

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING August 7, 2012

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 August 7, 2012. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Also in attendance were City Attorney Cannella, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Public Works Director Soucie, City Engineer Kottmann and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on July 25, 2012. 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 and led the audience in the pledge of allegiance.

Mayor Kindig announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

### A. CONSENT AGENDA

#### 1. APPROVAL OF THE AGENDA AS PRESENTED

#### 2. APPROVAL OF CITY COUNCIL MINUTES FROM JULY 17, 2012

#### 3. APPROVAL OF CITY COUNCIL WORKSHOP MINUTES FROM JULY 16, 2012

#### 4. APPROVAL OF CITY COUNCIL WORKSHOP MINUTES FROM JULY 18, 2012

#### 5. APPROVAL OF CITY SAFETY STEERING COMMITTEE MINUTES FROM APRIL 24, 2012

#### 6. APPROVAL OF CIVIL SERVICE COMMISSION MINUTES FROM OCTOBER 13, 2011

#### 7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –

#### PROFESSIONAL SERVICES – APPLEWOOD CREEK IMPROVEMENTS - \$129.35

#### 8. REQUEST FOR PAYMENTS – MULLEN & MULLEN - PROFESSIONAL SERVICES - \$19,664.45

#### 9. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT – WEST PAPIO TRAIL STUDY - \$3421.25

#### 10. APPROVAL OF CLAIMS

#### 11. RESOLUTION 12-079 – AWARD CONTRACT- EASTERN NEBRASKA OFFICE ON AGING

3M, equip.	4,535.00
AA WHEEL & TRUCK SUPPLY, maint.	267.30
AAT, bld&grnds	119.00
ACCO UNLIMITED, supplies	394.29
ACTION BATTERIES, supplies	45.00
ACTION SIGNS, supplies	165.00
ALAMAR, services	1,043.80
ANNEKE'S FLORAL CREATIONS, services	100.00
ARAMARK, services	737.91
BAKER & TAYLOR, books	3,116.95
BALLETTA, J., refund	60.00
BCDM, services	1,987.50
BEACON BUILDING, services	6,712.00
BEST ACCESS SYSTEMS, equip.	22.00
BLACK HILLS ENERGY, utilities	1,628.05
BOLTE, J., travel	54.00
BOSSELMAN PUMP AND PANTRY, refund	115.00
BRAKE, A, auto	100.00

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BREWER, W., auto	100.00
BUILDERS SUPPLY, supplies	26.06
CENTER POINT PUBLISHING, books	214.50
CENTURY LINK, utilities	1,186.48
CHICK, J., refund	2.99
CITY OF OMAHA, utilities	84,715.42
COMP CHOICE, services	782.50
COX, utilities	78.65
COX, utilities	58.65
CXTEC, equip.	918.60
D & D COMM., equip.	472.50
DANKO EMERGENCY EQUIP., maint.	515.61
DEIML, K., training	725.00
DIAMOND VOGEL, maint.	386.84
DOUGLAS COUNTY ENGINEER, services	59,577.27
DOUGLAS COUNTY SHERIFF, services	625.00
DULTMEIER, maint.	209.77
DXP, maint.	247.65
EDGEWEAR SCREEN PRINTING, services	160.00
ELECTRONIC ENGINEERING, maint.	196.75
EZRA, G., refund	50.00
FIREGUARD, equip.	1,267.78
FITZGERALD SCHORR BARMETTLER, services	42,334.58
FOCUS PRINTING, printing	732.63
FORT DEARBORN LIFE INSURANCE	1,368.50
FUTUREWARE DISTRIBUTING, equip.	166.00
G I CLEANER & TAILORS, services	204.90
GALE, book	187.86
GALLS, book	48.04
GCR TIRE CENTERS, supplies	486.76
GOVERNMENT JOBS.COM, services	2,999.00
GRAINGER, bld&grnds	51.50
GREENKEEPER, supplies	763.00
HAMILTON EQUIPMENT, maint.	5,350.00
HANEY SHOE STORE, apparel	450.90
HANNA:KEELAN ASSOCIATES, services	6,500.00
HARM'S CONCRETE, maint.	84.90
HEARTLAND PAPER, supplies	213.00
HEIMES CORP., maint.	79.06
HELGET GAS, supplies	102.00
HOLSTEIN'S HARLEY DAVIDSON, maint.	532.01
HOME DEPOT, supplies	388.97
HORNADY, supplies	594.50
HUNTEL COMM., phone	123.50
HY-VEE, supplies	180.28
IA NE SD PRIMA CHAPTER, training	80.00
IIMC, dues	75.00
INDUSTRIAL SALES, bld&grnds	260.00
J Q OFFICE, services	1,010.26
JI SPECIAL RISKS INS.	935.50
JNFS ENGINEERING, services	11,780.40
JOHN DEERE, supplies	801.50
KIMBALL MIDWEST, maint.	190.14
KLINKER, M., service	200.00
KRIHA FLUID POWER, maint.	243.99
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYSTEMS, services	125.00

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LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LEAGUE OF NEBRASKA MUNICIPAL., dues	30,867.00
LEXIS NEXIS, books	314.50
LIBRARY STORE, supplies	42.24
LIFE ASSIST, supplies	499.65
LINCOLN NATIONAL LIFE INS CO	10,608.59
LOGAN CONTRACTORS, maint.	58.50
LOVELAND GRASS PAD, maint.	169.00
MATHESON TRI-GAS INC, supplies	137.20
MCC, utilities	13,070.96
MCDONALD, K., refund	50.00
MCNAMARA, M., refund	50.00
MID AMERICA, phones	100.00
MID CON SYSTEMS INC., maint.	190.70
MID-STATES UTILITY TRAILER, maint.	472.35
MIDWEST FENCE COMPANY, maint.	1,681.82
MIDWEST TAPE, media	156.96
MIDWEST TURF, maint.	235.33
MIXAN HEATING & AIR COND, bld&grnds	2,380.00
MONARCH OIL, maint.	462.00
MOTOROLA SOLUTIONS, equip.	79,867.41
MSC INDUSTRIAL SUPPLY, maint.	32.40
MUD, utilities	13,933.03
NE DEPT OF LABOR-WORKFORCE DEV	3,991.52
NE DEPT OF REVENUE-LOTT/51	87,062.00
NEBRASKA IOWA SUPPLY, supplies	18,094.98
NEBRASKA WELDING, bld&grnds	20.86
NEEDHAM, S., refund	3.99
NEWMAN TRAFFIC SIGNS, bld&grnds	2,631.75
NEXTEL SPRINT, phone	205.78
NMC EXCHANGE, maint.	116.43
NUTS AND BOLTS INC., bld&grnds	15.80
OCLC, books	33.27
OFFICE DEPOT, supplies	911.99
OMAHA TACTICAL, apparel	145.00
OMAHA WINNELSON, bld&grnds	222.45
OMNI, maint.	1,491.08
OPPD, utilities	50,447.81
PARAMOUNT LINEN, services	314.16
PAYFLEX, services	250.00
PEASE, T., refund	40.00
PEPSI COLA, supplies	438.30
PERFORMANCE CHRYSLER JEEP, services	732.15
PERFORMANCE FORD, services	74.31
PETTY CASH	355.15
PITNEY BOWES, services	204.00
PLAINS EQUIPMENT, maint.	475.32
POWER PLAN, maint.	115.50
PREMIER-MIDWEST BEV., supplies	286.00
PUTJENTER, J., services	1,300.00
QUALITY BRANDS, supplies	760.20
QUINN, J., services	150.00
RAPPLEY, M., travel	25.00
RAPTOR RECOVERY NE., services	85.00
READY MIXED, supplies	637.77
RECORDED BOOKS, books	1,180.29

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REDFIELD & COMPANY, supplies	388.50
REED, C., refund	50.00
ROBB, V., property	2,000.00
ROSE EQUIP., maint.	136.80
SARPY COUNTY CHAMBER, training	15.00
SARPY COUNTY COURTHOUSE, services	3,479.89
SCHEMMER ASSOCIATES, services	353.40
SCHOLASTIC BOOK FAIRS, books	741.45
SHRED-SAFE, services	30.00
SMOOTHER CUT, services	1,320.00
SNITILY CARR, services	1,125.00
SONGSTRESS, services	1,300.00
SOUCIE, J., other	100.71
SPRINT, phone	119.97
SPRINT, phone	62.11
STERIL MANUFACTURING, maint.	100.00
SUPERIOR VISION SVCS INC	424.80
TED'S MOWER, maint.	43.96
THOMPSON DREESSEN & DORNER, services	3,056.05
TOTAL MARKETING, bld&grnds	90.00
TURFWERKS, maint.	79.32
TYCO, services	282.65
UPS, postage	9.71
VAIL, A., auto	100.00
VANDER HAAG'S, maint.	175.00
VERIZON, phone	191.45
VIERREGGER ELECTRIC, bld&grnds	282.23
VOGEL TRAFFIC, maint.	7,053.85
WAL-MART, supplies	976.91
WASTE MANAGEMENT NE., services	494.70
ZOO BOOKS, books	25.95

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Sheehan. Councilmember Gowan reviewed the claims for this period. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, and Crawford. Nays: None. Abstain: None. Absent: Gowan and Ellerbeck. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Fire Chief Uhl reported that he had attended the International Chiefs Conference.

Public Works Director Soucie reported that employees had been assisting in preparations for National Night Out. Soucie also reported that portions of the staff had attended Facility Maintenance training for Storm Water.

Public Buildings and Grounds Director Archibald reported that all equipment for the wireless project had been installed and that Verizon is working on the tower and once that work is complete everything will be up and running.

Recreation Director Stopak reported that 32 teams participated in the Adventure Race. Stopak thanked Public Works and all those who helped make the race successful.

## B. APPLICATION FOR REPLAT AND SUBDIVISION AGREEMENT APPROVAL – LOTS 1 & 2, SOUTHWIND REPLAT THREE (NE OF 96<sup>TH</sup> AND GILES)

### 1. PUBLIC HEARING

Mayor Kindig stated that the public hearing continued from July 17<sup>th</sup>, 2012. Larry Jobeun gave an overview of the Walmart Market to the Mayor and Council. Councilmember Sheehan asked if there would be a pharmacy. Jobeun explained it would be a market and pharmacy and pointed out the drive thru and traffic patterns. At 6:10 p.m. Councilmember Gowan arrived and took his

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place with the Council. Mayor Kindig asked if there would be any restrictions for trucks backing up at night. City Administrator Gunn stated that they worked hard to ensure that the truck entrances were placed far enough back from any residences. Jobeun added that they placed a lot of buffering between the dock area and any businesses or residences. Councilmember Sheehan asked if the retention area was visible and Jobeun replied that it is covered by a number of green plants and trees. Councilmember Quick asked when they will start building and Jobeun replied that the anticipated store opening is in 2014. At 6:16 Councilmember Carlisle moved to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **2. RESOLUTION – APPROVE REPLAT APPLICATION**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-080; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 177, SOUTHWIND, TO BE REPLATTED AS LOTS 1, AND 2, SOUTHWIND REPLAT THREE, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a Replat for Lot 177, Southwind, to be replatted as Lots 1 and 2, Southwind Replat Three; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on November 17, 2011, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 177, Southwind, to be replatted as Lots 1 and 2, Southwind Replat Three, a subdivision located in the Southwest  $\frac{1}{4}$  of Section 15, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northeast of 96<sup>th</sup> Street and Giles Road, be, and hereby is, approved..

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a Memorandum of Understanding with the City of Papillion for the operation and maintenance responsibilities for sanitary outfall sewers that serve properties within both the City of La Vista and the City of Papillion.

Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **3. RESOLUTION - APPROVE SUBDIVISION AGREEMENT**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-081; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOTS 1 AND 2, SOUTHWIND REPLAT THREE SUBDIVISION.

WHEREAS, the City Council did on August 7, 2012, approve the replat for Lots 1 and 2, Southwind Replat Three Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, BHI Development, Inc., has agreed to execute a Subdivision Agreement satisfactory in form and content to the City; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the August 7, 2012, City Council meeting for the Southwind Replat Three Subdivision be and hereby is approved and the Mayor and City Clerk be and hereby are authorized to execute same on behalf of the City, subject to the conditions of Council Replat approval and with such revisions that the City Administrator or City Engineer may determine necessary or advisable.

Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

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## **C. FISCAL YEAR 2012/2013 MUNICIPAL BUDGET**

### **1. PUBLIC HEARING**

At 6:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Fiscal Year 12/13 Municipal Budget.

At 6:18 p.m. Councilmember Carlisle made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

### **2. APPROPRIATIONS ORDINANCE – FIRST READING**

Councilmember Carlisle introduced Ordinance No. 1180 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2012 AND ENDING ON SEPTEMBER 30, 2013; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sell made a motion to approve Ordinance No. 1180 on its first reading and pass it on to a second reading. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

### **3. MASTER FEE ORDINANCE – FIRST READING**

Councilmember Sell introduced Ordinance No. 1181 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1158, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Quick made a motion to approve Ordinance No. 1181 on its first reading and pass it on to a second reading. Seconded by Councilmember Carlisle. City Administrator Gunn stated that an addition had been made to allow a reduced rate to be set for season passes around July 15 each year by the Finance Director. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **D. RESOLUTION – AUTHORIZE GRANT APPLICATION TO NEBRASKA ENVIRONMENTAL TRUST AND NEBRASKA DEQ – THOMPSON CREEK PHASE VI, PART 2**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-082; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE NEBRASKA ENVIRONMENTAL TRUST FUND AND THE APPLICATION REQUESTING MATCHING FUNDS FROM THE PAPIO-MISSOURI RIVER NRD FOR PHASE VI, PART 2 OF THE THOMPSON CREEK PROJECT IN LA VISTA NEBRASKA.

