

MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

LA VISTA CITY COUNCIL MEETING May 17, 2022

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on May 17, 2022. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Chief of Police Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, City Engineer Dowse and Deputy City Clerk Anderson.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on May 4, 2022. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

PROCLAMATION – NATIONAL PUBLIC WORKS WEEK

Mayor Kindig proclaimed May 15 – 21, 2022 as National Public Works Week and presented the proclamation to Public Works staff.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MAY 3, 2022 CITY COUNCIL
MEETING
3. APPROVAL OF THE MINUTES OF THE MAY 5, 2022 PLANNING
COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT – MARCH 2022
5. REQUEST FOR PAYMENT – CITY CENTRE MUSIC VENUE, LLC &
ASTRO THEATER, LLC – DISBURSEMENT OF EDP AWARD FUNDS –
\$636,290.65
6. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC –
PROFESSIONAL SERVICES – LA VISTA 84TH STREET BRIDGE –
\$14,620.00
7. REQUEST FOR PAYMENT – HEIMES CORPORATION –
CONSTRUCTION SERVICES – THOMPSON CREEK – CENTRAL
PARK EAST – \$262,699.92
8. REQUEST FOR PAYMENT – SAMPSON CONSTRUCTION –
CONSTRUCTION SERVICES – OFFSTREET PARKING DISTRICT NO.
2, STRUCTURE NO. 2 – \$421,444.00
9. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL
SERVICES – CHILI'S DEMOLITION ADDITIONAL SERVICES – \$613.00
10. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL
SERVICES – LA VISTA CITY CENTER PARKING STRUCTURE 2 –
\$23,850.00
11. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL
SERVICES – CITY CENTRE GEOTECHNICAL LOTS 13 & 14 –
\$5,900.00
12. REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG –
PROFESSIONAL SERVICES – 84TH STREET SIGNAL
IMPROVEMENTS – \$3,835.00
13. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL
SERVICES – LA VISTA CITY CENTRE PHASE 1 PUBLIC
INFRASTRUCTURE – \$2,816.25
14. REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL
SERVICES – PROJECT MANAGEMENT FOR PUBLIC
IMPROVEMENTS – \$1,833.81

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

15. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – LAND USE & MARKET ANALYSIS – \$2,000.00

16. APPROVAL OF CLAIMS

| | |
|--|------------|
| 4 SEASONS AWARDS, services | 56.90 |
| AA WHEEL & TRUCK SUPPLY INC, maint. | 80.81 |
| ACTIVE NETWORK LLC, services | 17.01 |
| ALFRED BENESCH & CO, services | 1,456.00 |
| AMAZON, supplies | 931.66 |
| AMERICAN LEGAL PUBLISHING CO, services | 4,414.00 |
| ANDERSON AUTO GROUP, services | 57,940.00 |
| A-RELIEF, services | 96.00 |
| BACON LETTUCE CREATIVE, services | 2,900.00 |
| BEACON ATHLETICS LLC, supplies | 200.00 |
| BERGANKDV LLC, services | 10,400.00 |
| BIG RED LOCKSMITHS, bld&grnds | 90.00 |
| BISHOP BUSINESS EQUIPMENT, services | 1,956.36 |
| BIZCO INC, services | 95.16 |
| BRIAN SMILES, services | 300.00 |
| BUETHE, P., refund | 59.50 |
| BUILDERS SUPPLY CO, supplies | 290.00 |
| CCAP AUTO LEASE LTD, services | 449.00 |
| CENTURY LINK/LUMEN, phones | 166.52 |
| CINTAS CORP, services | 17.22 |
| CITY OF PAPILLION, services | 233,475.00 |
| COMP CHOICE INC, services | 1,368.22 |
| CONSOLIDATED MGMT, services | 314.72 |
| COX COMMUNICATIONS INC, services | 170.15 |
| CULLIGAN OF OMAHA, bld&grnds | 80.75 |
| CUMMINS CENTRAL POWER, bld&grnds | 761.31 |
| D & K PRODUCTS, supplies | 4,218.36 |
| DATASHIELD CORP, services | 180.00 |
| DELL MARKETING L.P., services | 57,088.56 |
| DEMCO INC, supplies | 359.57 |
| ECHO GROUP INC, bld&grnds | 445.73 |
| ESRI INC, services | 3,100.00 |
| EYMAN PLUMBING INC, services | 4,197.51 |
| FAC PRINT & PROMO CO, supplies | 659.00 |
| FASTENAL CO, apparel | 5.24 |
| FH BLACK & CO INC, services | 7,863.75 |
| FIRESPRING PRINT INC, services | 648.04 |
| FIRST STATE BANK, services | 2,137.23 |
| FITZGERALD SCHORR BARMETTLER, services | 27,820.20 |
| FUN SERVICES, services | 4,416.00 |
| GALE, books | 23.99 |
| GRAINGER, bld&grnds | 189.64 |
| GREAT PLAINS COMMUNICATION, services | 777.60 |
| GT DISTRIBUTORS INC, services | 399.88 |
| GUARDIAN ALLIANCE TECH, services | 682.00 |
| H & H CHEVROLET LLC, maint. | 756.00 |
| HARM'S CONCRETE INC, services | 227.50 |
| HAYES, REBEKAH, services | 900.00 |
| HEIMES CORP, services | 284.02 |
| HITOUCHE BUSINESS SERVICES, supplies | 207.24 |
| HOTSY EQUIPMENT CO, supplies | 105.95 |
| HY-VEE INC, services | 65.00 |
| INDUSTRIAL SALES CO INC, maint. | 14.26 |
| INGRAM LIBRARY SERVICES, books | 1,897.13 |
| J & J SMALL ENGINE, maint. | 242.49 |
| JAMES BALLARIN, services | 1,800.00 |
| JOCHIM PRECAST CONCRETE CO, services | 2,500.00 |

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

| | |
|---|------------|
| JOSH HOYER, services | 4,250.00 |
| JUSTIN KOFOED LLC, services | 300.00 |
| K ELECTRIC, bld&grnds | 2,294.27 |
| KANOPIY INC, services | 100.00 |
| KINDIG, D., travel | 161.08 |
| KRIHA FLUID POWER CO INC, maint. | 130.40 |
| LARSON, C., supplies | 120.00 |
| LOGAN CONTRACTORS, supplies | 808.21 |
| LOGO LOGIX EMBROIDERY, apparel | 47.65 |
| LOU'S SPORTING GOODS, supplies | 1,332.00 |
| LOWE'S, bld&grnds | 236.49 |
| MAINTAINX INC, services | 1,950.00 |
| MATT COX (BAND), services | 2,100.00 |
| MENARDS-RALSTON, bld&grnds | 1,205.68 |
| METRO COMM COLLEGE, services | 12,410.35 |
| MID-AMERICAN BENEFITS INC, services | 3,081.96 |
| MIDWEST TAPE, media | 25.09 |
| MILLARD METAL SERVICES, bld&grnds | 55.00 |
| MOSS ADAMS, services | 13,073.63 |
| MOTOROLA SOLUTIONS INC, services | 502.04 |
| MSC INDUSTRIAL, maint. | 170.58 |
| NATIONAL LEAGUE OF CITIES, services | 1,604.00 |
| NDEE SWIMMING POOLS, services | 120.00 |
| NE DMV, services | 13.20 |
| NE DEPT OF REVENUE, lottery | 90,213.00 |
| NE LAW ENFORCEMENT, services | 625.00 |
| NE LIBRARY COMMISSION, services | 2,093.91 |
| NE STATE FIRE MARSHAL, bld&grds | 324.00 |
| NEBRASKALAND TIRE INC, maint. | 984.16 |
| NICHE ACADEMY LLC, services | 1,600.00 |
| NL & L CONCRETE, services | 85,353.88 |
| OCLC INC, services | 328.88 |
| OFFICE DEPOT INC, supplies | 116.38 |
| OPPD, utilities | 15,579.71 |
| OMAHA TENT CO, services | 6,451.50 |
| OMAHA WINNELSON SUPPLY, bld&grnds | 1,039.13 |
| OMNI ENGINEERING, maint. | 298.77 |
| ONE CALL CONCEPTS INC, services | 328.12 |
| O'REILLY AUTO PARTS, maint. | 1,431.53 |
| PAPILLION RECREATION, services | 1,628.00 |
| PAPILLION SANITATION, bld&grnds | 1,620.24 |
| PAYROLL MAXX, payroll & taxes | 386,571.60 |
| PER MAR SECURITY, services | 137.01 |
| PITNEY BOWES, postage | 1,388.00 |
| RDG PLANNING & DESIGN, services | 110,897.22 |
| READY MIXED CONCRETE CO, services | 5,082.01 |
| REGAL AWARDS INC, services | 2,114.81 |
| RESOURCE RENTAL CENTER INC, services | 1,388.00 |
| ROBERT HALF, services | 7,588.13 |
| ROWMAN & LITTLEFIELD PUBLISHING, books | 55.24 |
| RTG BUILDING SERVICES INC, bld&grnds | 6,665.00 |
| SCHOOL OF ROCK OMAHA, services | 900.00 |
| SIGN IT, services | 399.00 |
| SITE ONE LANDSCAPE, supplies | 37.87 |
| SOUTHERN UNIFORM & EQUIPMENT, apparel | 99.00 |
| SOUTHERN UNIFORM & TACTICAL, apparel | 3,847.65 |
| STRATEGIC GOV'T RESOURCES INC, services | 6,311.70 |
| SUBURBAN NEWSPAPERS INC, services | 371.47 |
| SUN COUNTRY DISTRIBUTING, supplies | 97.16 |
| THE COUNCIL OF STATE GOV'TS, books | 112.50 |
| THE SCHEMMER ASSOCIATES INC, services | 380.00 |

