warrants with future background growth. With the proposed development, the intersection is anticipated to satisfy signal warrants sooner.
 - The intersection should be monitored as the development builds out to determine when a traffic signal should be constructed.
- Restripe north leg to include single left-turn lane, through lane, and right-turn lane.

Westport Parkway and Portside Parkway / Site Drive 1

- Construct east leg as two-lane approach (exclusive left and shared through-right).

Westport Parkway and Site Drive 2

- Construct site drive as proposed in site plan drawings.

Southport Parkway and Site Drive 3

- Coordinate drive location with City of La Vista.

In addition to the above recommendations, during overflow parking conditions for Lot 3 in the proposed development, pedestrians crossing 125th Street / Westport Parkway from the parking lot to the west of the site should be monitored to determine the need for higher visibility pedestrian crossing applications like the RRFB or HAWK beacon systems at a midblock location. Recommended improvements are summarized in **Figure 16**.

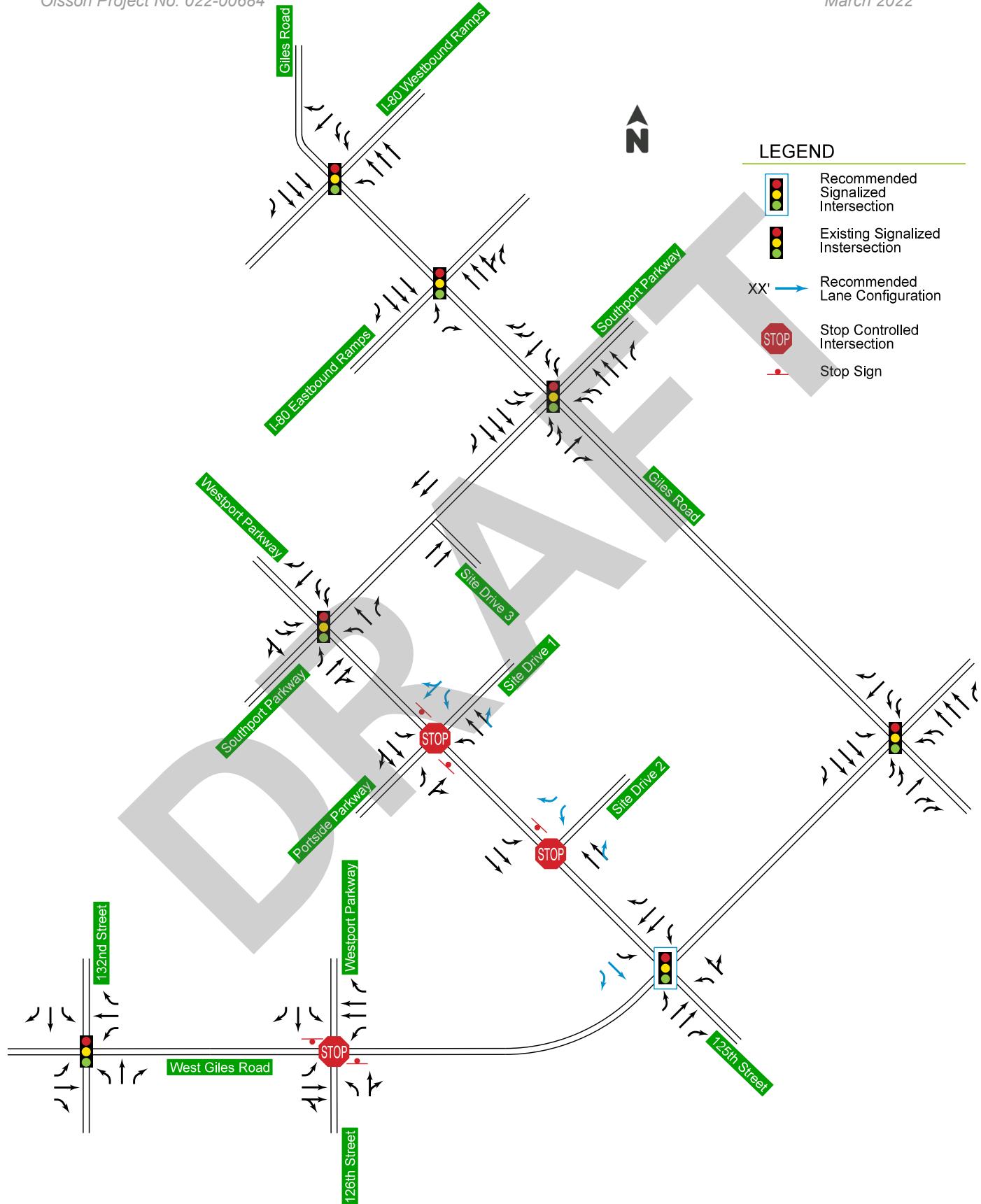


Figure 16. Recommended Improvements

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT – LOT 1 SOUTHPORT WEST REPLAT NINE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for Council to consider an application for a Conditional Use Permit to locate and operate a hotel (Home2 Suites) on the proposed Lot 1, Southport West Replat Nine, generally located southwest of Southport Parkway and Giles Road.

FISCAL IMPACT

None.

RECOMMENDATION

Approval subject to completion of the design review approval process prior to the issuance of a building permit.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by Cumming Investments, Inc for a Conditional Use Permit, to locate and operate a Home2 Suites Hotel on the proposed Lot 1, Southport West Replat Nine. The property is zoned C-3 Highway Commercial/Office Park District with the Gateway Corridor Overlay District. The applicant proposes to build a six-story, 151-room hotel.

The property lies within the Gateway Corridor Overlay District as well as Southport West and is subject to the building design review process. The applicant will be submitting the building design for staff review after the approval of the Conditional Use Permit. Design review must be completed prior to the issuance of a building permit, along with completion of any other specified requirements and conditions.

A detailed staff report is attached.

The Planning Commission held a public hearing on May 5, 2022, and voted unanimously to recommend approval of the Conditional Use Permit for a hotel contingent on the satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the Replat request is consistent with the Comprehensive Plan and the Zoning Ordinance.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR CUMMING INVESTMENTS, INC TO ALLOW FOR A HOTEL, SPECIFICALLY HOME2 SUITES HOTEL, ON LOT 2, SOUTHPORT WEST REPLAT NINE.

WHEREAS, Cumming Investments, Inc has applied for a Conditional Use Permit for to allow for the construction and operation of a hotel, specifically Home2 Suites Hotel, on Lot 2, Southport West Replat Nine, located southwest of the intersection of Giles Road and Southport Parkway; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

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

1. Approval of Southport West Replat Nine and related Subdivision Agreement.
2. Satisfactory completion of design review process and update of Conditional Use Permit exhibits, prior to recording of the Conditional Use Permit and submittal for building permit.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Cumming Investments, Inc. to allow for a hotel, specifically Home2 Suites Hotel, on Lot 2, Southport West Replat Nine.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Patricia Anderson
Deputy City Clerk



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

CASE NUMBERS: PCUP22-0002;

FOR HEARING OF: MAY 17, 2022
REPORT PREPARED ON: MAY 11, 2022

I. GENERAL INFORMATION

A. APPLICANT:

Cumming Investments, Inc.
2145 Duluth Highway, Suite A
Duluth, GA 30097

B. PROPERTY OWNER:

Southport West Partners, LLC
832 S. 249th Street
Waterloo, NE 68069

C. LOCATION: Southwest of the intersection of Giles Road and Southport Parkway.

D. LEGAL DESCRIPTION: Lot 23 and part of Lot 24 Southport West, together with part of Lot 1 Southport West Replat Four, to be replatted as Lot 2 Southport West Replat Nine.

E. REQUESTED ACTION(S): Conditional Use Permit (CUP) to allow for the construction and operation of a hotel.

F. EXISTING ZONING AND LAND USE: C-3 Highway Commercial/Office Park District, Gateway Corridor District (Overlay District), and Southport West PUD District (Overlay District); the properties are currently vacant.

G. PURPOSE OF REQUEST: Authorize Conditional Use Permit (CUP) to allow for the development of a hotel.

H. SIZE OF SITE: Approximately 2.99 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The existing site is vacant ground. The property slopes gradually downward to the southeast;

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
Northwest	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Embassy Suites
Northeast	Commercial	C-3 PUD Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District);	Vacant
Southeast	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Vacant
West	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Cabela's

C. RELEVANT CASE HISTORY:

1. The PUD Plan and Ordinance for Southport West was originally approved on December 21, 2004.
2. The PUD Ordinance for Southport West was last amended on February 16, 2016.
3. Southport West Replat Four was approved on February 26, 2008.

D. APPLICABLE REGULATIONS:

1. Section 5.12 of the Zoning Regulations – C-3 Highway Commercial / Office Park District.
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development District (Overlay District).
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District).

4. Article 6 of the Zoning Regulations – Conditional Use Permits (CUP).

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. Primary access to the site will be at an intersection at 125th and Portside Parkway. A second access will be added with the construction of Phase 2 to the south, as depicted in the conceptual PUD Site Plan within the Southport West Replat Nine – Phase 1 map set.
2. Applicant has provided a traffic impact study (TIS) in relation to the development of this project. The study, dated March 2022, finds that traffic is generally anticipated to operate with acceptable delay.
3. If a traffic signal is warranted at the intersection of 125th and West Giles Road, based on proposed revisions to the TIS, the signal will need to be constructed in conjunction with this project.
4. The review of the TIS also concluded that various pedestrian improvements are needed at the intersection of 125th/Westport Parkway and Southport Parkway.
5. Applicant should install all access and signage improvements as recommended in the revised Traffic Impact Study, along with the development within the PUD.

D. UTILITIES:

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

E. PARKING REQUIREMENTS:

1. The minimum parking requirement for a hotel of this size is 151 parking spaces (1 per rental unit). As per the provided CUP plan set, the applicant has provided 164 stalls, exceeding the minimum parking stalls needed.
2. A cross-parking easement has been added to the plat for Southport West Replat Nine, allowing the for the sharing of parking amongst the properties included in the plat.

F. LANDSCAPING:

1. The landscaping for any developments on this site will need to comply with the requirements of the Zoning Ordinance and of the Southport West Design Guidelines.

IV. REVIEW COMMENTS:

- A. The design of the buildings and the overall site will be reviewed through the City's Architectural Design Review process for Southport West. The review process must be substantially complete prior issuance of any building permits.
- B. Upon completion of the design review process, updated replacement exhibits to the CUP will be required prior to the signing of the CUP and recording of the document.
- C. Applicant has been made aware that developments on this property will require FAA approval prior to the issuance of a building permit due to proximity of the Millard Airport.
- D. The development will be required to meet the requirements for a Post Construction Storm Water Management Plan as per City regulations.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:

Approval of the Conditional Use Permit, contingent upon approval of the related PUD Site Plan Amendment and Replat for Southport West Replat Nine, as well as the satisfactory completion of the design review process prior to submittal for building permit, as the Conditional Use Permit request is consistent with the Comprehensive Plan and the Zoning Regulations.

VI. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT:

The La Vista Planning Commission held a public hearing on May 5, 2022 and voted unanimously to recommend approval of the Conditional Use Permit, contingent upon approval of the related PUD Site Plan Amendment and Replat for Southport West Replat Nine, as well as the satisfactory resolution of the issues stated within the staff report prior to City Council approval, as the Conditional Use Permit request is consistent with the Comprehensive Plan and the Zoning Regulations.

VII. ATTACHMENTS TO REPORT:

- A. Vicinity Map
- B. Review Letters
- C. Draft Conditional Use Permit
- D. Draft Conditional Use Permit map set (Exhibits in CUP)

VIII. COPIES OF REPORT SENT TO:

- A. David Bernd, Cumming Investments, Inc.
- B. Pat Kerrigan, Southport West Partners
- C. Eric Williams, Olsson Associates
- D. Public Upon Request

Prepared by: Deputy Community Development Director

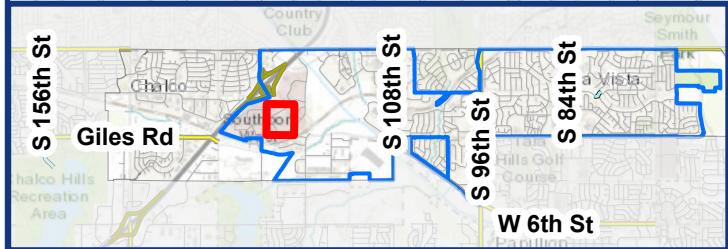
Community Development Director


5/11/02

Date



Vicinity Map: Home2 Suites Hotel Conditional Use Permit



Legend

- La Vista Parcels
- Proposed Hotel Site



April 6, 2022

Eric Williams
Olsson Associates
2111 N 67th Street, STE 200
Omaha, NE 68106

RE: Conditional Use Permit – Initial Review
Cumming Investments, LLC
Home 2 Suites – Southport West
Proposed Lot 2 Southport West Replat Nine

Mr. Williams:

Thank you for your submittal of Home 2 Hotel CUP request to allow for a hotel southwest of Southport Parkway and Giles Road. Based on the elements for consideration set forth in Article 6.05 of the Zoning Ordinance, our staff has reviewed the submittal and has provided the following comments:

1. Per Section 6.05.01 and Section 6.05.04 of the La Vista Zoning Ordinance, Applicant needs to submit a site-specific CUP site plan package to be utilized as exhibits within the CUP presented to the Planning Commission and City Council. Specifically, the site plan should be centered on the hotel alone as it is the subject of the CUP.

This includes a full site plan, including locations of lights, structures, sidewalks/trails, and other aspects pertinent to this application. A copy of a similar CUP site plan has been attached as an example.

2. Per Section 6.05.01 and Section 6.05.04, please provide the height of the structure within the CUP site plan in feet as well as number of stories.
3. In regards to Section 6.05.01 and Section 6.05.04, the current site plan does not depict sidewalk connections to sidewalks along Southport Parkway. Please include these connections.

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

Community Development
8116 Park View Blvd.
402.593.6400 **P**
402.593.6445 **F**

Library
9110 Giles Rd.
402.537.3900 **P**
402.537.3902 **F**

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

Public Works
9900 Portal Rd.
402.331.8927 **P**
402.331.1051 **F**

Recreation
8116 Park View Blvd.
402.331.3455 **P**
402.331.0299 **F**

4. Per Section 6.05.05, the stall count for the subject property needs to be updated for the CUP only, including a breakdown of the ADA and ADA van stalls.
5. Regarding Section 6.05.05 and Section 6.05.10, the Applicant has submitted a draft Traffic Impact Analysis through the PUD application which is currently being reviewed by staff and the City's third-party traffic engineer. Provisions for traffic control and other improvement may result from the traffic study and subsequent discussions with the applicant.
6. Per Section 5.12.06 and 6.05.01, this project will need to be reviewed and approved by the FAA in terms of any potential obstacle clearances.
7. As the site lies with the Southport West PUD, the development will need to proceed through the architectural design review approval process. This includes structures, lighting, landscaping and other aspects as set forth within the Architectural and Site Design Guidelines for the Southport West Development. The recommendation within the staff report will include language requiring the completion of the design review process prior to the execution and recording of the CUP in order to allow for the inclusion of the final design review documents as exhibits within the final CUP.

The design review process needs to achieve substantial completion prior to applying for building permit.

A draft of the Conditional Use Permit has been enclosed. Please review the document and inform us of any questions or concerns that you may have in relation to it.

Please submit 2 full size revised copies of the PUD plans and related documents (along with electronic copies) to the City for further review. A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed.

Should you have any questions please contact me at 402-593-6400.

Sincerely,



Christopher Solberg, AICP

Deputy Community Development Director

Enclosures

Cc: David Bernd – Cumming Investments, Inc.
Pat Kerrigan – Southport West Partners, LLC
Bruce Fountain, AICP – Community Development Director
Cale Brodersen, AICP – Assistant City Planner
Pat Dowse, PE – City Engineer

Comment Response: CUP Southport West -Letter dated 4/06/22

1. Per Section 6.05.01 and Section 6.05.04 of the La Vista Zoning Ordinance, Applicant needs to submit a site-specific CUP site plan package to be utilized as exhibits within the CUP presented to the Planning Commission and City Council. Specifically, the site plan should be centered on the hotel alone as it is the subject of the CUP.

This includes a full site plan, including locations of lights, structures, sidewalks/trails, and other aspects pertinent to this application. A copy of a similar CUP site plan has been attached as an example.

Response: Plan has been updated to include the information for this lot only.

2. Per Section 6.05.01 and Section 6.05.04, please provide the height of the structure within the CUP site plan in feet as well as number of stories.

Response: Structure height and stories have been updated based on discussions with the client.

3. In regards to Section 6.05.01 and Section 6.05.04, the current site plan does not depict sidewalk connections to sidewalks along Southport Parkway. Please include these connections.

Response: A sidewalk connection has been added to Southport Parkway

4. Per Section 6.0F.05, the stall count for the subject property needs to be updated for the CUP only, including a breakdown of the ADA and ADA van stalls.

Response: Stall count has been revised for this lot only.

5. Regarding Section 6.05.05 and Section 6.05.10, the Applicant has submitted a draft Traffic Impact Analysis through the PUD application which is currently being reviewed by staff and the City's third-party traffic engineer. Provisions for traffic control and other improvement may result from the traffic study and subsequent discussions with the applicant.

Response: Understood.

6. Per Section 5.12.06 and 6.05.01, this project will need to be reviewed and approved by the FAA in terms of any potential obstacle clearances.

Response: FAA process has been started for the height of the proposed structure.

7. As the site lies with the Southport West PUD, the development will need to proceed through the architectural design review approval process. This includes structures, lighting, landscaping and other aspects as set forth within the Architectural and Site Design Guidelines for the Southport West Development. The recommendation within the staff report will include language requiring the completion of the design review process prior to the execution and recording of the CUP in order to allow for the

inclusion of the final design review documents as exhibits within the final CUP.

Response: Understood. This process has been discussed with the client. They are working through the building information needed to get through this process and will start ASAP to ensure the process keeps moving.



April 22, 2022

Eric Williams
Olsson Associates
2111 N 67th Street, STE 200
Omaha, NE 68106

RE: Conditional Use Permit – 2nd Review
Cumming Investments, LLC
Home 2 Suites – Southport West
Proposed Lot 2 Southport West Replat Nine

Mr. Williams:

Thank you for your resubmittal of Home 2 Hotel CUP request to allow for a hotel southwest of Southport Parkway and Giles Road. Based on the elements for consideration set forth in Article 6.05 of the Zoning Ordinance, our staff has reviewed the submittal and has provided the following comments:

1. Per Section 6.05.01 and Section 6.05.04, please provide the height of the structure within the CUP site plan in feet as well as number of stories.
2. Regarding Section 6.05.05 and Section 6.05.10, the Applicant has submitted a draft Traffic Impact Analysis through the PUD application which is currently being reviewed by staff and the City's third-party traffic engineer. Provisions for traffic control and other improvement may result from the traffic study and subsequent discussions with the applicant.
3. As stated previously, the site lies with the Southport West PUD, the development will need to proceed through the architectural design review approval process. The landscaping plan is currently under review by the City's third-party Design Review Architect. However, one aspect that needs to be addressed, even prior to the provision of a design review letter, is the lack of berthing along Giles Road.