WHEREAS, the City Council of the City of La Vista has determined that said Thompson Creek improvements are necessary; and

WHEREAS, the FY 11/12 Capital Improvement Program budget contains funding for preparation of grant applications; and

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- WHEREAS, submittal of a grant application to the Nebraska Department of Environmental Quality (NDEQ) and the Nebraska Environmental Trust Fund is necessary; and
- WHEREAS, submittal of an application requesting funds from the Papio-Missouri River NRD is necessary; and
- WHEREAS, the City's consulting firm on this project, RDG, has completed the grant application for the Nebraska Environmental Trust Fund of which this information will be used for the NDEQ grant application and for the Papio-Missouri River NRD request for matching funds; and
- WHEREAS, the City will authorize submittal of three applications for funding, based on the City Council's understanding of the fiscal commitments involved in the applications and a general outline of the scope of work that will be involved if the grants are approved;
- NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the City Administrator to sign the grant applications to the Nebraska Department of Environmental Quality (NDEQ) and the Nebraska Environmental Trust Fund and the application requesting matching funds from the Papio-Missouri River NRD for Phase VI, Part 2 of the Thompson Creek Project in La Vista, Nebraska.

Seconded by Councilmember Quick. City Engineer Kottmann explained that this was a watershed management program and would include public education and outreach. Councilmember Quick agreed that these were all very good things. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **E. RESOLUTION – AWARD CONTRACT – EASTPORT PAVEMENT MARKINGS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-083; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO HIGHWAY SIGNING, INC., OMAHA, NE, FOR CONSTRUCTION OF THE EASTPORT PARKWAY PAVEMENT MARKINGS IN AN AMOUNT NOT TO EXCEED \$34,903.00.

- WHEREAS, the City Council of the City of La Vista has determined that the replacement of the Eastport Parkway pavement markings is necessary; and
- WHEREAS, the FY 11/12 General Fund Budget contains funds for this expenditure; and
- WHEREAS, the City Council authorized the advertisement of bids for construction of the Eastport Parkway pavement markings on June 5, 2012, and
- WHEREAS Highway Signing, Inc., Omaha, NE, has submitted the low, qualified bid, and
- WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska designate Highway Signing, Inc., Omaha, NE as the low qualified bidder for the construction of the Eastport Parkway pavement markings, in an amount not to exceed \$34,903.00.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **F. RESOLUTION – SPECIAL ASSESSMENTS**

### **1. PUBLIC HEARING**

At 6:25 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments.

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At 6:25 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-084; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
8016 Park View Blvd/Lot 1279 La Vista, \$189.32;  
10202 Brentwood Dr/Lot 178 Val Vista, \$107.98;  
10204 Brentwood Dr/Lot 177 Val Vista, \$107.98;  
10208 Brentwood Dr/Lot 176 Val Vista, \$107.98;  
10618 Brentwood Dr/Lot 154 Val Vista, \$107.98;  
10216 Brentwood Dr/Lot 175 Val Vista, \$107.98;  
10619 Hillcrest Drive/Lot 2A Val Vista, \$107.98;  
10615 Hillcrest Drive/Lot 3 Val Vista, \$107.98;  
10611 Hillcrest Drive/Lot 4 Val Vista, \$107.98;  
12958 Margo Lane/Lot 15 Millard Highlands South 2<sup>nd</sup> Platting, \$2,189.22; and  
8812 Pine Drive/Lot 183 Park View Heights 2<sup>nd</sup> Addition, \$380.85  
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig shared with the Council that Randy Cahill had passed away and that an envelope was being passed to collect funds to help the family defray the cost of the luncheon.

At 6:27 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Gowan. Nays: None. Abstain: None. Absent: Ellerbeck. Motion carried.



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PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Bueth, CMC  
City Clerk

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

For the ten months ended July 31, 2012

83% of the Fiscal Year

	General Fund					Debt Service Fund				Capital Fund			
	Budget (12 month)	MTD Actual	YTD Actual	Over(under) Budget	% of budget Used	Budget	MTD Actual	YTD Actual	Over(under) Budget	Budget	MTD Actual	YTD Actual	Over(under) Budget
<b>REVENUES</b>													
Property Taxes	\$ 5,611,688	\$ 151,540	\$ 3,318,721	\$ (2,292,967)	59%	\$ 530,769	\$ 12,684	\$ 326,043	\$ (204,726)	\$ -	\$ -	\$ -	\$ -
Sales and use taxes	1,994,100	240,723	2,429,700	435,600	122%	997,050	120,362	1,214,850	217,800	-	-	-	-
Payments in Lieu of taxes	90,000	-	181,963	91,963	202%	-	-	-	-	-	-	-	-
State revenue	1,053,167	124,163	1,079,572	26,405	103%	-	-	-	-	-	-	-	-
Occupation and franchise taxes	650,000	146,534	762,850	112,850	117%	-	-	-	-	-	-	-	-
Hotel Occupation Tax	651,583	120,179	637,130	(14,452)	98%	-	-	-	-	-	-	-	-
Licenses and permits	489,250	26,906	365,268	(123,982)	75%	-	-	-	-	-	-	-	-
Interest income	10,000	1,045	9,986	(14)	100%	15,000	1,010	10,339	(4,661)	-	-	-	-
Recreation fees	124,000	37,261	140,810	16,810	114%	-	-	-	-	-	-	-	-
Special Services	16,500	2,281	22,495	5,995	136%	-	-	-	-	-	-	-	-
Grant Income	332,780	57,773	221,957	(110,823)	67%	-	-	-	-	937,072	242,936	850,426	(86,647)
Other	1,315,722	29,060	991,412	(324,310)	75%	2,186,290	1,079	9,125,142	6,938,852	129,927	-	507,275	377,348
<b>Total Revenues</b>	<b>12,338,790</b>	<b>937,466</b>	<b>10,161,865</b>	<b>(2,176,925)</b>	<b>82%</b>	<b>3,729,109</b>	<b>135,135</b>	<b>10,676,374</b>	<b>6,947,265</b>	<b>1,066,999</b>	<b>242,936</b>	<b>1,357,701</b>	<b>290,702</b>
<b>EXPENDITURES</b>													
Current:													
Mayor and Council	190,509	6,032	83,252	(107,257)	44%	-	-	-	-	-	-	-	-
Boards & Commissions	12,350	508	5,711	(6,639)	46%	-	-	-	-	-	-	-	-
Public Buildings & Grounds	535,178	40,701	352,336	(182,842)	66%	-	-	-	-	-	-	-	-
Administration	749,871	47,629	570,504	(179,367)	76%	65,000	868	119,266	54,266	-	-	-	-
Police and Animal Control	3,925,544	285,953	3,101,604	(823,940)	79%	-	-	-	-	-	-	-	-
Fire	623,203	49,819	366,843	(256,360)	59%	-	-	-	-	-	-	-	-
Community Development	647,801	72,638	575,417	(72,384)	89%	-	-	-	-	-	-	-	-
Public Works	3,152,646	250,181	2,431,820	(720,826)	77%	-	-	-	-	-	-	-	-
Recreation	637,488	71,499	449,235	(188,253)	70%	-	-	-	-	-	-	-	-
Library	647,103	49,074	475,646	(171,457)	74%	-	-	-	-	-	-	-	-
Human Resources	469,302	9,053	401,681	(67,621)	86%	-	-	-	-	-	-	-	-
Special Services & Tri-City Bus	77,411	5,119	55,280	(22,131)	71%	-	-	-	-	-	-	-	-
Capital outlay	191,000	2,634	98,019	(92,981)	51%	-	-	-	-	3,512,838	242,936	1,357,701	(2,155,138)
Debt service: (Warrants)	-	-	-	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	2,285,000	25,000	11,090,511	8,805,511	-	-	-	-
Interest	-	-	-	-	-	1,079,260	906	1,109,771	30,511	-	-	-	-
<b>Total Expenditures</b>	<b>11,859,406</b>	<b>890,842</b>	<b>8,967,350</b>	<b>(2,892,056)</b>	<b>76%</b>	<b>3,429,260</b>	<b>26,774</b>	<b>12,319,548</b>	<b>8,890,288</b>	<b>3,512,838</b>	<b>242,936</b>	<b>1,357,701</b>	<b>(2,155,138)</b>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>479,384</b>	<b>46,624</b>	<b>1,194,515</b>	<b>(715,132)</b>	<b>249%</b>	<b>299,849</b>	<b>108,360</b>	<b>(1,643,175)</b>	<b>1,943,024</b>	<b>(2,445,839)</b>	<b>-</b>	<b>-</b>	<b>(2,445,839)</b>
<b>OTHER FINANCING SOURCES (USES)</b>													
Operating transfers in (out)	(1,186,000)	-	-	1,186,000	-	(191,524)	-	-	191,524	1,293,868	-	-	(1,293,868)
Bond/registered warrant proceeds	-	-	-	-	-	-	-	-	-	1,151,971	-	-	(1,151,971)
<b>Total other Financing Sources (Uses)</b>	<b>(1,186,000)</b>	<b>-</b>	<b>-</b>	<b>1,186,000</b>	<b>-</b>	<b>(191,524)</b>	<b>-</b>	<b>-</b>	<b>191,524</b>	<b>2,445,839</b>	<b>-</b>	<b>-</b>	<b>(2,445,839)</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>\$ (706,616)</b>	<b>\$ 46,624</b>	<b>\$ 1,194,515</b>	<b>\$ (1,901,132)</b>	<b>-</b>	<b>\$ 108,325</b>	<b>\$ 108,360</b>	<b>\$ (1,643,175)</b>	<b>\$ 1,751,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>FUND BALANCE, beginning of the year</b>			<b>5,215,704</b>					<b>7,574,876</b>				<b>371,268</b>	
<b>FUND BALANCES, END OF PERIOD</b>			<b>\$ 6,410,219</b>					<b>\$ 5,931,701</b>				<b>\$ 371,268</b>	

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

**BUDGET AND ACTUAL**

For the ten months ended July 31, 2012

83% of the Fiscal Year

	Sewer Fund					Golf Course Fund				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over (Under) Budget</u>	<u>% of Budget Used</u>	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over (Under) Budget</u>	<u>% of Budget Used</u>
<b>REVENUES</b>										
User fees	\$ 2,159,774	\$ 207,081	\$ 1,821,216	\$ (338,558)	84%	\$ 172,060	\$ 33,196	\$ 171,451	\$ (609)	100%
Service charge and hook-up fees	125,000	5,500	112,779	(12,221)	90%	-	-	-	-	-
Merchandise sales	-	-	-	-	-	34,500	6,771	29,584	(4,916)	86%
Grant	26,154	-	24,082	(2,072)	n/a	-	-	-	-	-
Miscellaneous	200	17	3,762	3,562	1881%	300	42	282	-	94%
<b>Total Revenues</b>	<u>2,311,128</u>	<u>212,599</u>	<u>1,961,840</u>	<u>(349,288)</u>	<u>85%</u>	<u>206,860</u>	<u>40,009</u>	<u>201,317</u>	<u>(5,525)</u>	<u>97%</u>
<b>EXPENDITURES</b>										
General Administrative	451,684	28,363	330,624	(121,060)	73%	-	-	-	-	-
Cost of merchandise sold	-	-	-	-	-	31,330	9,292	26,958	(4,372)	86%
Maintenance	1,702,646	139,297	1,202,146	(500,500)	71%	221,883	14,849	148,833	(73,050)	67%
Production and distribution	-	-	-	-	-	148,564	12,962	102,930	(45,634)	69%
Capital Outlay	217,500	-	5,544	(211,956)	3%	-	-	-	-	0%
Debt Service:										
Principal	-	-	-	-	-	115,000	-	115,000	-	100%
Interest	-	-	-	-	-	16,458	-	16,458	-	100%
<b>Total Expenditures</b>	<u>2,371,830</u>	<u>167,660</u>	<u>1,538,314</u>	<u>(833,516)</u>	<u>65%</u>	<u>533,235</u>	<u>37,103</u>	<u>410,179</u>	<u>(123,056)</u>	<u>77%</u>
<b>OPERATING INCOME (LOSS)</b>	(60,702)	44,939	423,526	(484,228)	-	(326,375)	2,906	(208,862)	117,531	-
<b>NON-OPERATING REVENUE (EXPENSE)</b>										
Interest income	<u>5,000</u>	<u>134</u>	<u>2,261</u>	<u>(2,739)</u>	<u>45%</u>	<u>25</u>	<u>5</u>	<u>41</u>	<u>16</u>	<u>164%</u>
	<u>5,000</u>	<u>134</u>	<u>2,261</u>	<u>(2,739)</u>	<u>45%</u>	<u>25</u>	<u>5</u>	<u>41</u>	<u>16</u>	<u>164%</u>
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	(55,702)	45,073	425,787	(481,489)	-	(326,350)	2,911	(208,821)	117,529	-
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating transfers in (out)	-	-	-	-	-	310,000	-	-	(310,000)	0%
<b>NET INCOME (LOSS)</b>	\$ <u>(55,702)</u>	\$ 45,073	\$ 425,787	\$ <u>(481,489)</u>	-	\$ <u>(16,350)</u>	\$ 2,911	\$ (208,821)	\$ <u>192,471</u>	-
<b>NET ASSETS, Beginning of the year</b>			<u>5,587,445</u>					<u>295,224</u>		
<b>NET ASSETS, End of the year</b>			\$ <u>6,013,232</u>					\$ <u>86,403</u>		

**Invoice****FELSBURG  
HOLT &  
ULLEVIG***connecting and enhancing communities*Mail Payments to:  
PO Box 911704  
Denver, CO 80291-1704  
303.721.1440 • 303.721.0832 faxJuly 23, 2012  
Project No: 09-025-01  
Invoice No: 7685Mr. John Kottmann, PE  
City Engineer  
City of La Vista  
9900 Portal Rd  
La Vista, NE 68128

Project 09-025-01 La Vista Quiet Zone Final Design

**Professional Services for the Period: June 01, 2012 to June 30, 2012****Professional Personnel**

	Hours	Rate-	Amount
Principal II	2.00	160.00	320.00
Engineer III	.75	100.00	75.00
Engineer II	4.00	90.00	360.00
Labor	6.75		755.00
<b>Total Labor</b>			<b>755.00</b>

**In-House Units**

Color Printing	26.0 Prints @ 0.19	4.94	
<b>Total In-House</b>	<b>1.1 times</b>	<b>4.94</b>	<b>5.43</b>
<b>TOTAL AMOUNT DUE</b>			<b>\$760.43</b>

**Billed-To-Date Summary**

	Current	Prior	Total
Labor	755.00	11,877.50	12,632.50
In-House	5.43	44.83	50.26
<b>Totals</b>	<b>760.43</b>	<b>11,922.33</b>	<b>12,682.76</b>

Invoice is due upon receipt.