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

| | |
|--|-----------|
| THE UNIVERSITY OF NE MED CTR, services | 1,350.00 |
| THOMPSON DREESSEN & DORNER INC, services | 15,874.30 |
| TORNADO WASH LLC, services | 385.00 |
| TRANS UNION RISK, services | 75.00 |
| TREMCO PRODUCTS INC, services | 530.90 |
| TROUT, DONNA L, services | 2,000.00 |
| UNITE PRIVATE NETWORKS LLC, services | 4,400.00 |
| UNITED PARCEL, services | 20.36 |
| UNITED STATES POSTAL SERVICE, postage | 3,098.55 |
| US BANK NATIONAL ASSOC, services | 15,505.14 |
| USBORNE BOOKS & MORE, books | 535.51 |
| VAL VERDE ANIMAL HOSPITAL INC, services | 121.17 |
| VERIZON CONNECT NWF INC, phones | 615.22 |
| VERIZON WIRELESS, phones | 365.75 |
| VR GAME TRUCK NE, services | 1,723.00 |
| WESTLAKE HARDWARE INC, bld&grnds | 1,626.08 |
| WHITE CAP LP, supplies | 33.39 |
| WOODHOUSE FORD OF OMAHA, maint. | 69.79 |
| WOODHOUSE FORD-BLAIR, maint. | 432.88 |

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Director of Public Works Soucie provided an update on the swimming pool.

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

Library Director Barcal handed out summer plan calendars.

Chief of Police Lausten reported on the law enforcement appreciation lunch May 18, 2022 at the La Vista Police Department and the Police Academy graduation on May 27, 2022.

GROW SARPY – FIRST QUARTER REPORT

Josh Charvat with Grow Sarpy presented the first quarter report.

B. RESOLUTION – TRANSFER OF OWNERSHIP – POLICE K-9

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-046 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO RETIRE POLICE SERVICE DOG VINNY FROM THE LA VISTA POLICE DEPARTMENT AND ENTRUSTING POLICE SERVICE DOG VINNY TO THE CARE AND OWNERSHIP OF MIKE LOYD.

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

WHEREAS, PSD “VINNY” is retiring; and

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

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

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

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

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

C. PLANNED UNIT DEVELOPMENT AMENDMENT – LOTS 23-26 SOUTHPORT & A PORTION OF LOT 1 SOUTHPORT WEST REPLAT 4

1. PUBLIC HEARING

At 6:25 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Planned Unit Development Amendment. Jeff Lake with Summit Development Company gave an overview of the project.

At 6:39 p.m. Councilmember Sell made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey and Sell. Nays: None. Abstain: Hale. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-047 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN AMENDMENT FOR LOTS 23-26, SOUTHPORT WEST, AND LOT 1 SOUTHPORT WEST REPLAT FOUR, LOCATED IN THE SE 1/4 OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

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

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

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

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

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

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

D. CONDITIONAL USE PERMIT – LOT 1 – SOUTHPORT WEST REPLAT NINE

1. PUBLIC HEARING

At 6:40 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Conditional Use Permit.

At 6:43 p.m. Councilmember Sell made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey and Sell. Nays: None. Abstain: Hale. Absent: None. Motion carried.

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

2. RESOLUTION

Councilmember Quick introduced and moved for the adoption of Resolution No. 22-048 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR CUMMING INVESTMENTS, INC TO ALLOW FOR A HOTEL, SPECIFICALLY HOME2 SUITES HOTEL, ON LOT 2, SOUTHPORT WEST REPLAT NINE.

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

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

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

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

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

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

E. RESOLUTION – APPROVE FIRST AMENDMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY – FY2021-2022 BUDGET

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 22-049 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2021-2022 BUDGET.

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

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

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

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

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

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

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

F. RESOLUTION – APPROVAL OF SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2022-2023 BUDGET

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-050 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2022-2023 BUDGET.

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

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

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

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

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

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

G. RESOLUTION – APPROVE THIRD AMENDMENT TO INTERLOCAL AGREEMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY

Councilmember Quick introduced and moved for the adoption of Resolution No. 22-051 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT CREATING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

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

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

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

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

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

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

H. RESOLUTION – APPROVAL OF SARPY COUNTY AND CITIES WASTEWATER AGENCY REVISED GROWTH MANAGEMENT PLAN

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-052 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE REVISED GROWTH MANAGEMENT PLAN AND RELATED POLICIES AND PROCEDURES FOR THE SARPY COUNTY AND CITIES WASTEWATER AGENCY.

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. Section 13-801 et. seq., Sarpy County and the Cities of Papillion, Bellevue, Springfield, Gretna and La Vista (each a "Member") entered into an agreement (as amended, the "Formation Interlocal"), and formed an interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

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

WHEREAS, the Agency Board approved the Growth Management Plan (as amended, the "Growth Management Plan") that prioritizes areas of land development and growth and serves as a necessary step in the development of a master plan within parts of the Agency's Jurisdiction, located in southern portions of Sarpy County south of the hydrological ridgeline, and excluding any area within the corporate boundaries or extraterritorial or other jurisdiction of the City of La Vista. The Agency Board further approved certain policies and procedures that are intended to implement and enforce the revised Growth Management Plan, attached as EXHIBIT A (the revised "GMP Policies").

WHEREAS, certain actions of the Agency Board require approval of the Members. The Members previously approved the revised Growth Management Plan, and the Agency Board has submitted the revised GMP Policies to the Members for approval.

NOW, THEREFORE BE IT RESOLVED, that neither the revised Growth Management Plan nor the revised GMP Policies, nor any part thereof, shall apply to or within the City of La Vista or any area within the corporate boundaries or extraterritorial or other jurisdiction of the City of La Vista, as such corporate boundaries or jurisdiction from time to time may be adjusted.

BE IT FURTHER RESOLVED that the recitals above and the attached exhibit are incorporated into this Resolution by reference.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska do hereby approve the Revised Growth Management Plan and related policies and procedures for the Sarpy County and Cities Wastewater Agency.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

MINUTE RECORD

May 17, 2022

No. 729 — REDFIELD DIRECT E2106195KV

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell congratulated Adam Branting, Staff Writer with The Papillion Times on his recent award.

Councilmember Frederick inquired about the status of the dog park. City Administrator Gunn responded saying additional things need to be done to make the dog park permanent.

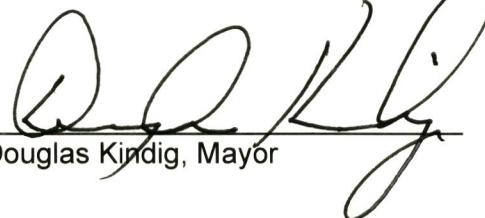
Councilmember Hale mentioned the 1 year anniversary of Ryan Larsen missing.

Mayor Kindig asked for a moment of silence for Ryan Larsen.

At 6:55 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

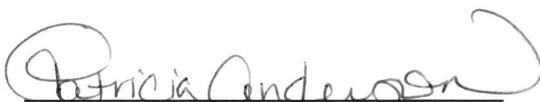
PASSED AND APPROVED THIS 7TH DAY OF JUNE 2022.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Patricia Anderson

Patricia Anderson
Deputy City Clerk