City Hall
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8116 Park View Blvd.
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9110 Giles Rd.
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7701 S. 96th St.
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402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

We have published the legal ad for your application to be reviewed by the Planning Commission on May 5th, 2022 at La Vista City Hall (8116 Park View Blvd, La Vista, NE 68128) at 6:30pm. For this item to move forward at this May 5th Planning Commission meeting, please submit a revised CUP plan set to incorporate the changes mentioned above by close-of-business Tuesday, April 26th for packet preparation. Assuming that deadline is met, please have a representative in attendance at the May 5th Planning Commission meeting to introduce your request and answer any questions that the Planning Commission might have.

Should you have any questions please contact me at 402-593-6400.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Solberg".

Christopher Solberg, AICP
Deputy Community Development Director

Cc: David Bernd – Cumming Investments, Inc.
Pat Kerrigan – Southport West Partners, LLC
Bruce Fountain, AICP – Community Development Director
Cale Brodersen, AICP – Assistant City Planner
Pat Dowse, PE – City Engineer



Comment Response: CUP Southport West -Letter dated 4/22/22

1. Per Section 6.05.01 and Section 6.05.04, please provide the height of the structure within the CUP site plan in feet as well as number of stories.

Response: Structure height and stories have been updated based on discussions with the client.

2. Regarding Section 6.05.05 and Section 6.05.10, the Applicant has submitted a draft Traffic Impact Analysis through the PUD application which is currently being reviewed by staff and the City's third-party traffic engineer. Provisions for traffic control and other improvement may result from the traffic Study and subsequent discussions with the applicant

Response: Understood

3. As stated previously, the site lies with the Southport West PUD, the development will need to proceed through the architectural design review approval process. The landscaping plan is currently under review by the City's third-party Design Review Architect. However, one aspect that needs to be addressed, even prior to the provision of a design review letter, is the lack of berthing along Giles Road

Response: Understood. We will work with developers to get these items submitted.

City of La Vista Conditional Use Permit

Conditional Use Permit for Hotel

This Conditional Use Permit issued this 17th day of May, 2022, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Cumming Investments, Inc. ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct, own, and operate a hotel upon the following described tract of land within the City of La Vista zoning jurisdiction that Owner owns or will acquire before commencing such construction:

Lot 2, Southport West Replat Nine, a subdivision as surveyed, platted and recorded in the City of La Vista, Sarpy County, Nebraska ("property" or "premises").

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a hotel on such property; and

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

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on Exhibit "B" hereto for a hotel, said use hereinafter being referred to as "Permitted Use or Use".

Conditions of Permit

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

1. Any variation or breach of any terms hereof shall cause permit to expire and terminate automatically without any further action required of the City.
2. In respect to the proposed Use:
 - a. Operations on the property will be limited to and carried out in accordance with the Operational Statement attached as Exhibit "A" and incorporated into this permit by reference.
 - b. A site plan showing the property boundaries of the tract of land and easements, proposed structures, parking, access points, and drives shall be provided to the City and attached to the permit as Exhibit "B".
 - c. This permit shall be subject to approval, execution and filing with the Sarpy County Register of Deeds of (i) Southport West Replat Nine, being a replat of Lots 23 thru 26, Southport West, and Lot 1, Southport West Replat Four, City of La Vista, and (ii) a subdivision agreement between Owner and City regarding public improvements and other requirements in connection with the Use of the property, in form and content satisfactory to the City Engineer and the terms and conditions of which shall be incorporated into this permit by reference. Provided, however, this permit shall be filed with the Sarpy County Register of Deeds immediately after such Replat Nine and subdivision agreement are filed with the Sarpy Count

Register of Deeds.

- d. The hours of operation will be 24 hours a day seven days a week.
- e. There shall not be any outside storage of materials. All trash receptacles, benches and planters shall be placed on property and securely fastened to building or concrete.
- f. The premises shall be developed and maintained in accordance with the site plan (Exhibit "B") as approved by the City and incorporated herein by this reference. Any modifications must be submitted to the Community Development Director for approval.
- g. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided. Lighting shall be designed to a standard that does not impact adjoining properties.
- h. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, FAA and ADA.
- i. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
- j. Owner hereby indemnifies and agrees to defend the City and all officials, officers, employees, agents, successors, and assigns of the City ("Indemnified Parties") against, and holds the Indemnified Parties harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, or any officers, members, directors, agents, employees, assigns, suppliers or invitees of owner, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.

3. In respect to the Gateway Corridor Overlay District and Southport West Design Guidelines:

- a. Building Exterior (Style and Building Materials)
 - i. The elevation plans (Exhibits "C") and material submitted indicate a combination of exterior materials in accordance with the Southport West Design Guidelines and approved.
- b. Mechanical Units
 - i. The ground units, electrical transformers, and gas meters are to be screened from view by a mixture of shrubs and grasses as depicted in the landscape plan (Exhibit "D").
- c. Trash Enclosure
 - i. The Site Plan (Exhibit "B") and Site Landscaping Plan (Exhibit "D") indicates screening (trash enclosure) around the refuse dumpsters. The walls of the trash enclosure are to be constructed of masonry units to match the material on the main structure. Two gates with steel frames will be utilized on the enclosure.
- d. Landscaping and Site Treatment
 - i. The Landscape Plan (Exhibit "D") has identified the required landscaping to the site and shall be incorporated accordingly.
 - ii. Any changes to the landscape plan must be approved by the City of La Vista.
 - iii. All sidewalks along Southport Parkway shall be serpentine.
- e. Exterior Light Fixtures
 - i. All exterior light fixtures used on this project for parking lots shall be in accordance with the Southport West Design Guidelines. Parking lot lights (Exhibit "E") shall be located according to the Site Plan (Exhibit "B").
 - ii. All additional exterior light fixtures must be submitted for approval.
- f. Signage

- i. All signs shall comply with the City's sign regulations and the design shall be in accordance with the Southport West Design Guidelines.
4. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
 - a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval, if the violation continues after written notice from the City to Owner and a reasonable time for Owner to cure such violation.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
 - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.
5. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.
6. If the permitted use is not commenced within one (1) year from _____, this Permit shall be null and void and all rights hereunder shall lapse, without prejudice to owner's right to file for an extension of time pursuant to the La Vista Zoning Ordinance.
7. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
8. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall constitute covenants running with the land and shall be binding upon owner and all successors and assigns of the owner.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof

shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach in writing; and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.

2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address: David Bernd
Cumming Investments, Inc.
2145 Duluth Highway, Suite A
Duluth, GA 30097

Effective Date:

The recitals at the beginning of this permit and all exhibits referenced in this permit shall be incorporated into this permit by reference. This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Pam A. Buethe
City Clerk

CONSENT AND AGREEMENT

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

Owner:

By: _____

Title: _____

Date: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF _____) ss.
)

On this _____ day of _____, 2022, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Conditional Use Permit for Hotel, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

Notary Public

ACKNOWLEDGMENT OF NOTARY

STATE OF _____)
COUNTY OF _____) ss.
)

On this _____ day of _____, 2022, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared [_____], personally known by me to be the _____ of _____, and the identical person whose name is affixed to the foregoing Conditional Use Permit for Hotel, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

Notary Public

Operating Statement

March 21, 2022

City of La Vista
Community Development
8116 Park View Boulevard
La Vista, Nebraska 68128

To whom it may concern:

Please let this letter serve as our intention to request a Conditional Use Permit for the property located on the existing lots 23-26 of Southport West 9 and Lot 1 of Southport West Replat 4. The proposed use that we are seeking is for a hotel on Lot 2 of Replat 9. The subject property is currently zoned C-3 PUD within the Gateway Corridor Overlay district. The proposed hotel will meet the requirements for site and building as enumerated in the Southport West Design guidelines for the City of La Vista, Nebraska.

The proposed development and building standards are as follows:

Proposed Height	Not to exceed 6 stories and/or 75 feet
Proposed Building Square Footage	Approximately 92,000 square feet
Proposed Parking	1 space per room
Proposed rooms: 151	Parking shown on site plan 164 spaces
Architectural Treatments	In compliance with the Southport West Design Guidelines
Landscaping	In compliance with the Southport West Design Guidelines
Sidewalks/Pedestrian Access	As required by Development Regulations

The developer of the project, Cumming Investments, Inc., is committed to building a quality hotel that will be an asset to the surrounding community and the City of La Vista.

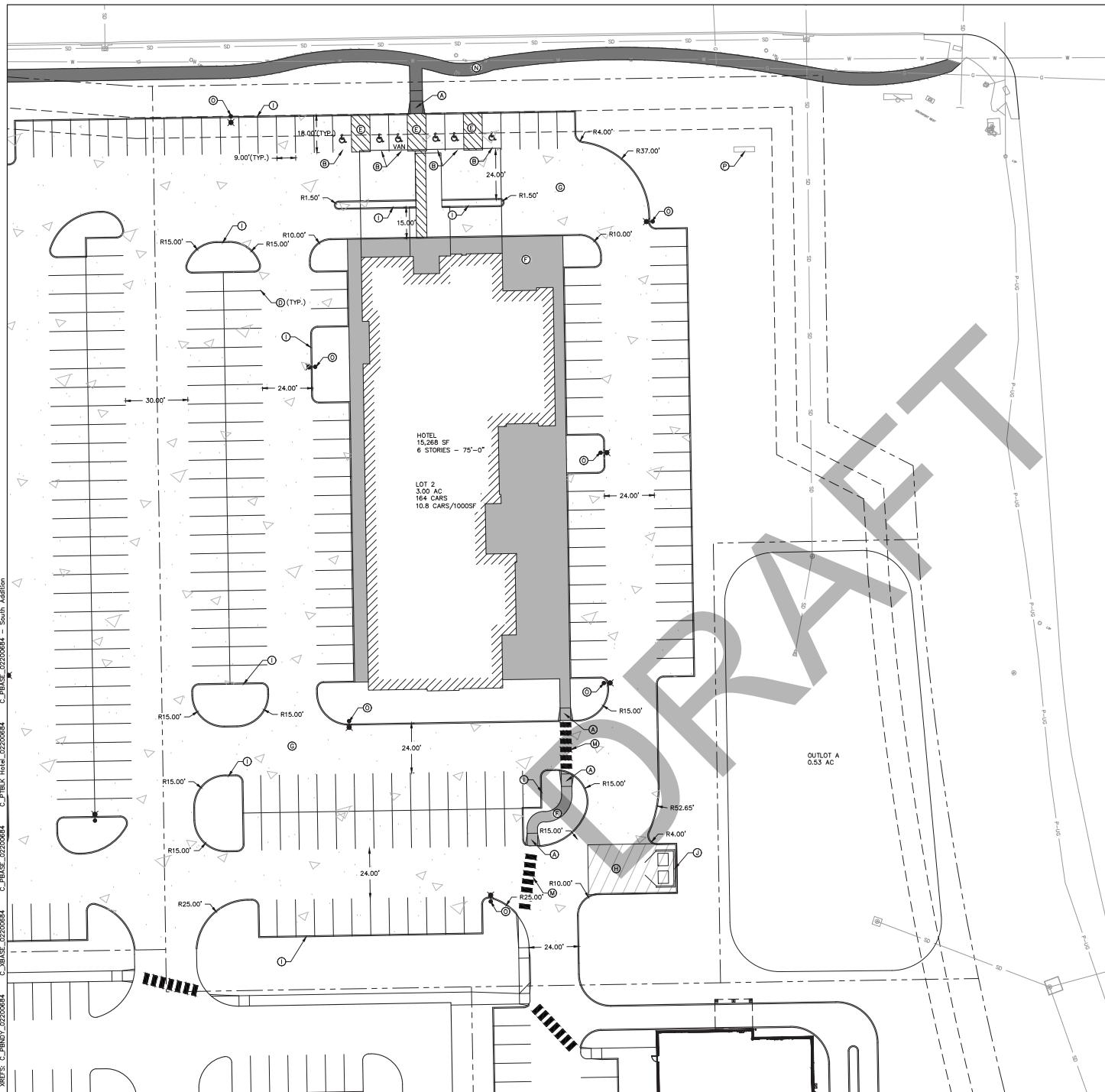
The contact information for the developer is as follows:

Cumming Investments, Inc.
2145 Duluth Highway
Suite A
Duluth, Georgia 30097.
Contact: David W. Bernd – Senior VP Development and Strategy
dwbernd@blackstone.rest

Sincerely,

Tonya Woods
Thomas and Hutton

DRAFT



SITE KEY NOTES

- ④ CONSTRUCT CURB RAMP PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET AND CITY OF OMAHA STANDARD PLATE 500-01.
- ⑤ INSTALL ADA PARKING STALL, AND ASSOCIATED STRIPPING AND SIGNAGE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET.
- ⑥ PROPOSED ADA ACCESSIBLE ROUTE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS.
- ⑦ CONSTRUCT 4-INCH THICK PAVEMENT, PAINT SHALL MEET OR EXCEED CITY OF OMAHA STANDARD SPECIFICATIONS (TP).
- ⑧ INSTALL 4-INCH WHITE PAVEMENT STRIPPING AT 45°, 2-FEET ON CENTER, REFERENCE ARCHITECTURAL PLANS AND CITY OF OMAHA STANDARD SPECIFICATIONS (TP).
- ⑨ CONSTRUCT 4-INCH THICK P.C.C. SIDEWALK, REFERENCE DETAIL SHEET AND CITY OF OMAHA STANDARD PLATE 500-01.
- ⑩ CONSTRUCT 6-INCH THICK STANDARD DUTY P.C.C. CONCRETE PAVEMENT, REFERENCE DETAIL SHEET.
- ⑪ CONSTRUCT 8-INCH DRIVeway APRON HEAVY DUTY PAVEMENT, REFERENCE ARCHITECTURAL PLANS AND DETAIL SHEET.
- ⑫ CONSTRUCT TYPE "A" INTEGRAL CURB AND GUTTER PER CITY OF OMAHA STANDARD PLATE 500-01.
- ⑬ TRASNS ENCLOSURE, REFERENCE ARCHITECTURAL PLANS, CONSTRUCT HEAVY DUTY PAVEMENT APRON AS SHOWN ON PLAN.
- ⑭ INSTALL STOP SIGN PER MUTCD STANDARDS AND PER CITY OF OMAHA STANDARD SPECIFICATIONS 906-03 AND 906-04. REFERENCE DETAIL SHEET.
- ⑮ STRUCTURAL STOOL AND DOOR, REFERENCE ARCHITECTURAL PLANS FOR EXACT LOCATION, SIZE, AND SLOPE.
- ⑯ INSTALL 4-INCH THICK STANDARD DUTY P.C.C. SIDEWALK STRIPS, REFERENCE DETAIL SHEET, PAINT SHALL MEET OR EXCEED CITY OF OMAHA STANDARD SPECIFICATIONS (TP).
- ⑰ CONSTRUCT 6-INCH THICK STANDARD DUTY P.C.C. SIDEWALK IN P.M. P.R.O.W. 12' WIDE AND SPACED 6.5' OFF BACK OF PROPERTY LINE FOR PUBLIC STREET (UNLESS OTHERWISE NOTED ON PLANS).
- ⑲ LIGHT POLE AND BASE, REFERENCE SITE LIGHTING PLAN.
- ⑳ PROPOSED MONUMENT SIGN, REFERENCE ARCHITECTURAL PLANS, SEPARATE SIGNAGE PERMIT IS REQUIRED.

SITE INFORMATION TABLE	
LEGAL DESCRIPTION:	SOUTHPORT LOTS 2 AND OUTLOT A
EXISTING ZONING:	C-3 PUD WITH A GATEWAY CORRIDOR OVERLAY
PROPOSED ZONING:	C-3 PUD WITH A GATEWAY CORRIDOR OVERLAY
SETBACKS:	
FRONT YARD:	25'-0"
FRONT YARD: (PARKING PRESENT IN FRONT YARD)	50'-0"
SIDE YARD:	15'-0"
REAR YARD:	15'-0"
BUILDING COVERAGE:	13%
IMPERVIOUS COVERAGE:	62%
PARKING REQUIREMENTS:	
REQUIRED: (LOT 2)	151 STALLS (1 PER RENTAL UNIT; 151 UNITS; MAX 6 FLOORS; REQUIRES 151 STALLS)
PROVIDED: (LOT 2)	ON-SITE PARKING: 164 STALLS (10.8 CARS PER 1,000 SF)
ACCESSIBLE PARKING:	
REQUIRED: (LOT 2)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)
PROVIDED: (LOT 2)	6 (INCLUDING 1 VAN ACCESSIBLE STALL)

LA VISTA, NE

SITE PLAN CUP PLANS		REV. NO.	
SOUTHPORT WEST REPLAT NINE PUD PHASE 1			
			2022
		A, A	

Exhibit B

100

Exhibit C

209' - 7"



NORTH ELEVATION

SCALE: 3/64" = 1' - 0"

209' - 7"



SOUTH ELEVATION

SCALE: 3/64" = 1' - 0"

Design #	0820614AR1
Sheet 2 of 5	
Client	HOME 2
Address	NWC WESTSIDE PKY & MANSELL ROAD ATLANTA, GA
Account Rep.	J LEBIHAN
Designer	P MCDONALD
Date	12/11/17
Approval / Date	
Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	
Revision/Date	

R1:HG:12/19/17:REMOVE C;
ADD E

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chandlersigns.com

National Headquarters 3201 Manor Way Dallas, TX 75235 (214) 902-3900 (800) 992-2044

San Antonio 17319 San Pedro Ave San Antonio, TX 78232 (210) 459-1834 Fax (210) 459-8724

West Coast 3210 Executive Ridge Dr. Suite 250 Vista, CA 92081 (760) 754-1798 Fax (760) 754-5752

Northeast US Suite 200 Louisville, KY 40204 (502) 479-3875 Fax (502) 452-8013

Florida 2584 Sand Hill Point Circle Davenport, FL 33837 (800) 428-1200 Fax (800) 424-1160

Georgia 131 Woodstone Place Dacula, GA 30034 (404) 715-6852 Fax (208) 349-8724

South Texas PO BOX 125 206 Doral Drive Port Lavaca, TX 78374 (361) 963-5999 Fax (361) 645-8533

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FINAL ELECTRICAL CONNECTION BY CUSTOMER

THIS SIGN IS INTENDED TO BE INSTALLED
IN ACCORDANCE WITH ARTICLE 606 OF THE
NATIONAL ELECTRICAL CODE AND OTHER
APPLICABLE LOCAL CODES. THIS INCLUDES
PROPER GROUNDING & BONDING OF THE SIGN.
SIGH WILL BEAR UL LABELS.