Project Manager Kyle Anderson

Okay to pay  
Acct. Code  
05.71.0824.03  
JMK  
8/3/2012

## ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
-----									
1	Bank of Nebraska (600-873)								
46208					Payroll Checks				
Thru 46210									
46211					Gap in Checks				
Thru 108346									
108347	8/08/2012	143	THOMPSON DRESSEN & DORNER		129.35				**MANUAL**
108348	8/08/2012	3753	JOHN P MULLEN, PC, LLO		19,664.45				**MANUAL**
108349	8/08/2012	4616	PAPIO-MO RIVER NRD STORM WATER		3,421.25				**MANUAL**
108350	8/10/2012	4212	NEBRASKA TITLE COMPANY		325.00				**MANUAL**
108351	8/10/2012	2797	JOHNSON, ANDREW		250.00				**MANUAL**
108352			Gap in Checks		***Manual Check printer error. Not system entered.				
108353	8/14/2012	1194	QUALITY BRANDS OF OMAHA		412.20				**MANUAL**
108354	8/14/2012	1669	PROJECT HARMONY		500.00				**MANUAL**
108355	8/15/2012	3702	LAUGHLIN, KATHLEEN A, TRUSTEE		474.00				**MANUAL**
108356	8/16/2012	544	MAPA-METRO AREA PLANNING AGENCY		24,980.00				**MANUAL**
108357	8/17/2012	804	3E-ELECTRICAL ENGINEERING		45.16				
108358	8/17/2012	3983	ABE'S PORTABLES INC		170.00				
108359	8/17/2012	4332	ACCO UNLIMITED CORP		115.60				
108360	8/17/2012	762	ACTION BATTERIES UNLTD INC		56.85				
108361	8/17/2012	4725	ACUFF CONSULTING		450.00				
108362	8/17/2012	268	AKSARBEN HEATING/ARS		168.00				
108363	8/17/2012	571	ALAMAR UNIFORMS		225.72				
108364	8/17/2012	1973	ANN TROE		710.00				
108365	8/17/2012	536	ARAMARK UNIFORM SERVICES INC		439.90				
108366	8/17/2012	2945	AVI SYSTEMS INC		781.68				
108367	8/17/2012	55	BADGER BODY		50.00				
108368	8/17/2012	3965	BEAUMONT, MITCH		264.00				
108369	8/17/2012	4749	BIODROWSKI, TOM		90.00				
108370	8/17/2012	196	BLACK HILLS ENERGY		25.37				
108371	8/17/2012	3235	BLEACH, LARRY		120.00				
108372	8/17/2012	2757	BOBCAT OF OMAHA		666.21				
108373	8/17/2012	4760	BRAMWELL, JILL		55.00				
108374	8/17/2012	1242	BRENTWOOD AUTO WASH		119.00				
108375	8/17/2012	76	BUILDERS SUPPLY CO INC		27.59				
108376	8/17/2012	2625	CARDMEMBER SERVICE-ELAN		.00	**CLEARED**	**VOIDED**		
108377	8/17/2012	2625	CARDMEMBER SERVICE-ELAN		.00	**CLEARED**	**VOIDED**		
108378	8/17/2012	2625	CARDMEMBER SERVICE-ELAN		.00	**CLEARED**	**VOIDED**		
108379	8/17/2012	2625	CARDMEMBER SERVICE-ELAN		8,451.06				
108380	8/17/2012	83	CJ'S HOME CENTER		.00	**CLEARED**	**VOIDED**		
108381	8/17/2012	83	CJ'S HOME CENTER		.00	**CLEARED**	**VOIDED**		
108382	8/17/2012	83	CJ'S HOME CENTER		.00	**CLEARED**	**VOIDED**		
108383	8/17/2012	83	CJ'S HOME CENTER		1,184.21				
108384	8/17/2012	3176	COMP CHOICE INC		70.00				
108385	8/17/2012	2593	COMPUTER SOLUTIONS INC		226.02				
108386	8/17/2012	4705	COMSEARCH		800.00				
108387	8/17/2012	2158	COX COMMUNICATIONS		177.85				

## ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
108388	8/17/2012	3136	D & D COMMUNICATIONS	104.00			
108389	8/17/2012	3793	DEIML, KEITH	1,175.00			
108390	8/17/2012	619	DELL MARKETING L.P.	1,920.94			
108391	8/17/2012	77	DIAMOND VOGEL PAINTS	1,362.25			
108392	8/17/2012	159	DXP ENTERPRISES INC	12.35			
108393	8/17/2012	2388	EXCHANGE BANK	1,858.43			
108394	8/17/2012	439	FIREGUARD INC	299.85			
108395	8/17/2012	4035	FLORATINE CENTRAL TURF PRODS	420.00			
108396	8/17/2012	3415	FOCUS PRINTING	4,646.55			
108397	8/17/2012	1344	GALE	282.63			
108398	8/17/2012	1161	GALLS, AN ARAMARK COMPANY	40.10			
108399	8/17/2012	53	GCR TIRE CENTERS	499.96			
108400	8/17/2012	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
108401	8/17/2012	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
108402	8/17/2012	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
108403	8/17/2012	966	GENUINE PARTS COMPANY-OMAHA	1,646.53			
108404	8/17/2012	4751	GHA TECHNOLOGIES INC	375.00			
108405	8/17/2012	35	GOLDMAN, JOHN G	315.00			
108406	8/17/2012	285	GRAYBAR ELECTRIC COMPANY INC	23.01			
108407	8/17/2012	3105	GREAT AMERICAN LEASING CORP	241.50			
108408	8/17/2012	385	GREAT PLAINS ONE-CALL SVC INC	327.15			
108409	8/17/2012	4086	GREAT PLAINS UNIFORMS	118.00			
108410	8/17/2012	4761	GREER, PATRICK	50.00			
108411	8/17/2012	387	HARM'S CONCRETE INC	211.30			
108412	8/17/2012	3657	HEARTLAND PAPER	70.00			
108413	8/17/2012	3681	HEARTLAND TIRES AND TREADS	1,289.80			
108414	8/17/2012	3145	HENNING, BRIAN	125.00			
108415	8/17/2012	4178	HERITAGE CRYSTAL CLEAN LLC	480.52			
108416	8/17/2012	890	HULTBERG, ANGELA	77.56			
108417	8/17/2012	648	IAFC-INTL ASSN OF FIRE CHIEFS	204.00			
108418	8/17/2012	4736	IDENTISYS INCORPORATED	57.27			
108419	8/17/2012	1498	INDUSTRIAL SALES COMPANY INC	221.32			
108420	8/17/2012	1896	J Q OFFICE EQUIPMENT INC	1,553.03			
108421	8/17/2012	4754	JAECKEL, JOHN	50.00			
108422	8/17/2012	100	JOHNSTONE SUPPLY CO	228.00			
108423	8/17/2012	4756	JONES, BRENDA	75.00			
108424	8/17/2012	2394	KRIHA FLUID POWER CO INC	31.82			
108425	8/17/2012	1241	LEAGUE ASSN OF RISK MGMT	366.00			
108426	8/17/2012	3370	LIFEGUARD STORE INC	14.35			
108427	8/17/2012	263	LOVELAND GRASS PAD	35.88			
108428	8/17/2012	4560	LOWE'S CREDIT SERVICES	37.94			
108429	8/17/2012	2414	METHODIST HOSPITAL	350.00			
108430	8/17/2012	153	METRO AREA TRANSIT	557.00			
108431	8/17/2012	553	METROPOLITAN UTILITIES DIST.	201.79			
108432	8/17/2012	2497	MID AMERICA PAY PHONES	100.00			
108433	8/17/2012	184	MID CON SYSTEMS INCORPORATED	247.10			
108434	8/17/2012	371	MIDWEST SERVICE AND SALES CO	221.65			
108435	8/17/2012	2299	MIDWEST TAPE	330.38			
108436	8/17/2012	1046	MIDWEST TURF & IRRIGATION	199.29			
108437	8/17/2012	2683	MLB LOGISTICS	573.19			
108438	8/17/2012	4085	MNJ TECHNOLOGIES DIRECT INC	224.00			
108439	8/17/2012	4344	MT CALVARY MARCHING KNIGHTS	50.00			
108440	8/17/2012	21	NEBRASKA HUMANITIES COUNCIL	100.00			

## ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
108441	8/17/2012	653	NEUMAN EQUIPMENT COMPANY		435.79				
108442	8/17/2012	4758	NEWMAN, DAVID A		550.00				
108443	8/17/2012	440	NMC EXCHANGE LLC		475.74				
108444	8/17/2012	408	NOBBIES INC		39.95				
108445	8/17/2012	179	NUTS AND BOLTS INCORPORATED		13.30				
108446	8/17/2012	1831	O'REILLY AUTOMOTIVE STORES INC		267.17				
108447	8/17/2012	1014	OFFICE DEPOT INC		432.26				
108448	8/17/2012	195	OMAHA PUBLIC POWER DISTRICT		3,145.01				
108449	8/17/2012	4349	OMAHA TACTICAL LLC		60.00				
108450	8/17/2012	46	OMAHA WORLD HERALD COMPANY		636.19				
108451	8/17/2012	167	OMNI		2,742.44				
108452	8/17/2012	4755	PACK 61 CUB SCOUTS		50.00				
108453	8/17/2012	3039	PAPILLION SANITATION		304.11				
108454	8/17/2012	976	PAPILLION TIRE INCORPORATED		83.18				
108455	8/17/2012	2686	PARAMOUNT LINEN & UNIFORM		314.16				
108456	8/17/2012	4762	PASCHALL, BARRY		190.00				
108457	8/17/2012	709	PEPSI COLA COMPANY		333.95				
108458	8/17/2012	3058	PERFORMANCE CHRYSLER JEEP		1,077.98				
108459	8/17/2012	1784	PLAINS EQUIPMENT GROUP		312.27				
108460	8/17/2012	2429	POWER PLAN		291.50				
108461	8/17/2012	4447	PPE INCORPORATED		350.00				
108462	8/17/2012	802	QUILL CORPORATION		85.69				
108463	8/17/2012	4763	READ, KERRY		95.00				
108464	8/17/2012	3774	RETRIEVEX		85.11				
108465	8/17/2012	4759	ROTH, MATTHEW		115.49				
108466	8/17/2012	4192	S & W HEALTHCARE CORP		131.46				
108467	8/17/2012	41	SALEM PRESS		940.50				
108468	8/17/2012	292	SAM'S CLUB		.00	**CLEARED**	**VOIDED**		
108469	8/17/2012	292	SAM'S CLUB		2,711.90				
108470	8/17/2012	487	SAPP BROS PETROLEUM INC		35.70				
108471	8/17/2012	168	SARPY COUNTY LANDFILL		79.28				
108472	8/17/2012	738	SIGN IT		70.00				
108473	8/17/2012	4272	SOLBERG, CHRISTOPHER		110.70				
108474	8/17/2012	533	SOUICIE, JOSEPH H JR		244.00				
108475	8/17/2012	3069	STATE STEEL OF OMAHA		51.99				
108476	8/17/2012	807	SUPERIOR SPA & POOL		53.96				
108477	8/17/2012	822	THERMO KING CHRISTENSEN		179.18				
108478	8/17/2012	143	THOMPSON DREESSEN & DORNER		919.90				
108479	8/17/2012	4757	TRIAD TACTICAL INC		56.98				
108480	8/17/2012	2710	ULTRAMAX		98.80				
108481	8/17/2012	2426	UNITED PARCEL SERVICE		9.41				
108482	8/17/2012	809	VERIZON WIRELESS		775.47				
108483	8/17/2012	809	VERIZON WIRELESS		95.67				
108484	8/17/2012	78	WASTE MANAGEMENT NEBRASKA		1,295.29				
108485	8/17/2012	258	WATKINS CONCRETE BLOCK CO INC		377.00				
108486	8/17/2012	984	ZIMCO SUPPLY COMPANY		342.00				
BANK TOTAL						110,712.39			
OUTSTANDING						110,712.39			
CLEARED						.00			
VOIDED						.00			



BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
<hr/>									
FUND		TOTAL		OUTSTANDING		CLEARED		VOIDED	
<hr/>									
01	GENERAL FUND		48,934.15		48,934.15		.00		.00
02	SEWER FUND		25,324.12		25,324.12		.00		.00
03	ECONOMIC DEVELOPMENT B.G.		24,980.00		24,980.00		.00		.00
05	CONSTRUCTION		1,424.89		1,424.89		.00		.00
08	LOTTERY FUND		4,804.24		4,804.24		.00		.00
09	GOLF COURSE FUND		5,168.58		5,168.58		.00		.00
15	OFF-STREET PARKING		76.41		76.41		.00		.00
REPORT TOTAL					110,712.39				
OUTSTANDING					110,712.39				
CLEARED					.00				
VOIDED					.00				
+ Gross Payroll 8/17/12					<u>250,305.31</u>				
GRAND TOTAL					<u>\$361,017.70</u>				

APPROVED BY COUNCIL MEMBERS 8/21/12

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

Subject:	Type:	Submitted By:
FISCAL YEAR 12/13 MUNICIPAL BUDGET	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

Second reading of an ordinance has been prepared to adopt the proposed municipal budget for FY12/13. Only second reading of the budget ordinance is requested at this time as the final valuation of the City was just received yesterday from Sarpy County.

Second reading of the Master Fee Ordinance has also been prepared for Council's consideration.

**FISCAL IMPACT**

The proposed budget is for \$26,367,877.00 in all funds. The total proposed preliminary property tax request is for \$5,852,708.27 which will require a property tax levy of \$0.55 per \$100 dollars of assessed valuation.

The owner of a home valued at \$150,000 will pay \$825 in property taxes, or \$68.75 per month. The proposed budget has no increase in property tax.