Design #

0820614AR1

Sheet 3 of 5

Client

HOME 2

Address

NWC WESTSIDE PKY &
MANSELL ROAD
ATLANTA, GA

Account Rep. J LEBIHAN

Designer P MCDONALD

Date 12/11/17

Approval / Date

Client

Sales

Estimating

Art

Engineering

Landlord

Revision/Date

R1:HG:12/19/17:REMOVE C;
ADD E



EAST ELEVATION

SCALE: 1/16" = 1' - 0"

HOME2
SUITES BY HILTON

National Headquarters 3210 Manor Way Dallas, TX 75235 (214) 902-3900 fm (214) 902-2044

San Antonio 17319 San Pedro Ave San Antonio, TX 78232 (210) 459-1884 fm (210) 459-8724

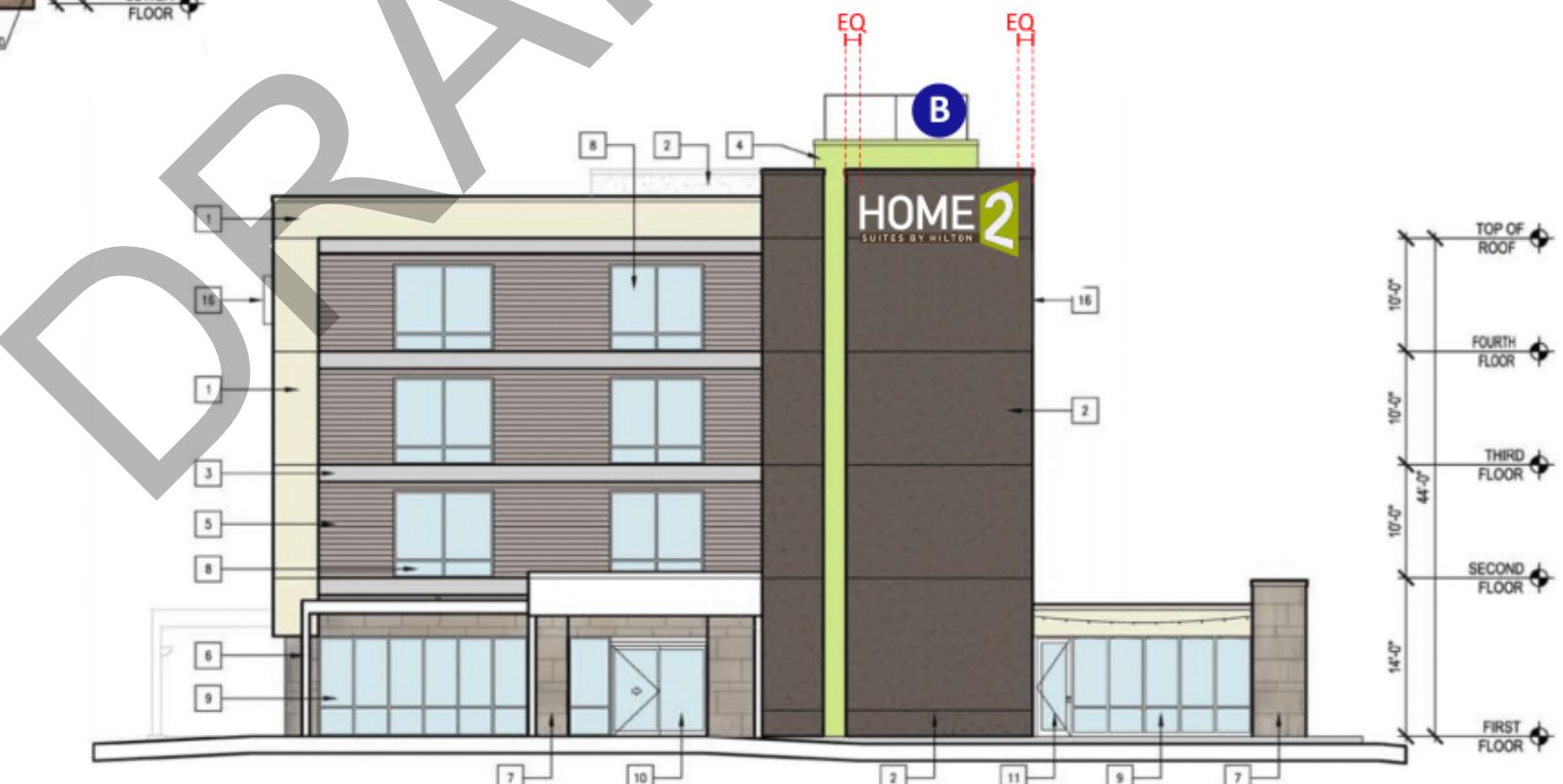
West Coast 3220 Executive Ridge Dr. Suite 250 Vista, CA 92081 (760) 754-1798 fm (760) 754-5752

Northeast US 965 Baxter Avenue Louisville, KY 40204 (502) 479-3975 fm (502) 452-8033

Florida 2584 Sand Hill Point Circle Davenport, FL 33833 (800) 428-1300 fm (800) 424-1160

Georgia 131 Woodstone Place Dacula, GA 30034 (404) 715-6852 fm (216) 449-8533

South Texas PO BOX 125 206 Doral Drive Port Lavaca, TX 78374 (361) 963-5999 fm (361) 645-8533



WEST ELEVATION

SCALE: 1/16" = 1' - 0"

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San Antonio 17319 San Pedro Ave San Antonio, TX 78232 (210) 459-1884 fm (210) 459-8724

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Northeast US 965 Baxter Avenue Louisville, KY 40204 (502) 479-3975 fm (502) 452-8033

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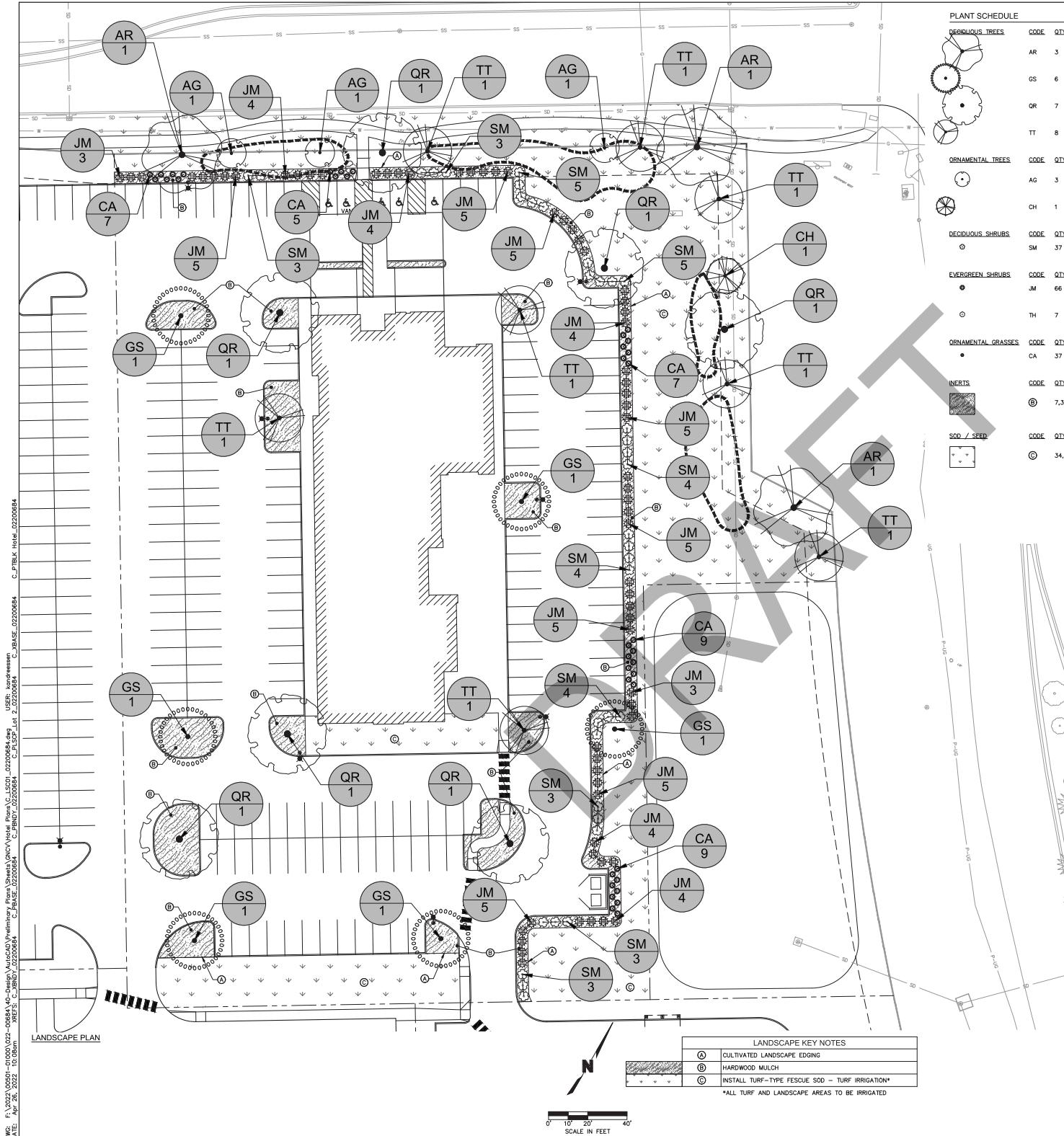
South Texas PO BOX 125 206 Doral Drive Port Lavaca, TX 78374 (361) 963-5999 fm (361) 645-8533

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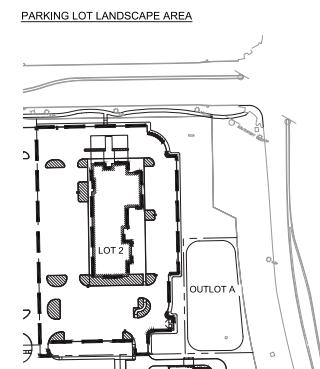
**FINAL ELECTRICAL
CONNECTION BY
CUSTOMER**

THIS SIGN IS INTENDED TO BE INSTALLED
IN ACCORDANCE WITH ARTICLE 680 OF THE
NATIONAL ELECTRICAL CODE AND OTHER
APPLICABLE LOCAL CODES. THIS INCLUDES
PROPER GROUNDING & BONDING OF THE SIGN.
SIGN WILL BEAR UL LABELS.





PLANT SCHEDULE						
DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL/HT	CONTAINER	
	AR	3	ACER RUBRUM 'RED SUNSET' RED SUNSET MAPLE	2" CAL.	B&B	
	GS	6	CLADITIS TRIACANTHOS INERMIS 'SHADEMASTER' SHADEMASTER HONEY LOCUST	2" CAL.	B&B	
	QR	7	QUERUS RUBRA RED OAK	2" CAL.	B&B	
	TT	8	TILA TOMENTOSA SILVER LINDEN	2" CAL.	B&B	
ORNAMENTAL TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL/HT	CONTAINER	
	AG	3	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' AUTUMN BRILLIANCE APPLE SERVICEBERRY	1.5" CAL.	B&B	
	CH	1	CRATAEGUS CRUS-GALLI COCKSPUR HAWTHORN	1.5" CAL.	B&B	
DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.H.T.	
	SM	37	SYRINGA MEYERI KOREAN LILAC	3 GAL.	5'	5'
EVERGREEN SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.H.T.	
	JM	66	JUNIPERUS CHINENSIS 'MANEY' MANEY JUNIPER	3 GAL.	4'	5'
	TH	7	TAXUS X MEDIA 'HICKSI' HICKS ANGLO-JAPANESE YEW	3 GAL.	10'	5'
ORNAMENTAL GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.H.T.	
	CA	37	CALAMAGROSTIS X ACUTIFLORA FEATHER REED GRASS	1 GAL.	3'	3'
INERTS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.H.T.	
		7,340 SF	MULCH MULCH SHREDDED HARD WOOD WOOD MULCH		---	
SOD / SEED	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.H.T.	
		34,635 SF	TURF SOD DROUGHT TOLERANT TURF-TYPE FESCUE	SEED		



olsson
2115 South 67th Street, Suite 200
Olathe, KS 66061
www.olsson.com
TEL: 402-341-1166

REVISIONS	REVISIONS DESCRIPTION

LA VISTA, NE	2022
LANDSCAPE PLAN	
CUP PLANS	
SOUTHPORT WEST REPLAT NINE PUD	
PHASE 1	

Exhibit D

UPDATED SOUTHPORT WEST LIGHT FIXTURE CUT SHEETS

Revised due to change in manufacturer and
revision to arm fitter for improved durability.

DRAFT

Revised October 2021





EML25

Munich Pendant Eurotique Family

Catalog
Number

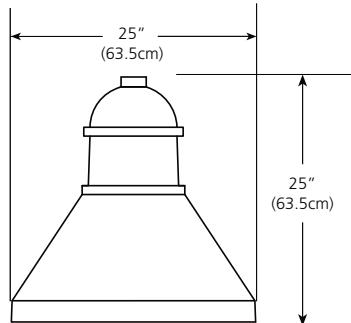
Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Specifications

EPA: 1.86 ft²
Height: 25"
Diameter: 25"
Weight: 60 lbs



Introduction

The Munich is a European-styled pendant luminaire suitable for use with a variety of Eurotique decorative arms and poles.

Intended for use in pedestrian areas such as retail environments, public parks, city centers and commercial areas or other spaces with decorative requirements and a contemporary theme.

Ordering Information

EXAMPLE: EML25 ST 63LED 350MA 4K GCF 120 R3 DDBXD

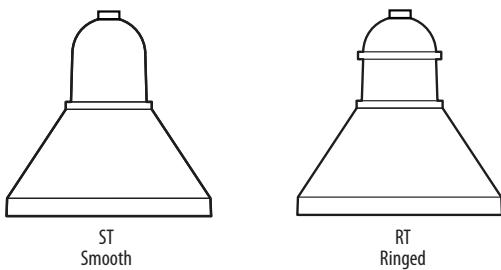
EML25		Performance Package		Color Temperature		Lens Option		Voltage		Distribution		Finish	
Series	Base	49LED 350MA	5,000 lumens	3K	3000K	GCF	Glass clear flat	MVOLT	R2	Type 2	DDBXD	Super durable dark bronze	
EML25	ST Smooth	49LED 350MA	5,000 lumens	3K	3000K	GCF	Glass clear flat	MVOLT	R2	Type 2	DDBXD	Super durable dark bronze	
	RT Ringed	49LED 525MA	6,700 lumens	4K	4000K	GCSG	Glass clear sag	120	R3	Type 3	DBLXD	Super durable black	
	FLT Fluted	63LED 350MA	6,000 lumens	5K	5000K			208	R4	Type 4	DNAXD	Super durable natural aluminum	
		63LED 525MA	8,200 lumens					240	R5	Type 5	DWHXD	Super durable white	
								277			ANBK	Antique black	
								347			ANDB	Antique dark bronze	
								480			ANDG	Antique dark green	
											ANVG	Antique verde green	
											DSPA		

Per Design Engineer of
Record requirements
for design

Use this base part #

EML25 FLT P40HO 4K GCF MVOLT Rx QSM DSPA MEZxxx/ BHC QSM FITTER DSPA

Base

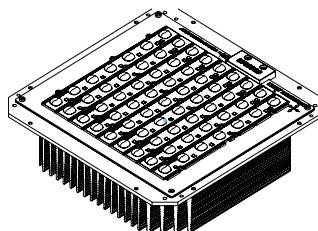


Select Your Options From

Base	Description
ST	Smooth Base
RT	Ringed Base
FT	Fluted Base

Notes:
Must select ST, RT, or FT style.

Performance Package



Select Your Choice From

Performance Package	Description
49LED 350mA	49 chips, 350 mA
49LED 525mA	49 chips, 525 mA
63LED 350mA	63 chips, 350 mA
63LED 525mA	63 chips, 525 mA

Performance Package	Watts	Distribution	3000K CCT (opt)		3000K CCT (opt)		3000K CCT (opt)	
			Lumens	Efficacy	Lumens	Efficacy	Lumens	Efficacy
49LED 350mA	59	R2	4,495	76	4,994	85	4,994	85
		R3	4,780	81	5,311	90	5,311	90
		R4	4,669	79	5,188	88	5,188	88
		R5	4,955	84	5,506	93	5,506	93
49LED 525mA	87	R2	6,030	69	6,700	77	6,700	77
		R3	6,412	74	7,125	82	7,125	82
		R4	6,264	72	6,960	80	6,960	80
		R5	6,648	76	7,387	85	7,387	85
63LED 350mA	74	R2	5,434	73	6,038	82	6,038	82
		R3	5,779	78	6,421	87	6,421	87
		R4	5,645	76	6,272	85	6,272	85
		R5	5,991	81	6,657	90	6,657	90
63LED 525mA	110	R2	7,322	67	8,135	74	8,135	74
		R3	7,786	71	8,651	79	8,651	79
		R4	7,605	69	8,450	77	8,450	77
		R5	8,072	73	8,969	82	8,969	82

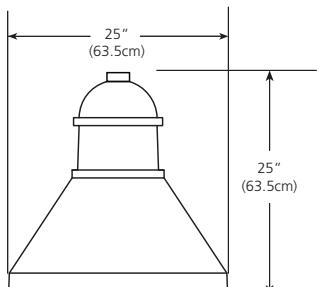
Data is considered accurate as of the revision date, shown in the highest operating temperature available.
Antique Street Lamps reserves the right to modify specifications without notice.

Color Temp

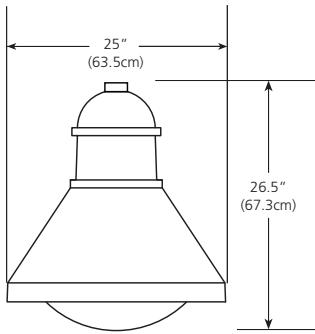
Select Your Options From

Color Temp	CCT
3K	3000K
4K	4000K
5K	5000K

Lens Option



GCF
Glass, Clear Flat



GCSG
Glass, Clear Sag

Select Your Options From

Lens	Description
GCF	Glass, Clear Flat (Standard)
GCSG	Glass, Clear Sag



Consistent with LEED® goals
& Green Globes™ criteria
for light pollution reduction

Notes:
Nighttime Friendly™ distributions available with GCF lens only.

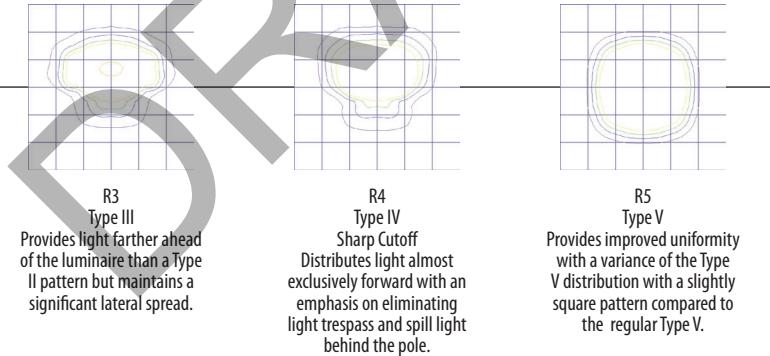
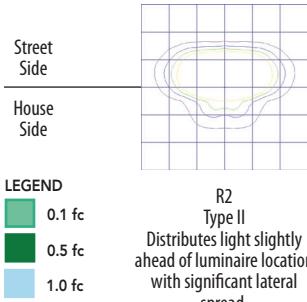
Voltage

MVOLT driver operates on any line voltage from 120 - 277V (50/60Hz)

Select Your Options From

Voltage	Description
MVOLT	MVOLT
120	120V
208	208V
240	240V
277	277V
347	347V
480	480V

Distribution



Select Your Options From

Distribution	Description
R2	Type II
R3	Type III
R4	Type IV
R5	Type V

Finish

The luminaire has a powder coat finish utilizing a premium TGIC polyester powder. The finish is a three-stage process which consists of drying, powder application and curing. Before coating, the parts are treated with a five-stage pretreatment process, consisting of a heated alkaline cleaner, rinse, phosphate coating, rinse and sealant.

For a complete listing of colors, visit:
www.acuitybrandslighting.com/architecturalcolors

Notes:

- Consult factory for RAL colors or custom color matching.

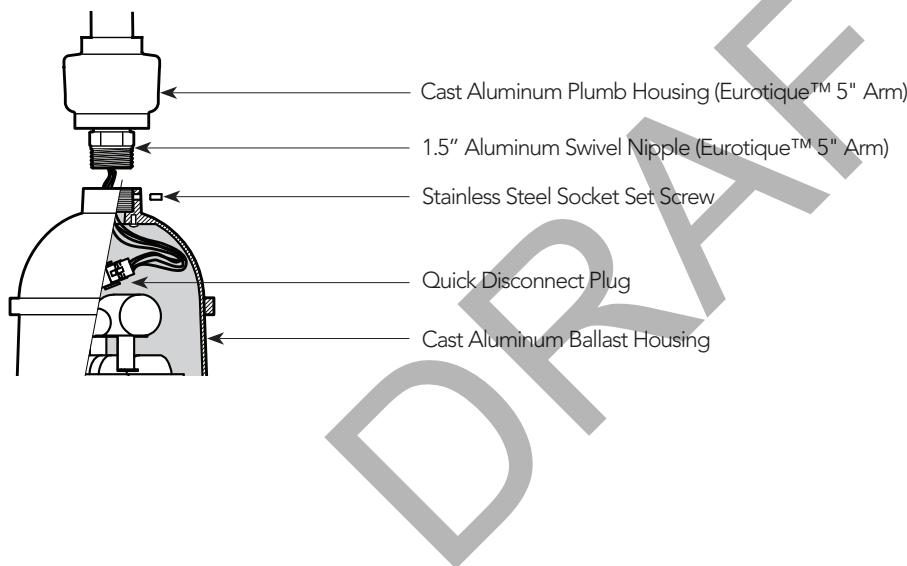
Select Your Options From

Finish	Description	Swatch
DDBXD	Super durable dark bronze	
DBLXD	Super durable black	
DNAXD	Super durable natural aluminum	
DWHXD	Super durable white	
ANBK	Antique black	
ANDB	Antique dark bronze	
ANDG	Antique dark green	
ANVG	Antique verde green	
DSPA	Traffic Grey	

Data is considered accurate as of the revision date shown.
Antique Street Lamps reserves the right to modify specifications without notice.

Installation

The luminaire is installed with a 1.5" female NPT at the top for mounting to the Eurotique 5" diameter arms. The luminaire shall be gasketed and mounted on an aluminum ring which is hinged to the skirt and furnished with a captive screw for easy relamping. The driver assembly shall be furnished with a quick disconnect plug and mount on a removable driver plate.



FEATURES & SPECIFICATIONS

INTENDED USE

This European-styled pendant or wall mount decorative luminaire is perfect for area lighting in retail, city-center, pedestrian areas or any other space with decorative requirements with a contemporary theme.

CONSTRUCTION

This luminaire consists of a driver housing with an attached skirt to shield the source from view while allowing the widest distribution. The light source is protected by your choice of a flat or sag-glass lens and assembled with stainless steel hardware. Driver and light engine assembly mount on a removable assembly plate and are furnished with quick-disconnect plugs for ease of installation and maintenance.

FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling.

OPTICS

Precision acrylic refractive optics for optimum light distribution through the flat or sag glass lens. Light engines are available in 3000K, 4000K or 5000K with a color rendering index (CRI) of 70 and is shielded by the skirt which blocks the view of the source from high angles.

ELECTRICAL

Light engine consists of either 49 or 63 high-efficiency LEDs mounted to a metal core circuit board and aluminum heat sink ensuring optimal thermal management and long life. Class 1 electronic driver is designed to have a power factor > 90%, THD< 20% and an expected life of 100,000 hours.

INSTALLATION

Mounts via a 1-1/2" NPT threaded swivel nipple to the Urban 4" or 5" diameter arms (specify PNJP6 option when ordering 4" arm) see arm specification sheets for details on mounting options.

LISTINGS

CSA certified to U.S. and Canadian standards and labeled as suitable for wet locations.

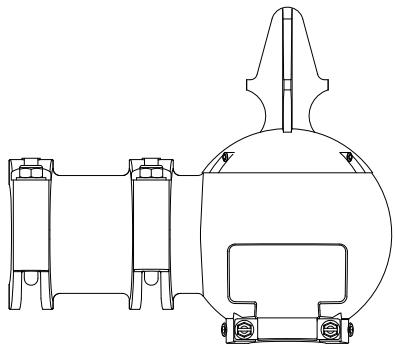
WARRANTY

5-year limited warranty. Complete warranty terms located at:
www.acuitybrands.com/support/customer-support/terms-and-conditions

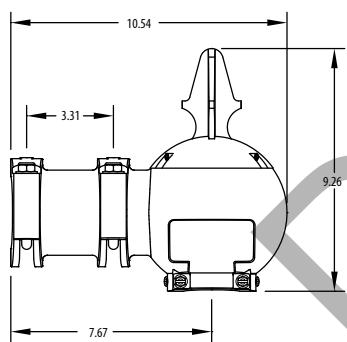
Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25C. Specifications subject to change without notice.

BHDF SERIES BOSTON HARBOUR STYLE

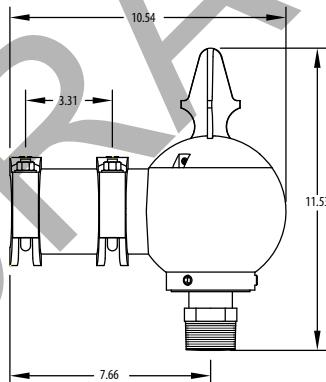
Decorative Arm Fitter



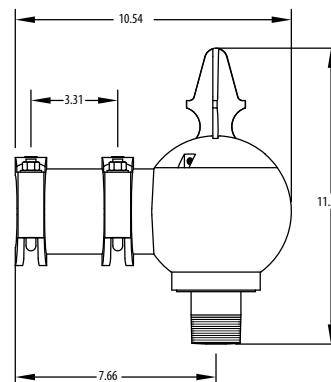
DIMENSIONAL DATA



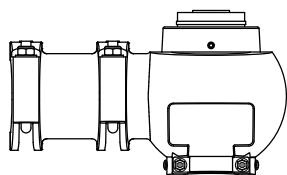
QSM Mounting



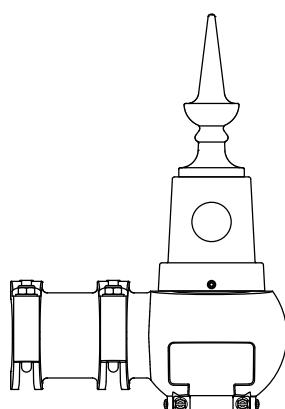
NPT15S Mounting



NPT15R Mounting



QSM Mounting with PR3E or PR7E option



TPRCSXX Accessory

Catalog Number

Notes

Installation

The fitter is provided with (2) U-bolts, washers and nuts and (2) leveling set screws that lock the fitter to a nominal 2" horizontal arm and allow a +/- 5 degree adjustment from horizontal to the fitter. (3) set screws lock either the QSM stem or NPT15S threaded male connector in place. The cast top cover can be removed to allow access to the inside of the fitter to facilitate wire connections. (3) set screws lock the cover to the fitter.

Finish

- Utilize a polyester powder coat paint to ensure maximum durability.
- Rigorous multi-stage pre-treating and painting process yields a finish that achieves a scribe creepage rating of 8 (per ASTM D1654) after over 5000 hours exposure to salt fog chamber (operated per ASTM B117) on standard and RAL finish options.
- RAL (RALxxxSDCR) paint colors are Super Durable Corrosion Resistant, 80% gloss.

Warranty

2-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application.
Specifications subject to change without notice.

BHDF SERIES

BOSTON HARBOUR STYLE

Decorative Arm Fitter



ORDERING INFORMATION

Example: BHDF QSM BK PR7E PCLL

Series	Size	Finish	Options
BHDF	Harbor Decorative Arm Fitter	NPT15S Pendant 1.50 NPT Swivel	BK Black
		NPT15R Pendant 1.50 NPT Rigid	BZ Bronze
		QSM Quick Stem Mount	DB Dark Blue
			GH Graphite
			GN Green
			GR Gray
			PP Prime Painted
			SL Silver
			WH White
			CMC Customer matching color
			CTBS Standard color to be selected
			RALxxxxSDCR RAL Super Durable Corrision Resistant, 80% Gloss Paint, replace xxxx with RAL number.
			PR3E External Mounted NEMA Twist Lock Photocontrol Receptacle - 3 PIN
			PR7E External Mounted NEMA Twist Lock Dimming Photocontrol Receptacle - 7 PIN
			SH Shorting cap
			PCLL Long Life DTL Twistlock Photocontrol for Solid State, MVOLT
			P34 Long Life DTL Twistlock Photocontrol for Solid State, 347V
			P48 Long Life DTL Twistlock Photocontrol for Solid State, 480V

Accessories
TPRCSXX Twistlock Photocontrol Cover Assembly with Spike Finial

Note:

Cover will only work with PR3E or PR73 with Acuity's PCLL, P34, P48, SH or other like devices equal in dimension.

DRAFT

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA**

Subject:	Type:	Submitted By:
FIRST AMENDMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2021-2022 BUDGET	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared to approve the Sarpy County and Cities Wastewater Agency FY2021-2022 First Amendment to the Budget.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

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

Pursuant to Section IX of the Formation Interlocal, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member. The Agency Board approved the First Amendment to the FY2021-2022 Budget on April 27, 2022, attached as Exhibit A, along with a copy of the related Agency resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2021-2022 BUDGET.

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

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

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board approved the First Amendment to the FY2021-2022 Budget on April 27, 2022; and

WHEREAS, the City Council deems it appropriate and advisable to approve the First Amendment to the FY2021-2022 Budget which has been approved by the Agency Board and is attached to this Resolution as Exhibit A;

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

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY

RESOLUTION APPROVING THE FIRST AMENDMENT TO SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2021-2022 BUDGET

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

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

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

WHEREAS, pursuant to Agency Resolution No. 2021-011, the Agency Board previously approved the Sarpy County and Cities Wastewater Agency FY2021-2022 Budget (the “FY2021-2022 Budget”);

WHEREAS, the Agency Treasurer proposed and presented to the Agency Board the amended FY2021-22 Budget; and

WHEREAS, the Agency Board discussed the proposed amended FY2021-2022 Budget and after discussion the Board deemed it advisable to approve the proposed amended FY2021-2022 Budget, attached hereto as Exhibit A, pursuant to Section IX of the Agency Formation Agreement to be presented to the governing body of each Agency Member.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD that the attached amended FY2021-2022 Budget is hereby approved and shall be presented to and subject to the approval of the individual governing body of each Agency Member; and

NOW, THEREFORE, IT FURTHER BE RESOLVED BY THE AGENCY BOARD that the Agency Board Chairman is hereby authorized to execute, on behalf of the Agency Board, any and all documents associated with or in furtherance of the amended FY2021-2022 Budget.

The above Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 27th day of April, 2022.

ATTEST:

Lisa A. Hain

Sarpy County and Cities
Wastewater Agency Secretary



David R. Kelly

Sarpy County and Cities Wastewater
Agency Board Chairman

2022-013

Exhibit A

Amended FY2021-2022 Budget

[attached]

SARPY COUNTY & CITIES WASTEWATER AGENCY

FY 2022 PROPOSED BUDGET AMENDMENT #1

07/01/2021 to 06/30/2022

	FY 2021 Budget	Adopted FY 2022 Budget	Actual FY 2022 07/21-03/22	Proposed FY 2022 Amendment #1
BEGINNING MONEY MARKET BALANCE:	\$ 699,048	\$ 8,402,465	\$ 6,457,866	\$ 6,457,866
REVENUES:				
26000 Member PILOT Contributions	\$ -	\$ -	\$ -	\$ 321,900
25000 CWSRF Planning Loan	\$ 2,749,566	\$ -	\$ 1,944,599	\$ 1,944,599
25010 CWSRF Construction Loan	\$ -	\$ 9,035,000	\$ -	\$ 9,035,000
40002 Gemini Customer Contribution Funds Used	\$ -	\$ 4,930,000	\$ -	\$ 4,930,000
40100 Connection Fees	\$ 7,950,000	\$ 5,500,000	\$ 60,800	\$ 5,500,000
40200 User Rate Charges	\$ -	\$ -	\$ -	\$ -
40300 Misc. Revenue	\$ -	\$ -	\$ -	\$ -
45001 Interest	\$ 40,000	\$ 192,000	\$ 121,900	\$ 192,000
TOTAL REVENUES:	\$ 10,739,566	\$ 19,657,000	\$ 2,127,299	\$ 21,923,499
TOTAL RESOURCES AVAILABLE:	\$ 11,438,614	\$ 28,059,465	\$ 8,585,165	\$ 28,381,365
EXPENDITURES:				
Reimbursement to Sarpy County for Reimbursable Contributions	\$ 297,120	\$ -	\$ -	\$ -
Principal Repayment to NDEE for Planning Loan	\$ -	\$ -	\$ -	\$ 250,000
60001 Financial Advisor Fees	\$ 200,000	\$ 200,000	\$ 51,513	\$ 200,000
60005 Consulting Fees				
60005.01 Steven Jensen Consulting	\$ 29,000	\$ 30,000	\$ 35,395	\$ 48,000
60005.02 Christine Myers Consulting	\$ 11,000	\$ 12,000	\$ 7,554	\$ 12,000
Total 60005 Consulting Fees	<b">\$ 40,000</b">	\$ 42,000	\$ 42,949	\$ 60,000
60006 Engineering Fees				
60006.01 Misc. Engineering Fees	\$ -	\$ 45,000	\$ -	\$ 45,000
60006.02 Phase 1A Engineering Fees	\$ 2,750,000	\$ 2,400,000	\$ 1,805,250	\$ 2,400,000
60006.03 Task Order 3 Engineering Fees	\$ 525,000	\$ 120,000	\$ 45,965	\$ 120,000
60006.04 Industrial Sewer System Engineering Fees	\$ -	\$ 120,000	\$ -	\$ 120,000
Total 60006 Engineering Fees	<b">\$ 3,275,000</b">	\$ 2,685,000	\$ 1,851,215	\$ 2,685,000
60007 Agency Loan Admin Fees	\$ 5,000	\$ 12,000	\$ 11,689	\$ 24,190
60010 Legal & Professional Services				
60020 Printing & Legal Notices	\$ 7,500	\$ 2,400	\$ 856	\$ 2,400
60030 Insurance	\$ 50,000	\$ 50,000	\$ 25,803	\$ 50,000
60040 Bookkeeping, Payroll & Financial Statements	\$ 15,000	\$ 16,300	\$ 8,169	\$ 16,300
60050 Audit Fees	\$ 25,000	\$ 15,000	\$ 7,500	\$ 19,250
60060 Legal Services	\$ 500,000	\$ 550,000	\$ 289,783	\$ 550,000
Total 60010 Legal & Professional Services	<b">\$ 597,500</b">	\$ 633,700	\$ 332,111	\$ 637,950
60100 USSWS Project Costs				
60110 Easements, ROW Services, Land Purchases	\$ 750,000	\$ 1,200,000	\$ 1,026,824	\$ 1,200,000
60120 Springfield Creek Interceptor Sewer	\$ -	\$ 5,970,000	\$ 1,614,775	\$ 5,970,000
60130 Industrial Sewer System (ISS)	\$ -	\$ 4,350,000	\$ 1,464,700	\$ 4,350,000
60150 Bid Phase Services	\$ -	\$ 40,000	\$ -	\$ 40,000
60160 ISS Bid Phase Services	\$ -	\$ 40,000	\$ -	\$ 40,000
60170 Construction Phase Services	\$ -	\$ 420,000	\$ 97,118	\$ 420,000
60180 ISS Construction Phase Services	\$ -	\$ 420,000	\$ 71,063	\$ 420,000
Total 60100 USSWS Project Costs	\$ 750,000	\$ 12,440,000	\$ 4,274,480	\$ 12,440,000
62000 USSWS Operations & Maintenance	\$ -	\$ 2,400	\$ -	\$ 2,400

SARPY COUNTY & CITIES WASTEWATER AGENCY
FY 2022 PROPOSED BUDGET AMENDMENT #1
07/01/2021 to 06/30/2022

	FY 2021 Budget	Adopted FY 2022 Budget	Actual FY 2022 07/21-03/22	Proposed FY 2022 Amendment #1
63000 Vehicles & Large Equipment	\$ -	\$ 32,200	\$ 8,950	\$ 32,200
63010 Vehicle Fuel	\$ -	\$ 2,400	\$ 1,005	\$ 2,400
63040 Lab Testing	\$ -	\$ 1,200	\$ -	\$ 1,200
63050 Testing Equipment, Supplies & Repairs	\$ -	\$ 2,400	\$ 5	\$ 2,400
63070 Safety / PPE	\$ -	\$ 1,200	\$ -	\$ 1,200
63090 Mowing	\$ -	\$ 7,000	\$ 250	\$ 7,000
Total 63000 Vehicles & Large Equipment	\$ -	\$ 46,400	\$ 10,210	\$ 46,400
64000 Office Equipment & Supplies				
64005 Office Supplies	\$ 2,000	\$ 300	\$ 47	\$ 300
64010 Tools, Small Equipment & Maintenance	\$ -	\$ 2,400	\$ -	\$ 2,400
64020 Computers, Printers & Furniture	\$ -	\$ 6,000	\$ 6,418	\$ 10,000
64030 Software & Contracted IT Services	\$ 1,500	\$ 2,400	\$ 11,277	\$ 17,000
64040 Internet (IT Services)	\$ -	\$ 480	\$ 3,921	\$ 8,000
64050 Telephone	\$ -	\$ 360	\$ -	\$ 360
64060 Postage & Shipping	\$ 1,500	\$ 180	\$ 2	\$ 180
Total 64000 Office Equipment & Supplies	\$ 5,000	\$ 12,120	\$ 21,665	\$ 38,240
65000 Personnel & Benefits				
65010 Salaries, Full Time	\$ -	\$ 100,000	\$ 64,182	\$ 100,000
65020 Social Security	\$ -	\$ 7,560	\$ 4,626	\$ 7,560
65030 Deferred Compensation	\$ -	\$ 7,020	\$ 6,308	\$ 10,000
65040 Health Insurance	\$ -	\$ 27,600	\$ 12,918	\$ 27,600
65050 Dental Insurance	\$ -	\$ 1,440	\$ 425	\$ 1,440
65060 Life Insurance	\$ -	\$ 600	\$ 23	\$ 600
65070 Disability Insurance	\$ -	\$ 1,500	\$ -	\$ 1,500
65080 Unemployment / Benefit Payout	\$ -	\$ 300	\$ 113	\$ 300
65090 Workers Compensation Insurance	\$ -	\$ 1,200	\$ 3,725	\$ 4,000
65100 Uniform Allowance	\$ -	\$ 1,500	\$ -	\$ 1,500
65110 Licenses / Certifications	\$ -	\$ 1,800	\$ -	\$ 1,800
65120 Books / Periodicals	\$ -	\$ 400	\$ -	\$ 400
65130 Organizational Dues	\$ -	\$ 840	\$ 1,182	\$ 1,200
65140 Professional Dev. / Conferences	\$ -	\$ 850	\$ 1,040	\$ 1,200
65150 Travel & Lodging	\$ -	\$ 1,500	\$ 605	\$ 1,200
65160 Recruitment & Onboarding	\$ -	\$ 3,000	\$ 759	\$ 3,000
65170 Contingency Funds	\$ -	\$ 84,000	\$ 21,987	\$ 30,000
Total 65000 Personnel & Benefits	\$ -	\$ 241,110	\$ 117,893	\$ 193,300
TOTAL EXPENDITURES:	\$ 4,872,500	\$ 16,314,730	\$ 6,713,725	\$ 16,577,480
NET REVENUES - EXPENDITURES:	\$ 5,867,066	\$ 3,342,270	\$ (4,586,426)	\$ 5,346,019
ENDING MONEY MARKET BALANCE:	\$ 6,566,114	\$ 11,744,735	\$ 1,871,440	\$ 11,803,885

FY 2022 Budget Amendment #1 Adopted by Agency Governing Body: April 27, 2022

FY 2022 Budget Amendment #1 Adopted by Sarpy County Governing Body:

FY 2022 Budget Amendment #1 Adopted by Bellevue Governing Body:

FY 2022 Budget Amendment #1 Adopted by Gretna Governing Body:

FY 2022 Budget Amendment #1 Adopted by La Vista Governing Body:

FY 2022 Budget Amendment #1 Adopted by Papillion Governing Body:

FY 2022 Budget Amendment #1 Adopted by Springfield Governing Body:

FY 2022 Agency Budget Amendment #1 Effective Date:

*Budget becomes effective upon approval by the governing bodies of all participating entities.