**RECOMMENDATION**

Approval of second reading of the Appropriations Ordinance and second reading of the Master Fee Ordinance.

**BACKGROUND**

The City Council held budget workshops on July 16 and 18, 2012. The proposed budget ordinance and Master Fee ordinance are based on the discussions from these meetings.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2012 AND ENDING ON SEPTEMBER 30, 2013; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Section 1. That after complying with all procedures required by law, the proposed budget presented and set forth in the budget statements, as amended, is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2012, through September 30, 2013. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of La Vista. The following amounts appropriated shall be raised primarily as follows. A copy of the budget document, as amended, shall be forwarded as provided by law to the Auditor of Public Accounts, State Capital, Lincoln, Nebraska, and to the County Clerk of Sarpy County, Nebraska for use by the levying authority.

<b>Fund</b>	<b>Amount Appropriated</b>	<b>Amount to be Raised by Property Tax Levy</b>
General Fund	12,125,618.00	5,214,231.00
Sewer Fund	2,618,888.00	0.00
Debt Service Fund	4,326,417.00	638,477.27
Lottery Fund	1,950,668.00	0.00
Golf Fund	486,088.00	0.00
Capital Fund	1,733,071.00	0.00
Economic Development	1,999,662.00	0.00
Off-Street Parking	617,464.00	0.00
<b>Total All Funds</b>	<b>26,367,877.00</b>	<b>5,852,708.27</b>

Section 2. This ordinance shall take effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

## ORDINANCE NO. 4458

AN ORDINANCE TO AMEND ORDINANCE NO. 44531158, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

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

### BUILDING & USE FEES

#### Building Permit

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

General	\$30 Base fee + see building fee _____ schedule
Commercial/Industrial	\$30 Base fee + see building fee _____ schedule

#### Plan Review Fee

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

Design Review (non-refundable)

\$1,000 Bldgs 24,999 sq. ft. or less
(min. fee) (or Actual Fee Incurred)
\$2,000 Bldgs 25,000 – 49,999 sq. ft
(min. fee) (or Actual Fee Incurred)
\$3,000 Bldgs 50,000 -100,000+ sq.ft.
(min. fee) (or Actual Fee Incurred)
\$4,000 Bldgs 100,000 + sq.ft (min. fee) (or Actual Fee Incurred)

Replacement Plan Review Fee  
Engineer's Review

\$100 + Request for records fees  
\$500

#### Rental Inspection Program

##### License Fees:

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

##### Inspection Fees:

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

Re-inspection Fee

\$50

Penalty Fee

3x Regular permit fee

Refund Policy

75% will be refunded when the project is cancelled or not complete within one year. No refund will be given after one year. (Sewer Hook-up Fee is 100% refunded)

Certificate of Occupancy

\$ 50

Temporary Certificate of Occupancy

\$750

Pre-occupancy fee (Occupancy without C.O.)

\$750

Amended Master Fee Schedule ~~11-12~~12/13 Fiscal Year

Temporary Use Permit (includes tents, greenhouses, event structures)	\$ 50 plus \$10/day
Sign Permit	\$150/sign
Identification Sign, Incidental Sign	\$75/sign
Master Sign Plan (more than 1 sign)	\$250
Common Sign Plan	\$250
Temporary Sign Permit:	
Non-profit or tax exempt organization	\$0
All other temporary signs	\$ 30/year
Tower Development Permit	\$1000
Co-locates – Towers	\$100
Tarp Permit(valid for 6 months)	\$ 30
Solar Panel Permit	\$ 30
Satellite Dish Permit	\$ 30
Wading/Swimming Pools at residence	\$ 30
Dedicated Electrical circuit for pumps	\$ 30
Mechanical Permits	\$30 Base fee + <del>5%</del> See mechanical fee
Plumbing Permits	\$30 Base fee + <del>5%</del> See mechanical fee
Sewer Repair Permit	\$30
Backflow protector permit	\$ 30 (\$22 permit & \$8 backflow)
Underground Sprinklers	\$ 30 (\$22 issue fee & \$8 fixture)
Electrical Permits	\$30 Base Fee + <del>5%</del> See electrical fee
City Professional License (Plumbers; Mech. Contractors)	\$ 15 and a \$1,000,000 Liability, and a \$500,000 bodily injury insurance Certificate per each occurrence Also a \$5,000 Bond is required, naming the City as the recipient.
Demolition of building	\$250 plus Insurance Certificate
Moving Permit (buildings 120 square feet or greater)	\$250 plus Insurance Certificate
Sheds and Fences	\$ 30.00
Sidewalks	\$ 30.00
Driveway Replacement	\$ 30.00
Driveway Approach w/o curb cut or grinding	\$ 30.00
With curb requiring cut plus the 4' apron on each side)	
Contractor (Contractor performs curb cut or grind)	\$ 30.00 plus \$1.00/ft.
City Charge (if City performs curb cuts)	\$50 + \$5/ft (\$40 set up fee; \$10 permit fee)
City charge (if City performs curb grinds)	\$50 + \$6/ft (\$40 set up fee; \$10 permit fee)
Appeal Fee Regarding Issuance or Denial of Curb Cut/Driveway Approach Construction Permit	\$250
Street Paving, Surfacing, Resurfacing, Repairing, Sealing or Resealing Permit	\$ 30.00/Yearly
Appeal Fee Regarding Issuance or Denial of Street Paving, Resurfacing, etc. Permit	\$250

**GRADING PERMIT FEES**

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

**ZONING FEES**

Comprehensive Plan Amendment	\$500
Zoning Map Amendment (rezoning)	\$500
Zoning Text Amendment	\$500
Zoning Verification Letter	\$50
Subdivision Text Amendment	\$500



Conditional Use Permit (1 acre or less)	\$300
Conditional Use Permit (more than 1 acre)	\$500
Conditional Use Permit Amendment	\$200
Flood Plain Development Permit	\$500
Administrative Plat – Lot Split, Lot Consolidation or Boundary Adjustment	\$750+ additional fee of \$250 for review of revised drawings
Preliminary Platting	\$1,000 +additional fee of \$250 for review of revised drawings
Final Platting	\$1000+additional fee of \$250 for review of revised drawings
Revised Preliminary Plat	\$500+additional fee of \$250 for review of revised drawings
Replat	\$1500 +additional fee of \$250 for review of revised drawings
Preliminary P.U.D. (includes rezoning fee)	\$1000 +additional fee of \$250 for review of revised drawings
Final P.U.D.	\$500+additional fee of \$250 for review of revised drawings
Vacation of Plat and Right of Way Vacation	\$150
Variance, Appeals, Map Interpretation (B.O.A.)	\$250
Watershed Fees – the following fees apply to only new developments or significant redevelopments as specified in a subdivision agreement: (fees are remitted to Papillion Creek Watershed Partnership)	
Single Family Residential Development (up to 4-plex)	\$750 per dwelling unit
High-Density Multi-Family Residential Development	\$3,300 per gross acre*
Commercial/Industrial Development	\$4,000 per gross acre*
	*Computed to the nearest .01 acre.

**OCCUPATION TAXES**

<b>Publication fees</b>	<b>\$10</b>
Class A Liquor License Holder	\$200
Class B Liquor License Holder	\$200
Class C Liquor License Holder	\$600
Class D Liquor License Holder	\$400
Class I Liquor License Holder	\$500
<b>Class L Liquor License Holder</b>	<b>\$500</b>
Class W Wholesale Beer License Holder	<del>\$500</del> 1000
Class X Wholesale Liquor License Holder	<del>\$4000</del> 1500
Class Y Farm Winery License Holder	\$500
Class AB Liquor License Holder	\$400
Class AD Liquor License Holder	\$600
Class ADK Liquor License Holder	<del>\$600</del> 800
Class AK Liquor License Holder	<del>\$200</del> 400
Class ABK Liquor License Holder	<del>\$400</del> 600
Class BK Liquor License Holder	<del>\$200</del> 400
Class CK Liquor License Holder	<del>\$600</del> 800
Class DK Liquor License Holder	<del>\$400</del> 600
Class IB Liquor License Holder	\$700
Class IBK Liquor License Holder	<del>\$700</del> 900
Class ID Liquor License Holder	\$900
Class IDK Liquor License Holder	<del>\$900</del> 1100
Class IK Liquor License Holder	<del>\$600</del> 700
Special Designated Permit – Liquor Control	\$ 50/day except non-profits
Transfer of Liquor License from One Location to Another	\$ 25
(These fees are in addition to the State Fee Requirement)	
Amusement Concessions (i.e. Carnivals)	\$ 10/concession/day
(This would include any vendors set up for special functions at the La Vista Sports Complex)	
Auto dealers - new and used - \$250 plus \$.01 per sq. ft. of inside area, and \$.005 per sq. ft. of outside area used for display, sales or storage.	
Auto repair	\$100
Banks, small loan and finance companies	\$250 plus \$75/each detached facility.
Barber shops, beauty salons, tanning & nail salons \$ 75 plus \$10 per operator over one.	

Amended Master Fee Schedule ~~11-12~~12/13 Fiscal Year

Bowling Alleys or Billiard/Pool Halls for Restaurant or Bar if applicable)	\$ 50/year + \$10/table or alley (Additional fee
Car washes machines)	\$100 (includes all vacuum & supply vending
Circus, Menagerie or Stage Show	\$ 50/day
Collecting agents, detective agents or agencies and bail bondsmen	\$ 75
Construction/Tradesmen	\$ 75 and a \$1,000,000 Liability, \$500,000 bodily injury insurance certificate
Convenience stores	\$ 75
Convenience store with car wash machines)	\$120 (Includes all vacuum & supply vending
Dry cleaning or laundry and tailoring	\$ 50
Funeral homes	\$150
Gaming Device Distributors	5% of gross receipts (non-profits exempt)
Games of Chance/Lotteries	5% of gross receipts (non-profits exempt)
Games of Chance/Lottery License Fee	\$ 50/1st location - \$10/ea additional
Gas Companies	5% of gross receipts
Hawkers/Peddlers	\$ 75/day or \$500/year
Home Occupations (not specified elsewhere)	
Home Occupation Permit Application Fee	\$30
Home Occupation 1 and Child Care Home	\$50
Home Occupation Conditional Use Permit – see Zoning Fees	

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

Movie theatres	\$150/complex and \$75/viewing room
Music, Vending, & Pinball Machines	\$ 20/year/machine +Service Provider Fee of &75.00 for business outside the City that provides machines for local businesses
Nurseries, greenhouses, landscaping businesses, and tree trimmers	\$ 75
Nursing homes, assisted living, hospitals and retirement homes	\$ 5 per bed
Pawnbrokers	\$ 1.00/pawnbroker transaction evidenced by a pawnbroker card or ledger entry per Neb. Rev. Stat. Section 69-204. Minimum of \$30/year

Professional services - engineers, architects, physicians, dentists, chiropractors, osteopaths, accountants, photographers, auctioneers, veterinarians, attorneys, real estate offices and insurance agents or brokers - \$75 plus \$10 per agent or professional over one (1)  
Recreation businesses - indoor and outdoor \$100

Restaurants, Bars, and drive-in eating establishments\$ 50 (5 employees or less)  
\$100 (more than 5 employees)

Retail, Manufacturing, Wholesale, Warehousing and Other - Any person or entity engaged primarily in a manufacturing, wholesale, and/or warehousing business shall pay an Occupation Tax based on the schedule below and the actual interior or enclosed square footage of facilities in the City used by said person or entity in the conduct of such business; and any person or entity engaged in a business of making retail sales of groceries, clothing, hardware, notions, furniture, home furnishings, services, paint, drugs, or recreational equipment, and any other person or entity engaged in a business for which an Occupation Tax is not specifically provided elsewhere in this Ordinance, shall pay an Occupation Tax based on the schedule below and actual interior or enclosed square footage of facilities in the City used by said person or entity in the conduct of such business; provided, however, that persons or entities that use a basement or one or more additional floors in addition to the main floor (the main floor being the floor with the greatest total square footage) in the conduct of one or more specified businesses of sales at retail shall determine square footage for purposes of the Occupation Tax imposed hereunder based on the square footage of the entire main floor plus one-half (1/2) of the square footage of all such basement and additional floors.

0	999 sq. ft.	\$ 50
1,000	2,999 sq. ft.	\$ 65
3,000	4,999 sq. ft.	\$ 80
5,000	7,999 sq. ft.	\$ 120
8,000	9,999 sq. ft.	\$ 150
10,000	14,999 sq. ft.	\$ 200
15,000	24,999 sq. ft.	\$ 225
25,000	39,999 sq. ft.	\$ 300
40,000	59,999 sq. ft.	\$ 400
60,000	99,999 sq. ft.	\$ 500
100,000	and greater	\$ 750
Schools - trade schools, dance schools, music schools, nursery school or any type of school operated for profit		
		\$ 50
Service providers, such as persons, firms partnerships or corporations delivering any product, good or service whatsoever in nature within the City		
		\$ 75
Service stations selling oils, supplies, accessories for service at retail		
		\$ 75 + \$25.00 for attached car wash
Telephone Companies (includes land lines, wireless, cellular, and mobile)		
		5% of gross receipts
Telephone Surcharge - 911		
		\$1.00 per line per month
Tobacco License		
		\$ 15 (based on State Statute)
Tow Truck Companies		
		\$ 75
Late Fee (Up to 60 days)		
		\$ 35
Late Fee ( 60-90 days)		
		\$ 75
Late Fee ( over 90 days)		
		Double Occupation tax or \$100, whichever is greater
<b><u>OTHER FEES</u></b>		
Barricades		
Deposit Fee(returnable)		\$ 60/barricade
Block Parties/Special Event		\$ 5/barricade per day
Construction Use		\$30 ea. (7 days maximum)
Blasting Permit		
		\$1,000
Cat License Fee (per cat – limit 2)		
		\$ 5 each if spayed/neutered
		\$ 15 each if not spayed/neutered
		\$ 10 each (delinquent) if spayed/neutered
		\$ 30 each (delinquent) if not spayed/neutered
Dog License Fee (per dog – limit 2)		
		\$ 5 each if spayed/neutered
		\$ 15 each if not spayed/neutered
		\$ 10 each (delinquent) if spayed/neutered
		\$ 30 each (delinquent) if not spayed neutered
Dog/Cat License Handling Fee (in addition to above fees)		
		\$ 5
Dog or Cat License Replacement if Lost		
		\$ 1
Dog or Cat Capture and Confinement Fee		
		\$ 10 + Boarding Costs
Election Filing Fee		
		1% of Annual Position Salary
Fireworks Sales Permit (Non-Profits)		
		\$2,500
Handicap Parking Permit Application Fee		
		\$ Currently Not Charging Per State
Natural Gas Franchisee Rate Filing Fee		
		Per Agreement (For rate changes not associated w/the cost of purchased gas.)
Open Burning Permit		
		\$ 10
Parking Ticket Fees		
If paid within 7 days of violation date		\$ 20 (\$5 + \$15 admin fee)
If paid after 7 days of violation date but within 30 days		\$ 25 (\$10 + \$15 admin fee)
If paid after 30 days of violation date		\$ 35 (\$20 + \$15 admin fee)



**Pawnbroker Permit Fees:**

Initial	\$ 150
Annual Renewal	\$ 100
Pet Store License	\$ 50 (In addition to Occ. License)
Police Officer Application Fee	\$ 20
Public Assembly Permit (requires application and approval)	\$ 00
Returned Check Fee (NSF)	\$ 35
Storage of Explosive Materials Permit	\$ 100
Towing/Impound Fee	\$ 30
Trash Hauling Permit	\$ 25/yr/truck + \$25,000 Performance Bond

**PUBLIC RECORDS**

Request for Records	\$15.00/Half Hour + Copy Costs* (May be subject to deposit)
Audio Tapes	\$5.00 per tape
Video Tapes or CD/DVD	\$10.00 per tape/CD
*Copy costs shall be established by the Finance Director	

Unified Development Ordinance	\$100
Comprehensive Plan	\$ 50
Zoning Map	\$10 12"x36"
	\$30 36"x120"
Zoning Ordinance w/Map	\$ 30
Subdivision Regulations	\$ 30
Future Land Use Map	\$10 12"x36"
	\$30 36"x120"
Ward Map	\$ 2

Fire Report	\$ 5
Police Report	\$ 5
Police Photos (5x7)	\$ 5/ea. for 1-15
	\$ 3/ea. for additional
Police Photos (8x10)	\$ 10/ea. for 1-15
	\$ 5/ea. for additional
Police Photos (Digital)	\$ 10/ea. CD
Criminal history	\$ 10

**FALSE AND NUISANCE ALARMS**

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

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

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

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

**RESPONSE TO LARGE HAZARDOUS MATERIALS INCIDENTS**

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

Response Vehicles: One-hour minimum charge. All charges will be made to the closest ¼ hour. Mileage will be charged at \$8.00 per mile per vehicle.

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

**Equipment Charges:**

Jaws of Life	\$250
Power Saw	\$75
Hydraulic jack/chisels	\$75
Cribbing Blocks	\$10
Winches	\$10
Air Bags	\$50
High Lift Jack	\$20

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

**RESCUE SQUAD FEES**

BLS Non Emergency Base	\$430
BLS Emergency Base	\$575
ALS Non Emergency Base	\$685
ALS Emergency Level I	\$715
ALS Emergency Level 2	\$760
Specialty Care (Interfacility)	\$650
Mileage Rural	\$ 14
Rescue Squad Response (without transport)	\$150

**LIBRARY FEES**

Membership (Non-Resident Family)	6 month	\$ 30	
	1 year	\$ 55	
Fax		\$1.00 up to 5 pages	
Fines			
Books		\$ .05/day	
Audio Books		\$ 1.00/day	
Videos/DVDs/CDs		\$ 1.00/day	
Damaged & Lost			
Books		\$ 5 processing fee + actual cost	
Videos /DVDs/CDs		\$ 5 processing fee + actual cost	
Color Copies		<del>\$ .50</del>	
Copies		\$ .10	
Inter-Library Loan		\$3.00/transaction	
Lamination – 18" Machine		<del>\$42.00</del> per foot	
Lamination – 40" Machine		<del>\$66.00</del> per foot	
Computer Lab Guest		\$5.00/session	

**RECREATION FEES**

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

	Resident	Non-Resident	Business
<b>Groups</b>			
Facility Rental			
Gym (1/2 Gym)	\$ 35/Hour	\$ 70/Hour	\$ 70/Hour
Gym/Stage (Rental)	\$400/Day	\$800/Day	\$800/Day
Gym/Stage (Deposit)	\$200	\$400	\$400

Amended Master Fee Schedule ~~11.12~~12/13 Fiscal Year

Game Room	\$ 20/Hour	\$ 40/Hour	\$ 40/Hour
Meeting Rooms (Rental)	\$ 10/Hour/Room	\$ 20/Hour/Room	\$ 25/Hour
Meeting Rooms (Deposit)	\$ 50/Room	\$ 50/Room	\$ 50/Room
Kitchen (Rental)	\$ 15/Hour	\$ 25/Hour	\$ 30/Hour
Kitchen (Deposit)	\$ 50/Room	\$ 50/Room	\$ 50/Room
Racquetball Court	\$ 6/Hour	\$ 12/Hour	\$ 12/Hour

Facility Usage

Daily Visit (19 and up)	\$ 3.00	\$ 4.00
Daily Visit (Seniors +55)	\$ -0-	\$ 2.00

Fitness Room (19 and up)

Membership Card	\$25.00/month	
(Exercise Room, Gym, Racquetball/Walleyball Courts)		
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit
Gym (19 and up)		
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit

Ind. Weight Training

Classes	\$ 25
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Variety of programs as determined by the Recreation Director

Fees determined by cost of program

Classes

Contractor	City
75%	25%

Contract Instructor Does Registration and Collects Fees

Other Facilities:

	Resident	Non-Resident
Tournament Fees	\$ 30/Team/Tournament	\$ 30/Team/Tournament
	\$ 30/Field/Day	\$ 30/Field/Day
Gate/Admission Fee	10% of Gross	
Model Airplane Flying		
Field Pass	\$30*	\$40*
* includes \$10 club membership 1 – year license		
Field Rentals	\$40/2 hours	Resident and Non-Resident
Park Shelters	\$15/3 hours	\$25/3 hours

Swimming Pool

	Resident	Non-Resident
Youth Daily	\$ 2	\$ 4
Adult Daily	\$ 3	\$ 4
Resident Tag	\$ 2	
Family Season Pass	\$ 100	\$160
Youth Season Pass	\$ 60	\$ 90
Adult Season Pass	\$ 70	\$ 100
30-Day Pass	\$ 50	\$ 80
Season Pass (Day Care)	\$250	\$250
Swim Lessons	\$ 30	\$ 55

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

Director

Youth Recreation Programs	Resident	Non-Resident
Coed Softball/Baseball Ages 5-6	\$ 40/50	\$55/65
Coed Softball/Baseball Ages 7-8	\$ 40/50	\$55/65
Softball/Baseball Ages 9-10	<del>\$ 50/60</del> 55/65	<del>\$70/80</del> 75/85
Softball/Baseball Ages 11-12	<del>\$ 60/70</del> 65/75	<del>\$90/100</del> 95/105
Softball/Baseball Ages 13-14	<del>\$ 75/85</del> 80/90	<del>\$95/105</del> 100/110
Softball/Baseball Ages 15-16	<del>\$ 95/105</del> 100/110	<del>\$125/135</del> 130/140
Baseball Ages 17-18	<del>\$100/110</del> 105/115	<del>\$150/160</del> 155/165
Tackle Football	<del>\$ 95/105</del> 105/115	<del>\$125/135</del> 135/145
Soccer Ages 8 and above	<del>\$50/60</del> 60/70	<del>\$50/60</del> 60/70
<u>Fall Baseball clinic</u>	<u>\$15/25</u>	<u>\$20/30</u>
Basketball Clinic	\$ 15/25	\$20/30
Basketball Ages 9-10	<del>\$ 45/55</del> 50/60	<del>\$55/65</del> 60/70
Basketball Ages 11-12	<del>\$ 45/55</del> 50/60	<del>\$55/65</del> 60/70

Amended Master Fee Schedule ~~11-12~~12/13 Fiscal Year |

Soccer Academy	\$ 30/40	\$50/60
Flag Football	\$ 30/40	\$50/60
Volleyball	\$ 30/40	\$50/60
Cheerleading	\$ 25/35	\$45/55
3 yr. old Soccer Clinic	\$15/25	\$20/30
Uniform Deposit Fee		
Basketball	\$ 40	\$ 40
Tackle Football	\$180	\$180
Baseball Ages 9 - 12	\$ 20	\$ 20
Baseball Ages 13-18	\$ 50	\$ 50
Softball Ages 11-14	\$ 20	\$ 20
Cheerleading	\$ 75	\$ 75
Adult Recreation Programs		
Spring Softball – Single	\$200	\$200
Spring Softball – Double	\$400	\$400
Basketball	\$135	\$135
Volleyball	\$100	\$100
Fall Softball – Single	\$110	\$110
Fall Softball – Double	\$220	\$220
Summer Basketball	\$ 70	\$ 70

Golf Green Fees

October 1<sup>st</sup> – February 28<sup>th</sup>

9-hole Weekdays (adults)	\$ 8.50
9-hole Weekends – Sa - Su (adults)	\$ 10.00
18-hole Weekdays (adults)	\$14.50
18-hole Weekends - Sa - Su (adults)	\$16.00
9-hole Weekdays - M-F (jr/sr)	\$ 6.00
9-hole Weekends - Sa-Su (jr/sr)	\$ 8.00
18-hole Weekdays - M-F (jr/sr)	\$11.00
18-hole Weekends - Sa-Su (jr/sr)	\$13.00
Pull Carts	\$ 2.50
Rental Clubs -	\$ 7.00
Electric Carts – 9-hole	\$6.00
Electric Carts – 18-hole	\$9.00

March 1<sup>st</sup> – September 30<sup>th</sup>

9-hole Weekdays (adults)	\$ 10.00
9-hole Weekends – Sa - Su (adults)	\$12.00
18-hole Weekdays (adults)	\$16.00
18-hole Weekends - Sa - Su (adults)	\$18.00
9-hole Weekdays - M-F (jr/sr)	\$ 8.00
9-hole Weekends - Sa-Su (jr/sr)	\$ <del>8.00</del> jr/10.00 sr/jr.
18-hole Weekdays - M-F (jr/sr)	\$13.00
18-hole Weekends - Sa-Su (jr/sr)	\$ <del>13.00</del> jr/15.00 sr/jr.
Pull Carts	\$ 2.50
Rental Clubs	\$ 7.00
Electric Carts – 9-hole	\$ 6.50
Electric Carts – 18-hole	\$ 10.50

Junior – Age 15 & under; Senior – Age 55 & over

Golf concessions, merchandise, specials, league and tournament prices shall be established by the Finance Director.

Annual Passes

(One Full Year from date of purchase)

Adult (16over)	\$400.00
Senior (55 over)	\$300.00
Junior (15 under)	\$300.00
Family	\$750.00



Discount Cards

(Adult Rates)

12 rounds \$100.00

(Jr./Sr. Rates)

12 rounds \$ 80.00

Special Services Van Fees

Trip within city limits (LaVista & Ralston) \$1.00 one way

Trip outside city limits(Determined by distance) \$3.00-\$6.00 one way

Bus pass (each punch is worth \$1.00) \$20.00

Section 2. Sewer Fee Schedule.

§3-103 Municipal Sewer Department; Rates.

A. Levy of Sewer Service Charges. The following sewer service charges shall be levied against the user of premises, property or structures of every kind, nature and description, which has water service from any supply source and are located within the wastewater service area of the City of La Vista.

B. Computation of Sewer Service Charges. For the months of December, January, February and March, the monthly charge for residential sewer services will be computed on the actual water used for these months. The monthly charge for residential sewer service in the months of April, May, June, July, August, September, October and November will be computed on the average water usage of the four (4) preceding winter months of December, January, February and March or for such portion of said consumption, whichever is the lesser. At the option of the City of La Vista, water used from private wells shall be either metered or estimated for billing purposes.

C. Amount of Sewer Service Charges. The total sewer service charge for each sewer service user will be the sum of three (3) charges: (1) customer charge, (2) flow charge, and (3) abnormal charge.

1. The customer charge is as follows

a. For sewer service users classified as Residential, the same being sewer service to a single family dwelling, or a duplex, apartment, or other multi-family dwelling wherein the water consumption for each dwelling is separately supplied, metered and charged for by the Metropolitan Utilities District - ~~\$6.507.02~~ per month.

b. For sewer service users classified as Residential-Multi-Family, the same being sewer service to Multi-Family dwellings wherein the water consumption in each dwelling is not separately supplied, metered and charged for by the Metropolitan Utilities District - \$ ~~6.507.02~~ per month plus an amount equal to \$ ~~5.856.31~~ times the total number of units served by the water connection, less one. Late charge of 14% for Multi-Family dwellings.

c. For sewer service users classified as General Commercial: Customers who normally use less than 100,000 cubic feet of water per month and who are not Residential users - \$ ~~6.977.52~~ per month. For sewer service users in this category that require manual billing, add \$10.00 for a total of ~~\$16.9717.52~~ per month.

d. The flow charge for all sewer service users shall be \$ ~~1.89612.0478~~ per hundred cubic feet (ccf).

e. If users other than those classified herein are connected to the wastewater collection system, the Customer Charges, the Flow Charges and Other Charges will be determined by the City Council in accordance with rules and regulations of the EPA and the Agreement between the City of La Vista and the City of Omaha.

Section 3. Sewer/Drainage Connection Fee Schedule. A fee shall be paid to the City Treasurer as set forth in this section for each structure or tract to be connected to the sewer system of the

City. No connection permit or building permit shall be issued until the following connection fees have been paid.