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA

Subject:	Type:	Submitted By:
SARPY COUNTY AND CITIES WASTEWATER AGENCY – FY2022-2023 BUDGET	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared to approve the Sarpy County and Cities Wastewater Agency FY2022-2023 Budget.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

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

Pursuant to Section IX of the Formation Interlocal, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member. The Agency Board approved the FY2022-2023 budget on April 27, 2022, attached as Exhibit A, along with a copy of the related Agency approval resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2022-2023 BUDGET.

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

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

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board approved the proposed FY2022-2023 Budget, which was approved by the Agency Board at the Agency's Board Meeting on April 27, 2022; and

WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2022-2023 Budget which has been approved by the Agency Board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2022-2023 Budget is hereby approved.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY

**RESOLUTION APPROVING THE SARPY COUNTY AND CITIES WASTEWATER
AGENCY FY2022-2023 BUDGET**

WHEREAS, pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq., (hereinafter the “Act”), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into an agreement (as amended, “Formation Interlocal”) and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (hereinafter the “Agency”);

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

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

WHEREAS, the Agency Board discussed the proposed FY2022-2023 Budget and after discussion the Board deemed it advisable to approve the proposed FY2022-2023 Budget, attached hereto as **Exhibit A**, and pursuant to Section IX of the Agency Formation Agreement the FY2022-2023 Budget shall be presented to the governing body of each Agency Member for review and approval.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD that the FY2022-2023 Budget is hereby approved and shall be presented to and subject to the approval of the individual governing body of each Agency Member; and

NOW, THEREFORE, IT FURTHER BE RESOLVED BY THE AGENCY BOARD that the Agency Board Chairman is hereby authorized to execute, on behalf of the Agency Board, any and all documents associated with or in furtherance of the FY2022-2023 Budget.

The above Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 27th day of April, 2022.

ATTEST:

Lisa A. Hain

Sarpy County and Cities Wastewater
Agency Secretary



David R. Kelly

Sarpy County and Cities Wastewater
Agency Board Chairman

Exhibit A

FY2022-2023 Budget

[Attached]

SARPY COUNTY & CITIES WASTEWATER AGENCY

FY 2023 PROPOSED BUDGET

07/01/2022 to 06/30/2023

	FY2022 Budget Amendment #1	Actual/Estimated FY2022	Proposed FY2023 Budget
10000 Money Market			
10010 Operation and Maintenance			\$ 1,424,075
10020 Loan Payment			\$ 1,500,000
10030 County Repayment			\$ -
10040 Surplus			\$ 4,171,519
Total 10000 Money Market	\$ 6,457,866	\$ 6,457,866	\$ 7,095,594
REVENUES:			
26000 Member PILOT Contributions	\$ 321,900	\$ 321,900	\$ 150,000
25000 CWSRF Planning Loan	\$ 1,944,599	\$ 1,944,599	\$ -
25010 CWSRF Construction Loan	\$ 9,035,000	\$ 9,035,000	\$ 44,138,500
40002 Gemini Customer Contribution Funds Used	\$ 4,930,000	\$ 4,930,000	\$ 5,970,000
40100 Connection Fees	\$ 5,500,000	\$ 60,000	\$ 25,000
40200 User Rate Charges	\$ -	\$ -	\$ -
40300 Misc. Revenue	\$ -	\$ -	\$ -
40310 Federal Earmark	\$ -	\$ -	\$ 3,400,000
40400 Bellevue Expanded Force Main Payment	\$ -	\$ -	\$ 2,000,000
45001 Interest	\$ 192,000	\$ 151,900	\$ 150,000
TOTAL REVENUES:	\$ 21,923,499	\$ 16,443,399	\$ 55,833,500
TOTAL RESOURCES AVAILABLE:	\$ 28,381,365	\$ 22,901,265	\$ 62,929,094
EXPENDITURES:			
Reimbursement to Sarpy County for Reimbursable Contributions	\$ -	\$ -	\$ -
Principal Repayment to NDEE for Planning Loan	\$ 250,000	\$ 250,000	\$ 500,000
60001 Financial Advisor Fees	\$ 200,000	\$ 66,513	\$ 100,000
60005 Consulting Fees			
60005.01 Steven Jensen Consulting	\$ 48,000	\$ 45,895	\$ 30,000
60005.02 Christine Myers Consulting	\$ 12,000	\$ 9,504	\$ 12,000
60005.40 Midwest ROW Consulting	\$ 100,000	\$ 95,356	\$ 442,000
Total 60005 Consulting Fees	\$ 160,000	\$ 150,755	\$ 484,000
60006 Engineering Fees			
60006.01 Misc. Engineering Fees	\$ 45,000	\$ -	\$ 20,000
60006.02 Phase 1A Engineering Design Fees	\$ 2,400,000	\$ 2,400,000	\$ 80,000
60006.03 Task Order 3 Engineering Design Fees	\$ 120,000	\$ 120,000	\$ 31,000
60006.04 ISS Engineering Design Fees	\$ 120,000	\$ 120,000	\$ -
Total 60006 Engineering Fees	\$ 2,685,000	\$ 2,640,000	\$ 131,000
60007 Agency Loan Admin Fees	\$ 24,190	\$ 24,190	\$ 24,000
60010 Legal & Professional Services			
60020 Printing & Legal Notices	\$ 2,400	\$ 1,256	\$ 2,000
60030 Insurance: Commercial Liability and Public Officials	\$ 50,000	\$ 25,900	\$ 28,500
60040 Bookkeeping, Financial Statements & Payroll Fees	\$ 16,300	\$ 11,895	\$ 17,000
60050 Audit Fees	\$ 19,250	\$ 19,250	\$ 18,000
60060 Legal Services	\$ 550,000	\$ 394,783	\$ 550,000
60080 Rate Study Services	\$ -	\$ -	\$ 70,000
Total 60010 Legal & Professional Services	\$ 637,950	\$ 453,084	\$ 685,500
60100 USSWS Project Costs			
60110 Right-of-Way, Easements, and Land Acquisitions	\$ 1,100,000	\$ 1,100,000	\$ 1,700,000
60120 Springfield Creek Interceptor Sewer (SCI)	\$ 5,970,000	\$ 5,970,000	\$ 4,600,000
60130 Industrial Sewer System (ISS)	\$ 4,350,000	\$ 4,350,000	\$ 5,900,000

SARPY COUNTY & CITIES WASTEWATER AGENCY

FY 2023 PROPOSED BUDGET

07/01/2022 to 06/30/2023

	FY2022 Budget Amendment #1	Actual/Estimated FY2022	Proposed FY2023 Budget
60140 Lift Stations (LS)	\$ -	\$ -	\$ 7,000,000
60143 Force Main, Segments 1-4 (FM)	\$ -	\$ -	\$ 23,000,000
60146 Zwiebel Creek Subbasin 3 Interceptor Sewer (ZC3)	\$ -	\$ -	\$ 7,000,000
60150 SCI Bid Phase Services	\$ 40,000	\$ 40,000	\$ -
60160 ISS Bid Phase Services	\$ 40,000	\$ 40,000	\$ -
60170 SCI Construction Phase Services	\$ 420,000	\$ 252,000	\$ 415,500
60175 HDR LS, FM & ZC3 Phase 1A Construction Phase Services	\$ -	\$ -	\$ 1,600,000
60180 ISS Construction Phase Services	\$ 420,000	\$ 252,000	\$ 366,000
60185 LS, FM & ZC3 Phase 1A Construction Testing; Surveying	\$ -	\$ -	\$ 250,000
Total 60100 USSWS Project Costs	\$ 12,340,000	\$ 12,004,000	\$ 51,831,500
62000 USSWS Operations & Maintenance			
62010 ISS/Basin Electrical O&M	\$ -	\$ -	\$ 500
62020 ISS/Basin Grounds O&M	\$ 1,150	\$ 500	\$ 2,500
62030 ISS Line O&M	\$ -	\$ -	\$ 500
62040 ISS/Basin Manhole/Structure O&M	\$ -	\$ -	\$ 500
62050 ISS/Basin Misc. O&M	\$ -	\$ -	\$ 500
62060 ISS/Basin Permit Complaince	\$ -	\$ -	\$ 500
62070 ISS/Basin Sampling & Testing	\$ -	\$ -	\$ 1,200
62080 ISS/Basin Software	\$ -	\$ -	\$ 1,500
62090 ISS/Basin Supply Power	\$ -	\$ -	\$ 1,200
62100 ISS/Basin Wireless/Internet	\$ -	\$ -	\$ 1,200
62310 USSWS Electrical O&M	\$ -	\$ -	\$ -
62320 USSWS Grounds O&M	\$ 1,150	\$ 500	\$ 2,500
62330 USSWS Line O&M	\$ -	\$ -	\$ -
62340 USSWS Manhole O&M	\$ -	\$ -	\$ -
62350 USSWS Misc. O&M	\$ -	\$ -	\$ 500
62360 USSWS Permit Complaince	\$ -	\$ -	\$ 500
62370 USSWS Sampling & Testing	\$ -	\$ -	\$ 500
62380 USSWS SCADA System	\$ -	\$ -	\$ -
62390 USSWS Supply Power	\$ -	\$ -	\$ 600
62400 USSWS Wireless/Internet	\$ -	\$ -	\$ 600
62500 USSWS One-Call Locates	\$ -	\$ -	\$ -
62510 ISS One-Call Locates	\$ -	\$ -	\$ 300
62540 Misc. Shipping	\$ 100	\$ -	\$ 100
62550 Contracted Services	\$ -	\$ -	\$ 1,000
62950 O&M Contingency Funds	\$ -	\$ -	\$ 10,000
Total 62000 USSWS Operations & Maintenance	\$ 2,400	\$ 1,000	\$ 26,700
63000 Vehicles & O&M Equipment			
63001 Vehicles	\$ 32,200	\$ 8,950	\$ 60,300
63003 Large Equipment (+\$5,000)	\$ 7,000	\$ 3,500	\$ 6,000
63006 Small Equipment (-\$5,000)	\$ 2,400	\$ 1,200	\$ 3,500
63008 Equipment/Tool Rental	\$ 1,200	\$ 600	\$ 3,000
63010 Vehicle Fuel	\$ 2,400	\$ 2,200	\$ 9,000
63020 Equipment Fuel	\$ -	\$ 200	\$ 1,000
63040 Vehicle Repairs & Maintenance	\$ -	\$ -	\$ 4,000
63050 Equipment Repairs & Maintenance	\$ -	\$ -	\$ -
63070 Safety / PPE	\$ 1,200	\$ 600	\$ 2,000
63090 Insurance: Commercial Automobile	\$ -	\$ -	\$ 3,500
63950 Equipment Contingency Funds	\$ -	\$ -	\$ 10,000
Total 63000 Vehicles & Large Equipment	\$ 46,400	\$ 17,250	\$ 102,300

SARPY COUNTY & CITIES WASTEWATER AGENCY

FY 2023 PROPOSED BUDGET

07/01/2022 to 06/30/2023

	FY2022 Budget Amendment #1	Actual/Estimated FY2022	Proposed FY2023 Budget
64000 Office Equipment & Supplies			
64005 Office Supplies	\$ 300	\$ 150	\$ 300
64010 Office Tools, Equipment & Maintenance	\$ 2,400	\$ 250	\$ 600
64020 Computers, Printers & Furniture	\$ 10,000	\$ 6,918	\$ 6,000
64030 Software / SAS	\$ 12,000	\$ 11,837	\$ 17,000
64035 SCIS IT Services	\$ 5,000	\$ 9,974	\$ 12,000
64040 Insurance: Electronic Data Processing	\$ -	\$ -	\$ 250
64050 Office Rental	\$ 8,360	\$ 8,500	\$ 9,000
64060 Postage & Shipping	\$ 180	\$ 11	\$ 90
Total 64000 Office Equipment & Supplies	\$ 38,240	\$ 37,640	\$ 45,240
65000 Personnel & Benefits			
65010 Salaries, Full Time	\$ 100,000	\$ 96,277	\$ 226,000
65012 Phone Allowance	\$ -	\$ -	\$ 2,400
65020 Payroll Taxes	\$ 7,560	\$ 6,877	\$ 18,080
65030 Deferred Compensation	\$ 10,000	\$ 9,462	\$ 27,500
65040 Health Insurance	\$ 27,600	\$ 16,610	\$ 50,000
65045 Post-Employment Health Insurance Plan	\$ -	\$ -	\$ 2,845
65050 Dental Insurance	\$ 1,440	\$ 568	\$ 1,800
65060 Life Insurance	\$ 600	\$ 31	\$ 110
65070 Disability Insurance	\$ 1,500	\$ -	\$ 800
65080 Unemployment / Benefit Payout	\$ 300	\$ -	\$ 1,000
65090 Workers Compensation Insurance	\$ 4,000	\$ 3,725	\$ 12,500
65100 Uniform Allowance	\$ 1,500	\$ 375	\$ 2,500
65110 Licenses / Certifications	\$ 1,800	\$ 450	\$ 1,500
65120 Books / Periodicals	\$ 400	\$ 100	\$ 500
65130 Organizational Dues	\$ 1,200	\$ 1,200	\$ 1,800
65140 Professional Dev. / Conferences	\$ 1,200	\$ 1,200	\$ 2,000
65150 Travel & Lodging	\$ 1,200	\$ 904	\$ 2,000
65160 Recruitment & Onboarding	\$ 3,000	\$ 760	\$ 1,000
65170 Personnel Contingency Funds	\$ 30,000	\$ 22,700	\$ 20,000
65300 Reimbursement to Agency Members for Secretary & Treasurer	\$ -	\$ -	\$ 24,000
Total 65000 Personnel & Benefits	\$ 193,300	\$ 161,239	\$ 398,335
TOTAL EXPENDITURES:	\$ 16,577,480	\$ 15,805,671	\$ 54,328,575
NET REVENUES - EXPENDITURES:	\$ 5,346,019	\$ 637,728	\$ 1,504,925
ENDING MONEY MARKET BALANCE:	\$ 11,803,885	\$ 7,095,594	\$ 8,600,519

FY 2023 Budget Adopted by Agency Governing Body: April 27, 2022

FY 2023 Budget Adopted by Sarpy County Governing Body: _____

FY 2023 Budget Adopted by Bellevue Governing Body: _____

FY 2023 Budget Adopted by Gretna Governing Body: _____

FY 2023 Budget Adopted by La Vista Governing Body: _____

FY 2023 Budget Adopted by Papillion Governing Body: _____

FY 2023 Budget Adopted by Springfield Governing Body: _____

FY 2023 Agency Budget Effective Date: _____

*Budget becomes effective upon approval by the governing bodies of all participating entities.

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA

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

SYNOPSIS

A resolution has been prepared to approve the Sarpy County and Cities Wastewater Agency Third Amendment to the Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

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

Pursuant to Section XVII of the Formation Interlocal, the Agency Board may amend the Agreement upon the execution of a written amendment by the governing bodies of all Members, and the approval of resolutions adopting the terms of the written amendment by the governing body of each Member. The Agency Board approved the Third Amendment to the Interlocal Agreement at a public meeting duly held in accordance with applicable law on April 27, 2022. Resolution 2022-016.

The only change to the interlocal agreement is giving authority to make administrative changes to the Agency’s Jurisdiction boundary without the prior approval of the Agency Board or the applicable governing bodies of the Members having jurisdiction over the areas affected by such administrative boundary changes.

RESOLUTION NO. _____

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

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

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

WHEREAS, the Agency Board discussed the proposed Third Amendment to Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency attached hereto as Exhibit A (the "Third Amendment"), and subsequently deemed it appropriate and advisable to approve the Third Amendment and to submit the same to the governing body of each Agency Member for approval and execution

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska do hereby approve the Third Amendment to the Interlocal Agreement creating the Sarpy County and Cities Wastewater Agency.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY

RESOLUTION APPROVING THE THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT CREATING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

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

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

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

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

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

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

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

The above Amended Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 27th day of April, 2022.

ATTEST:

Lisa A. Hain

Sarpy County and Cities Wastewater
Agency Secretary

HB: 4857-5442-7933.1



David R. K. Clark

Sarpy County and Cities Wastewater
Agency Board Chairman

Exhibit A

Third Amendment

[Attached]

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

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

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

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

WHEREAS, pursuant to Section VII(C) of the Formation Interlocal, the Agency's Jurisdiction may be amended from time to time as necessary and upon the approval of both the Agency Board and the Members' individual governing bodies;

WHEREAS, the Members desire to have the authority to make administrative changes to the Agency's Jurisdiction boundary without the prior approval of the Agency Board or the applicable governing bodies of the Members having jurisdiction over the areas affected by such administrative boundary changes;

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

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

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

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

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

2. **Authority to Apply for and Hold Permits.** Subsection V.A. of the Formation Interlocal is hereby amended by adding the following new sub-subsection (27) to the end of said Subsection V.A:

“27. Apply for, hold, maintain, enforce and be the responsible party for, and to enter into any agreements with Members or other political subdivisions concerning any and all permits, licenses, approvals and authorizations issued or given by any federal, state, county and local government agencies, districts, departments, boards, partnerships, and other political subdivisions necessary for or related to the construction, inspection, ownership, operation and maintenance of the Unified SSWS in accordance with this Agreement including, but not limited to, grading and other construction permits issued by the applicable political subdivisions having authority over such matters.”