Residential	
Single Family Dwelling	\$1,100
Duplex	\$1,100/unit
Multiple Family	\$ 858/unit
Commercial/Industrial	\$5,973/acre of land as platted

The fee for commercial (including industrial) shall be computed on the basis of \$5,973 per acre within each platted lot or tract, irrespective of the number of structures to be constructed thereon.

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

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

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

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

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

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

Section 6. Repeal of Ordinance No.1127. Ordinance No. 1127 as originally approved on September 7, 2010, and all ordinances in conflict herewith are hereby repealed.

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

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

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

example, the occupation tax on pawnbroker transactions for the month of April 2003 shall be due and payable on or before May 31, 2003.

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

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

(4) The remaining provisions of this Ordinance other than those specified in Sections 8(1), 8(2) and 8(3) shall take effect upon publication.

PASSED AND APPROVED THIS ~~15TH~~ DAY OF ~~NOVEMBER~~, ~~2011~~2012.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AGREEMENT WITH MAPA — HEARTLAND 2050 REGIONAL VISIONING PROJECT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A resolution has been prepared to approve and authorize the Mayor to sign a Consortium Agreement with the Metropolitan Area Planning Agency (MAPA) for the Heartland 2050 Regional Visioning Project.

**FISCAL IMPACT**

In-kind match through staff assistance to technical committees and working groups.

**RECOMMENDATION**

Approval.

**BACKGROUND**

As you may recall, MAPA applied for and received a \$2 million dollar grant from the U.S. Department of Housing and Urban Development to undertake Heartland 2050, a regional visioning project for the Omaha-Council Bluffs Metropolitan Area. At the time of application, MAPA asked for and received a memorandum of understanding supporting the project and declaring La Vista's intent to participate in the visioning and planning process. MAPA now asks that we formalize this understanding by signing a Consortium Agreement.

The Heartland 2050 Consortium Agreement delineates the rights, roles, and responsibilities of members of the core partnership directing the Heartland 2050 visioning project. It does not require a specific level or type of commitment of resources to the project, though it does call on signatories to contribute some level of in-kind resources – such as staff time – to help us meet our 20% local match requirement.

Jake Hansen, Community/Economic Development Manager for MAPA, be present at that meeting to discuss the project and agreement, and to answer any questions the Council might have.

Two documents are attached:

- 1) *Heartland 2050 Consortium Agreement* is an executive summary of the project goals and work plan, describes the Consortium, and spells out the terms and conditions accompanying membership in the Consortium;
- 2) *Memorandum of Understanding, Heartland 2050 Consortium Agreement Resolution* affirms La Vista's membership in the Consortium and spells out rights and responsibilities.



**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO SIGN A CONSORTIUM AGREEMENT WITH THE METROPOLITAN AREA PLANNING AGENCY (MAPA) FOR THE HEARTLAND 2050 REGIONAL VISIONING PROJECT.

WHEREAS, the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) submitted an application to the U.S. Department of Housing and Urban Development (HUD) Sustainable Communities Regional Planning Grant (hereafter "Grant") in October 2011 to support Heartland 2050, a regional visioning effort in the eight-county Omaha-Council Bluffs Metropolitan Statistical Area; and

WHEREAS, at time of application, 30 partners representing 95% of the region's population signed memoranda of understanding that pledged support of the application and Heartland 2050 initiative if funds were awarded, and committed in-kind and leveraged resources to count toward the local share of Federal funding; and

WHEREAS, MAPA was awarded a Grant in the amount of \$2,045,000 to develop the Heartland 2050 regional vision and plan for sustainable development and entered into a cooperative agreement with HUD on February 6, 2012; and

WHEREAS, a final Heartland 2050 Work plan (Exhibit A) has been prepared and approved by HUD that formalizes the project approach and goals outlined in the original Grant application; and

WHEREAS, the goal of Heartland 2050 is to define a vision, based in shared community values, of how the region should grow and develop through the middle of the 21<sup>st</sup> century, along with sector-specific plans that help the region progress toward the vision; and

WHEREAS, the core attributes of the proposed approach are inclusion, collaboration, and data-driven decision-making; and

WHEREAS, the original partnership brought together at the time of application will heretofore be known as the Heartland 2050 Consortium, and stands invested with substantive leadership of the Heartland 2050 regional visioning and planning process; and

WHEREAS, any eligible government entity, non-profit or private sector organization, academic or research institution, philanthropic foundation, community organization, or specialized agency that bears responsibility for, or has an interest in, the sustainable development of the Heartland region may apply to become a Heartland 2050 Consortium member and signatory to this Agreement;

NOW, THEREFORE BE IT RESOLVED, the City of La Vista agrees to the following by signing this Agreement:

1. Participate as a member of the Heartland 2050 Consortium in the development of a regional plan for sustainable development (hereafter RPSD) and the visioning process underpinning it;
2. Support the essential project goals, program of work, and participatory and functional structure for accomplishing the work of Heartland 2050, identified in Exhibit A – Heartland 2050 Work plan and Exhibit B – Heartland 2050 Consortium and Partnership Agreement Packet, incorporated herein by reference;
3. Engage in meaningful review of strategy and report documents, data, scenarios, major recommendations, and other classes of work product, and provide timely

feedback to MAPA project management staff, other Consortium members, and the project Steering Committee;

4. Work collaboratively with fellow Consortium members and MAPA project management staff to resolve differences and work toward compromise if or when conflict arises within the Consortium;
5. Designate a policy-level liaison and named alternate(s) to the Heartland 2050 Consortium, one of whom shall be present at all meetings of the Consortium, with no more than four (4) organizational absences permitted before membership is suspended;
6. Participate in project governance bodies, including but not limited to: Heartland 2050 Steering Committee, the Equity and Engagement Committee, one or more technical working groups, and one or more communities of practice advisory group appropriate to the City of La Vista's capacity and mission, and to ensure that the City of La Vista's interests, perspectives, and needs, and plans are represented at appropriate levels of decision-making;
7. Communicate the work of the Consortium to staff, stakeholders, and the public at large;
8. Assist the Consortium, MAPA project management staff, and consultants with outreach and engagement of the public as well as groups who are traditionally marginalized or underrepresented in community planning processes, to ensure maximum reach and inclusion in the visioning and planning work of Heartland 2050;
9. Share relevant data, maps, plans, and lessons learned with other Consortium members to promote mutual understanding of issues and opportunities within the region and build capacity to address and/or capitalize on them;
10. Provide staff support, meeting space, or any other in-kind or leveraged resources to be counted toward local match of the Grant funds, as outlined in original letters of intent and confirmed in a final letter of commitment addressed to MAPA from the City of La Vista within 90 days of the execution of this agreement;
11. Recognize MAPA as lead project manager and fiscal agent solely as a benefit and convenience to the City of La Vista and not to hold MAPA liable in any manner in this capacity.

BE IT FURTHER RESOLVED, MAPA agrees to confer directly the following benefits of participation in the Heartland 2050 Consortium:

1. As a Heartland 2050 Consortium member, the City of La Vista will have full voice at all Consortium meetings;
2. The City of La Vista will have a direct role in developing and seating the project Steering Committee, Equity and Engagement Committee, and subsidiary technical working groups and communities of practice advisory groups constituting the project's governance structure, including first right of consideration for seats on all such committees and working groups;
3. Provide the City of La Vista with access to information and data collected by MAPA, consultants, subgrantees, and Consortium members pursuant to the project;
4. Notify the City of La Vista of capacity-building opportunities, including webinars, conferences, and other national best-practice learning opportunities through the National Sustainable Communities Learning Network;

5. Provide additional premium educational and informational opportunities to the City of La Vista that support and assist its participation in development of the vision and RPSD, or build capacity for ongoing regional work;
6. Recognize the City of La Vista's Consortium membership as a notable prerequisite to eligibility for Preferred Sustainability Status (PSS) points on applications for HUD funding, or other special future consideration by Federal funding agencies, which may assist the City of La Vista in obtaining funding support for planning or implementation projects aligned with the goals of the Heartland 2050 initiative.

THIS AGREEMENT may be suspended or terminated by either party upon 30 days' written notice to the other party's Chief Executive Officer. If the City of La Vista opts to leave the Heartland 2050 Consortium, the City of La Vista will be held accountable for any work items or deliverables promised or due prior to the effective date of withdrawal. The only conditions under which the City of La Vista will be suspended or terminated from Consortium membership by MAPA are:

1. If the City of La Vista fails to attend more than 4 meetings of the Heartland 2050 Consortium over the course of the project;
2. If the City of La Vista fails to deliver in-kind or leverage commitments within the timeframe specified in the letter of commitment provided to MAPA by the City prior to submittal of the HUD application by MAPA;
3. If the City of La Vista is the subject of a fair housing complaint found by HUD to have merit, per the reasons identified in Section 9 of Exhibit B – Heartland 2050 Consortium and Partnership Agreement Packet.

THIS AGREEMENT stands executed from the date of signature by both parties to the agreement, and shall remain in effect until March 1, 2015. Upon mutual written agreement among the parties, this agreement may either be amended or extended, provided that approval for such is given as to form.

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012.

CITY OF LA VISTA

OMAHA-COUNCIL BLUFFS  
METROPOLITAN AREA PLANNING  
AGENCY (MAPA)

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Douglas Kindig  
Mayor

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Ron Kohn  
President, Board of Directors

WITNESS:

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Pamela A. Buethe, CMC  
City Clerk

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Greg Youell  
Executive Director

# HEARTLAND 2050

## CONSORTIUM AGREEMENT

July 2012

Omaha-Council Bluffs Metropolitan Area Planning Agency [MAPA]



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## SECTION 1: HEARTLAND 2050 PROJECT OVERVIEW

HEARTLAND 2050 is a three-year, multimillion dollar regional planning effort for the Omaha-Council Bluffs metropolitan area. The project will examine regional growth and development futures for the full eight counties of the metropolitan statistical area (MSA), taking as its focus the core infrastructural systems and services that the public sector provides. Because these systems generate substantial externalities – positive and negative – that affect various dimensions of sustainability and livability, scenarios will be developed that visualize different ways of configuring these systems and thus balancing sometimes competing values related to social equity, environmental impact, and economic growth and development. Heartland 2050 will culminate in a regionally preferred vision for future growth and development, and a regional plan for sustainable development that highlights specific strategies and actions for the region's core infrastructural systems.

Heartland 2050 is supported by a \$2.045 million grant awarded to the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) and its partners by the U.S. Department of Housing and Urban Development (HUD), Office of Sustainable Housing and Communities. The grant program is a product of the Partnership for Sustainable Communities (PSC), a unique interagency consortium of HUD, the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Transportation (DOT). The PSC organized in 2009 to promote alignment and reduce duplication in Federal investments in the nation's metropolitan regions, and to encourage collaborative approaches to infrastructure planning and investment within these regions. Six "Livability Principles" guide the activities of the PSC, including:

- + *Provide more transportation choices*
- + *Promote equitable, affordable housing*
- + *Enhance economic competitiveness*
- + *Support existing communities*
- + *Coordinate and leverage Federal policies and investment*
- + *Value communities and neighborhoods*

## SECTION 2: MISSION AND GOALS

At the time of application, MAPA and its partners identified a mission for the project and a basic outline of goals of the project. These elements became binding upon award of the HUD/Sustainable Communities Regional Planning Grant (HUD/SCRPG) to MAPA, and signature of the cooperative agreement between MAPA and HUD. MAPA and Heartland 2050 partners may expand upon and provide greater resolution to the below items, but the integrity of the mission and goals must not be compromised by any such modification.

### HEARTLAND 2050 MISSION STATEMENT

**Develop a vision, based in shared community values, of how the region should grow and develop over the next 40 years.**

### HEARTLAND 2050 GOALS

1. Define a vision for the region's future that strikes a balance between the three key dimensions of sustainability – environment, social equity, and economic development;
2. Develop a strategic framework for delivery and maintenance of vital public services and infrastructure in specific sectors, including transportation, housing, utilities, and land use;

3. Identify the consequences of and synergies between investments in physical infrastructure and socioeconomic outcomes, including education, job accessibility, and public health
4. Improve legibility, resolution, and availability of data collected regionally to foster collaborative, evidence-based policy-making
5. Engage and involve all segments of the population, particularly those marginalized from traditional planning processes, including minorities and residents of rural communities.

## SECTION 3: PROGRAM OF WORK

In the application, MAPA laid out a project approach and identified general expected outcomes of the planning process. The project approach was refined in the Heartland 2050 Work plan, which was approved by HUD in April 2012. MAPA, and by extension any partners, commit to delivering the work elements identified in the approved work plan.

### *HEARTLAND 2050 WORKPLAN*

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From the mission statement and the goals outlined in the previous section, MAPA identified four “work streams,” thematic groupings of activities and tasks that advance a narrative of regional collaboration on a common future. These work streams delineate the scope of work of the Heartland 2050 initiative and form the basis of the project work plan (attached as Exhibit A).

#### 1. ORGANIZING FOR SUCCESS

*Organizing for Success* lays the foundation for a successful and meaningful planning process by setting up the necessary management systems and tools. Capacity-building and relationship-building will be key foci of this work stream, as will be institutional and programmatic strategies for ensuring equitable and diverse engagement.

#### 2. LEARNING TOGETHER

*Learning Together* sets into action the framework created in *Organizing for Success*. Through a subgrant and microgrant program, the Heartland 2050 Consortium will seek out community intermediaries to host “focus group”-style meetings with their stakeholders and constituents. These meetings will start the conversation on the region’s future in an appropriate context while generating a useful set of qualitative data from citizens throughout the region. Gathering, processing, and analysis of quantitative data will proceed in tandem with the focus group program, and data from both activities will provide a complete portrait of current conditions in the region; acquaint policymakers and citizens with different perspectives, needs, and desires; and yield valuable inputs for the process of developing and presenting scenarios.

#### 3. CONSTRUCTING THE FUTURE

*Constructing the Future* is the pivot point in the project. It will take the data inputs and knowledge generated in *Learning Together* and apply it to the development of a range of alternative growth and development scenarios. The scenario planning process will culminate in a series of meetings from which a regionally preferred scenario for growth and development will emerge. Following this, technical working committees will set to work on preparing plans for specific infrastructural systems, including housing, transportation, utilities, as well as a policy framework for land use, that operationalizes the regional vision. All of this work will be compiled into a final regional plan for

sustainable development (RPSD) document, to be completed by the 36-month mark following signature of the contract.

#### 4. ACHIEVING RESULTS

*Achieving Results* sets up the collaborative structures and tools that will ensure steady progress toward the regional vision. This will entail aligning existing regional planning documents to the RPSD, the creation of a special compact or protocol to which area jurisdictions can accede, as well as development of a web-based progress tracking platform accessible to a wide range of users. It will also require setting up structures for delivering technical assistance to partners aligning their policies and plans to the RPSD.

## SECTION 4: TYPES OF PARTICIPATION

A core principal of the Heartland 2050 initiative is transparency and inclusion. This applies both to general public outreach as well as direct involvement of key organizational stakeholders in the planning process. We realize that the region contains many layers of local knowledge, technical expertise, and sensibilities that can add tremendous value to the process if properly harnessed. To facilitate this, MAPA and its original partners from the Sustainable Communities Regional Planning Grant application have created several ways in which local organizations and stakeholders can interface with the process.

***Membership in the Heartland 2050 Consortium*** is the highest level of formal participation in the Heartland 2050 process. Consortium members sign a Heartland 2050 Consortium Agreement, included as Attachment 1, in which they commit to the same elements as identified above, as well as contribution of in-kind resources that help the region achieve its local match obligations to leverage Federal funding. These commitments may be specified at a later date in a supplementary protocol to the Consortium Agreement. Consortium members will be eligible to join the Heartland 2050 Steering Committee, the prime decision-making and policy advisory body of the planning process, as well as any of the subsidiary working and advisory groups. They will also be able to access all capacity-building and networking opportunities over the life of the grant.

In addition to Consortium membership, an additional layer of participation exists in ***subgrantees***. A subset of Consortium members may be asked to directly undertake whole activities or tasks identified in the project work plan, the scale of which will require remuneration. In addition to the Consortium Agreement, such subgrantees will enter into a separate contract with MAPA that includes associated deliverables and time frames. Smaller grants (\$5,000 or less) will be available on a competitive basis to organizations interested in participating in the Heartland Community Focus Microgrant Program. Smaller grants will not require accession to the Heartland 2050 Consortium, though organizations wishing to affiliate will be welcome to do so.

Finally, local stakeholders and organizations will be welcome to serve on ***advisory groups***, either technical working groups or communities of practice advisory groups, which are described in greater detail in *Section 6 – Roles and Governance*.



## SECTION 5: HEARTLAND 2050 CONSORTIUM DESCRIPTION

The "Heartland 2050 Consortium" constitutes the core partnership guiding the Heartland 2050 initiative. Consortium members will work with MAPA on key elements of project planning and delivery, and will be expected to contribute substantively to the process, whether in the form of staff time and expertise, facilities and other in-kind resources, or funding. A list of core responsibilities as well as a "menu" of options for meeting the qualifications for membership in the Heartland 2050 Consortium are included in Attachment 1, the Heartland 2050 Consortium Agreement. Membership in the Consortium shall be open to any entity willing and able to commit to the qualifications outlined therein, and subject to general terms and conditions outlined in "General Terms and Conditions of Consortium Membership." The Consortium will meet monthly during the 6-month project ramp-up period, thereafter transitioning to quarterly meetings.

Membership in the Heartland 2050 Consortium contains a number of benefits. First and foremost is the opportunity to play a leading role in an unprecedented and unique civic effort. It is the explicit goal of the Heartland 2050 process to articulate a shared vision for the future growth and development of the region, and to begin aligning investments in key infrastructure to that vision. Another benefit is the opportunity for networking and collaboration potential across key sectors in the region, not just in terms of the public-private distinctions, but in areas of focus and technical expertise as well. This will serve any participating entity well in pursuit of future funding opportunities through Federal agencies and local and national foundations. Last but certainly not least, membership in the Consortium will give organizations access to a wealth of primary and secondary data that can be used to shape future programming and better target areas of need and opportunity in the region.

The Heartland 2050 Consortium partnership already consists of the following organizations and entities:

### **COUNTIES**

Douglas (NE)	Pottawattamie (IA)
Sarpy (NE)	Mills (IA)
Washington (NE)	Harrison (IA)
Saunders (NE)	

### **CITIES**

Omaha	La Vista
Council Bluffs	Blair
Bellevue	Gretna
Papillion	

### **OTHER PUBLIC ENTITIES**

Metro Transit	Douglas County Housing Authority
Omaha Housing Authority	Metropolitan Community College
Bellevue Housing Authority	University of Nebraska at Omaha
Council Bluffs Housing Authority	Iowa Western Community College

**NON-PROFIT/CIVIC**

African-American Empowerment Network	Iowa West Foundation
Family Housing Advisory Services	Latino Center of the Midlands
Greater Omaha Chamber of Commerce	Omaha by Design
Heartland Workforce Solutions	Golden Hills Recreation and Conservation District

**SECTION 6: ROLES AND GOVERNANCE**

In its application to the HUD Sustainable Communities Regional Planning Grant, MAPA proposed a layered organizational and governance structure for the Heartland 2050 process. This is necessary given the many constituencies and conditions present in our region, and the fact that the project geography is larger than MAPA's membership composition.

**MAPA** will act as the overall project manager and fiscal agent for Heartland 2050 and the HUD/SCRPG. As such, MAPA will manage the program of work and be responsible for the timely completion of all deliverables specified in the Cooperative Agreement. It will have ultimate right-of-review of work products and be the principal contracting agent with any consultants or subgrantees procured to deliver said work products. It will also be the primary gateway through which HUD funds are drawn down and disbursed, with all applicable HUD and internal requirements related to procurement and appropriations applying.

The **Heartland 2050 Steering Committee** will provide overall leadership of the Heartland 2050 visioning and planning process. Specifically, this will include, but not necessarily be limited to, the following roles:

- + Oversee and advise on critical matters of grant administration;
- + Establish subsidiary advisory and working groups, and confirm appointment of chairs of said committees;
- + Provide guidance to MAPA project management staff;
- + Provide policy direction for the Heartland 2050 regional visioning and planning process;
- + Ensure adherence to Heartland 2050 Outreach and Engagement Policy;
- + Identify and resolve in the first instance significant issues or disputes that arise over the course of the project;
- + Review and approve the regionally preferred development scenario;
- + Review and approve sector-specific plans and complete Heartland 2050 Regional Plan for Sustainable Development.

The Steering Committee will draw its membership from the Heartland 2050 Consortium, according to a formula to be determined by Consortium members prior to the seating of the committee in summer 2012. All meetings will be open to the public in accordance to Open Meetings Laws of both Nebraska and Iowa.

The **Equity and Engagement Committee** will serve two essential roles in the process: first, as a working committee developing and approving communications and outreach products; as well as an ombudsman ensuring the integrity and accessibility of the process to all constituents and stakeholders, including the general public and traditionally marginalized groups. Specifically, it will be able to recommend the regionally preferred development scenario and final RPSD for approval by the Steering Committee on the basis of the integrity of the outreach and engagement process around both products, as well as to formally track progress of the Heartland 2050 Outreach and Engagement Policy and issue recommendations to the Steering

Committee and subsidiary entities accordingly. The Equity and Engagement Committee will draw its membership partially from the Heartland 2050 Consortium, and partially from partners and interested stakeholders.

The **Project Working Committee** will be the formal point of interface between project management staff, essential committee chairs or members, consultants, and subgrantees. This group will meet most frequently of all of Heartland 2050's governance bodies, in person and, if necessary, via conference call. The purpose of these meetings will be to track progress on work plan elements, discuss technical and project management issues, ensure mutual cognizance among the various entities involved in the visioning and planning process, and provide a first-order consultative decision-making point on tactical matters that are deemed not to require broader Steering Committee action.

The **Heartland 2050 Technical Working Groups** will be the working reservoirs of technical and subject matter expertise that assist in data collection, analysis, and quality control in technical products from consultants in earlier phases of the project; and drafting of plans and recommendations for Steering Committee approval in later phases. The Heartland 2050 Consortium and Steering Committee will establish the Technical Working Groups and recruit members, ensuring adequate representation across sectors, community types, and tiers of affiliation with the Heartland 2050 process.

It is anticipated that technical working groups in the following subject areas will be established:

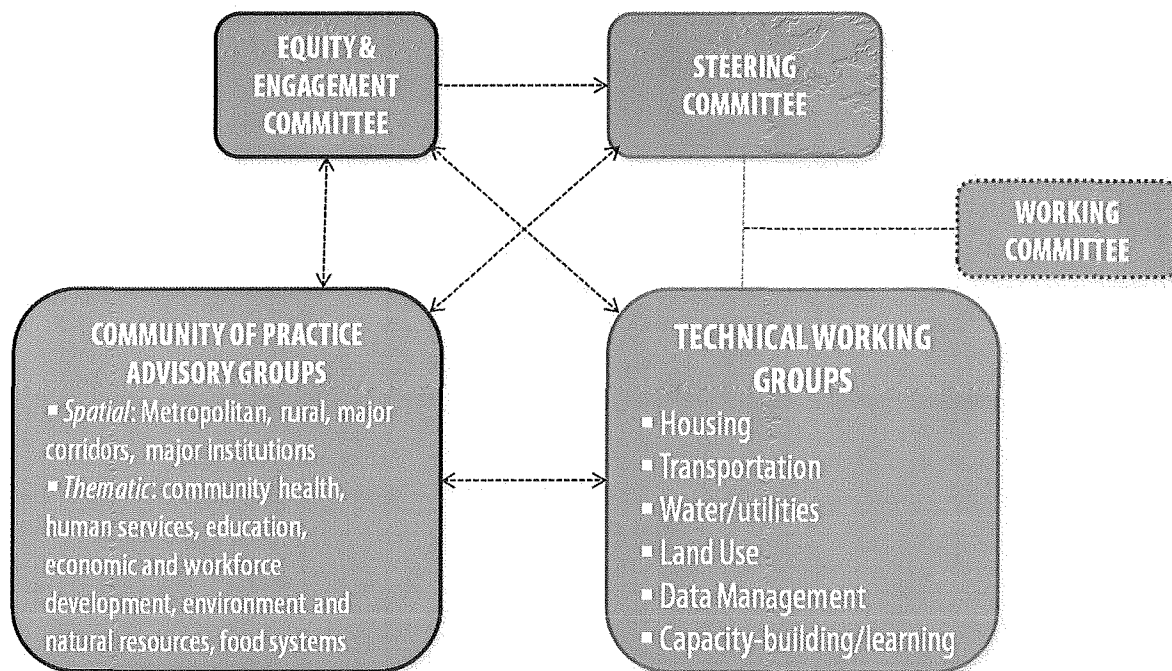
- + Transportation
- + Housing
- + Water and utilities infrastructure
- + Land Use
- + Data management
- + Capacity-building and learning

**Community of Practice Advisory Groups** will comprise the most loosely constituted stratum of Heartland 2050 governing bodies. They will provide the forums for discussion and advising on cross-cutting and community-specific interests and issues. They will also act as a tertiary ombudsman for the process, advising the Equity and Engagement and Steering Committees on how well various community interests are being considered in the visioning and planning phases of the Heartland 2050 project. In this sense, the Communities of Practice Advisory Groups will function much like formal caucuses, to which partners and Consortium members can affiliate based on individual or institutional interests. Unlike the technical working groups, these groups will not be formally established by the Steering Committee, and will be able to self-determine meeting frequency and agendas.

It is anticipated that Communities of Practice Advisory Groups will take shape around the following thematic areas:

- + Urban/Suburban
- + Rural
- + Major institutions
- + Major corridors/logistics
- + Community health and human services
- + Economic and workforce development
- + Education
- + Food Systems
- + Environment and natural resources

The relationship between these various governance entities is represented graphically in Figure 1, on the following page.

**FIGURE 1:** Heartland 2050 Governance Structure

## SECTION 7: DECISION-MAKING PROTOCOLS

The Heartland 2050 Consortium and governance structure described in the previous section will be guided by the project goals and mission statement identified in *Section 2*. Formal decision-making power related to the project shall rest with the Steering Committee, Project Working Committee, Technical Working Groups, and Equity and Engagement Committee. Of these, the Steering Committee shall be the highest-level policy making body, with purview over core elements of project strategy and management; and ultimate right of approval, approval with condition, or rejection of the major project deliverables. Other committees or working groups will be empowered to make decisions provided they do not impinge on Steering Committee competencies, though, in most cases, the work of these committees will be oriented to developing recommendations for substantive Steering Committee action.

Both the Consortium and governance structure of Heartland 2050 will operate by consensus of membership, defined as general agreement of the members present. It is anticipated that formal voting protocols will be developed for cases in which (a) there is considerable divergence of opinion among members; and (b) a substantive vote is appropriate, such as approval of formal recommendations or deliverables. In latter instances, it will be the duty of chairs/co-chairs to give sufficient prior notice to Committee members so that a quorum is present when action on key milestones or decision points is taken. Chairs and co-chairs will be responsible for bringing questions to formal vote, and entering outcomes into the record.

If a committee or working group takes a vote but fails to reach consensus, the question shall be referred to the Steering Committee for consideration and resolution. Failure to reach consensus on a substantive matter within the Steering Committee shall result in referral of the question to the MAPA Board of Directors, which shall be the dispute resolution body of final resort.

All committees will be expected to develop a charter that will specify a set of meeting norms and guidelines once they are seated. Provisional chairs or co-chairs for subsidiary committees and

working groups will be designated by the Steering Committee, which will oversee development of the charter; permanent chairs or co-chairs will then be advanced and voted in by a majority vote of a quorum of members present. Meeting schedules will also be set upon seating of the committee and chairs/co-chairs.