3. **Administrative Changes to the Agency’s Jurisdiction.** Section VII of the Formation Interlocal is hereby amended by adding the following new subsection (E) to the end of said Section VII:

“E. Notwithstanding anything contained herein to the contrary, the Agency may make certain administrative changes to the boundary of the Agency’s Jurisdiction without the prior approval, authorization or resolution of the Agency Board or the Members’ individual governing bodies so long as such administrative changes are duly approved by the Member having jurisdiction over the areas affected by such administrative change and the Agency Administrator in accordance with the Agency’s Growth Management Plan adopted by the Agency Board on June 26, 2019 pursuant to Agency Resolution No. 2019-004, as amended on February 26, 2020 pursuant to Agency Resolution No. 2020-004, and further amended on April 27, 2022 pursuant to Agency Resolution No. 2022-015, and in accordance with the Growth Management Plan Implementing Policies and Procedures adopted by the Agency Board on August 26, 2020 pursuant to Agency Resolution No. 2020-013, as amended on April 27, 2022 pursuant to Agency Board Resolution No. 2022-015 (collectively, and as further amended and modified from time to time, the “Growth Management Plan”).”

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

5. **Effective Date.** This Third Amendment shall be not be effective until (a) the governing body of each Member (a) duly approves and executes this Third Amendment, and (b)

duly approves and incorporates into its comprehensive plan the amended Growth Management Plan adopted by the Agency Board on April 27, 2022 pursuant to and in accordance with Agency Board Resolution No. 2022-015. Such approvals shall include all actions of each Member prior to such date taken in reliance upon and in accordance with the terms of this Third Amendment, and each Member shall furnish to the Agency a certified copy of the resolution of its governing body. This Third Amendment shall be in full force and effect as of such effective date and shall continue until terminated by mutual agreement of all the parties hereto.

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

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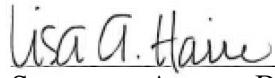
IN WITNESS WHEREOF, in accordance with Sections XVII and XVIII(D) of the Formation Interlocal, the Agency Board and the Members approve this Third Amendment and hereunto sets their hands to this Third Amendment upon the day and year hereinafter indicated.

Executed by the Sarpy County and Cities Wastewater Agency this 27th day of April, 2022.

SARPY COUNTY AND CITIES
WASTEWATER AGENCY,
A Political Subdivision

By 
Chairperson, Agency Board

ATTEST:



Secretary, Agency Board



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

Executed by Sarpy County this _____ day of _____, 2022.

SARPY COUNTY, NEBRASKA,
A Political Subdivision

By _____
Chairperson, Board of Commissioners

Attest:

Sarpy County Clerk

Approved as to form:

Sarpy County Attorney

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

Executed by the City of Bellevue this _____ day of _____, 2022.

ATTEST:

CITY OF BELLEVUE, a Nebraska
Municipal Corporation

Susan Kluthe, City Clerk

Rusty Hike, Mayor

CITY SEAL

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

Executed by the City of Papillion this _____ day of _____, 2022.

ATTEST:

CITY OF PAPILLION, a Nebraska
Municipal Corporation

Nicole Brown, City Clerk

David P. Black, Mayor

CITY SEAL

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

Executed by the City of La Vista this _____ day of _____, 2022.

ATTEST:

CITY OF LA VISTA, a Nebraska
Municipal Corporation

Pamela A. Buethe, City Clerk

Douglas Kindig, Mayor

CITY SEAL

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

Executed by the City of Gretna this _____ day of _____, 2022.

ATTEST:

CITY OF GRETNA, a Nebraska
Municipal Corporation

Tammy L. Tisdall, City Clerk

Mike Evans, Mayor

CITY SEAL

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

Executed by the City of Springfield this _____ day of _____, 2022.

ATTEST:

CITY OF SPRINGFIELD, a Nebraska
Municipal Corporation

Kathleen Gottsch,
City Administrator/City Clerk

Robert Roseland, Mayor

CITY SEAL

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 17, 2022 AGENDA

Subject:	Type:	Submitted By:
SARPY COUNTY AND CITIES WASTEWATER AGENCY – REVISED GROWTH MANAGEMENT PLAN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared to approve the Sarpy County and Cities Wastewater Agency Revised Growth Management Plan.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

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

Pursuant to Agency Resolution 2022-015, the Agency revised and approved certain policies and procedures that are intended to implement and enforce the Growth Management Plan, on April 27, 2022, which shall be presented to and subject to approval of the individual governing body of each Member. The revised Growth Management Policies and Procedures are attached.

There were 285 changes made to the Growth Management Plan as presented. A redlined copy identifying all the changes and updates has been included.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE REVISED GROWTH MANAGEMENT PLAN AND RELATED POLICIES AND PROCEDURES FOR THE SARPY COUNTY AND CITIES WASTEWATER AGENCY.

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. Section 13-801 et. seq., Sarpy County and the Cities of Papillion, Bellevue, Springfield, Gretna and La Vista (each a "Member") entered into an agreement (as amended, the "Formation Interlocal"), and formed an interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

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

WHEREAS, the Agency Board approved the Growth Management Plan (as amended, the "Growth Management Plan") that prioritizes areas of land development and growth and serves as a necessary step in the development of a master plan within parts of the Agency's Jurisdiction, located in southern portions of Sarpy County south of the hydrological ridgeline, and excluding any area within the corporate boundaries or extraterritorial or other jurisdiction of the City of La Vista. The Agency Board further approved certain policies and procedures that are intended to implement and enforce the revised Growth Management Plan, attached as EXHIBIT A (the revised "GMP Policies").

WHEREAS, certain actions of the Agency Board require approval of the Members. The Members previously approved the revised Growth Management Plan, and the Agency Board has submitted the revised GMP Policies to the Members for approval.

NOW, THEREFORE BE IT RESOLVED, that neither the revised Growth Management Plan nor the revised GMP Policies, nor any part thereof, shall apply to or within the City of La Vista or any area within the corporate boundaries or extraterritorial or other jurisdiction of the City of La Vista, as such corporate boundaries or jurisdiction from time to time may be adjusted.

BE IT FURTHER RESOLVED that the recitals above and the attached exhibit are incorporated into this Resolution by reference.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska do hereby approve the Revised Growth Management Plan and related policies and procedures for the Sarpy County and Cities Wastewater Agency.

PASSED AND APPROVED THIS 17TH DAY OF MAY 2022.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY

**RESOLUTION ADOPTING AND APPROVING REVISED GROWTH MANAGEMENT
PLAN AND RELATED POLICIES AND PROCEDURES**

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

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

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

WHEREAS, pursuant to Section VI of the Formation Interlocal, the Agency is required to plan, develop, and approve a Master Plan for the design of the Unified SSWS;

WHEREAS, pursuant to Agency Resolution Nos. 2019-004 and 2020-013, the Agency adopted the Growth Management Plan and its implementing policies and procedures (collectively, and as amended, the “Growth Management Plan”) that prioritizes areas of land development and growth within the Agency’s Jurisdiction and that serves as a necessary step in the development of the Master Plan. The Growth Management Plan was subsequently approved by each Agency Member’s governing body;

WHEREAS, pursuant to Section V(A)(4) of the Formation Interlocal, the Agency has the power and authority to “[m]ake, amend, and repeal such Agency bylaws, rules, and regulations from time to which are not inconsistent with the Act and [the Formation Interlocal] and which are intended to carry out and effectuate the Agency’s powers and purposes”; and

WHEREAS, in connection therewith, the Agency Board reviewed the proposed revised Growth Management Plan and Policies and Procedures attached hereto as **Exhibit A** (the “Revised Growth Management Plan”);

WHEREAS, the Agency Board deems it appropriate and advisable to approve the attached Revised Growth Management Plan; and

WHEREAS, the Agency recognizes that the Agency’s adoption of the Revised Growth Management Plan does not supersede each Member’s planning approval jurisdiction, and the Members (a) recognize that any future development and related sewer service expansion within the Agency’s Jurisdiction shall be consistent with the Growth Management Plan, as amended, and any implementing policies and procedures adopted by the Agency Board from time to time, and (b) agree to submit the Revised Growth Management Plan to their respective bodies and

planning and zoning boards (or related bodies) for review and incorporation into their respective comprehensive development and land use plans or similar instruments.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD THAT the Revised Growth Management Plan attached hereto as **Exhibit A** are hereby adopted and approved;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE AGENCY BOARD THAT the Agency's adoption of the Revised Growth Management Plan does not, except as otherwise provided in the Formation Interlocal or pursuant to Agency Resolution 2019-004, (a) expand the Agency's Jurisdiction or abrogate the requirements of Section VII of the Formation Interlocal, (b) abrogate each Member's maintenance of its own autonomy, jurisdiction, powers, and indebtedness as a governmental subdivision, (c) supersede each Member's planning approval jurisdiction, or (d) in any manner restrict, limit, or control either Gretna's, Springfield's, Sarpy County's or Papillion's sole authority to own, operate, maintain, design, construct, extend, and collect revenue from their Existing Sewer Systems located within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, and Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE AGENCY BOARD THAT each Member (a) recognizes that any future development and related sewer service expansion within the Agency's Jurisdiction shall be consistent with the Growth Management Plan, as amended, the Revised Growth Management Plan, and any implementing policies and procedures adopted by the Agency Board from time to time, and (b) agrees to submit the Revised Growth Management Plan to its governing body and planning and zoning board (or related body) for review and incorporation into its comprehensive development and land use plan or similar instrument.

The above Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 27th day of April, 2022.

ATTEST:

Lisa A. Haine

Sarpy County and Cities Wastewater
Agency Secretary




Sarpy County and Cities Wastewater
Agency Board Chairman

2022-015

EXHIBIT A

Revised GMP Policies and Procedures

[Attached]

SARPY COUNTY AND CITIES WASTEWATER AGENCY
GROWTH MANAGEMENT PLAN

Effective June 26, 2019

Adopted by Sarpy County and Cities Wastewater Agency on June 26, 2019 Pursuant to Resolution No. 2019-004

Amended on February 26, 2020 Pursuant to Resolution No. 2020-004; and April 27, 2022 Pursuant to Resolution No. 2022-015

Overview

This Growth Management Plan (the “Plan”) provides an overall framework for the suburban/urban development of a portion of southern Sarpy County (the “County”) to be served by a unified sanitary sewer system owned and operated under the auspices of the Sarpy County and Cities Wastewater Agency (the “System”). The Plan identifies areas intended to be served by the System as well as growth zones intended to manage development in phases.

The Agency and its individual Members agree that the System’s design, phasing and operation are intended to achieve the following objectives:

- Enable future development while limiting it to areas that can be served by sanitary wastewater facilities and other necessary public infrastructure, facilities and services.
- Encourage economic development in the County through targeted public infrastructure development.
- Provide support for the Future Land Use plans and related infrastructure and service plans of each Agency Member.
- Consider market demand while providing predictability for private investment.
- Support projects that provide County-wide benefit.
- Reflect holistic public infrastructure, facility and service needs and impacts.
- Ensure that those who benefit from the System contribute to its development, operation and maintenance.

To achieve these objectives, the Agency and its Members intend to adopt this Plan and, separately, the policies and procedures required to implement it. The Agency may periodically update this Plan, the Growth Zones (as defined below) and the implementing policies and procedures.

Growth Management Area

The Service Area map (Figure 1) depicts the “Service Area” covered by the Growth Management

Plan. Land within this area (the “Growth Management Area”) is intended to be developed to a suburban/urban density, defined as development that requires municipal water and sanitary sewer service. Land outside of the Growth Management Area and outside of the Papillion Creek Watershed is restricted to lower-density development that can be accommodated through individual or small-scale well and septic systems.

Growth Zones

The Growth Management Area comprises two “Growth Zones” that manage where and how new development occurs within the Growth Management Area: (1) the Urban Reserve Zone (“URZ”), which limits growth in areas not currently served with sanitary sewer and other public utilities but which can be served in the future; and (2) the Urban Development Zone (“UDZ”), which provides opportunity for immediate investment and development and which best supports urban and suburban-scale densities with corresponding infrastructure extensions.

The URZ’s purpose is to ensure that sufficient land is available to accommodate projected demand for future urban development. Further, given the cost of the infrastructure needed to support such development, it is critical that enough land is reserved within the URZ to accommodate the density of development needed to pay for the sewers, streets, utilities and other infrastructure required to serve the new urban development. As urban scale infrastructure (sanitary sewer, roads, etc.) becomes available on the periphery of the URZ, the Agency should assess the phased transition of watersheds to the UDZ.

The Growth Zone map (Figure 2) depicts the boundaries of each Growth Zone. Boundary adjustments will be made in accordance with policies and procedures set forth by the Agency and will support the Agency’s objective of ensuring any development occurring within the URZ is consistent with infrastructure development plans and availability within the UDZ. ~~Criteria considered by the Agency in evaluating boundary adjustment requests to include portions of the URZ in the UDZ may include:~~

- ~~○ Will the property in question be served by sanitary interceptor sewers and other infrastructure necessary to support urban-scale development?~~
- ~~○ Can the property be served by industry standard depth gravity flow to an existing municipal sanitary sewer line in the UDZ?~~
- ~~○ Is there a factual error in the delineation of the URZ boundary?~~

~~If a boundary adjustment request meets one or more of the criteria set forth above, the Agency should consider adjusting the URZ boundary to incorporate the property in question into the UDZ and update the Growth Zone map accordingly.~~

This Growth Management Plan does not supersede each Member’s planning approval jurisdiction.

GROWTH MANAGEMENT PLAN IMPLEMENTING POLICIES AND PROCEDURES

Effective August 26, 2020

Adopted by Sarpy County and Cities Wastewater Agency on August 26, 2020 Pursuant to Resolution No. 2020-013

I. Purpose

Amended on April 27, 2022 Pursuant to Resolution No. 2022-015

I. **Purpose.** The policies and procedures set forth herein (collectively, these “Policies”) are intended to and do effectuate the Growth Management Plan initially adopted by the Sarpy County and Cities Wastewater Agency (the “Agency”) on June 26, 2019 pursuant to Resolution No. 2019-004 and amended on February 26, 2020 pursuant to Resolution No. 2020-004 (as amended, the “Growth Management Plan”) to guide suburban and urban development within the Agency’s jurisdiction in southern Sarpy County depicted as the “Service Area” on **Figure 1** attached hereto (the “Agency’s Jurisdiction”) to be served by a unified sanitary sewer system owned and operated under the Agency (the “System”). The Growth Management Plan is incorporated herein by this reference. The Agency was created under the Interlocal Cooperation Act pursuant to that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency dated September 19, 2017 (as amended, the “Formation Interlocal”).

II. Amendments

~~The Agency Board may establish and adopt such additional procedures as it deems necessary and appropriate to effectuate these policies and procedures.~~

III. Policies

II. **The following policies, URZ and UDZ Policies.** The following Policies, as adopted by the Agency and its individual members (individually, a “Member”; collectively, “Members”), apply to property and developments within the designated Urban Reserve Zone (“URZ”) and Urban Development Zone (“UDZ”) located in the Agency’s Jurisdiction, each as depicted on the Growth Zone map attached hereto as **Figure 2**. Unless otherwise provided in these Policies, the future land use pattern for developments within the Agency’s Jurisdiction shall be urban, suburban, or industrial in character and density that can be served with public infrastructure, facilities, utilities and services (including water and wastewater).

A. URZ Policies

1. Standard suburban/urban/industrial development developments requiring municipal water and/or sewage treatment wastewater services will not be allowed in the URZ until individual watersheds in which such developments are located are included within the UDZ and “opened” for development as part of the phased extension of sanitary sewer service from the UDZ, unless otherwise approved by a resolution of the Agency Board or as provided in these Policies.

2. New ~~development in this zone~~ developments in the URZ will be limited except as may be allowed by the applicable Member's large acreage and build-through or similar type of zoning and/or subdivision regulations. For Members that do not have a large acreage, build-through or similar type zoning and/or subdivision regulations, developments in those Members' zoning and planning jurisdiction shall adhere to Sarpy County's corresponding regulations.

3. New developments in ~~this zone~~ the URZ must provide for arterial street connections and through-street connections and adequate easements for future utility extensions. Such future extensions cannot be altered, blocked or denied. The applicable Members shall follow their respective street connection plans or similar type policies. For Members that do not have such plans or policies, those Members shall follow Sarpy County's street connection plan.

4. Prior to a Member's approval of a final plat for any tract, parcel or lot within the URZ, there must be a Member Agreement (as defined below) for such tract, parcel or lot.

5. If development is permitted in the URZ in accordance with these ~~areas~~it Policies, such development should be designed and constructed in a way that minimizes impact on surrounding uses and allows for future suburban/urban/industrial development, i.e. cluster development.

6. The URZ should be periodically monitored/evaluated for adjustment by the Agency. As urban-/suburban/industrial scale infrastructure (~~sanitary sewer~~municipal water, wastewater, roadways, and other improvements and services) becomes available on the periphery of the URZ, the Agency may assess the phased transition of watersheds located in the URZ to the UDZ in accordance with Section III below.

7. ~~If a Member determines that standard suburban/urban/industrial development should occur within a portion of the URZ located within that Member's planning and zoning jurisdiction, that Member may allow such standard suburban/urban/industrial development consistent with the following procedure, unless waived or otherwise agreed to by the Agency Board in writing:~~

~~(a) Such Member must notify the Agency Administrator in writing that it desires to pursue a Member Agreement (defined below) to allow standard suburban/urban/industrial development in the URZ;~~

~~(b) The Agency pays for and commissions from its financial advisor(s) a new study of the potential adverse impact of such development within the URZ to the System's anticipated capacity, function and connection fees if such development were to occur. The Member shall provide the Agency's financial advisor(s) with all pertinent~~

~~information reasonably requested by said advisor(s) related to the proposed standard suburban/urban/industrial development in order for the advisor(s) to conduct such a study;~~

(c) ~~Prior to such impact study being conducted, (i) a preliminary plat of such proposed standard suburban/urban/industrial development must have previously been submitted to the Member's planning and zoning board, and (ii) the Member requesting the Agency impact study must pay to the Agency one-half of the cost for the same;~~

(d) ~~In the event the Member disagrees with the results of the Agency's impact study, such Member may, at the Member's sole cost and expense, obtain a separate study on the potential adverse impact of such development in the URZ. If the Member elects to obtain a separate impact study, it shall provide a copy of the same to the Agency Administrator. The Agency is under no obligation to accept, consider, adopt or incorporate any portion of such Member's impact study, and the Agency Board retains the authority to determine the adverse impact of such development in the URZ in its sole and absolute discretion; and~~

(e) ~~The Agency and such Member enter into a written agreement (a "Member Agreement") pursuant to which such Member agrees to compensate the Agency for and make other accommodations necessary to eliminate any adverse impact as determined by the Agency's impact study. If the Member agrees to compensate the Agency for and otherwise eliminate the potential impacts to the System capacity, function and connection fees as determined by the impact study, then the Agency cannot deny or delay approval of the Member Agreement.~~

8. ~~To the extent feasible and agreed to by the Agency and the applicable Member, the Member Agreement may include provisions permitting the developer of such land to be reimbursed by such Member or other future developments in connection with the developer's pioneering of the construction and payment of non-interceptor sewer infrastructure.~~

B. UDZ Policies:

B. UDZ Policies.

1. Development in these areas must be served with public infrastructure, facilities, utilities and services (including municipal water and wastewater) in a manner that is coordinated with the appropriate Member jurisdictions.

2. Development must be urban/suburban/industrial in character and follow the Agency's technical advisor's sewer flow and revenue assumptions and

projections for the land within the UDZ and the Agency's ~~Growth Management Plan. In general, it is assumed that the future land use pattern in the Agency's Jurisdiction will be urban, suburban, or industrial in character and density.~~

3. If a Member approves a development within the UDZ that is not urban, suburban or industrial in character and density, such development shall be subject to a connection fee on a per acre basis as set forth in the Agency's rate and fee schedule then in effect. If, however, such Member does not want to assess a connection fee on a per acre basis, the procedure set forth in Section ~~III(A)(7) above~~IV.C.1 below shall be followed to determine the adverse impact of such development and the Member's agreement to compensate the Agency for the same.

C. UDZ and URZ "With Agreement" Policies. The Growth Zone map attached hereto as Figure 2, may depict certain areas as "UDZ With Agreement" and "URZ With Agreement." The Agency has determined that such areas are currently able to be designated as UDZ or URZ, as applicable, but only upon execution of a separate written agreement between the Agency and the governing body of the applicable Member that includes provisions concerning the design, construction, and financing of sewer infrastructure within such area (whether the Agency System or other sewer system(s)), projected wastewater flows in such designated areas, whether such area is subject to Agency connection fees or other similar fees and costs, whether deferment of development in another UDZ area is required, and whether such infrastructure will be pioneered or financed by such Member. Upon satisfaction of all the conditions set forth in each such written agreement necessary to designate such area as UDZ or URZ, as applicable, the Agency shall update the Growth Zones map to show such "UDZ With Agreement" areas as UDZ, or, applicable, such "URZ With Agreement" areas as URZ, and unless otherwise set forth in such written agreement, such Growth Zones map update may be done without further Agency Board action or approval.

D. Policies Applicable to Unique Governmental or Quasi-Governmental Developments. If a Member notifies the Agency of a proposed development ~~in its within such Member's~~ zoning and planning jurisdiction ~~by another governmental, quasi-governmental or other district, agency, body, political subdivision or entity with eminent domain authority~~ that such Member does not otherwise support pursuant to subsections (A), (B), or (C) above, and only after such Member used good faith efforts to reach an agreement with the applicable developer with respect to connection fees, user rates and other considerations applicable to such development not otherwise addressed in this Section ~~III~~II or set forth in the Growth Management Plan, no Member shall be responsible for the payment to the Agency ~~agrees to waive the of any~~ connection fees otherwise payable to the Agency applicable to such development in accordance with the Agency's rate and fee schedules then in effect.

IV. Boundary Adjustment Procedures and Criteria

III. Amendments to and Periodic Reviews of Growth Management Plan and Policies.

Although it is not encouraged, a limited amount of development may be allowed within the URZ prior to the installation of infrastructure necessary to support urban development. However, it is important that any such interim development provides for future sewer and utility easements and follows applicable Agency and Member policies for arterial and internal street connections. In addition, it is important that any such development reserves sufficient land for future urban development. Such steps will ensure that future urban development can be supported and fit seamlessly with earlier development. To ensure that sufficient land is set aside and that proper connections and easements are provided, any development approved by the Agency in the URZ in accordance with the Agency's policies and procedures shall adhere to build-through regulations comparable to those of Sarpy County with respect to the level of sewer flows and revenue generated by such development or the applicable Member's similar type regulations, whichever is more restrictive and promotes the most dense development.

A. Agency Boundary Updates:

A. Amendments. The Agency Board may establish and adopt such additional policies and procedures as it deems necessary and appropriate to effectuate these Policies and to implement the Growth Management Plan.

B. 1. Following the initial adoption of the Growth Management Plan and establishment of the URZ and UDZ boundaries by the Agency, the Agency shall set aside a portion of the fees collected from development for future updates to the Growth Management Plan. This update shall occur every 4-5 Periodic Reviews of and Updates to Growth Management Plan and Policies. The Agency shall periodically review and update, as necessary, the Growth Zones, Growth Management Plan and these Policies, and such reviews shall occur no less frequently than every four-to-five years or sooner if market conditions require. The update Such reviews and updates shall follow the same process as the initial adoption of the plan, as follows:

1. (a) Document and review historic development data and trends in the Agency's Jurisdiction and the surrounding metropolitan area.

2. (b) Review all plans for the area and ensure that those plans and the new growth management plan are compatible.

3. (c) Analyze current market conditions and estimate future development needs.

4. (d) Review actual revenue from various sources and estimate revenue based on future development patterns and trends.

5. (e) Review potential watersheds for a shift from the URZ to the UDV and estimate costs.

6. (f) Consider not only the sewer costs but also the cost of other needed public infrastructure, utility, facility and service costs.

7. (g) Based on this analysis identify preferred watershed(s), if any, that are needed to accommodate new development, to be included in the UDV. Calculate the revenue adjustments needed to pay for the necessary improvements.

8. (h) Meet with the Member jurisdictions, development community, business community and public, to develop the proposed changes, costs and financing plan.

9. (i) Based on input from these interested parties prepare a final boundary plan for approval by the Agency Board and adoption by the applicable Member jurisdictions.

B. ~~Boundary Adjustment Requests: The following section outlines the process and criteria for adjusting the Urban Reserve Zone and Urban Development Zone boundaries following a special request by an Agency Member.~~

~~1. Requests for boundary adjustments by an Agency Member should be made in writing to the Agency Administrator stating the reason or reasons for the adjustment. The Agency Administrator will transmit the request to the Board as a Growth Management Plan amendment for appropriate action.~~

IV. Boundary Change Procedures and Criteria

A. Agency Jurisdiction Boundary Changes. Except as expressly provided in these Policies, the area comprising the Agency's Jurisdiction shall be established in accordance with the Formation Interlocal.

B. Minor Adjustments to Growth Zones Boundaries. The following section outlines the process and criteria for making minor adjustments to the URZ and UDV boundaries following a request by an Agency Member. Requests for minor Growth Zones boundary adjustments shall be made by a Member in writing to the Agency Administrator stating the reason or reasons for a minor boundary adjustment based on the criteria set forth below. The Agency Administrator shall transmit the request to the Board as a minor Growth Zone boundary adjustment for consideration. In considering ~~the~~a request for a such a minor boundary adjustment, the Agency Board ~~should inquire~~shall consider whether the following criteria can be met:

1. (a) The applicable Member and/or developer must have taken the necessary steps to ensure that ~~a portion of the URZ~~the development subject to

the boundary adjustment request will be served by municipal sanitary interceptor sewers and other infrastructure necessary to support urban-/suburban/industrial development.:

2. ~~(b)~~The applicant can show that there is a factual defect in the delineation of the ~~Urban Reserve Zone~~ URZ boundary line.:

3. ~~(c)~~A developer can show that after the proposed grading of a portion of its ~~plat development~~ that is within the URZ, the property can be served by industry standard depth gravity flow to an existing ~~municipal Member~~ sanitary sewer line ~~in the Urban Development Zone (UDZ), or the Agency System, as applicable, in the UDZ; and/or~~

4. ~~(d)~~Any other criteria not now anticipated that follows the objectives outlined in the Growth Management Plan and these Policies.

If it is determined by the Agency Board that at least one of the above criteria has been met and upon execution of agreements and/or adoption of an Agency Board resolution-, as applicable, effectuating the above, the development area will be added into the UDZ and the Growth Zone map(s) will be adjusted accordingly unless the Agency determines that such ~~modification~~minor adjustment would: (i) adversely impact the System, the Agency, or any Member jurisdiction; (ii) cause the Agency to violate any agreements to which it is a party; or (iii) otherwise violate Agency resolutions, policies and/or procedures then in effect.

C. Growth Zones Boundary Changes. The following section outlines the process and criteria for adjusting the URZ and UDZ boundaries following a request by an Agency Member that does not meet the criteria for a minor adjustment under subsection (B) above or under Section VI below.

1. If a Member determines that standard suburban/urban/industrial development should occur within a portion of the URZ located within that Member's planning and zoning jurisdiction and the Growth Zone boundaries should be adjusted to include such development within the UDZ, that Member may allow such standard suburban/urban/industrial development consistent with the following procedure, unless waived or otherwise permitted by these Policies or by resolution of the Agency Board:

(a) Such Member must notify the Agency Administrator in writing that it desires to pursue a Member Agreement (defined below) to allow a standard suburban/urban/industrial development in the URZ and to move such development to the UDZ. Such boundary adjustment requests should state the reason or reasons for the boundary adjustment;

(b) The Agency pays for and commissions from its financial advisor(s) a new study of the potential adverse impact of moving within the boundary of the UDZ to the System's anticipated capacity, function and connection fees if such development were to occur. The Member shall provide the Agency staff and its advisor(s) with all pertinent information reasonably requested by said staff and advisor(s) related to the proposed standard suburban/urban/industrial development in order for the advisor(s) to conduct such a study;

(c) Prior to such impact study being conducted, (i) a preliminary plat or application for such proposed standard suburban/urban/industrial development must have previously been submitted to the Member's planning and zoning board, and (ii) the Member requesting the Agency impact study must pay to the Agency one-half of the cost for the same;

(d) In the event the Member disagrees with the results of the Agency's impact study, such Member may, at the Member's sole cost and expense, obtain a separate study on the potential adverse impact of moving such development from the URZ to the UDZ. If the Member elects to obtain a separate impact study, it shall provide a copy of the same to the Agency Administrator. The Agency is under no obligation to accept, consider, adopt or incorporate any portion of such Member's impact study, and the Agency Board retains the authority to determine the adverse impact of moving such development from the URZ to the UDZ in its sole and absolute discretion; and

(e) The Agency and such Member enter into a written agreement (a "Member Agreement") pursuant to which such Member agrees to compensate the Agency for and make other accommodations necessary to eliminate any adverse impact as determined by the Agency's impact study. If the Member agrees to compensate the Agency for and otherwise eliminate the potential impacts to the System capacity, function and connection fees as determined by the impact study, then the Agency cannot deny or delay approval of the Member Agreement. To the extent feasible and agreed to by the Agency and the applicable Member, the Member Agreement may include provisions permitting the developer of such land to be reimbursed by such Member or other future developments in connection with the developer's pioneering of the construction and payment of non-interceptor sewer infrastructure.

V. Exception Requests Procedures and Criteria

A. Exception Policy. Although it is not encouraged, a limited amount of development may be allowed within the URZ prior to the installation of infrastructure necessary to support urban development. However, it is important that any such interim development provides for future sewer and utility easements and follows applicable Agency and Member policies for arterial and internal street connections. In addition, it is important that any such URZ development reserves sufficient land for future urban development. Such steps will ensure that future urban development can be supported and fit seamlessly with earlier development. To ensure that sufficient land is set aside and that proper connections and easements are provided, any development approved by the Agency in the URZ in accordance with the Agency's policies and procedures shall adhere to build-through regulations comparable to those of Sarpy County with respect to the level of sewer flows and revenue generated by such development or the applicable Member's similar type regulations, whichever is more restrictive and promotes the most dense development.

B. Exception Process. The following provides the process and criteria for evaluating specific requests by an applicant or Agency Member for an exception (an "Exception") from the Growth Management Plan and/or these Policies:

1. Requests for Exception requests should be made in writing to the Agency Administrator stating the reason or reasons why the guidelines Growth Management Plan and/or these Policies should be waived.
2. The Agency Administrator will transmit the request to the Board for appropriate action as a Growth Management Plan Exception.
3. In considering the request for Exception, the Board shall determine whether one or more of the following criteria can be met: , provided the applicant agrees to pay sewer connection and usage fees established by the Agency and to set aside any necessary sewer easements as may be necessary to ensure the future extension of sewer service within the Agency's Jurisdiction, unless otherwise waived pursuant to subsection 3(a) below:
 - (a) The applicant/developer can show that the subject land is subject to an approved preliminary subdivision plat and/or rezoning with an application that was submitted on or before August 9, 2019¹, and, therefore, should be entitled to complete its development in accordance with the regulations prevailing at the time it submitted its plat and/or rezoning application, and such developments under shall not be subject to payment to the Agency of any sewer connection fees. Replats and rezonings that result in significant changes to the original plat and/or use

¹ August 9, 2019 represents the date that all governing bodies of the Members approved the Growth Management Plan initially adopted by the Agency on June 26, 2019 pursuant to Agency Resolution No. 2019-004.

of the affected property may be reviewed on a case-by-case basis, and such development may be required to set aside new or additional sewer easements and pay applicable Agency connection fees;

~~(a) The applicant can show that it made a bona fide application for subdivision approval and/or rezoning prior to the effective date of the 2019 Growth Management Plan and, therefore, should be entitled to have its plat considered in accordance with the regulations prevailing at the time they submitted their plat.~~

(b) The applicant can show that approval of the request would further another important Member Comprehensive Plan objective which might offset any detrimental impact of granting an Exception from the URZ requirements:

(c) The applicant can show that the approval will allow division of property for settlement of an estate between family members so that ownership will be continued uninterrupted within the family and that they have followed the County's guidelines for utility and drainage easements and roadway access and connections; and/or

(d) The applicant can show that it is requesting to create a single additional lot for sale or transfer to a member of their immediate family for construction of a home for that family member and that they have followed the County's guidelines for utility and drainage easements and roadway access and connections.

~~(e) The applicant agrees to pay sewer connection and usage fees established by the Agency and to set aside any necessary sewer easements as may be necessary to ensure the future extension of sewer service within the Agency's jurisdiction.~~

4. ~~B.~~ Exceptions shall not be granted if the proposed development or subdivision is proposed for land that has previously been set aside as an "outlot" through the Build-Through Overlay Zoning District process.

5. ~~C.~~ Exceptions related to ~~3b~~ 3(b) above should not be granted unless the development is supported by the applicable Member jurisdiction within which the exception development is located and only after appropriate physical and financial adjustments and possible compensations are provided to ensure that the exception will not adversely affect the Agency's objectives, policies, procedures or finances. In addition, such an exception should not be granted if the small lot subdivision can be achieved through a Build-Through Overlay Zoning District process.

6. D. In the event the Agency grants conditional approval of an Exception request, such Agency conditions shall be satisfied before the applicable Agency Member approves the applicable preliminary plat and/or rezoning approval.

7. Any approval by the Agency Board of any such Exception shall, at the request of the Agency Board, be memorialized in a written agreement between the Agency and the governing body of the applicable Member.

VI. Administrative Changes/Approvals.

A. *Administrative Approvals of Agency Jurisdiction Boundary Changes.* To the extent permitted by the Formation Interlocal, the Agency Administrator may amend the boundary of the Agency's Jurisdiction without Board approval in accordance with the following procedure:

1. A Member must submit to the Agency Administrator a written request for an administrative boundary adjustment to the Agency's Jurisdiction. Such written administrative boundary adjustment request shall state the reason or reasons supporting the administrative boundary adjustment to the Agency's Jurisdiction is necessary. The Member shall also provide the Agency staff and its advisor(s) with all pertinent information reasonably requested by said staff and advisor(s) related to the administrative boundary adjustment request;

2. If such Member requests only to remove land from the Agency's Jurisdiction, the Agency's financial advisor must confirm in writing that removal of such land from the Agency's Jurisdiction does not result in a substantial loss of Agency projected revenue²;

3. If such Member requests only to add land to the Agency's Jurisdiction, then the Agency's Project Engineer must confirm in writing the System has sufficient capacity³ to serve any added land based on projected flows from such additional land;

4. If such Member requests both to remove and add land to the Agency's Jurisdiction, then (a) the Agency's financial advisor must confirm in writing that the net result of such removal and addition does not result in a

² For purposes of Section VI(A) and (B), a proposed boundary change shall be deemed to result in a "substantial loss of Agency projected revenue" if the cumulative result is a net reduction of projected Agency connection fees for five (5) acres or more of land from the Agency's Jurisdiction or from the UDZ Growth Zone, as applicable.

³ For purposes of Section VI(A) and (B), the Agency shall be deemed to have "sufficient capacity" to serve additional land under a boundary change if the cumulative result is a net increase of no more than five (5) acres of land to the Agency's Jurisdiction or to the UDZ Growth Zone, as applicable.

substantial loss of Agency projected revenue, and (b) the Agency's Project Engineer must confirm in writing the System has sufficient capacity to serve any added land based on projected flows from such additional land;

5. Land added, removed and/or swapped administratively pursuant to this subsection (A) must be located entirely within the requesting Member's extraterritorial jurisdiction and contiguous to the then existing boundary of the Agency's Jurisdiction;

6. All non-requesting Members shall have no less than ten (10) business days to review and comment on such administrative boundary adjustment request. The Agency Administrator shall not approve or deny such written boundary adjustment request within such ten-business day period, unless the Agency Administrator receives written comments from a representative of each of the non-requesting Members during such ten-business day period, in which case the Agency Administrator may approve or deny such request prior to the expiration of such review and comment period; and

7. The Agency Administrator shall have the discretion to approve or deny such boundary change requests so long as such decision is in writing and accompanied by a written recommendation by the Agency Project Engineer (or the Agency Administrator's designee) and approved by Agency legal counsel. The Agency Administrator reserves the right to refer any and all requests for administrative boundary changes to the full Agency Board in his/her sole and absolute discretion.

B. Administrative Approvals of Growth Zones Boundary Changes. The Agency Administrator may amend the Growth Zones boundaries without Board approval in accordance with the following procedure, which shall apply to all requests for administrative changes to the Growth Zones boundaries, whether such request adds, removes, swaps or defers land between the URZ and UDZ Growth Zones:

1. A Member must submit to the Agency Administrator a written request for an administrative Growth Zones boundary adjustment to the Growth Zones. Such written administrative boundary adjustment request shall state the reason or reasons supporting the administrative boundary adjustment to the Growth Zones is necessary. The area subject to such requested Growth Zone boundary adjustment change shall be reflected in a subdivision/plat application submitted to such Member. The Member shall also provide the Agency staff and its advisor(s) with all pertinent information reasonably requested by said staff and advisor(s) related to the administrative boundary adjustment request;

2. The Agency's financial advisor must confirm in writing that the Growth Zone boundary change does not result in a substantial loss of Agency projected revenue;

3. The Agency Project Engineer (or the Agency Administrator's designee) must confirm in writing the area subject to such Growth Zone boundary change can be served by gravity flow with standard depth sewers and the System has sufficient capacity to serve any land added to the UDZ under such request;

4. The Agency Project Engineer (or the Agency Administrator's designee) must confirm in writing whether (i) there is available Agency sewer infrastructure to serve the land added to the UDZ under such request, or (ii) the requesting Member is willing to pioneer any required additional sewer infrastructure. Any pioneering of additional sewer infrastructure shall be subject to a Member Agreement approved by the Agency Board and the governing body of the requesting Member;

5. Land added, removed and/or swapped administratively pursuant to this subsection (B) must be located entirely within the requesting Member's extraterritorial jurisdiction and subject to the Agency's Jurisdiction;

6. All non-requesting Members shall have no less than ten (10) business days to review and comment on such administrative boundary adjustment request. The Agency Administrator shall not approve or deny such written boundary adjustment request within such ten-business day period, unless the Agency Administrator receives written comments from a representative of each of the non-requesting Members during such ten-business day period, in which case the Agency Administrator may approve or deny such request prior to the expiration of such review and comment period; and

7. The Agency Administrator shall have the discretion to approve or deny such boundary change requests so long as such decision is in writing and accompanied by a written recommendation by the Agency Project Engineer (or the Agency Administrator's designee) and approved by Agency legal counsel. The Agency Administrator reserves the right to refer any and all requests for administrative boundary changes to the full Agency Board in his/her sole and absolute discretion.

C. VI. **Administrative Changes/Approvals**—*Administrative Approvals of Exceptions.* Requests for an Exception and/or Agency approval of developments within the Agency's Jurisdiction that are ~~determined to be~~, as determined by the Agency's planning and land use advisor(s), (a) Project Engineer, (1) subject to a bona fide subdivision plat and/or rezoning application submitted to the applicable Member on or before August 9, 2019 (not including replats or rezonings), (2) non-material or administrative in nature,

or (b3) in conformance with, or otherwise ~~satisfy~~satisfies, the criteria set forth in the Growth Management Plan and these Policies—may be approved by the Agency Administrator without Agency Board approval. Such approval by the Agency Administrator must be in writing and accompanied by a written recommendation by the ~~applicable Agency planning and land use advisor(s) and approved by Agency legal counsel~~Agency Project Engineer (or the Agency Administrator's designee) and approved by Agency legal counsel. All non-requesting Members shall have no less than ten (10) business days to review and comment on such Exception requests. The Agency Administrator shall not approve nor deny such written Exception requests within such ten-business day period, unless the Agency Administrator receives written comments from a representative of each of the non-requesting Members during such ten-business day period, in which case the Agency Administrator may approve or deny such request prior to the expiration of such review and comment period.

VII. Fees and Rates.

A. Prior to the connection to the Agency's System of any development or land located within the Agency's Service Area, such development or land shall be subject to the payment of applicable connection, usage, and other rates and fees established by the Agency from time to time. Each Member having zoning jurisdiction over such developments shall be responsible for collecting and paying to the Agency such rates and fees in accordance with applicable Agency resolutions, policies and procedures then in effect.

B. ~~Except as otherwise set forth in the Agency's then applicable rate and fee schedules, single family lots of three (3) acres or less, or single family lots of twenty (20) acres or more located in the URZ and as allowed by the applicable Member's large acreage and build through or similar type of zoning and/or subdivision regulations that are approved and developed in accordance with the Growth Management Plan (as amended) and these Policies (as amended), shall be assessed a connection fee equal to one (1) equivalent dwelling unit (EDU) as defined and set forth in the applicable Agency rate and fee schedules then in effect.~~

VIII. Connection Agreements. Prior to a Member's approval of a final plat for any development or land located within the Agency's ~~Service Area~~Jurisdiction, the Agency, the Member having zoning and planning jurisdiction, and such owner, developer or sub-divider shall enter into a three-party connection agreement (or subdivision agreement or similar instrument) that authorizes the connection of such development or land to the Agency's System and incorporates the Agency's Growth Management Plan, these Policies, and the sewer connection fees and user rates schedules and policies then in effect. In lieu of such three-party connection agreement (or subdivision agreement or similar instrument), such Member and owner, developer, or sub-divider shall be deemed to have complied with this section without entering into a three-party agreement if such agreement between the Member and owner, developer, or sub-divider (1) incorporates the Agency's Growth Management Plan, these Policies, and the

sewer connection fees and user rates schedules and policies then in effect, (2) expressly names the Agency as a third party beneficiary with respect to the enforcement of the same, and (3) is approved as to form by the Agency Administrator (or his or her designee). Such three-party agreement (or two-party agreement with the Agency as a third-party beneficiary) or a memorandum of the same shall be recorded against the subject land in order to provide notice of the Agency's rights therein. Each Member shall include this provision as a condition to each preliminary plat approval. Provided however, that no such three-party connection agreement (or two-party agreement with the Agency as a third-party beneficiary) is required for any final plat for any development or land that is (a) within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, or Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019, and (b) not connecting to the Agency's System.

Amended Agency Growth Management Plan and Implementing Policies and Procedures Adopted by:

Agency Board:	<u>August 26</u> April 27, 2020 <u>2022</u>
Sarpy County Governing Body:	<u>December 8, 2020</u> [] <u>, 2022</u>
Bellevue Governing Body:	<u>May 18, 2021</u> [] <u>, 2022</u>
Gretna Governing Body:	<u>October 20, 2020</u> [] <u>, 2022</u>
La Vista Governing Body:	<u>October 20, 2020</u> [] <u>, 2022</u>
Papillion Governing Body:	<u>November 17, 2020</u> [] <u>, 2022</u>
Springfield Governing Body:	<u>October 20, 2020</u> [] <u>, 2022</u>

FIGURE 1

Agency's Jurisdiction
Established by Agency Pursuant to Resolution 2019-004 on June 26, 2019

[Attached]

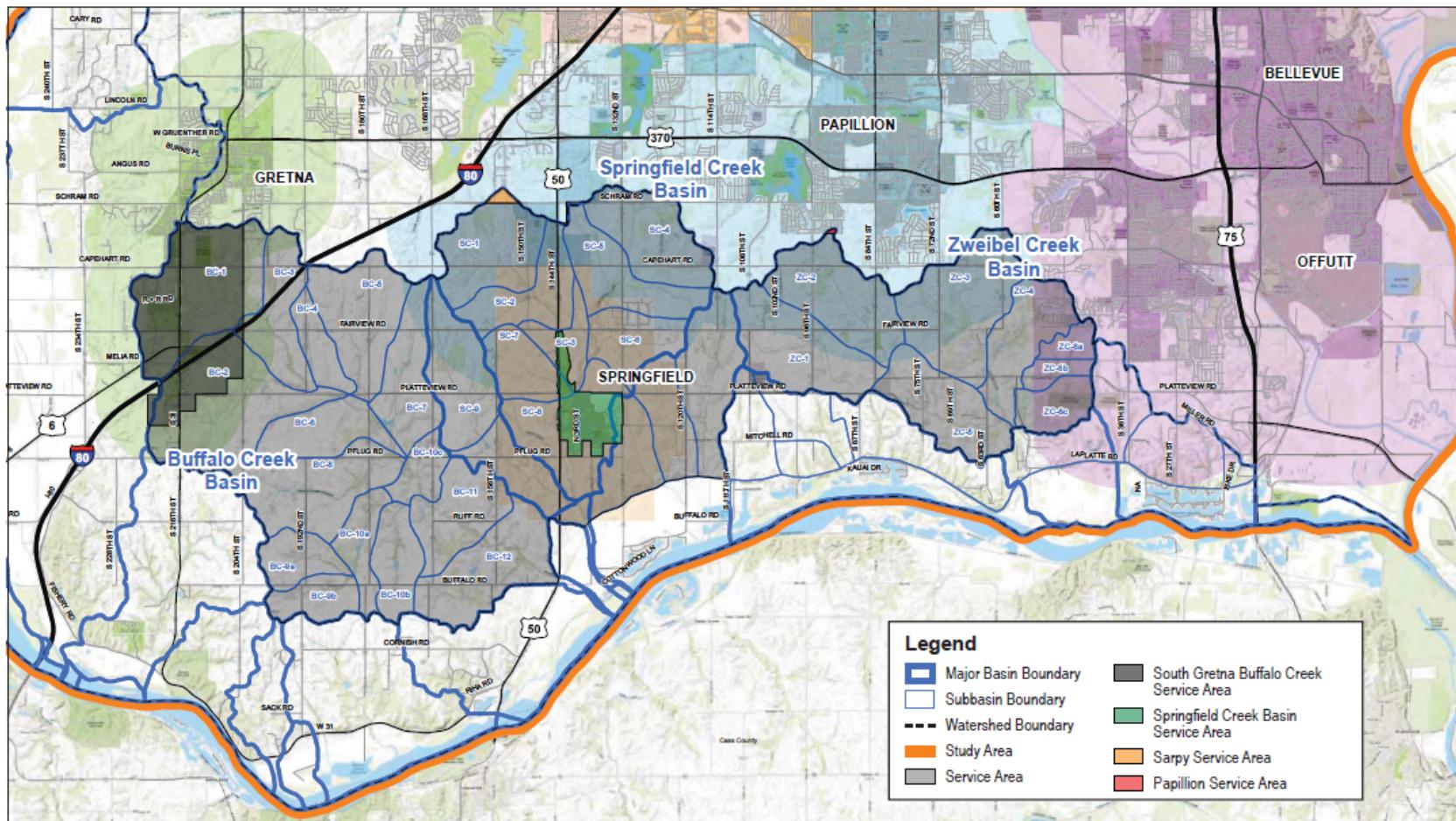


FIGURE 1

Growth Management Plan



SOUTHERN SARPY COUNTY



DATE: June 2019
FIGURE: Service Area

FIGURE 2

Growth Zones

Initially Established by Agency on June 26, 2019 Pursuant to Resolution 2019-004
Amended by the Agency on February 26, 2020 Pursuant to Resolution 2020-004; [and on April 27, 2022 Pursuant to Resolution No. 2022-015](#)

[Attached]

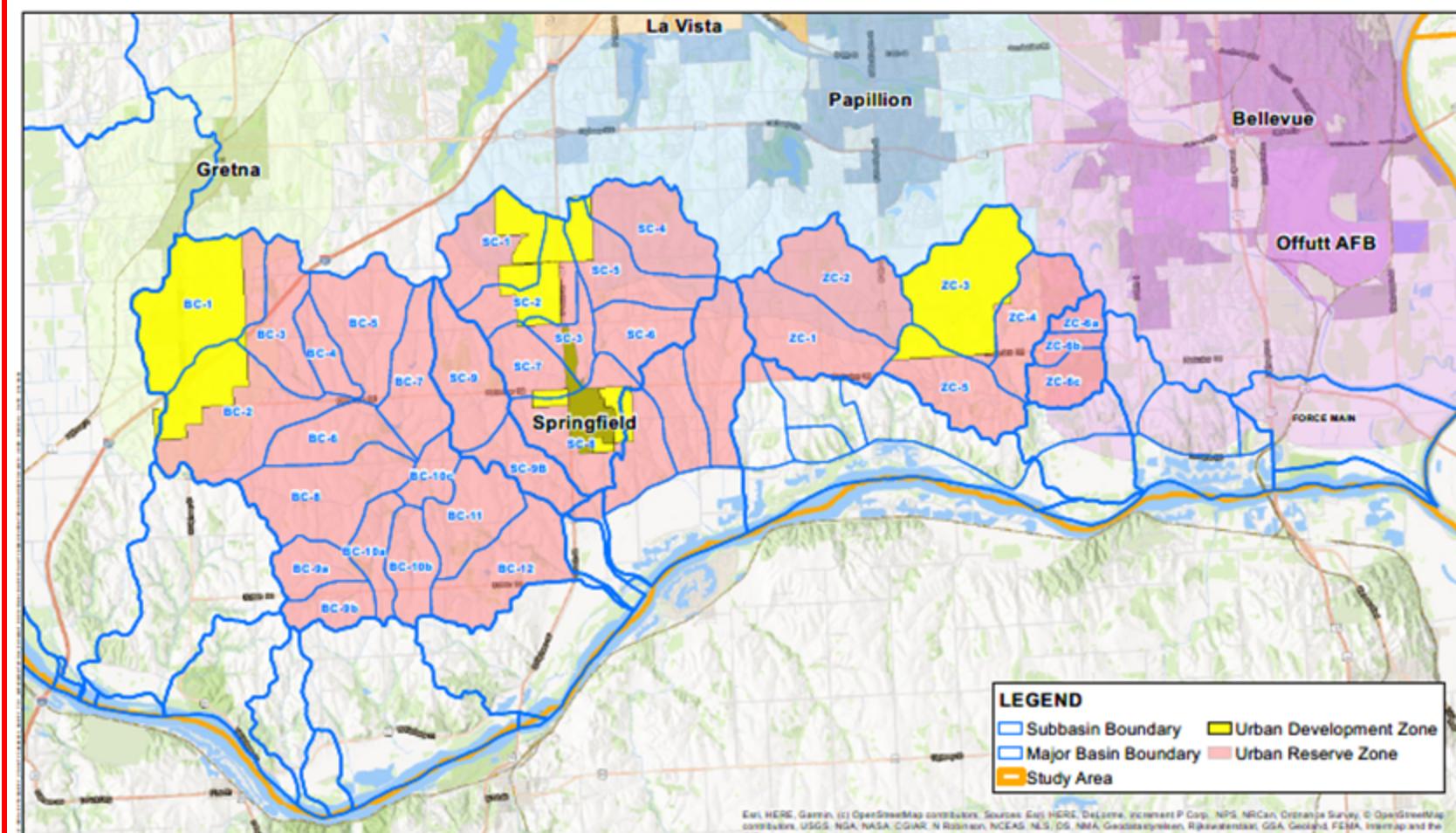


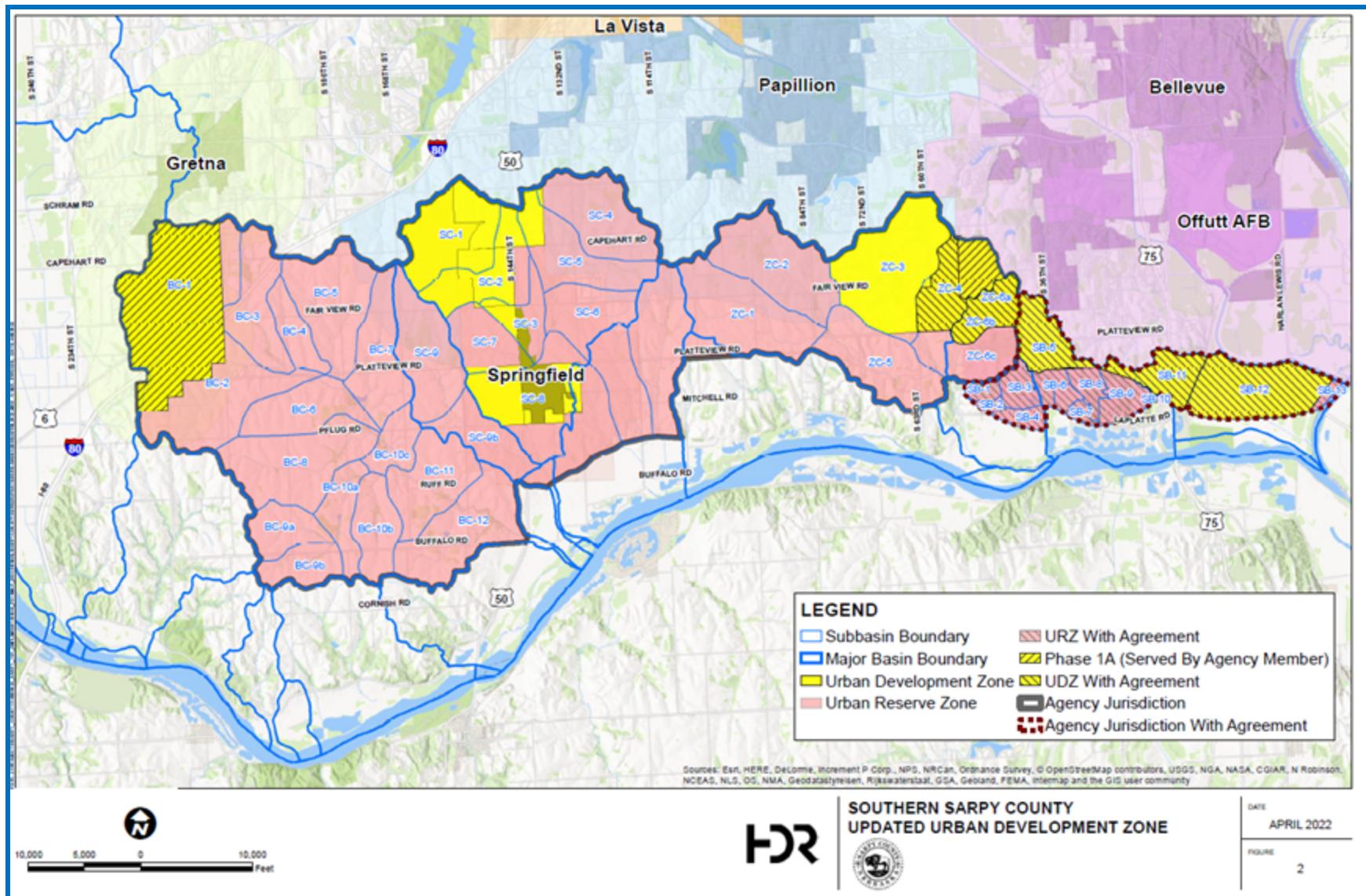
EXHIBIT A-GZ2020



SOUTHERN SARPY COUNTY
UPDATED URBAN DEVELOPMENT ZONE

0000
FEBRUARY 2020
FIGURE

Figure 2



Summary Report	
Title	compareDocs Comparison Results
Date & Time	4/28/2022 3:09:18 PM
Comparison Time	3.70 seconds
compareDocs version	v5.0.104.1

Sources	
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Modified Document	[#4871-8186-1905] [v11] Revised GMP Policies and Procedures 2022 updates.docx

Comparison Statistics		Word Rendering Set Markup Options	
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Deletions	59	Insertions	
Changes	54	Deletions	
Moves	52	Moves / Moves	
Font Changes	0	Font Changes	
Paragraph Style Changes	0	Paragraph Style Changes	
Character Style Changes	0	Character Style Changes	
TOTAL CHANGES	285	Inserted cells	
		Deleted cells	
		Merged cells	
		Changed lines	Mark left border.

compareDocs Settings Used	Category	Option Selected
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Character Level	Word	False
Include Comments	Word	True
Include Field Codes	Word	True
Flatten Field Codes	Word	False
Include Footnotes / Endnotes	Word	True
Include Headers / Footers	Word	True
Image compare mode	Word	Insert/Delete
Include List Numbers	Word	True
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Include Tables	Word	True
Include Text Boxes	Word	True
Show Reviewing Pane	Word	True
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Detail Report	Word	Separate (View Only)
Document View	Word	Print