## SECTION 8: ACCOUNTABILITY

To help ensure successful completion of project activities and reasonable progress on the program of work, Heartland 2050 Consortium members will be expected to designate a primary delegate/point of contact and an alternate, one of whom shall be present at all meetings of the Consortium. Members will also provide leverage and in-kind reporting forms to MAPA as requested to meet local match requirements for HUD funding. Guidance regarding such reporting, along with templates, will be provided by MAPA project management staff once guidance and approval are received from HUD. Consortium members who fail to meet commitments specified in the Consortium Agreement and subsequent protocols may be suspended or terminated from membership in the Consortium.

Committee and working group members will also have their time in meetings counted as in-kind/leverage, with sign-in sheets at each meeting being the primary tracking mechanism.

Partners and Consortium members who receive subgrant funds will be held to a higher level of accountability through generally accepted accounting practices such as invoicing, reporting, and auditing, which will be specified in a separate contract or agreement. Failure to meet the terms specified in the contract may result in MAPA, as lead agency, taking corrective actions such as disallowing funds, cancelling the contract, or suspending or terminating the Consortium member or partner.

## SECTION 9: COMPLIANCE WITH HUD REQUIREMENTS

As lead agency and prime grantee, MAPA is directly accountable to the HUD/SCRIP Grant Terms and Conditions, which governs the cooperative agreement between HUD and MAPA. These requirements flow down to subgrantees, and will be specified in subgrant contracts.

Some of the HUD requirements apply to members of Heartland 2050 Consortium indirectly. Of these, the item of principal concern is the provision regarding handling of fair housing complaints and litigation. If such complaints are found by HUD to have merit, whether or not they are related to this project, the ability of MAPA and the broader Consortium to draw funds can be suspended. As such, any Consortium member with an open fair housing complaint that is found to have merit shall be placed on probationary status, and any finding of substantive violation of fair housing laws will result in immediate suspension from Consortium membership.

ATTACHMENT 1:

**MEMORANDUM OF UNDERSTANDING**

HEARTLAND 2050 CONSORTIUM AGREEMENT

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**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PERMIT TO USE CITY PROPERTY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared to approve issuance of a permit to Sarah Kovar to use the vacated Birch Drive City right-of-way (ROW) that is adjacent to and immediately south of her residence at 7421 South 85<sup>th</sup> Street. Ms. Kovar proposes to use the property for a garden area.

**FISCAL IMPACT**

Historically, the City has not charged a fee for this type of permit to use City property. The City will be relieved a maintenance responsibilities for this property during the term of the permit.

**RECOMMENDATION**

Approval.

**BACKGROUND**

In May 2005 a permit was issued for the same purpose to Arthur and Loretta McEneaney. Mr. McEneaney has since sold their property to Ms. Kovar who also wishes to use the city property for a garden area. A standard form of *Permit to Use City Property* has been prepared and is attached. It provides for Ms. Kovar to use a portion of vacated Birch Drive ROW adjacent to her residence at 7421 South 85<sup>th</sup> Street for a ten year period.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE ISSUANCE OF A PERMIT TO USE CITY PROPERTY.**

WHEREAS, the City of La Vista is the rightful owner of vacated right-of-way property located along Birch Drive immediately south and adjacent to 7421 South 85<sup>th</sup> Street; and

WHEREAS, the property owner of 7421 South 85<sup>th</sup> Street have requested permission to use a portion of said City property; and

WHEREAS, a standard form of Permit to Use City Property has been prepared.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of City of La Vista, Nebraska, that a Permit to Use City Property be granted to Sarah Kovar, property owner of 7421 South 85<sup>th</sup> Street, for use of a portion of vacated right-of-way located along Birch Drive immediately south and adjacent to their property and that the Mayor and City Clerk are hereby authorized to execute said permit.

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



## Permit to Use City Property

**Permittee:** Sarah Kovar

**Permittee Property Adjacent to City Property ("Permittee Property"):**

**Street Address:** 7421 South 85<sup>th</sup> Street, La Vista NE 68128

**Legal Description:** Part of Lot 16, Parkview Heights, a subdivision as surveyed and platted and recorded, Sarpy County, Nebraska.

**Permit Fee:** waived

**Term of Permit:** Ten years.

The above described City Property is not at this time needed for City use and may, subject to the terms hereof, be used by Permittee for the term of this permit for Permittee's own use and enjoyment. Permittee shall at all times maintain City Property with grass or other approved ground cover, clean of debris and shall at no time disturb or damage any sewer, utility, cable line or other improvement or service in, on or above City Property. Permittee may install fencing on the property upon issuance of a fence permit by the Chief Building Official. Permittee may maintain a garden on the property. Permittee shall not use the Permitted Property for any of the following purposes:

1. Permanent placement of any building or other structure;
2. Any excavation greater than two (2) feet in depth, except for fence posts not exceeding three feet in depth;
3. Any use or purpose that is in violation of federal or state law or City ordinance;
4. Storage of vehicle or recreational vehicles

The privileges and obligations of this permit shall inure to the benefit of and shall be surrendered to the City Clerk upon transfer of Permittee's Property to another owner. This permit is terminable by Permittee upon surrender to the City Clerk and is terminable by the City at any time upon thirty (30) days written notice to Permittee at the address shown above. In the event of termination, Permittee shall remove at Permittee's cost any structure, hard surfacing, fencing, underground sprinkler system or other improvements installed by Permittee that City determines will interfere with City's use hereafter.

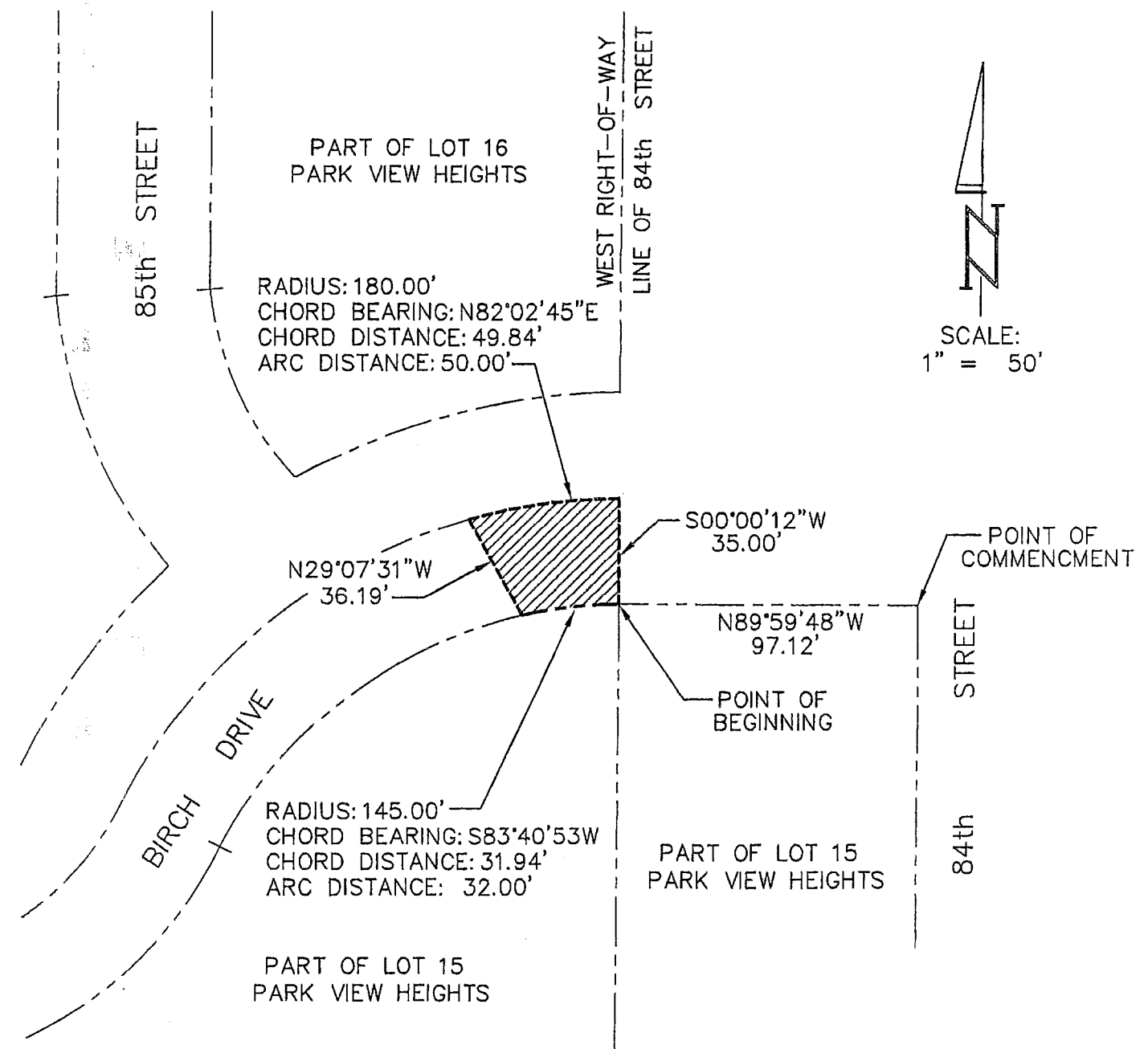
Approved by Resolution No. \_\_\_\_\_ of the City Council of the City of La Vista, Nebraska on this \_\_\_\_\_ day of \_\_\_\_\_, 2012

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



## LEGAL DESCRIPTION

PART OF BIRCH DRIVE RIGHT-OF-WAY LYING WITHIN THE SE 1/4 OF THE NE 1/4 OF SECTION 15, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF LOT 15, PARK VIEW HEIGHTS, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SAID SARPY COUNTY; THENCE N89°59'48"W (ASSUMED BEARING) 97.12 FEET ON THE NORTH LINE OF SAID LOT 15 TO THE WEST RIGHT-OF-WAY LINE OF 84th STREET AND THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ON THE NORTHERLY LINE OF SAID LOT 15 ON A 145.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S83°40'53"W, CHORD DISTANCE 31.94 FEET, AN ARC DISTANCE OF 32.00 FEET; THENCE N29°07'31"W 36.19 FEET TO THE CENTERLINE OF SAID BIRCH DRIVE; THENCE NORTHEASTERLY ON THE CENTERLINE OF BIRCH DRIVE ON A 180.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N82°02'45"E, CHORD DISTANCE 49.84 FEET, AN ARC DISTANCE OF 50.00 FEET TO THE WEST LINE OF 84th STREET; THENCE S00°00'12"W 35.00 FEET ON THE WEST LINE OF 84th STREET TO THE POINT OF BEGINNING.

## EXHIBIT "A"

CITY OF LAVISTA

TD2 JOB NO. 171-304-SD

DATE: MAY 16, 2005

THOMPSON, DREESSEN AND DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF ICE SLICER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of 78 tons of Ice Slicer Granular Ice Melt from Nebraska Salt & Grain Co., 115 W. 16<sup>th</sup> Street, Gothenburg, Nebraska, for an amount not to exceed \$12,870.00.

**FISCAL IMPACT**

The FY 2011/12 General Fund Budget provides funding for proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

Ice Slicer is a mined product that is naturally harder than regular white road salt, yet still softer than sand. Ice Slicer's telltale "reddish" color immediately sets it apart from other "white" salts. Compared to regular road salt, Ice Slicer melts at lower temperatures; is less corrosive; decreases clean-up costs; melts longer on the road; has less environmental impact.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF 78 TONS OF ICE SLICER GRANULAR ICE MELT FROM NEBRASKA SALT & GRAIN, INC., IN AN AMOUNT NOT TO EXCEED \$12,870.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice slicer is necessary; and

WHEREAS, the FY 2011/12 General Fund Budget provides funding for this purchase; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of 78 tons of ice slicer granular ice melt from Nebraska Salt & Grain, Inc. in an amount not to exceed \$12,870.00.

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF ICE CONTROL SALT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of 182 tons of Ice Control Salt from Nebraska Salt & Grain Co., Gothenburg, Nebraska, for an amount not to exceed \$10,010.00.

**FISCAL IMPACT**

The FY 2011/12 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The ice control salt is used by Public Works for winter operations.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY IN AN AMOUNT NOT TO EXCEED \$10,010.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the FY 2011/12 General Fund Budget provides funding for this purchase; and

WHEREAS, orders for the ice control salt at an earlier than October has become necessary; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company in an amount not to exceed \$10,010.00.

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE SNOW PLOW BLADES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of various snow plow blades from Michael Todd & Company, Inc., Omaha, Nebraska in an amount not to exceed \$7,633.74.

**FISCAL IMPACT**

The FY 2011/12 General Fund budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed purchase of snow plow blades is for a combined total of 25 dump trucks, loaders, backhoes and pickup trucks. Michael Todd remains the most competitive bid since there is no shipping included with the order.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF SNOW PLOW BLADES FROM MICHAEL TODD & COMPANY INC., OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,633.74.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of snow plow blades is necessary; and

WHEREAS, the FY 2011/11 General Fund Budget provides funding for this purchase; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase snow plow blades from Michael Todd & Company Inc., Omaha, Nebraska in an amount not to exceed \$7,633.74

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
AUGUST 21, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE ARC TRAINER, FREEMOTION WEIGHT MACHINE AND BENCH	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) Arc Trainer and (1) Freemotion Weight Machine and Bench from Nova Health Equipment Omaha, NE, in an amount not to exceed \$12,000.00.

**FISCAL IMPACT**

The FY 11/12 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The proposed equipment request will be an addition to the existing equipment.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) CYBEX 750AT TOTAL BODY ARC TRAINER AND (1) FREEMOTION G2 DUAL CABLE CROSS WEIGHT MACHINE AND BENCH FOR THE COMMUNITY CENTER FROM NOVA HEALTH EQUIPMENT, OMAHA, NE, IN AN AMOUNT NOT TO EXCEED \$12,000.00.

WHEREAS, the mayor and City Council have determined that the purchase of an arc trainer and a freemotion cable cross weight machine and bench for the Community Center is necessary; and

WHEREAS, the FY 11/12 General Fund Budget provides funding for the purchase, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) Cybex 750AT Total Body Arc Trainer and (1) Freemotion G2 Dual Cable Cross Weight Machine and Bench for the Community Center from Nova Health Equipment, Omaha, NE, in an amount not to exceed \$12,000.00.

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2012.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk