



## **PROCLAMATION**

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, less than two percent of all Scouts actually achieve this goal; and

WHEREAS, as his Eagle Service Project, Nolan Stengel installed a drain tile system in the sand volleyball court and rebuilt the horseshoe pits and horseshoe backstops; all at Jaycee Park; and

WHEREAS, the City of La Vista wishes to recognize this noteworthy achievement of Nolan Stengel.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby congratulate Nolan Stengel on his endeavors to attain the rank of Eagle Scout and commend him for his unwavering commitment to the Boy Scouts of America.

DATED THIS 20TH DAY OF NOVEMBER, 2018.



Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC  
City Clerk

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING NOVEMBER 6, 2018

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on November 6, 2018. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, City Engineer Kottmann, Assistant Library Director Norton, Director of Administrative Services Pokorny, Finance Director Miserez, Recreation Director Stopak, Community Development Director Birch, and Human Resources Director Czarnick.

A notice of the meeting was given in advance thereof by publication in the Times on October 24, 2018. 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 – JOE JUAREZ DAY

Mayor Kindig proclaimed November 6, 2018 as Joe Juarez Day in the City of La Vista. Mr. Juarez was present to receive a plaque with the proclamation.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE OCTOBER 16, 2018 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – HDR – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR SERVICES FOR PUBLIC IMPROVEMENTS AND OTHER WORKS - \$13,682.95
4. REQUEST FOR PAYMENT – OLSSON AND ASSOCIATES – PROFESSIONAL SERVICES – CITY CENTRE LOT 17 PARKING GARAGE NE - \$4,352.25
5. REQUEST FOR PAYMENT – TERRAMETRIX, LLC – PROFESSIONAL SERVICES – CIVIC CENTER PARK PHASE 1 GRADING - \$1,460.00
6. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – CIVIC CENTER PARK PHASE 1 - \$3,332.82
7. REQUEST FOR PAYMENT – DESIGN WORKSHOP – PROFESSIONAL SERVICES – 84<sup>TH</sup> STREETSCAPE PLAN - \$360.42
8. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 2 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS - \$3,899.35
9. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 1 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS - \$4,610.50
10. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE PARKING FACILITY - \$3,075.00
11. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE - \$27,752.96
12. REQUEST FOR PAYMENT – ANDERSON EXCAVATING – CONSTRUCTION SERVICES – DEMOLITION & SITE PREP - \$146,947.35
13. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTER LOT 17 PARKING GARAGE - \$5,902.25
14. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION SERVICES – 84<sup>TH</sup> STREET ACCESS IMPROVEMENTS - \$92,969.74
15. REQUEST FOR PAYMENT – HAWKINS CONSTRUCTION COMPANY – CONSTRUCTION SERVICES – PARKING GARAGE DISTRICT 2, STRUCTURE 1 - \$184,630.05

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## 16. APPROVE MANAGER APPLICATION – CLASS CK LIQUOR LICENSE – LA VISTA CY CATERING CO., INC. DBA COURTYARD MARRIOTT –

CAMERON N. KROLL

## 17. APPROVAL OF CLAIMS

3CMA MEMBERSHIP, services	\$400.00
911 CUSTOM LLC, services	\$165.00
A & D TECHNICAL SUPPLY CO, supplies	\$571.00
ACCESS BANK, Services	\$3,066.27
ACTION BATTERIES, maint.	\$259.72
AED ZONE, services	\$220.00
ALLY BANK, services	\$356.91
AT&T MOBILITY LLC, phones	\$121.50
ATLAS AWNING CO INC, services	\$576.00
BARCAL, R., travel	\$193.72
BISHOP BUSINESS EQUIPMENT, services	\$2,600.23
BLACK HILLS ENERGY, utilities	\$3,083.47
BNSF RAILWAY CO, services	\$11,897.90
BOBCAT OF OMAHA, maint.	\$20.68
BOOT BARN, apparel	\$129.19
BRITE IDEAS DECORATING, services	\$76.00
BUETHE, P., travel	\$60.50
CALENTINE, J., travel	\$103.00
CATERPILLAR FINANCIAL, services	\$6,151.24
CENTER POINT PUBLISHING, books	\$44.34
CENTURY LINK, phones	\$497.27
CENTURY LINK BUSN SVCS, phones	\$163.58
CITY OF OMAHA, services	\$310,418.26
CITY OF PAPILLION, services	\$418.53
COMP CHOICE INC, services	\$213.50
CORNHUSKER INTL TRUCKS INC, maint.	\$1,181.81
COX COMMUNICATIONS, services	\$147.03
CULLIGAN OF OMAHA, services	\$21.75
D & K PRODUCTS, services	\$82.50
DASH MEDICAL GLOVES, supplies	\$70.90
HALE, D., travel	\$313.50
DELL MARKETING L.P., services	\$3,636.84
DIAMOND VOGEL PAINTS, services	\$289.50
DULTMEIER SALES, maint.	\$261.00
DXP ENTERPRISES INC, maint.	\$162.08
EDGEWEAR SCREEN PRINTING, apparel	\$832.55
ENTERPRISE FM TRUST, services	\$580.01
FERRELLGAS, services	\$416.56
FIRST STATE BANK, services	\$12,205.78
FITZGERALD SCHORR BARMETTLER, services	\$35,901.55
G I CLEANER & TAILORS, services	\$97.75
GALE, books	\$338.11
GCR TIRES, maint.	\$157.32
GENUINE PARTS CO, maint.	\$1,040.40
GREATAMERICA FINANCIAL, services	\$805.00
GUNN, B., travel	\$55.26
HAMILTON COLOR LAB INC, services	\$145.00
HANEY SHOE STORE, apparel	\$300.00
HARM'S CONCRETE INC, services	\$105.00
HEIMES CORP, services	\$85.60
HOME DEPOT, bld&grnds	\$119.94
HONEYMAN RENT-ALL, services	\$752.10
HOTSY EQUIPMENT CO, bld&grnds	\$334.18
HUNTEL COMMUNICATIONS, services	\$5,308.73
HURST, J., travel	\$191.65
INDUSTRIAL SALES CO, bld&grnds	\$92.11
INGRAM LIBRARY SERVICES, books	\$115.23

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JANICE RISTOW, refund	\$48.00
JOHNSON HARDWARE CO, bld&grnds	\$40.00
JOHNSTONE SUPPLY CO, bld&grnds	\$487.90
KINDIG, D., travel	\$112.16
KISSEL KOHOUT ES, services	\$9,014.80
KRIHA FLUID POWER CO, maint.	\$182.50
LV COMM FOUNDATION, payroll	\$60.00
LIBRA INDUSTRIES INC, bld&grnds	\$36.00
LIBRARY IDEAS LLC, books	\$139.80
LOGAN CONTRACTORS SUPPLY, maint.	\$189.59
LOU'S SPORTING GOODS, supplies	\$96.95
LOVELAND GRASS PAD, services	\$6.58
MAMA'S PIZZA, services	\$227.34
MAX I WALKER UNIFORM, services	\$944.00
ENGBERG,M., travel	\$133.42
MENARDS-RALSTON, bld&grnds	\$382.03
METRO LANDSCAPE MATERIALS, bld&grnds	\$84.00
MUD, utilities	\$8,383.13
MEYO ENTERPRISES, LLC, services	\$18,955.00
MICHAEL TODD & CO, services	\$9,951.00
MID-AMERICAN BENEFITS INC, services	\$624.00
MIDLANDS BUSINESS JOURNAL, services	\$150.00
MNJ TECHNOLOGIES, services	\$882.00
MSC INDUSTRIAL SUPPLY CO, maint.	\$746.64
MUNICIPAL PIPE TOOL CO, services	\$7,830.40
NATIONAL EVERYTHING WHOLESALE, supplies	\$123.50
NCMA-NEBR CITY MGRS, services	\$604.78
NE DEPT OF REVENUE,lottery	\$77,478.00
NE DEPT OF REVENUE, sales tax	\$669.65
NEBRASKA LAW ENFORCEMENT, services	\$92.00
NETWORKFLEET, INC, maint.	\$455.16
NEWMAN TRAFFIC SIGNS INC, services	\$94.86
NMC EXCHANGE LLC, maint.	\$666.66
NORTON, J., travel	\$55.48
NOVA FITNESS EQUIPMENT, services	\$666.00
NPZA-NE PLANNING/ZONING ASSN, services	\$140.00
OCLC INC, services	\$155.39
ODEY'S INC, bld&grnds	\$142.80
OFFICE DEPOT INC, supplies	\$507.12
OPPD, utilities	\$41,594.61
ONE CALL CONCEPTS INC, services	\$295.29
ORIENTAL TRADING CO, supplies	\$132.87
NAVARRETE,P., travel	\$103.00
PAPILLION SANITATION, services	\$149.56
ROBEY,P., travel	\$226.50
PAYLESS OFFICE PRODUCTS, supplies	\$140.43
PITNEY BOWES, services	\$50.00
PLAINS EQUIPMENT GROUP, maint.	\$467.35
PLUTA, D., travel	\$96.00
QUALITY AUTO REPAIR, services	\$105.00
QUICK, T., travel	\$313.50
RALSTON ADVERTISING, supplies	\$457.80
READY MIXED CONCRETE CO, services	\$963.11
SAPP BROS PETROLEUM INC, services	\$968.15
SARPY COUNTY TREASURER, services	\$11,414.25
SCHEMMER ASSOCIATES INC, services	\$1,520.00
SECURITY EQUIPMENT INC, services	\$1,320.00
SITE ONE LANDSCAPE SUPPLY, maint.	\$31.01
SMALL, B., travel	\$103.00
SOLBERG, C., travel	\$60.70

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SOUCIE, J., travel	\$103.00
SOUTH, R., travel	\$140.00
SOUTHERN UNIFORM, apparel	\$19.00
STRATEGIC INSIGHTS INC, services	\$700.00
TED'S MOWER SALES, maint.	\$59.35
TOSHIBA FINANCIAL, services	\$127.40
TRACTOR SUPPLY, services	\$290.48
BLAND, TRAVIS, apparel	\$127.91
TRUCK CENTER CO, maint.	\$199.70
TURFWERKS, maint.	\$29.54
UNITED PARCEL, services	\$330.93
UNITED SEEDS INC, services	\$90.00
VERIZON WIRELESS, phones	\$209.41
VIERREGGER ELECTRIC CO, services	\$4,980.00
WALKUP WOOD PRODUCTS, supplies	\$150.00
WAL-MART, supplies	\$384.48
WESTLAKE HARDWARE INC, bld&grnds	\$919.05
WICK'S STERLING TRUCKS, maint.	\$1,055.97
WOODHOUSE LINCLN-MAZDA, maint.	\$375.79
ZEE MEDICAL, supplies	\$123.45

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Director of Administrative Services Pokorny reported that he has received a scholarship to attend the GFOA Conference.

Recreation Director Stopak reported that Metro's Soctoberfest hosted 124 teams and 218 games. 147 games were held at the City's soccer complex for \$4,920 in field rental. He also reported that the Halloween Safe Night attendance was 1,125 and that the Tree Lighting will be on Monday, November 26.

Chief Lausten reported that the Captain Waugh is leaving the La Vista Police force December 21 to take the position of Police Chief in Kearney. He also reported that the first Sarpy/Douglas County Law Enforcement Academy graduation will be held on December 21 at the Embassy Suites. He announced that Jeff Sinnett will be inducted into the Omaha Softball Hall of Fame for participating in softball for 35 years.

## B. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – STREETSCAPE PLAN FOR 84<sup>TH</sup> STREET

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-148 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AGREEMENT WITH DESIGN WORKSHOP, DENVER, COLORADO, TO PROVIDE PHASE 2 STREETSCAPE DESIGN SERVICES FOR THE 84<sup>TH</sup> STREET CORRIDOR.

WHEREAS, the Mayor and City Council of the City of La Vista have determined that professional streetscape design services for the 84<sup>th</sup> Street corridor are necessary; and

WHEREAS, the Vision 84 plan called for "Unique streetscape enhancements along 84th Street" as one of the goals of the master plan. Such improvements also were contemplated as part of the Redevelopment Plan for the 84th Street Redevelopment Area, as amended by Amendment No. 1; and

WHEREAS, the original RFP process was completed and on July 5, 2017, the City Council selected Design Workshop as the firm to provide said streetscape design services; and

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WHEREAS, in conjunction with Design Workshop staff determined a detailed scope of work and terms of an agreement that identify two phases for this project; and

WHEREAS, Design Workshop has completed the scope of work for phase one streetscape design services; and

WHEREAS, the FY18/19 Biennial Budget contains funding for multiple potential public infrastructure improvements and associated services; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby approve an agreement with Design Workshop, Denver, Colorado, to provide phase two streetscape design services for the 84th Street Corridor at a cost of \$417,115.00.

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

## **C. RESOLUTION – AMENDMENT NO. 5 – DESIGN & CONSTRUCTION PHASE ENGINEERING AGREEMENT – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 18-149 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA APPROVING AMENDMENT NUMBER FIVE TO THE PROFESSIONAL SERVICES AGREEMENT WITH OLSSON, INC. TO PROVIDE ADDITIONAL PROJECT MANAGEMENT AND CONSTRUCTION PHASE ENGINEERING SERVICES FOR PUBLIC IMPROVEMENTS IN LA VISTA CITY CENTRE IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$137,100.00.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined additional engineering services related to the La Vista City Centre are necessary; and

WHEREAS, the City Council on behalf of the City of La Vista desires to approve amendment number five to the professional services agreement with Olsson, Inc. to provide additional project management and construction phase engineering; and

WHEREAS, The FY19/20 Biennial Budget includes funding for this project; and

WHEREAS, The total contract amount will be \$990,226.50; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment number five to the professional services agreement with Olsson, Inc. to provide additional project management and construction phase engineering services for public improvements in La Vista City Centre in an additional amount not to exceed \$137,000.00.

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

## **D. RESOLUTION – CHANGE ORDER NO. 6 – 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 1**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 18-150 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY

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OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 6 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK TO THE CONTRACT WHICH WILL RESULT IN AN INCREASE IN THE CONTRACT PRICE OF \$40,904.00.

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

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, the contract price will increase with change order number 6 by \$40,904.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 6 to the contract with Hawkins Construction Co., Omaha, Nebraska, to provide for additions of work to the contract which will result in an increase in the contract price of \$40,904.00.

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

**E. RESOLUTION – CHANGE ORDER NO. 7 – 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 1**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 18-151 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 7 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK TO THE CONTRACT WHICH WILL RESULT IN AN INCREASE IN THE CONTRACT PRICE OF \$20,030.00.

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

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, the contract price will increase with change order number 7 by \$20,030.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 7 to the contract with Hawkins Construction Co., Omaha, Nebraska, to provide for additions of work to the contract which will result in an increase in the contract price of \$20,030.00.

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

**F. RESOLUTION – CHANGE ORDER NO. 3 – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – CITY CENTRE INFRASTRUCTURE – PAVEMENT & SEWERS**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 18-152 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 3 TO THE CONTRACT WITH GRAHAM CONSTRUCTION, INC., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK, FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$240,850.90.

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WHEREAS, the City has determined it is necessary to make additions of the work; and

WHEREAS, the FY19/20 biennial budget provides funding for this project. The contract price increases from \$4,254,559.58 to \$4,495,410.48.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for Change Order No. 3 to the contract with Graham Construction, Inc., Omaha Nebraska, to provide for additions of work, for an additional amount not to exceed \$240,850.90.

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

## **G. RESOLUTION – CHANGE ORDER NO. 1 – CIVIC PARK PHASE 11 GRADING**

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-153 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CIVIC CENTER PARK PHASE II GRADING CONTRACT WITH BLADE MASTERS GROUNDS MNTC., INC., BENNINGTON, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK TO THE CONTRACT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$15,000.00.

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

WHEREAS, the FY 19/20 Biennial Budget provides funding for the project. The contract price will increase from \$1,744,777.34 to \$1,759,777.34 for an increased amount of \$15,000.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order to the Civic Center Park Phase II Grading Contract with Blade Masters Grounds Mntc., Inc., Bennington, Nebraska, to provide for additions of work to the contract in an additional amount not to exceed \$15,000.00.

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

## **H. RESOLUTION – PURCHASE OF V-BOX SPREADERS**

Councilmember Sell introduced and moved for the adoption of Resolution No.18-154 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TWO (2) BOSS SLIDE-IN V-BOX SPREADERS FROM TY'S OUTDOOR POWER, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$11,780.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) ice control v-box spreaders is necessary; and

WHEREAS, the FY 19/20 Biennial 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 two (2) Boss slide-in V-Box spreaders from Ty's Outdoor Power, Omaha, Nebraska in an amount not to exceed \$11,780.00.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan commented that while he was volunteering during Halloween Safe Night, he met a family that had moved here from Oregon, and they were delighted to be here.

Mayor Kindig gave a brief Legislative update.

At 6:21 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, and Sell. Nays: None. Abstain: None. Absent: Quick and Hale. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

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

ATTEST:

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



**CITY OF LA VISTA**  
**8116 PARK VIEW BOULEVARD**  
**LA VISTA, NE 68128**  
**P: (402) 331-4343**

**PLANNING COMMISSION MINUTES**  
**OCTOBER 18, 2018-7:00 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, October 18, 2018 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Tom Miller called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, Kevin Wetuski, Mike Circo, Tom Miller, Kathleen Alexander, and Harold Sargus. Members absent were: Jason Dale, and John Gahan. Also in attendance were Chris Solberg, City Planner; Meghan Engberg, Permit Technician; Cole Bockelmann, Community Development Intern; and John Kottmann, City Engineer.

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

**1. Call to Order**

The meeting was called to order by Chairman Miller at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – September 20, 2018**

Malmquist moved, seconded by Alexander, to approve the September 20th minutes with corrections. **Ayes: Krzywicki, Wetuski, Sargus, Alexander and Malmquist Nays: None. Abstain: Miller and Circo. Absent: Dale and Gahan. Motion Carried, (5-0-2)**

**3. Old Business**

**None.**

**4. New Business**

**A. Comprehensive Plan Amendment – Future Land Use Map – Lot 37, Brook Valley II Business Park – Lynch, LLC**

i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, Lynch Management, LLC, is requesting an amendment to the Comprehensive Plan – Future Land Use Map to change the future land use of Lot 37, Brook Valley II Business Park from commercial to industrial for the purpose of industrial development. Lot 37 is generally located on the southeast corner of 120<sup>th</sup> Street and Giles Road. Staff's recommendation is for approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay

(Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.

- ii. **Applicant Presentation:** Joe Dethlefs came up and spoke on behalf of the applicant. He said that he was here to answer any questions the commission may have. He said that they are requesting the change in zoning to give the owner a little more flexibility in the use of their building and who they are going to lease to. He said that what's proposed is about a 40,000 square foot building with parking lots surrounding it and the necessary utilities. It's going to be an industrial flex type building with a possibility of either just one or multiple tenants.

Krzywicki brought up the way the zoning is currently structured and asked if it's pyramidal where a more intense zoning class could have less intense things on it or is restrictive to that zoning class.

Solberg that we have used to have a more pyramidal style ordinance before 2001. He said that each district has its own set of uses and so it is not pyramidal now.

Krzywicki then said they wanted more flexibility in there and it is now currently zoned at C-3 shopping and are okay to be in that district, they may not be able to go into it with the new zoning.

Solberg said that was correct, however, the type of building they are putting in is industrial which goes right into the uses allowed in the I-1 district.

Krzywicki then asked Solberg if he envisioned anything from the C-3 going in there.

Solberg said no.

- iii. **Public Hearing – Miller opened the Public Hearing**

Miller closed the public hearing as no members of the public came forward.

- iv. **Recommendation:** Sargus moved, seconded by Malmquist to recommend approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Alexander and Malmquist** **Nays: None. Abstain: None. Absent: Dale and Gahan. Motion Carried. (7-0)**

**B. Zoning Map Amendment – Lot 37, Brook Valley II Business Park – Lynch, LLC**

- i. **Staff Report – Chris Solberg:** Solberg stated the applicant, Lynch Management, LLC, is requesting a Zoning Map Amendment to allow for the rezoning on Lot 37, Brook Valley II Business Park to I-1, Light Industrial District and Gateway Corridor District and FF/FW Floodplain Districts (Overlay District), for the purpose of industrial development. Lot 37, Brook Valley II Business Park is generally located on the southeast corner of 120<sup>th</sup> Street and Giles Road. Staff's recommendation is for approval of the amendment to the Zoning Map Amendment (Rezoning) from C-3 Highway Commercial/Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.
- ii. **Applicant Presentation:** Joe Dethlefs came up and spoke on behalf of the applicant. He said that was there to answer any questions the commission may have.
- iii. **Public Hearing – Miller opened the Public Hearing**

Miller closed the public hearing as no members of the public came forward.
- iv. **Recommendation:** Malmquist moved, seconded by Wetuski to recommend approval. Staff's recommendation is for approval of the amendment to the Zoning Map Amendment (Rezoning) from C-3 Highway Commercial/Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Alexander and Malmquist Nays: None. Abstain: None. Absent: Dale and Gahan. Motion Carried. (7-0)**

#### **C. Zoning Ordinance Amendment – Section 4.15 (Height Restrictions) – City of La Vista**

- i. **Staff Report – Cole Bockelmann:** Bockelmann stated that the flag issue is back on the agenda tonight. He said that this ordinance modifies the text of section 4.15 of the Zoning Ordinance, the permitted modifications of height restrictions. He said that after the Planning Commission meeting back in August, they took it to City Council in September and the City Council were opposed to the commercial flag restriction, so they struck the definition [and related language] and due to the amount of changes they brought it back to the commission. He said that the height restriction is the same as it was previously, so in section 4.15, they are restricting

the maximum height of flagpoles to 50' or 25% above ground of the company's building height, whichever is the lesser value. He then offered to answer questions.

Malmquist asked why 'as measured from the ground' is in blue.

Bockelmann said that it was a secondary change because it was not in the original ordinance.

Miller asked if Bockelmann could give any history as to why this is coming up.

Bockelmann said that a lot of this is coming up because the Omaha Planning Commission approved a 125' flagpole for a storage facility that wasn't very proportional to the building and they were trying to avoid that from happening. He said that the initial idea was to restrict commercial messages from flags, but council didn't seem to be in favor of that, so they revised it and kept it just to the height.

Sargus asked why 4.15.02 was still in the ordinance.

Bockelmann said that each zoning district has their own set of height restrictions and that section 4.15.02 sets the height at 75' no matter what for public buildings like hospitals, schools, etc. and that is why it's in the Zoning Ordinance.

Sargus asked what it means when 'each required yard line is increased by at least one (1) foot for each one (1) foot of additional building height.'

Solberg said that it's an additional setback from the property line for each additional foot above what the regulations allow for that district. For example, a school in one of these districts [is designed at] 50' in the district, but the district limit is 40'; they would set that building back another 10' from the lot line.

## ii. **Public Hearing: Miller opened the Public Hearing**

Miller closed the public hearing as no members of the public were present.

## iii. **Recommendation: Circo moved, seconded by Malmquist to approve the Zoning Ordinance Amendment, section 4.15 height restrictions for the City of La Vista.** **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Alexander and Malmquist Nays: None. Abstain: None. Absent: Dale and Gahan. Motion Carried. (7-0)**

**5. Comments from the Floor**

No members of the public were present.

**6. Comments from the Planning Commission**

Malmquist talked about a planning event [Iowa APA Conference] she went to at the Mid America Center.

Miller mentioned that he had just come back from Minneapolis last week and every place that they start up that's new they have the little islands set up for electric cars and asked if those were going to be put up at City Centre.

Solberg said that at this time we do not have it programmed as of right now. He said that it has come up in discussions before, but at this time, they do not have anything designed into our portion of things.

Malmquist said that there is a charging station at the NRD.

**7. Comments from Staff**

Solberg said that there a number of planning activities in the RFP or near the RFP stage or near the contract negotiation stage.

Circo asked if there was any more progress on the multisport complex.

Solberg said that there have been no new updates since the last meeting.

Kottmann said that there is still earthwork being done, but nothing new is going on.

Krzywicki asked if there has been any new hotels interested in being built by the complex.

Solberg said yes, there have been inquiries on a couple of lots out west, but that's all they have had.

**8. Adjournment**

**Miller adjourned the meeting at 7:29 p.m.**

Reviewed by Planning Commission:

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Planning Commission Secretary

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Planning Commission Chairperson

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Approval Date

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**Preliminary - For the twelve months ending September 30, 2018**  
**100% of the Fiscal Year 2018**

**Preliminary**

	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<b>REVENUES</b>					
General Fund	\$ 16,914,117	\$ 916,796	\$ 15,521,894	\$ (1,392,223)	92%
Sewer Fund	4,243,469	355,263	3,981,051	(262,418)	94%
Debt Service Fund	5,496,931	283,095	4,736,430	(760,501)	86%
Lottery Fund	1,395,461	98,278	1,176,927	(218,534)	84%
Economic Development Fund	30,060	-	16,556,770	16,526,710	
Off Street Parking Fund	514	-	-	(514)	0%
Redevelopment Fund	2,531,484	169,740	1,978,547	(552,937)	78%
Police Academy	80,012	-	80,862	850	101%
<b>Total Revenues</b>	<b>30,692,048</b>	<b>1,823,171</b>	<b>44,032,481</b>	<b>13,340,433</b>	<b>90%</b>

\* % of Budget: Adjusted for EDF variance

**EXPENDITURES**

General Fund	17,633,989	1,400,610	15,206,250	(2,427,739)	86%
Sewer Fund	3,644,947	287,474	2,536,307	(1,108,640)	70%
Debt Service Fund	4,481,471	47,310	3,654,497	(826,974)	82%
Lottery Fund	692,994	38,612	515,860	(177,134)	74%
Economic Development Fund	16,425,000	-	17,852,212	1,427,212	109%
Off Street Parking Fund	585,523	36,322	606,521	20,998	104%
Redevelopment Fund	1,025,825	18,271	12,396,452	11,370,627	
Police Academy	91,728	7,568	82,065	(9,663)	89%
<b>Total Expenditures</b>	<b>44,581,477</b>	<b>1,836,168</b>	<b>52,850,163</b>	<b>8,268,686</b>	<b>93%</b>

\* % of Budget: Adjusted for RedF variance

**REVENUES NET OF EXPENDITURES**

General Fund	(719,872)	(483,815)	315,644	1,035,516
Sewer Fund	598,522	67,789	1,444,744	846,222
Debt Service Fund	1,015,460	235,785	1,081,933	66,473
Lottery Fund	702,467	59,666	661,067	(41,400)
Economic Development Fund	(16,394,940)	-	(1,295,442)	15,099,498
Off Street Parking Fund	(585,009)	(36,322)	(606,521)	(21,512)
Redevelopment Fund	1,505,659	151,468	(10,417,905)	(11,923,564)
Police Academy	(11,716)	(7,568)	(1,203)	10,513
<b>Revenues Net of Expenditures</b>	<b>(13,889,429)</b>	<b>(12,997)</b>	<b>(8,817,682)</b>	<b>5,071,747</b>
		0		

**Capital Improvement Program Fund**

<b>REVENUES</b>	<b>117</b>	<b>-</b>	<b>(117)</b>	<b>0%</b>
<b>EXPENDITURES</b>	<b>28,044,751</b>	<b>678,913</b>	<b>(20,022,902)</b>	<b>29%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(28,044,634)</b>	<b>(678,913)</b>	<b>20,022,785</b>	
<b>TRANSFERS IN &amp; BOND PROCEEDS</b>	<b>28,044,751</b>	<b>977,323</b>	<b>(19,640,822)</b>	<b>30%</b>
<b>Net Activity</b>	<b>117</b>	<b>298,410</b>	<b>381,963</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**Preliminary - For the twelve months ending September 30, 2018**  
**100% of the Fiscal Year 2018**

<u>Preliminary</u>	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b>TRANSFERS IN &amp; BOND PROCEEDS</b>					
General Fund	93,625	20,146	76,003	(17,622)	81%
Sewer Fund	-	1,529	4,673	4,673	0%
Debt Service Fund	-	-	-	-	-
Capital Improvement Program Fund	28,044,751	977,323	8,403,929	(19,640,822)	30%
Lottery Fund	-	-	-	-	-
Economic Development Fund	600,000	-	986,017	386,017	164%
Off Street Parking Fund	590,000	4,983,799	5,553,911	4,963,911	941%
Redevelopment Fund	19,857,507	-	18,764,286	(1,093,221)	94%
Police Academy	20,000	-	20,000	-	100%
Transfers In	<b>49,205,883</b>	<b>5,982,797</b>	<b>33,808,819</b>	<b>(15,397,064)</b>	<b>69%</b>
<b>TRANSFERS OUT</b>					
General Fund	(1,210,000)	(5,000)	(1,599,518)	(389,518)	132%
Sewer Fund	(380,000)	-	-	380,000	0%
Debt Service Fund	(5,528,600)	(134,151)	(1,291,842)	4,236,758	23%
Capital Improvement Program Fund	-	-	-	-	-
Lottery Fund	(372,269)	(43,184)	(130,978)	241,291	35%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	(21,857,507)	(821,663)	(7,043,396)	14,814,111	32%
Police Academy	-	-	-	-	-
Transfers Out	<b>(29,348,376)</b>	<b>(1,003,998)</b>	<b>(10,065,734)</b>	<b>19,282,642</b>	<b>34%</b>
<b>NET TRANSFERS &amp; BOND PROCEEDS</b>					
General Fund	(1,116,375)	15,146	(1,523,515)	(407,140)	136%
Sewer Fund	(380,000)	1,529	4,673	384,673	0%
Debt Service Fund	(5,528,600)	(134,151)	(1,291,842)	4,236,758	23%
Capital Improvement Program Fund	28,044,751	977,323	8,403,929	(19,640,822)	30%
Lottery Fund	(372,269)	(43,184)	(130,978)	241,291	35%
Economic Development Fund	600,000	-	986,017	386,017	164%
Off Street Parking Fund	590,000	4,983,799	5,553,911	4,963,911	941%
Redevelopment Fund	(2,000,000)	(821,663)	11,720,890	13,720,890	-
Police Academy	20,000	-	20,000	-	100%
Bond Proceeds	<b>19,857,507</b>	<b>4,978,799</b>	<b>23,743,085</b>	<b>3,885,578</b>	<b>120%</b>
<b>NET FUND ACTIVITY</b>					
General Fund	(1,836,247)	(468,669)	(1,207,870)	628,377	
Sewer Fund	218,522	69,318	1,449,417	1,230,895	
Debt Service Fund	(4,513,140)	101,633	(209,909)	4,303,231	
Capital Improvement Program Fund	117	298,410	382,080	381,963	
Lottery Fund	330,198	16,482	530,089	199,891	
Economic Development Fund	(15,794,940)	-	(309,425)	15,485,515	
Off Street Parking Fund	4,991	4,947,477	4,947,391	4,942,400	
Redevelopment Fund	(494,341)	(670,194)	1,302,985	1,797,326	
Police Academy	8,284	(7,568)	18,797	10,513	
Net Activity	<b>\$ (22,076,556)</b>	<b>\$ 4,286,889</b>	<b>\$ 6,903,554</b>	<b>\$ 28,980,110</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
Preliminary - For the twelve months ending September 30, 2018  
100% of the Fiscal Year 2018

<u>Preliminary</u>	<u>General Fund</u>					<u>% of Budget Used</u>
	<u>Budget</u> <u>(12 month)</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b><u>REVENUES</u></b>						
Property Taxes	\$ 6,593,220	\$ 259,085	\$ 6,543,509	\$ (49,711)		99%
Sales and use taxes	5,028,839	325,182	3,863,546	(1,165,293)		77%
Payments in Lieu of taxes	275,000	-	253,054	(21,946)		92%
State revenue	1,720,423	142,550	1,726,084	5,661		100%
Occupation and franchise taxes	1,070,492	14,377	848,614	(221,878)		79%
Hotel Occupation Tax	997,500	99,940	1,025,712	28,212		103%
Licenses and permits	537,536	33,189	654,487	116,951		122%
Interest income	20,568	5,022	53,158	32,590		258%
Recreation fees	153,455	11,757	186,273	32,818		121%
Special Services	23,889	777	19,504	(4,385)		82%
Grant Income	256,759	14,810	139,219	(117,540)		54%
Other	236,436	10,108	208,734	(27,702)		88%
<b>Total Revenues</b>	<b>16,914,117</b>	<b>916,796</b>	<b>15,521,894</b>	<b>(1,392,223)</b>		<b>92%</b>
<b><u>EXPENDITURES</u></b>						
Current:						
Administrative Services	879,230	56,408	760,399	(118,831)		86%
Mayor and Council	234,444	15,153	181,104	(53,340)		77%
Boards & Commissions	10,133	857	6,824	(3,309)		67%
Public Buildings & Grounds	543,114	129,885	337,670	(205,444)		62%
Administration	785,352	61,413	662,172	(123,180)		84%
Police and Animal Control	4,801,966	427,910	4,606,158	(195,808)		96%
Fire	2,131,593	152,547	1,846,419	(285,174)		87%
Community Development	627,525	49,236	581,917	(45,609)		93%
Public Works	3,678,248	282,182	3,241,809	(436,439)		88%
Recreation	831,878	53,564	714,995	(116,883)		86%
Library	834,933	75,971	761,600	(73,333)		91%
Information Technology	244,423	6,153	237,574	(6,849)		97%
Human Resources	977,744	48,834	668,690	(309,054)		68%
Public Transportation	98,664	6,741	80,391	(18,273)		81%
Capital outlay	954,742	33,755	518,531	(436,211)		54%
<b>Total Expenditures</b>	<b>17,633,989</b>	<b>1,400,610</b>	<b>15,206,250</b>	<b>(2,427,739)</b>		<b>86%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(719,872)</b>	<b>(483,815)</b>	<b>315,644</b>	<b>1,035,516</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in (Lottery)	93,625	20,146	76,003	(17,622)		81%
Operating transfers out (EDF, OSP, CIP)	(1,210,000)	(5,000)	(1,599,518)	(389,518)		132%
Bond/registered warrant proceeds	-	-	-	-		0%
<b>Total other Financing Sources (Uses)</b>	<b>(1,116,375)</b>	<b>15,146</b>	<b>(1,523,515)</b>	<b>(407,140)</b>		<b>136%</b>
<b><u>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</u></b>						
	\$ <b>(1,836,247)</b>	\$ <b>(468,669)</b>	\$ <b>(1,207,870)</b>	\$ <b>628,377</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
**Preliminary - For the twelve months ending September 30, 2018**  
**100% of the Fiscal Year 2018**

<b>Preliminary</b>	<b>Sewer Fund</b>					<b>% of Budget Used</b>
	<b>Budget</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>(Under) Budget</b>		
<b>REVENUES</b>						
User fees	\$ 4,023,015	\$ 344,186	\$ 3,713,774	\$ (309,241)		92%
Service charge and hook-up fees	206,806	9,899	255,341	48,535		123%
Grant Income	10,000	-	-	(10,000)		0%
Miscellaneous (MUD old SID refunds)	457	21	6,361	5,904		
<b>Total Revenues</b>	<b>4,240,278</b>	<b>354,106</b>	<b>3,975,477</b>	<b>(264,801)</b>		<b>94%</b>
<b>EXPENDITURES</b>						
General & Administrative	172,093	12,881	161,088	(11,005)		94%
Maintenance	3,355,372	271,430	2,289,987	(1,065,385)		68%
Storm Water Grant	56,002	87	29,512	(26,490)		53%
Capital Outlay	61,480	3,076	55,719	(5,761)		91%
<b>Total Expenditures</b>	<b>3,644,947</b>	<b>287,474</b>	<b>2,536,307</b>	<b>(1,108,640)</b>		<b>70%</b>
<b>OPERATING INCOME (LOSS)</b>	<b>595,331</b>	<b>66,632</b>	<b>1,439,170</b>	<b>843,839</b>		
<b>NON-OPERATING REVENUE (EXPENSE)</b>						
Interest income	3,191	1,157	5,574	2,383		175%
	<b>3,191</b>	<b>1,157</b>	<b>5,574</b>	<b>2,383</b>		<b>175%</b>
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>598,522</b>	<b>67,789</b>	<b>1,444,744</b>	<b>846,222</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (Lottery Events)	-	1,529	4,673	4,673		0%
Operating transfers out (CIP)	(380,000)	-	-	380,000		0%
<b>Total other Financing Sources (Uses)</b>	<b>(380,000)</b>	<b>1,529</b>	<b>4,673</b>	<b>384,673</b>		<b>-1%</b>
<b>NET INCOME (LOSS)</b>	<b>\$ 218,522</b>	<b>\$ 69,318</b>	<b>\$ 1,449,417</b>	<b>\$ 1,230,895</b>		
Operating Income Variance		843,839				
City of Omaha billing in arrears 3 months		(690,000)				
Personnel & Contract Services & Maintenance		(115,797)				
Sewer Connection Fees Due to Omaha/Sarpy						
Remaining Operating Income Variance		<b>38,042</b>				

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
Preliminary - For the twelve months ending September 30, 2018  
100% of the Fiscal Year 2018

<u>Preliminary</u>	<u>Debt Service Fund</u>				<u>% of Budget Used</u>
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	
<b><u>REVENUES</u></b>					
Property Taxes	\$ 2,110,551	\$ 73,044	\$ 2,077,173	\$ (33,378)	98%
Sales and use taxes	2,514,420	162,591	1,931,773	(582,647)	77%
Payments in Lieu of taxes	15,000	-	86,409	71,409	576%
Interest income	10,117	3,973	38,494	28,377	380%
Other (Special Assessments; Fire Reimbursmnt)	846,843	43,487	602,582	(244,261)	71%
<b>Total Revenues</b>	<b>5,496,931</b>	<b>283,095</b>	<b>4,736,430</b>	<b>(760,501)</b>	<b>86%</b>
<b><u>EXPENDITURES</u></b>					
Current:					
Administration	90,000	730	27,314	(62,686)	30%
Fire Contract Bond	300,056	24,107	289,284	(10,772)	96%
Debt service					
Principal	3,123,200	-	2,815,000	(308,200)	90%
Interest	968,215	22,473	522,899	(445,316)	54%
<b>Total Expenditures</b>	<b>4,481,471</b>	<b>47,310</b>	<b>3,654,497</b>	<b>(826,974)</b>	<b>82%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>1,015,460</b>	<b>235,785</b>	<b>1,081,933</b>	<b>66,473</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (Lottery Bond)	-	-	-	-	0%
Operating transfers out (CIP)	(5,528,600)	(134,151)	(1,291,842)	4,236,758	23%
Bond/registered warrant proceeds	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>(5,528,600)</b>	<b>(134,151)</b>	<b>(1,291,842)</b>	<b>4,236,758</b>	
<b><u>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES</u></b>					
<b>AND OTHER FINANCING USES</b>	<b>\$ (4,513,140)</b>	<b>\$ 101,633</b>	<b>\$ (209,909)</b>	<b>\$ 4,303,231</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
Preliminary - For the twelve months ending September 30, 2018  
100% of the Fiscal Year 2018

<u>Preliminary</u>	<u>Capital Fund</u>					<u>% of Budget Used</u>
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>		
<b><u>REVENUES</u></b>						
Interest income	\$ 117	\$ -	\$ -	\$ (117)		0%
Grant Income	-	-	-	-		0%
Interagency	-	-	-	-		0%
<b>Total Revenues</b>	<b>117</b>	<b>-</b>	<b>-</b>	<b>(117)</b>		<b>0%</b>
<b><u>EXPENDITURES</u></b>						
Current:						
Capital outlay	28,044,751	678,913	8,021,849	(20,022,902)		29%
<b>Total Expenditures</b>	<b>28,044,751</b>	<b>678,913</b>	<b>8,021,849</b>	<b>(20,022,902)</b>		<b>29%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(28,044,634)</b>	<b>(678,913)</b>	<b>(8,021,849)</b>	<b>20,022,785</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in	28,044,751	977,323	8,403,929	(19,640,822)		30%
Operating transfers out	-	-	-	-		0%
Bond/registered warrant proceeds	-	-	-	-		0%
<b>Total other Financing Sources (Uses)</b>	<b>28,044,751</b>	<b>977,323</b>	<b>8,403,929</b>	<b>(19,640,822)</b>		<b>30%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>						
	\$ 117	\$ 298,410	\$ 382,080	\$ 381,963		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**Preliminary - For the twelve months ending September 30, 2018**  
**100% of the Fiscal Year 2018**

<b>Preliminary</b>	<b>Lottery Fund</b>					<b>% of Budget Used</b>
	<b>Budget (12 month)</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>		
<b>REVENUES</b>						
Lottery Rev/Community Betterment	\$ 1,000,000	\$ 67,533	\$ 818,558	\$ (181,443)		82%
Lottery Tax Form 51	360,000	26,351	326,501	(33,499)		91%
Event Revenue	25,700	-	2,449	(23,251)		10%
Interest income	9,761	4,394	29,420	19,659		301%
Miscellaneous / Other	-		-	-		0%
<b>Total Revenues</b>	<b>1,395,461</b>	<b>98,278</b>	<b>1,176,927</b>	<b>(218,534)</b>		<b>84%</b>
<b>EXPENDITURES</b>						
Current:						
Professional Services	200,493	11,668	106,589	(93,904)		53%
Salute to Summer	30,498	-	29,684	(814)		97%
Community Events	9,349	-	10,330	981		110%
Events - Marketing	27,228	298	29,814	2,586		109%
Recreation Events	9,683	295	6,942	(2,741)		72%
Concert & Movie Nights	10,506	-	6,000	(4,506)		57%
Travel & Training	45,237	-	-	(45,237)		0%
State Taxes	360,000	26,351	326,501	(33,499)		91%
Other	-		-	-		0%
Capital outlay	-	-	-	-		0%
<b>Total Expenditures</b>	<b>692,994</b>	<b>38,612</b>	<b>515,860</b>	<b>(177,134)</b>		<b>74%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>702,467</b>	<b>59,666</b>	<b>661,067</b>	<b>(41,400)</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in	-	-	-	-		
Operating transfers out	(372,269)	(43,184)	(130,978)	241,291		35%
Bond/registered warrant proceeds	-	-	-	-		
<b>Total other Financing Sources (Uses)</b>	<b>(372,269)</b>	<b>(43,184)</b>	<b>(130,978)</b>	<b>241,291</b>		<b>35%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>						
	\$ 330,198	\$ 16,482	\$ 530,089	\$ 199,891		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
Preliminary - For the twelve months ending September 30, 2018  
100% of the Fiscal Year 2018

<b>Preliminary</b>	<b>Economic Development</b>				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>	% of Budget <u>Used</u>
<b>REVENUES</b>					
JQH Payment	-	-	16,556,770	16,556,770	
Interest income	30,060	-	-	(30,060)	
<b>Total Revenues</b>	<b>30,060</b>	<b>-</b>	<b>16,556,770</b>	<b>16,526,710</b>	
<b>EXPENDITURES</b>					
Current:					
Community Development	-	-	-	-	0%
Professional Services	5,000	-	736	(4,264)	15%
Debt service: (Warrants)					0%
Principal	16,420,000	-	16,420,000	-	100%
Interest	-	-	1,431,476	1,431,476	0%
<b>Total Expenditures</b>	<b>16,425,000</b>	<b>-</b>	<b>17,852,212</b>	<b>1,427,212</b>	<b>109%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(16,394,940)</b>	<b>-</b>	<b>(1,295,442)</b>	<b>15,099,498</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	600,000	-	986,017	386,017	164%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>600,000</b>	<b>-</b>	<b>986,017</b>	<b>386,017</b>	<b>164%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>					
	\$ <u>(15,794,940)</u>	\$ <u>-</u>	\$ <u>(309,425)</u>	\$ <u>15,485,515</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**Preliminary - For the twelve months ending September 30, 2018**  
**100% of the Fiscal Year 2018**

<b>Preliminary</b>	<b>Off Street Parking</b>				
	<b>Budget (12 month)</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b><u>REVENUES</u></b>					
Interest income	<b>514</b>	-	-	<b>(514)</b>	<b>0%</b>
<b>Total Revenues</b>	<b>514</b>	-	-	<b>(514)</b>	<b>0%</b>
<b><u>EXPENDITURES</u></b>					
Current:					
General & Administrative	20,518	1,176	15,364	(5,154)	75%
Professional Services		34,500	34,500	34,500	0%
Maintenance	19,890	647	11,541	(8,349)	58%
Debt service: (Warrants)					
Principal	470,000	-	470,000	-	100%
Interest	75,115	-	75,115	-	100%
<b>Total Expenditures</b>	<b>585,523</b>	<b>36,322</b>	<b>606,521</b>	<b>20,998</b>	<b>104%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(585,009)</b>	<b>(36,322)</b>	<b>(606,521)</b>	<b>(21,512)</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	590,000	5,000	575,112	(14,888)	97%
Operating transfers out					0%
Bond/registered warrant proceeds		4,978,799	4,978,799	4,978,799	0%
<b>Total other Financing Sources (Uses)</b>	<b>590,000</b>	<b>4,983,799</b>	<b>5,553,911</b>	<b>4,963,911</b>	<b>941%</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>					
	\$ <b>4,991</b>	\$ <b>4,947,477</b>	\$ <b>4,947,391</b>	\$ <b>4,942,400</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
Preliminary - For the twelve months ending September 30, 2018  
100% of the Fiscal Year 2018

<u>Preliminary</u>	<u>Redevelopment Fund</u>				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b><u>REVENUES</u></b>					
Sales and use taxes	2,514,420	162,591	1,931,773	(582,647)	77%
Interest income	17,064	7,148	46,774	29,710	274%
<b>Total Revenues</b>	<b>2,531,484</b>	<b>169,740</b>	<b>1,978,547</b>	<b>(552,937)</b>	<b>78%</b>
<b><u>EXPENDITURES</u></b>					
Current:					
Community Development	-	-	-	-	0%
Professional Services	55,000	2,642	268,454	213,454	
Financial / Legal Fees	51,000	15,629	239,792	188,792	
Debt service: (Warrants)					
Principal	395,000	-	11,495,000	11,100,000	
Interest	524,825	-	393,207	(131,618)	75%
<b>Total Expenditures</b>	<b>1,025,825</b>	<b>18,271</b>	<b>12,396,452</b>	<b>11,370,627</b>	<b></b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>1,505,659</b>	<b>151,468</b>	<b>(10,417,905)</b>	<b>(11,923,564)</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	-	-	-	-	0%
Operating transfers out	(21,857,507)	(821,663)	(7,043,396)	14,814,111	32%
Bond/registered warrant proceeds	19,857,507	-	18,764,286	(1,093,221)	94%
<b>Total other Financing Sources (Uses)</b>	<b>(2,000,000)</b>	<b>(821,663)</b>	<b>11,720,890</b>	<b>13,720,890</b>	
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>					
	\$ <b>(494,341)</b>	\$ <b>(670,194)</b>	\$ <b>1,302,985</b>	\$ <b>1,797,326</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
Preliminary - For the twelve months ending September 30, 2018  
100% of the Fiscal Year 2018

<u>Preliminary</u>	<u>Police Academy Fund</u>				
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>
<b><u>REVENUES</u></b>					
Other Income	80,000	-	80,862	862	101%
Interest income	12	-	-	(12)	0%
<b>Total Revenues</b>	<b>80,012</b>	<b>-</b>	<b>80,862</b>	<b>850</b>	<b>101%</b>
<b><u>EXPENDITURES</u></b>					
Current:					
Personnel Services	72,228	5,755	64,983	(7,245)	90%
Commodities	3,500	25	2,804	(696)	80%
Contract Services	11,000	1,271	7,076	(3,924)	64%
Other Charges	5,000	517	7,202	2,202	144%
<b>Total Expenditures</b>	<b>91,728</b>	<b>7,568</b>	<b>82,065</b>	<b>(9,663)</b>	<b>89%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(11,716)</b>	<b>(7,568)</b>	<b>(1,203)</b>	<b>10,513</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	20,000	-	20,000	-	100%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>20,000</b>	<b>-</b>	<b>20,000</b>	<b>-</b>	
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>					
	\$ 8,284	\$ (7,568)	\$ 18,797	\$ 10,513	

# APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF

PAGES

TO OWNER: City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128

PROJECT: LaVista Civic Center Phase 2 APPLICATION NO

2

FROM Blade Masters Grounds Maint, Inc. VIA ARCHITECT: RDG Planning & Design  
CONTRACTOR: P.O. Box 167  
Bennington, NE 68007

900 Farman on the Mall  
Omaha, NE 68102

PERIOD TO: 10/31/2018

PROJECT NOS: 3001.477.01

Distribution to:  
OWNER  
ARCHITECT  
CONTRACTOR  
[ ]  
[ ]  
[ ]

CONTRACT FOR:

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.  
Continuation Sheet, AIA Document G703, is attached.

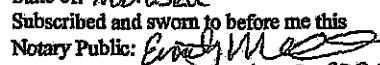
1. ORIGINAL CONTRACT SUM	\$ 1,744,777.34
2. Net change by Change Orders	\$ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$ 1,744,777.34
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 487,104.69
5. RETAINAGE:	
a. -10 % of Completed Work (Column D + E on G703)	\$ (\$48,709.30)
b. % of Stored Material (Column F on G703)	\$ Included in above
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$ (48,709.30)
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$ 438,394.69
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 215,126
8. CURRENT PAYMENT DUE	\$ [REDACTED]
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 1,306,382.65

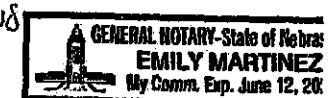
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Blade Masters Grounds Maintenance, Inc.

By:  Date: 11-1-18

State of: Nebraska  
Subscribed and sworn to before me this 1 day of November, 2018  
Notary Public:   
My Commission expires: 04-12-2022

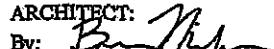


## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 223,269.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:  Date: 11/02/2018

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Consent Agenda 11/20/2018 (1)

D  
-  
G

# CONTINUATION SHEET

## AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing  
 Contractor's signed certification is attached.  
 In tabulations below, amounts are stated to the nearest dollar.  
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 2  
 APPLICATION DATE: 10/31/2018  
 PERIOD TO:  
 ARCHITECT'S PROJECT NO:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H % (G+C)	I BALANCE TO FINISH (C-G)	J RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
1	Mobilization, Bonding, Insurance	\$174,000.00	\$174,000.00	\$0.00	\$0.00	\$174,000.00	100%	\$0.00	(\$17,400.00)
2	Demolition and Removals	\$26,860.00	\$26,860.00	\$0.00	\$0.00	\$26,860.00	100%	\$0.00	(\$2,686.00)
3	Concrete Trail (10" x 6" thick) 23,770 sf @ 4.62 =	\$109,817.40	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$109,817.40	\$0.00
4	Fire Lane	\$157,140.58	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$157,140.58	\$0.00
5	Sidewalk Tie Ins	\$5,208.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$5,208.00	\$0.00
6	Bollards	\$6,600.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$6,600.00	\$0.00
7	Detectable Warming Panels 95 sf @ 53.00 =	\$5,035.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$5,035.00	\$0.00
8	Air Compressor Pad	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$500.00	\$0.00
9	Electrical (separate breakdown to follow)	\$291,372.00	\$0.00	\$70,462.94	\$0.00	\$70,462.94	24%	\$220,909.06	(\$7,046.30)
10	Irrigation, + design change (breakdown to follow)	\$462,889.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$462,889.00	\$0.00
11	Otterbine Package	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$60,000.00	\$0.00
12	Seeding (Lawn) 14 acres @ 3600 =	\$50,400.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$50,400.00	\$0.00
13	Seeding (Native Grass) 1.5 acres @ 3800 =	\$5,700.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$5,700.00	\$0.00
14	Shoreline Protection	\$16,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$16,000.00	\$0.00
15	Watertronics station install by Uleman Irrigation - (18,650.00)	(\$18,650.00)	\$0.00	\$0.00	\$0.00	\$0.00	0%	(\$18,650.00)	\$0.00
16	SWPP Plans	\$68,080.00	\$17,020.00	\$17,020.00	\$0.00	\$34,040.00	50%	\$34,040.00	(\$3,404.00)
17	Bioswale Basin (all-inclusive)	\$112,340.00	\$0.00	\$533,702.00	\$0.00	\$533,702.00	30%	\$78,638.00	(\$3,370.00)
18	Earthwork (placement, agg. base for paving, backfilling paving)	\$211,485.36	\$21,148.54	\$126,801.21	\$0.00	\$148,039.75	70%	\$63,445.61	(\$14,803.00)
	<b>GRAND TOTALS</b>	<b>\$1,744,777.34</b>	<b>\$239,028.54</b>	<b>\$248,076.15</b>	<b>\$0.00</b>	<b>\$487,104.69</b>	<b>23%</b>	<b>\$1,257,672.65</b>	<b>(\$48,709.30)</b>

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

OK to PAY  
 11/9/18  
 16-71.0472.003  
 J.C.

A-6



# Invoice

Reference Invoice Number with Payment

**HDR Engineering Inc.**  
**Omaha, NE 68114-4098**  
**Phone: (402) 399-1000**

**HDR Invoice No.** 1200152955  
**Invoice Date** 01-NOV-2018  
**Invoice Amount Due** \$13,757.16  
**Payment Terms** 30 NET

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

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

Project Management for Services for Public Improvements and Other Works.

## Professional Services

From: 30-SEP-2018 To: 27-OCT-2018

Professional Services Summarization	Hours	Billing Rate	Amount
Administrative	0.50	27.81	
Civil Engineer	66.00	8,122.28	
Communications Coordinator	4.00	300.00	
Graphic Designer 2	2.00	153.95	
Project Controller	0.50	50.45	
Project Manager	18.00	4,043.52	
Sr. Civil Engineer	6.25	1,001.25	
	<b>97.25</b>		<b>\$13,699.26</b>
		<b>Total Professional Services</b>	<b>\$13,699.26</b>

Expense Summarization	Quantity	Billing Rate	Amount
Mileage Personal	60.00	32.70	
Printing/Reprographics			25.20
		<b>Total Expenses</b>	<b>\$57.90</b>

**Amount Due This Invoice (USD)** **\$13,757.16**

Fee Amount	\$675,289.00
Fee Invoiced to Date	\$376,142.62
Fee Remaining	\$299,146.38

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

Consent Agenda 11/20/2018 (cc)

R. Ramirez  
11-9-18  
05.71.0909.03

# Invoice

HDR Invoice No. 1200152955  
 Invoice Date 01-NOV-2018

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs		
Task Number:	1.0	Task Description:	Project Management		
<b>Professional Services</b>					
			Hours	Billing Rate	Amount
Civil Engineer	Christiansen, Adam P.		5.00	108.03	540.15
Project Controller	Clifton, Rachel M		0.50	100.89	50.45
Project Manager	Koenig, Christopher J		18.00	224.64	4,043.52
Sr. Civil Engineer	Cain, Christopher A		6.25	160.20	1,001.25
			<b>29.75</b>		<b>\$5,635.37</b>
			<b>Total Professional Services</b>		<b>\$5,635.37</b>
<b>Expense</b>					
			Qty	Billing Rate	Amount
Mileage Personal	Koenig, Christopher J		60.00	0.545	32.70
Printing/Reprographics	ARC Document Solutions LLC				25.20
			<b>Total Expense</b>		<b>\$57.90</b>
			<b>Total Task</b>		<b>\$5,693.27</b>

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs		
Task Number:	2.0	Task Description:	Construction Team Coordination		
<b>Professional Services</b>					
			Hours	Billing Rate	Amount
Administrative	Anderson, Scott D		0.50	55.62	27.81
Civil Engineer	Cain, Christopher A		30.50	160.20	4,886.10
Civil Engineer	Crowe, Joseph Blaine		26.00	82.23	2,137.98
Civil Engineer	Hoagland, Brian C		2.50	133.77	334.43
Civil Engineer	Repaskey, Kyle J		2.00	111.81	223.62
			<b>61.50</b>		<b>\$7,609.94</b>
			<b>Total Professional Services</b>		<b>\$7,609.94</b>
			<b>Total Task</b>		<b>\$7,609.94</b>

# Invoice

HDR Invoice No. 1200152955  
Invoice Date 01-NOV-2018

## Professional Services and Expense Detail

Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs	
Task Number:	3.0	Task Description:	Public Outreach	
<b>Professional Services</b>				
		Hours	Billing Rate	Amount
Communications Coordinator	Veldhouse, Kristen Lynn	4.00	75.00	300.00
Graphic Designer 2	George, Elizabeth L	1.50	72.00	108.00
Graphic Designer 2	Rolfs, Christina A	0.50	91.89	45.95
		6.00		\$453.95
			<b>Total Professional Services</b>	<b>\$453.95</b>
			<b>Total Task</b>	<b>\$453.95</b>

## Invoice



Remit to:  
Civic Nebraska  
1111 Lincoln Mall, Suite 350  
Lincoln, NE 68508  
402.904.5191

Invoice #

2

Billing:	City of LaVista, Nebraska	Invoice Date
	Attn: John Kottman, City Engineer	11/2/18
	8116 Park View Blvd	
	LaVista, NE 68128	
	Via Email: jkottmann@cityoflavista.org	

Quantity	Description	Amount
1	Civic Nebraska supervision and data collection - Half	\$1,720.36
1	Administrative Fee - Half	\$ 475.00
1	Supplies	\$ 170.25
1	Hours + Payroll Liability	\$ 714.94
Total Amount Due:		\$3,080.55

O.K. to pay  
3,080.31  
since agreement  
limits total services  
to 5,000.00. Prior  
invoice was \$1,919.69

✓MK 11-12-2018  
02.43.0505

Consent Agenda 11/20/2018  
(12)

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 20, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
DEPARTMENT OF TRANSPORTATION MAINTENANCE AGREEMENT - 84 <sup>TH</sup> STREET	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

The Nebraska Department of Transportation (NDOT) has requested that the City renew its agreement for 2019 whereby the City will perform all surface maintenance on the four lane miles of 84<sup>th</sup> Street from Harrison Street to Giles Road.

**FISCAL IMPACT**

The State reimbursement to the City is \$2,100 per lane mile for 2019. The revenue is reflected in the FY 19 General Fund Budget.

**RECOMMENDATION**

Approval

**BACKGROUND**

The original agreement between the City and NDOT was adopted in April 1990, and it has been subsequently renewed each year. Updates were made to the agreement in 2001 and 2006. The reimbursement amount was increased in 2008. The reimbursement amount is being increased for 2019 to its current level. No changes to the agreement are being proposed for 2019.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AGREEMENT #121 WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION FOR THE SURFACE MAINTENANCE OF HIGHWAY N-85 (84<sup>TH</sup> STREET).

WHEREAS, the Nebraska Department of Transportation is proposing to renew an agreement whereby the City of La Vista would assume maintenance responsibilities for that portion of Highway N-85 (84<sup>th</sup> Street) which lies within the City of La Vista's corporate boundaries; and

WHEREAS, it is the determination of the City Council of the City of La Vista that it is in the best interest of our citizenry and the traveling public to assume official maintenance responsibilities.

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of La Vista be, and hereby is, authorized to renew an agreement with the Nebraska Department of Transportation for maintenance of that portion of Highway N-85 (84<sup>th</sup> Street) which lies within the corporate limits of the City of La Vista for the period of January 1, 2019 to December 31, 2019.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

**NEBRASKA**

Good Life. Great Journey.

**DEPARTMENT OF TRANSPORTATION**

## **AGREEMENT RENEWAL**

Maintenance Agreement No. 121

Maintenance Agreement between the Nebraska Department of Transportation and the  
Municipality of La Vista  
Municipal Extensions in La Vista

We hereby agree that Maintenance Agreement No. 5 described above be renewed for  
the period January 1, 2019 to December 31, 2019.

All figures, terms and exhibits to remain in effect as per the original agreement dated  
January 1, 2016 with Attachments B and C attached hereto.

In witness whereof, the parties hereto have caused these presents to be executed by  
their proper officials thereunto duly authorized as of the dates indicated below.

Executed by the City this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

ATTEST: City of La Vista

---

*City Clerk/Witness*

---

*Mayor/Designee*

Executed by the State this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

ATTEST: State of Nebraska

---

*District Engineer, Department of Transportation*

# NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF ROADS

Attachment "A"

## MAINTENANCE OPERATION AND RESPONSIBILITY

Municipal extensions and connecting links

(Streets Designated Part of the State Highway System excluding Freeways)

### Maintenance Responsibility Neb. Rev. Stat. § 39-2105

<u>Maintenance Operation</u> Neb. Rev. Stat. § 39-1339	Metropolitan Cities (Omaha)	Primary Cities (Lincoln)	1 <sup>st</sup> Class Cities	2 <sup>nd</sup> Class Cities & Villages
Surface maintenance of the traveled way equivalent to the design of the rural highway leading into municipality.	Department	Department	Department	Department
Surface maintenance of the roadway exceeding the design of the rural highway leading into the municipality including shoulders and auxiliary lanes.	City	City	City	City
Surface maintenance on parking lanes.	City	City	City	Department
Maintenance of roadway appurtenances (including, but not limited to, sidewalks, storm sewers, guardrails, handrails, steps, curb or grate inlets, driveways, fire plugs, or retaining walls)	City	City	City	City or Village
Mowing of the right-of-way, right-of-way maintenance and snow removal.	City	City	City	City or Village
Bridges from abutment to abutment, except appurtenances.	Department	Department	Department	Department

### Maintenance Responsibility Neb. Rev. Stat. § 60-6, 120 & § 60-6, 121

<u>Maintenance Operation</u> Neb. Rev. Stat. § 39-1339	Metropolitan Cities (Omaha)	Primary Cities (Lincoln)	1 <sup>st</sup> Class Cities > 40,000	1 <sup>st</sup> Class Cities < 40,000	2 <sup>nd</sup> Class Cities
Pavement markings limited to lane lines, centerline, No passing lines, and edge lines on all connecting links except state maintained freeways	City	City	City	Department	Department
Miscellaneous pavement marking, including angle and parallel parking lanes, pedestrian crosswalks, school crossings, etc.	City	City	City	City	City
Maintenance and associated power costs of traffic signals and roadway lighting as referred to in original project agreement.					
Procurement, installation and maintenance of guide and route marker signs	City	City	City	Department	Department
Procurement, installation and maintenance of regulatory and warning signs.	City	City	City	Department	Department



Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

## City Maintenance Agreement

### Attachment B

City of: La Vista

Date: 1/1/19

#### Surface Maintenance

From Attachment "C", it is determined that the State's responsibility for surface maintenance within the City limits is 4.00 lane miles. Pursuant to Sections 1a, 8a, 8d of the Agreement and to Attachment "C" made part of this Agreement through reference, the State agrees to pay to the City the sum of \$2,100.00 per lane mile for performing the surface maintenance on those lanes listed on Attachment "C".

Amount due the City for surface maintenance:

4.00 lane miles x \$2,100.00 per lane mile = \$8,400.00.

#### Snow Removal

From Attachment "A", it is determined that snow removal within City limits is the responsibility of the City. Pursuant to Section 8d of the Agreement and to Attachment "C" made a part of this Agreement through reference, the City agrees to pay to the State the sum of \$ per lane mile for performing snow removal on those lanes listed on Attachment "C".

Amount due the State for snow removal:

lane miles x \$ per lane mile = \$

#### Other (Explain)

In reference to section (4) of this agreement; The State will assist the City when requested by the City in the location of State owned facilities occupying adjacent to and on the right-of-way.

**STATE OF NEBRASKA  
DEPARTMENT OF TRANSPORTATION**

## **City of LaVista**

## **RESPONSIBILITY FOR SURFACE MAINTENANCE OF MUNICIPAL EXTENSIONS**

Neb. rev. Stat. 39-1339  
and Neb. Rev. Stat. 39-2105

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
128252	11/07/2018	ANDERSON EXCAVATING COMPANY	146,947.35	N
128253	11/07/2018	DESIGN WORKSHOP INC	360.42	N
128254	11/07/2018	DLR GROUP	3,075.00	N
128255	11/07/2018	HAWKINS CONSTRUCTION COMPANY	184,630.05	N
128256	11/07/2018	HDR ENGINEERING INC	13,682.95	N
128257	11/07/2018	OLSSON, INC.	38,007.46	N
128258	11/07/2018	RDG PLANNING & DESIGN	3,332.82	N
128259	11/07/2018	SWAIN CONSTRUCTION INC	92,969.74	N
128260	11/07/2018	TERRAMETRIX	1,460.00	N
128261	11/07/2018	THOMPSON DREESSEN & DORNER	8,509.85	N
128262	11/07/2018	TOSHIBA FINANCIAL SERVICES	138.00	N
128263	11/20/2018	A & D TECHNICAL SUPPLY CO	164.14	N
128264	11/20/2018	A-RELIEF SERVICES INC	84.00	N
128265	11/20/2018	ACTION BATTERIES UNLTD INC	220.06	N
128266	11/20/2018	AMERICAN LEGAL PUBLISHING CO	70.00	N
128267	11/20/2018	AMERICAN LUNG ASSOCIATION	520.00	N
128268	11/20/2018	ARTHUR J GALLAGHER RISK	225,393.00	N
128269	11/20/2018	ASPHALT & CONCRETE MATERIALS	3,316.04	N
128270	11/20/2018	BADGER BODY	156.47	N
128271	11/20/2018	BARONE SECURITY SYSTEMS	111.00	N
128272	11/20/2018	BJSA-BELLEVUE JR SPORTS ASSN	800.00	N
128273	11/20/2018	BKD LLP	8,000.00	N
128274	11/20/2018	BRITE IDEAS DECORATING	307.66	N
128275	11/20/2018	BS&A SOFTWARE	20,750.00	N
128276	11/20/2018	BUILDERS SUPPLY CO INC	100.94	N
128277	11/20/2018	CELLEBRITE USA INC	3,700.00	N
128278	11/20/2018	CENTURY LINK	537.42	N
128279	11/20/2018	CHAMPLIN TIRE RECYCLING, INC.	665.00	N
128280	11/20/2018	CIACCIO ROOFING CORPORATION	223.14	N
128281	11/20/2018	CITY OF PAPILLION	3,334.00	N
128282	11/20/2018	CNA SURETY	100.00	N
128283	11/20/2018	COX COMMUNICATIONS	277.40	N
128284	11/20/2018	CROUCH RECREATION	4,881.00	N
128285	11/20/2018	CULLIGAN OF OMAHA	14.00	N
128286	11/20/2018	DELL MARKETING L.P.	70.51	N
128287	11/20/2018	DH WIRELESS SOLUTIONS	1,291.50	N
128288	11/20/2018	DIAMOND VOGEL PAINTS	100.77	N
128289	11/20/2018	EXPRESS DISTRIBUTION LLC	140.86	N
128290	11/20/2018	DAVID FAIRCHILD	594.00	N
128291	11/20/2018	FILTER CARE	67.70	N
128292	11/20/2018	FIRST NATIONAL BANK FREMONT	2,011,059.29	N
128293	11/20/2018	FITZGERALD SCHORR BARMETTLER	18,688.50	N
128294	11/20/2018	GALE	94.46	N
128295	11/20/2018	GENUINE PARTS COMPANY-OMAHA	962.86	N
128296	11/20/2018	GILCO EQUIPMENT LLC	2,550.00	N
128297	11/20/2018	GROSSENBACHER BROTHERS INC	466.84	N
128298	11/20/2018	HAWKEYE TRUCK EQUIPMENT	118.00	N
128299	11/20/2018	HEARTLAND TIRES AND TREADS	100.00	N
128300	11/20/2018	HOBBY LOBBY STORES INC	23.78	N
128301	11/20/2018	HOLIDAY INN KEARNEY	188.00	N
128302	11/20/2018	HONEYMAN RENT-ALL #1	250.70	N
128303	11/20/2018	INGRAM LIBRARY SERVICES	353.52	N
128304	11/20/2018	TIM JAVORSKY	150.00	N
128305	11/20/2018	MARK A KLINKER	400.00	N
128306	11/20/2018	KRIHA FLUID POWER CO INC	322.75	N
128307	11/20/2018	LABRIE, DONALD P	225.00	N
128308	11/20/2018	LEAGUE OF NEBR MUNICIPALITIES	1,690.00	N
128309	11/20/2018	LELAND APPAREL	3,114.00	N
128310	11/20/2018	LOWE'S CREDIT SERVICES	62.60	N
128311	11/20/2018	MARCO INCORPORATED	109.40	N

A-9

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
128312	11/20/2018	MAX I WALKER UNIFORM RENTAL	76.98	N
128313	11/20/2018	MENARDS-RALSTON	475.60	N
128314	11/20/2018	METRO AREA TRANSIT	903.00	N
128315	11/20/2018	METROPOLITAN COMMUNITY COLLEG	18,266.71	N
128316	11/20/2018	METROPOLITAN UTILITIES DIST.	162.35	N
128317	11/20/2018	MILLARD SOX BASEBALL	80.00	N
128318	11/20/2018	MONARCH OIL INC	788.10	N
128319	11/20/2018	MSC INDUSTRIAL SUPPLY CO	67.20	N
128320	11/20/2018	NEBRASKA SALT & GRAIN COMPANY	5,087.51	N
128321	11/20/2018	NUTS AND BOLTS INCORPORATED	30.48	N
128322	11/20/2018	O'REILLY AUTOMOTIVE STORES INC	351.75	N
128323	11/20/2018	ODEY'S INCORPORATED	178.50	N
128324	11/20/2018	OFFICE DEPOT INC	669.80	N
128325	11/20/2018	OMAHA PUBLIC POWER DISTRICT	9,193.06	N
128326	11/20/2018	OMAHA WORLD-HERALD	1,165.40	N
128327	11/20/2018	ONE CALL CONCEPTS INC	333.00	N
128328	11/20/2018	PAPILLION SANITATION	1,735.24	N
128329	11/20/2018	PAYLESS OFFICE PRODUCTS INC	210.43	N
128330	11/20/2018	PITNEY BOWES GLOBAL FIN SVCS	526.71	N
128331	11/20/2018	PLAINS EQUIPMENT GROUP	112.93	N
128332	11/20/2018	PATRICIA ROBEY	145.26	N
128333	11/20/2018	SOUTH, RYAN	78.96	N
128334	11/20/2018	SARPY COUNTY COURTHOUSE	4,207.68	N
128335	11/20/2018	SINNETT, JEFF	90.59	N
128336	11/20/2018	SIRCHIE FINGER PRINT LABS	106.65	N
128337	11/20/2018	SOUTHERN UNIFORM & EQUIPMENT	190.46	N
128338	11/20/2018	THE NOVAK CONSULTING GROUP, INC.	4,252.00	N
128339	11/20/2018	THEATRICAL MEDIA SERVICES INC	1,208.58	N
128340	11/20/2018	TORCO ENTERPRISES, INC.	1,534.50	N
128341	11/20/2018	TRANS UNION RISK AND	25.00	N
128342	11/20/2018	TY'S OUTDOOR POWER & SVC INC	7,082.39	N
128343	11/20/2018	U.S. CELLULAR	972.28	N
128344	11/20/2018	UNITE PRIVATE NETWORKS LLC	3,850.00	N
128345	11/20/2018	UNITED DISTRIBUTORS INC	76.19	N
128346	11/20/2018	UNITED RENT-ALL	314.66	N
128347	11/20/2018	V & V MANUFACTURING INC	114.95	N
128348	11/20/2018	WICK'S STERLING TRUCKS INC	47.44	N
TOTAL:				2,874,746.29

APPROVED BY COUNCIL MEMBERS ON: 11/20/2018

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 20, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR FLUM AND ZONING MAP AMENDMENT (REZONING), LOT 37 BROOK VALLEY II BUSINESS PARK (SE OF 120 <sup>TH</sup> & GILES ROAD)	◆ RESOLUTION (1) ◆ ORDINANCE (1) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled to consider an amendment to the Future Land Use Map of the Comprehensive Plan and a rezoning for approximately 6.45 acres located southeast of 120<sup>th</sup> Street and Giles Road.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider an amendment to the Future Land Use Map of the Comprehensive Plan and a Zoning Map amendment (Rezoning) application by Lynch Management, LLC, on approximately 6.45 acres currently described as Lot 37, Brook Valley II Business Park. The property is generally located southeast of 120<sup>th</sup> Street and Giles Road.

The purpose of the request is to allow for the lot to be re-designated to an industrial land use and zoning. A detailed staff report is attached.

The Planning Commission held a public hearing on October 18, 2018, and unanimously recommended approval of the amendment to the Future Land Use Map of the Comprehensive Plan and the rezoning as the request is consistent with the Comprehensive Plan and Zoning Ordinance.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING THE FUTURE LAND USE MAP PORTION OF THE COMPREHENSIVE PLAN.

WHEREAS, the Future Land Use map contains an area of approximately 6.45 acres located south of Giles Road and east of 120<sup>th</sup> Street designated as "Commercial"; and

WHEREAS, the Planning Commission has recommended approval of a request to amend the Future Land Use Map of the Comprehensive Plan for approximately 6.45 acres from "Commercial" to "Industrial" land uses; and

WHEREAS, the requested amendment is compatible with the surrounding land uses; and

WHEREAS, an amendment to the Future Land Use Map is appropriate and consistent with the land use policies of the Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to prepare the necessary amendment to the Future Land Use Map of the Comprehensive Plan south of Giles Road and east of 120<sup>th</sup> Street for approximately 6.45 acres from "Commercial" to "Industrial" land uses as identified in the attached Exhibit A.

PASSED AND APPROVED THIS 20th DAY OF NOVEMBER 2018.

CITY OF LA VISTA

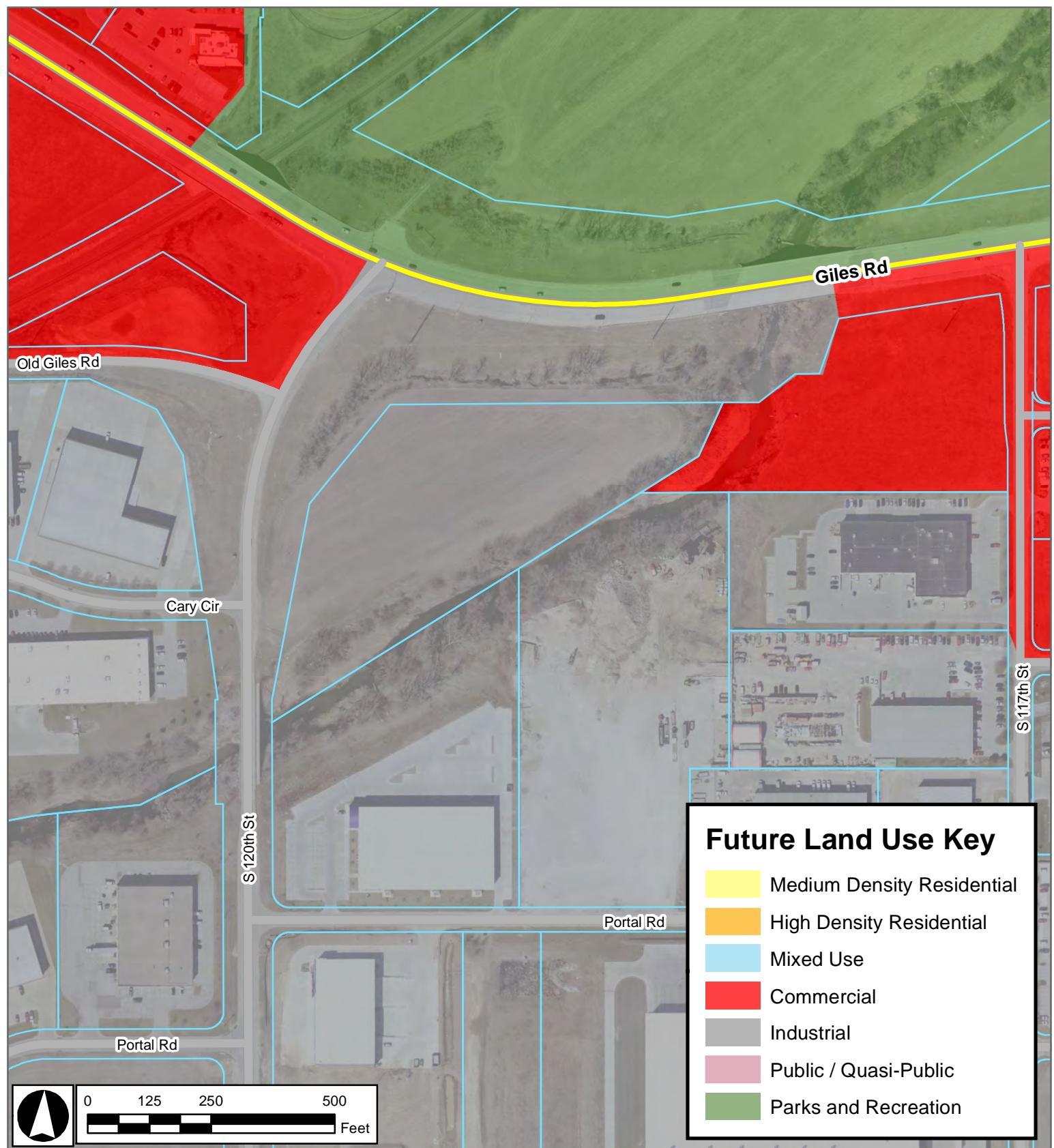
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Douglas Kindig, Mayor

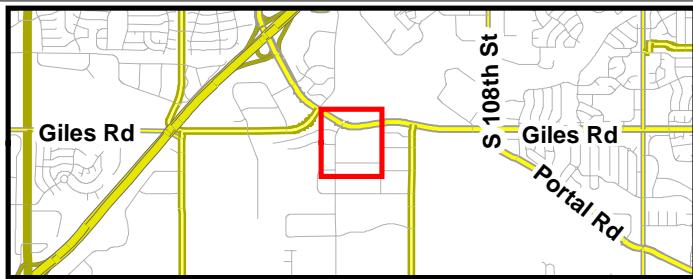
ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



## Future Land Use Map Amendment Exhibit



### Lot 37, Brook Valley II Business Park: Future Land Use Map Amendment

11/14/18

CRB



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

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Rezoning. On October 18, 2018, the La Vista Planning Commission conducted a public hearing on the matter of rezoning the tract of land set forth in Section 2 of this ordinance and reported to the City Council that it recommended approval of the zoning of said tract be changed from "C-3" Highway Commercial / Office Park, Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District) to "I-1" Light Industrial, Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District). On November 20, 2018, the City Council held a public hearing on said proposed change in zoning and found and determined that said proposed changes in zoning are advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices, including published notice, written notice to adjacent property owners and notice posted at the properties, were duly given pursuant to Section 9.01 of the Zoning Ordinance. The City Council hereby approves said proposed changes in zoning as set forth in Section 2 of this ordinance.

Section 2. Amendment of the Official Zoning Map. Pursuant to Article 3 of the Zoning Ordinance, the following described tract of land is hereby rezoned from "C-3" Highway Commercial / Office Park, Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District) to "I-1" Light Industrial, Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), and the Official Zoning Map of the City of La Vista is hereby amended to reflect the changes in zoning of the following described tracts of land from "C-3" Highway Commercial / Office Park, Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District) to "I-1" Light Industrial, Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District):

Lot 37 Brook Valley II Business Park, located in Section 20, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

The amended version of the official zoning map of the City of La Vista is hereby adopted and shall be signed by the Mayor, attested to by the City Clerk and shall bear the seal of the City under the following words:

"This is to certify that this is the official zoning map referred to in Article 3 Section 3.02 of Ordinance No. 848 of the City of La Vista, Nebraska"

and shall show the date of the adoption of that ordinance and this amendment.

Section 3. Effective Date. This ordinance shall be in full force and effect upon the date passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20th DAY OF NOVEMBER 2018.

CITY OF LA VISTA

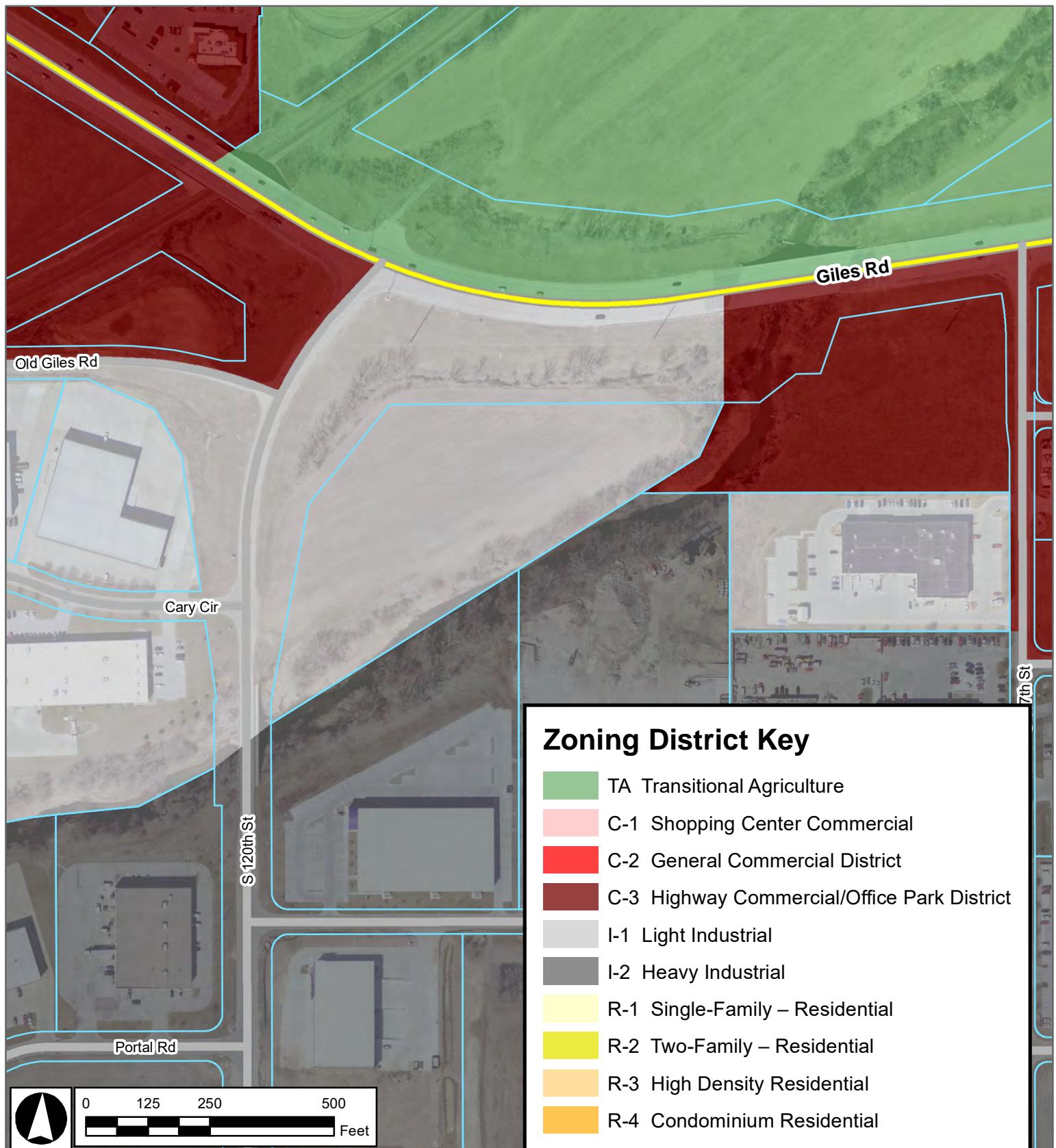
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Douglas Kindig, Mayor

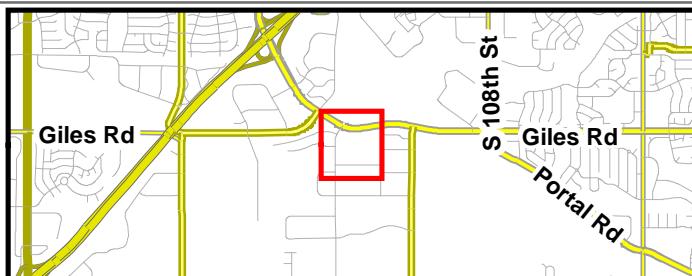
ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



## Zoning Map Amendment Exhibit



## Lot 37, Brook Valley II Business Park: Zoning Map Amendment

11/14/18

CRB





CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: CPA-18-0001

For Hearing of: November 20, 2018  
Report Prepared on: November 7, 2018

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Lynch Management, L.L.C.  
10177 S. 168<sup>th</sup> Ave, Suite 104  
Omaha, NE 68136

**B. PROPERTY OWNER:**

Lynch Management, L.L.C.  
10177 S. 168<sup>th</sup> Ave, Suite 104  
Omaha, NE 68136

**C. LOCATION:** Southeast corner of 120th Street and Giles Road

**D. LEGAL DESCRIPTION:** Lot 37, Brook Valley II Business Park

**E. REQUESTED ACTION(S):**

1. Comprehensive Plan Amendment – Future Land Use Map to change the future land use of Lot 37, Brook Valley II Business Park from commercial to industrial.
2. Zoning Map Amendment (Rezoning) to change the zoning from C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District) to I-1 Light Industrial District and Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District)

**F. EXISTING ZONING AND LAND USE:**

C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District); the property is currently vacant.

**G. PURPOSE OF REQUEST:** Comprehensive Plan Amendment – Future Land Use Map to change the future land use of Lot 37, Brook Valley II Business Park to industrial and a related Zoning Map Amendment to change the zoning to I-1 Light Industrial District and Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), for the purpose of industrial development.

**H. SIZE OF SITE:** 6.45 Acres

## **II. BACKGROUND INFORMATION**

- A. EXISTING CONDITION OF SITE:** This parcel is currently vacant. The land is relatively flat with a gradual slope to the southeast, with steep slopes along the north and west edges of the property up to 120<sup>th</sup> Street and Giles Road.
- B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:**
  - 1. North:** TA – Transitional Agriculture District with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District); Vacant
  - 2. East:** C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District) and with FF/FW Floodplain Districts (Overlay District); Vacant
  - 3. South:** Lot 36 Brook Valley II Business Park; I-1 Light Industrial with FF/FW Floodplain Districts (Overlay District); The Volleyball Academy.
  - 4. West:** Lots 1 & 8 Papio Valley 1 Business Park Harrison Hills; I-1 Light Industrial District with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District); Light Industrial Uses
- C. RELEVANT CASE HISTORY:**
  - 1. N/A
- D. APPLICABLE REGULATIONS:**
  - 1. Chapter 4 of the La Vista Comprehensive Plan 2007 – Future Land Use Plan
  - 2. Section 5.13 of the Zoning Regulations – I-1 Light Industrial District
  - 3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
  - 4. Section 5.18 of the Zoning Regulations – FF/FW Flood Plain Districts (Overlay District)

## **III. ANALYSIS**

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan currently shows commercial land uses. The preceeding agenda item proposes the amendment of the Future Land Use Map to change the use type from commercial to industrial.
- B. OTHER PLANS:** Not applicable.
- C. TRAFFIC AND ACCESS:**
  - 1. Access to the lot is provided through frontage along 120<sup>th</sup> Street.

2. The rezoning will not require a traffic study as traffic impacts of light industrial uses are expected to be less than commercial uses.

**D. UTILITIES:**

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

**IV. REVIEW COMMENTS:**

1. Developments on this property will require a water supply for fire suppression that does not exceed a distance of 600 feet for buildings equipped with an automatic suppression system. This aspect will be reviewed at the time of building permit.
2. An emergency vehicle access plan will be required at the time of building permit. This includes the site plan, fire lane information, fire hydrants, a truck route based on Auto-Turn Professional software, and other aspects as required by the Papillion Fire Marshall. The plan should be developed based on the specifications of the Papillion Fire Marshall.
3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This will be reviewed at the time of building permit.
4. Developments on this property will require a flood plain development permit as required for any property within the "X" or "AE" zones for the FEMA Floodplain Map. Potential projects will need to submit plans to the Papio Missouri River Natural Resources District before permits for development can be issued.
5. Applicant has been notified that this property lies under the Gateway Corridor District (Overlay District). As such, developments on this property will be required to proceed through architectural design review. The applicant has been previously provided with a copy of the Gateway Corridor Design Guidelines.
6. Applicant has been notified that the proposed zoning, I-1 Light Industrial, does not allow for outdoor storage of materials.

**V. STAFF RECOMMENDATION – Amendment to the Comprehensive Plan Amendment (Future Land Use Map):**

Staff recommends approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor District (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.

**VI. PLANNING COMMISSION RECOMMENDATION – Amendment to the Comprehensive Plan Amendment (Future Land Use Map):**

The Planning Commission held a meeting on October 18, 2018 and unanimously voted to recommend approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor District (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.

**VII. STAFF RECOMMENDATION – Amendment to the Zoning Map (Rezoning):**

Staff recommends approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

**VIII. PLANNING COMMISSION RECOMMENDATION – Amendment to Zoning Map:**

The Planning Commission held a meeting on October 18, 2018 and unanimously voted to recommend approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

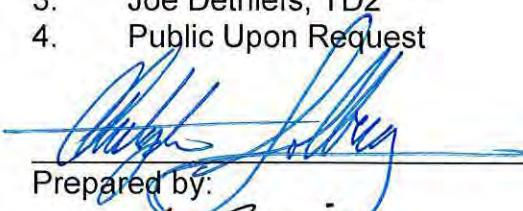
**IX. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Staff Review Letters
3. Applicant Response Letter
4. Zoning Map Amendment Exhibit

**X. COPIES OF REPORT SENT TO:**

1. Dennis Lynch, Lynch, LLC
2. Christian Browning, Lynch, LLC
3. Joe Dethlefs, TD2
4. Public Upon Request

Prepared by:

  
Am. Brink

11-14-18

Community Development Director

Date



## Project Vicinity Map



**Lot 37, Brook Valley II Business Park-  
Comprehensive Plan & Zoning Map Amendment**

10-10-18  
Cra





September 17, 2018

Christian Browning  
Lynch Management, LLC  
10177 S 168<sup>th</sup> Ave, Suite 104  
Omaha, NE 68136

RE: Rezoning Request C-3 to I-1  
Lot 37 Brook Valley II Business Park

Mr. Browning,

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

1. Developments on this property will require a water supply for fire suppression that does not exceed 600 feet for buildings equipped with an automatic suppression system. This will be reviewed at the time of building permit.
2. An emergency vehicle access plan will be required at the time of building permit. This includes the site plan, fire lane information, fire hydrants, a truck route based on Auto-Turn Professional software, and other aspects as required by the Papillion Fire Marshall. The plan should be developed based on the specifications of the Papillion Fire Marshall.
3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This will be reviewed at the time of building permit.
4. Developments on this property will require a flood plain development permit as required for any property within the "X" or "AE" zones for the FEMA Floodplain Map. Potential projects will need to submit plans to the Papio Missouri River Natural Resources District before permits for development can be issued.
5. Applicant should be reminded that this property lies under the Gateway Corridor District (Overlay District). As such, developments on this property will be required to proceed through architectural design review. The applicant has been previously provided with a copy of the Gateway Corridor Design Guidelines.
6. Applicant should be reminded that the proposed zoning, I-1 Light Industrial, does not allow for outdoor storage of materials.

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Buildings & Grounds**  
8112 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

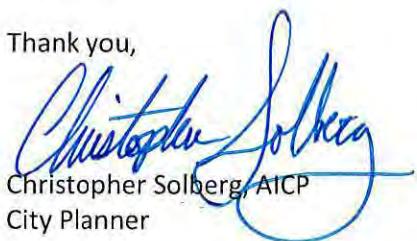
**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

7. Two of the setbacks depicted on the site plan show setbacks below the minimum required setback of 60 feet for developments with parking in the front yard. Though this issue does not need to be resolved in relation to the zoning map amendment, it will need to be addressed at the time of building permit.
8. As this Zoning Map Amendment request includes a change in use from Commercial to Industrial on the Future Land Use Map of the Comprehensive Plan. An amendment to the Comprehensive Plan will need to be completed prior to the Zoning Map Amendment review and approval.

In order for the Comprehensive Plan Amendment and Zoning Map Amendment to be considered for review at the October 18, 2018 Planning Commission meeting, revised submittal documents will need to be provided for further review. Please submit 4 full size copies (along with electronic copies) of the revised documents by September 26, 2018 to ensure that the application stays on track for the review by Planning Commission.

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

Thank you,

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

Christopher Solberg, AICP  
City Planner

cc: Dennis Lynch, Brook Valley II Business Park – Lynch, LLC  
Joe Dethlefs, Thompson, Dreessen & Dorner, Inc  
Ann Birch, Community Development Director  
John Kottmann, City Engineer

September 21, 2018

Mr. Christopher Solberg, AICP  
City of La Vista  
8116 Park View Blvd.  
La Vista, NE 68128

RE: Lot 37, Brook Valley II Business Park  
TD2 File No. 2041-103.1

Mr. Solberg:

Below are our responses to the City's comments dated September 17, 2018 for the rezoning request of Lot 37, Brook Valley II Business Park. The City comments are listed below followed by our response in bold.

1. Developments on this property will require a water supply for fire suppression that does not exceed 600 feet for buildings equipped with an automatic suppression system. This will be reviewed at the time of building permit. – **Acknowledged**
2. An emergency vehicle access plan will be required at the time of building permit. This includes the site plan, fire lane information, fire hydrants, a truck route based on Auto-Turn Professional software, and other aspects as required by the Papillion Fire Marshall. The plan should be developed based on the specifications of the Papillion Fire Marshall. – **Acknowledged**
3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This will be reviewed at the time of building permit. – **Acknowledged**
4. Developments on this property will require a flood plain development permit as required for any property within the "X" or "AE" zones for the FEMA Floodplain Map. Potential projects will need to submit plans to the Papio Missouri River Natural Resources District before permits for development can be issued. – **Acknowledged**
5. Applicant should be reminded that this property lies under the Gateway Corridor District (Overlay District). As such, developments on this property will be required to proceed through architectural design review. The applicant has been previously provided with a copy of the Gateway Corridor Design Guidelines. – **Acknowledged**
6. Applicant should be reminded that the proposed zoning, I-I Light Industrial, does not allow for outdoor storage of materials. – **Acknowledged**

Lot 37, Brook Valley II Business Park  
La Vista, Nebraska  
September 21, 2018  
Page 2

7. Two of the setbacks depicted on the site plan show setbacks below the minimum required setback of 60 feet for developments with parking in the front yard. Though it this issue does not need to be resolved in relation to the zoning map amendment, it will need to be addressed at the time of building permit. – **Acknowledged, we will modify building layout to move out of the 60' setback area.**
8. As this Zoning Map Amendment request includes a change in use from Commercial to Industrial on the Future Land Use Map of the Comprehensive Plan. An amendment to the Comprehensive Plan will need to be completed prior to the Zoning Map Amendment review and approval. – **Comprehensive Plan Amendment Application and fee will be submitted.**

We appreciate the City's effort and assistance with the development process. If there are no outstanding items, we would like to request that our application for the Comprehensive Plan Amendment and Zoning Map Amendment be considered for the October 18, 2018 Planning Commission meeting. Please call or email with any questions or comments.

Respectfully submitted,

THOMPSON, DREESSEN & DORNER, INC.



Joe Dethlefs, P.E.

JD/tjp



**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 20, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ZONING TEXT AMENDMENTS — FLAGS	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and an ordinance prepared to amend Section 4.15 (Permitted Modifications of Height Restrictions) of the Zoning Ordinance to regulate flag pole height.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Proposed amendments to Sections 2.07 (Definitions: F) and 4.15 (Permitted Modifications of Height Restrictions) of the Zoning Ordinance were previously on the September 18, 2018 City Council agenda. Based on direction provided, staff removed the definition of “flag” in its entirety because the intent of the definition was only to allow public flags. Due to the extent of the changes proposed, the amendments were resubmitted to the Planning Commission for a new public hearing and recommendation.

Originally, upon staff review of Section 4.15 of the Zoning Ordinance (Permitted Modifications of Height Restrictions), it was concluded an update to the regulations was warranted. The proposed change to Section 4.15 removes flag poles from the list of structures exempt from height regulations and creates a section that sets the maximum height of flag poles at 50' or 25% above the accompanying building's height, whichever value is lesser.

The Planning Commission held a public hearing on October 18, 2018 and voted unanimously to recommend approval of the amendment to the Zoning Ordinance.

A redline copy of the proposed amendments is attached.

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

AN ORDINANCE TO AMEND SECTION 4.15 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 4.15 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

**SECTION 1. Amendment of Section 4.15.** Section 4.15 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 4.15 Permitted Modifications of Height Regulations.**

- 4.15.01 The height limitations of this Ordinance shall not apply to:
- |                                  |                                     |
|----------------------------------|-------------------------------------|
| Belfries                         | Public Monuments                    |
| Chimneys                         | Ornamental Towers and Spires        |
| Church Spires                    | Radio and Television                |
| Conveyors                        | Towers less than 125 feet in height |
| Cooling Towers                   | Silos                               |
| Elevator Bulkheads               | Smoke Stacks                        |
| Fire Towers                      | Stage Towers or Scenery Lots        |
| Water Towers and Standpipes      | Tanks                               |
| Air-Pollution Prevention Devices |                                     |
- 4.15.02 When permitted in a district, public or semi-public service buildings, hospitals, institutions, or schools may be erected to a height not exceeding seventy-five (75) feet when each required yard line is increased by at least one (1) foot for each one (1) foot of additional building height above the height regulations for the district in which the building is located.
- 4.15.03 Flag pole height shall not exceed the height of its accompanying building by more than 25% of the building's height as constructed. The maximum height allowed for a flag pole shall be 50' or 25% above the accompanying building's height, whichever is the lesser value.

**SECTION 2. Repeal of Section 4.15 as Previously Enacted.** Section 4.15 of Ordinance No. 848 as previously enacted is hereby repealed.

**SECTION 3. 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 4. Effective Date.** This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

**SECTION 5.** This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF NOVEMBER 2018.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

#### **Section 4.15 Permitted Modifications of Height Regulations.**

- 4.15.01 The height limitations of this Ordinance shall not apply to:
- |                             |   |
|-----------------------------|---|
| Belfries                    | Public Monuments                        |
| Chimneys                    | Ornamental Towers and Spires            |
| Church Spires               | Radio and Television                    |
| Conveyors                   | Towers less than 125 feet in height     |
| Cooling Towers              | Silos                                   |
| Elevator Bulkheads          | Smoke Stacks                            |
| Fire Towers                 | Stage Towers or Scenery Lots            |
| Water Towers and Standpipes | Tanks                                   |
| <b>Flag Poles—</b>          | <b>Air-Pollution Prevention Devices</b> |
- 4.15.02 When permitted in a district, public or semi-public service buildings, hospitals, institutions, or schools may be erected to a height not exceeding seventy-five (75) feet when each required yard line is increased by at least one (1) foot for each one (1) foot of additional building height above the height regulations for the district in which the building is located.
- 4.15.03 Flag pole height, as measured from the ground, shall not exceed the height of its accompanying building by more than 25% of the building's height as constructed. The maximum height allowed for a flag pole shall be 50' or 25% above the accompanying building's height, whichever is the lesser value.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS CK LIQUOR LICENSE APPLICATION OF JDHQ HOTELS LLC DBA COURTYARD MARRIOTT, LA VISTA, NEBRASKA.

WHEREAS, JDHQ Hotels LLC, dba Courtyard Marriott, 12560 Westport Parkway, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class CK Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class CK Liquor License application submitted by JDHQ Hotels LLC dba Courtyard Marriott dba Courtyard Marriott, 12560 Westport Parkway, La Vista, NE.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** Pam Buethe, City Clerk

**FROM:** Chief Robert S. Lausten

**DATE:** November 6, 2018

**RE:** LOCAL BACKGROUND- CORPORATE NAME CHANGE & MANAGER COURTYARD

**CC:**

---

The police department conducted a check of computerized records for criminal conduct regarding the applicant for the Manager application. Cameron Kroll has no criminal convictions.

As with all Nebraska Retail Liquor Licenses, I am asking that the applicant strictly conform to Nebraska Liquor Control Commission rules and regulations under (Sec 53-131.01) Nebraska Liquor Control Act.

# APPLICATION FOR CATERING ENDORSEMENT TO LICENSE

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

License Class:	K
License Number:	

- Application fee \$100.00, refundable if application is denied §53-124.12 (2b);
- Check needs to be made payable to the Nebraska Liquor Control Commission or you may pay online at: [www.ne.gov/go/NLCCpayport](http://www.ne.gov/go/NLCCpayport);
- Processing time is approx. 45-60 days from receipt of application by the Nebraska Liquor Control Commission;
- Per Neb. Rev. Stat. §53-134(7), a copy of this application will be forwarded to your local governing body for recommendation. After approval by the local governing body, there is a 10-day holding period by the NLCC for citizen protest;
- Annual Renewal Fee of \$100 is payable when renewing primary liquor license §53-124.12 (1);

RECEIVED  
 Office Use only  
 OCT 25 2018  
 Date Stamp HERE ONLY  
 Do not stamp on following pages  
 NEBRASKA LIQUOR  
 CONTROL COMMISSION

- The holder of a catering license may deliver, sell, or dispense alcoholic liquor/beer for consumption at events that hold a Special Designated License (SDL) issued pursuant to section §53-124.11;
- SDL must be received 10-working days prior to the date of each event. This count does not include weekends, holidays or the date of the event - Please check the SDL calendar for due date;
- Only twelve (12) SDLs will be issued at any one specific location that could otherwise hold a liquor license. Rules and Regulations Chapter 2-013.06. This (12) count includes all license holders that would go to this particular location. It is not (12) licenses per caterer.

## LICENSEE

JDHQ Hotels LLC

## TRADE NAME

Courtyard Marriott

## PREMISES ADDRESS

12560 Westport Parkway

## CITY

## ZIP CODE

LaVista, NE 68128

## CONTACT PERSON

Irina Tempel

## PHONE NUMBER

(212) 703-2690

## EMAIL

[itempel@atriumllc.com](mailto:itempel@atriumllc.com)

PAYMENT TYPE \_\_\_\_\_

AMOUNT: \_\_\_\_\_

Rct. #: \_\_\_\_\_ Received: \_\_\_\_\_

Signature of AUTHORIZED LICENSEE REPRESENTATIVE  
 (Do not sign until in the presence of the Notary Public)

Jonathan D. Eilian

Printed Name of AUTHORIZED LICENSEE REPRESENTATIVE

New York  
 State of Nebraska, County of New York

The foregoing instrument was acknowledged before me this:

10/23/2018

(Date)

By: JONATHAN EILIAN

Name of person signing document in front of Notary

*Elian*

Notary Public Signature

ELIZA ZIMMERER  
 Notary Public - State of New York  
 NO. 01Z0399524  
 Qualified in New York County  
 My Commission Expires Oct 13, 2019

Office Use Only  
**BARCODE LABEL**

FORM 106  
 REV Oct. 30, 17  
 Page 1 of 4

## APPLICATION FOR LIQUOR LICENSE RETAIL

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

### CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES CHECK DESIRED CLASS

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE - MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

### CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert 1 FORM 104)
- Partnership License (requires insert 2 FORM 105)
- Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

### NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable) Commission will call this person with any questions we may have on this application

Name Tim O'Neill, Attorney, and Trish Bell, Paralegal

Phone number: (402) 434-3000

Firm Name O'Neill Heinrich Law Firm

**PREMISES INFORMATION**Trade Name (doing business as) Courtyard MarriottStreet Address #1 12560 Westport Parkway

Street Address #2 \_\_\_\_\_

City LaVistaCounty SarpyZip Code 68128Premises Telephone number (402) 339-4900Business e-mail address itempel@atriumllc.comIs this location inside the city/village corporate limits: YES  NO 

Mailing address (where you want to receive mail from the Commission)

Name Inna TempelStreet Address #1 c/o Atrium Holding CompanyStreet Address #2 1114 Avenue of the Americas 39th FloorCity New YorkState NYZip Code 10036**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED****READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and **number of floors** of the building.

\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

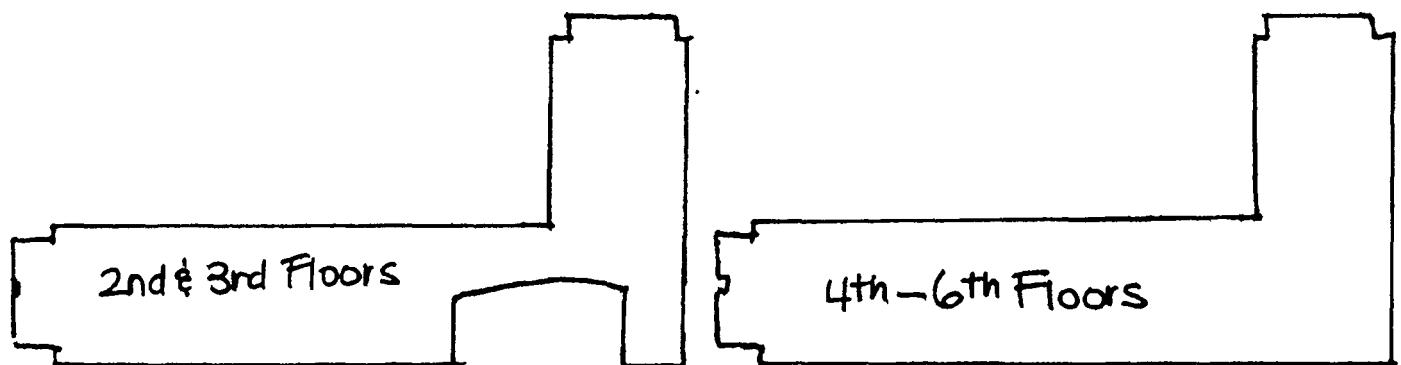
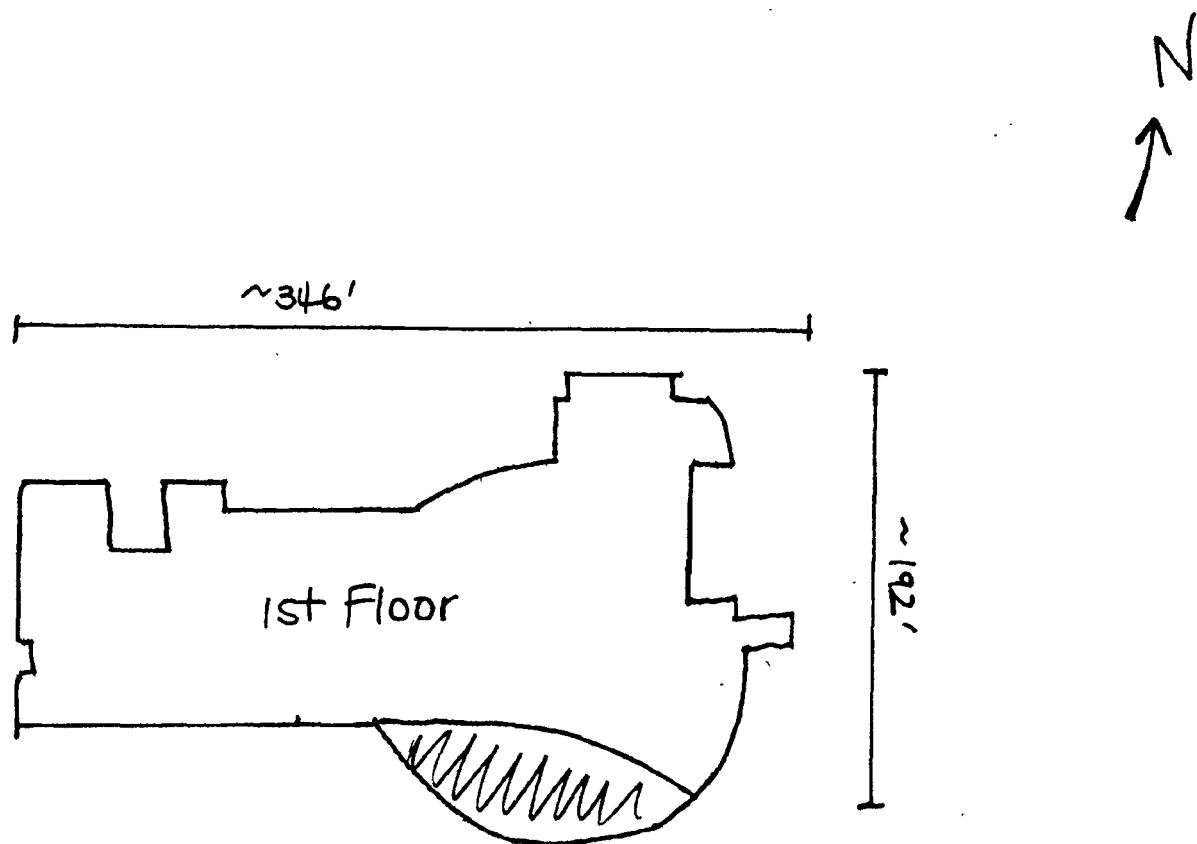
Building: length ~192 x width ~346 in feetIs there a basement? Yes  No 

If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there an outdoor area? Yes  No If yes, length 48 x width 130 in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

Six-story irregular-shaped building approximately 192' x 346', including deck area, exterior pool and beer garden approximately 48' x 130'.



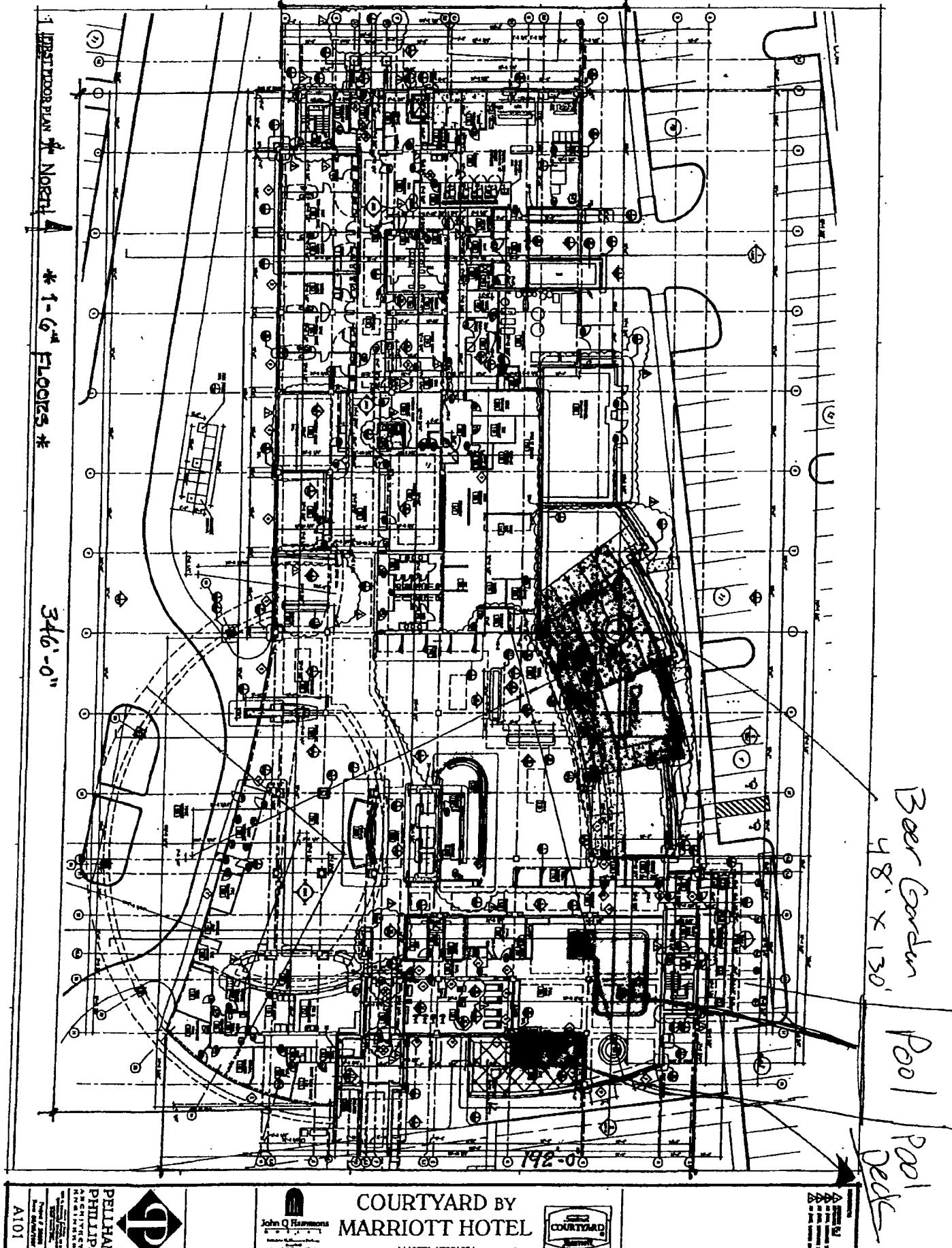
Six-story, irregular-shaped building approximately 192' x 346', including deck area, exterior pool and beer garden approximately 48' x 130'.

104°-0"

1. FIRST PLOOR PLAN

\* 1-64 FLOORS \*

346.0"



Boer Garden  
48' x 130'

1000

pool  
deck



A101



**COURTYARD BY  
MARRIOTT HOTEL**



## APPLICANT INFORMATION

### 1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES  NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

2. Are you buying the business of a current retail liquor license?

YES  NO

If yes, give name of business and liquor license number Courtyard Marriott #086881

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

YES  NO

If yes, give name and license number Courtyard Marriott #086881

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO  
If yes, explain. (all involved persons must be disclosed on application)

---

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. \_\_\_\_\_ Soda machines - Pepsi; vending machines - Canteen; coffee machines - Smuckers

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

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

Provide letter of support or opposition, see FORM 134 - church or FORM 135 - campus

---

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

---

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

Wells Fargo -- Tom Hobson (Gen. Mgr.), Zach Mahnke (Asst. GM), Ben Feldhausen (Asst. GM)

---

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

See attached

---

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date \_\_\_\_\_  
 Deed  
 Purchase Agreement

14. When do you intend to open for business? Currently open

15. What will be the main nature of business? Hotel

16. What are the anticipated hours of operation? 11:00 a.m. - Midnight 7 days/week

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Jonathan Eilian: New York, NY	2008	Present			

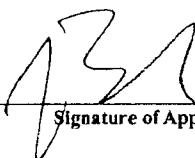
If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34

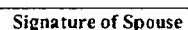
Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures



Signature of Applicant

Jonathan Eilian

Print Name



Print Name

### Affidavit of Nonparticipation

Signature of Applicant

Signature of Spouse

Print Name

Print Name

### ACKNOWLEDGEMENT

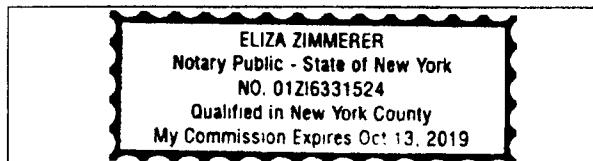
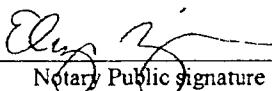
State of Nebraska New York  
County of New York

10/23/2018

date by

Jonathan Eilian

name of person(s) acknowledged (individual(s) signing)



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
A ten day advance period is required in writing to produce the alternate format

Question #11  
Other Liquor  
Licenses

Inn Code	Brand	Group	Hotel Name	Address	City	State	ZIP	# Rooms
ABQEM	Hilton	AH35	Albuquerque Embassy	1000 Woodward Place NE	Albuquerque	NM	87102	261
ABQMC	Marriott	AH47	Albuquerque Marriott	5151 San Francisco Road NE	Albuquerque	NM	87109	310
ATLBC	Marriott	AH47	Buckhead Marriott	3405 Lenox Road NE	Atlanta	GA	30326	349
BDRST	Hilton	AH47	Stamford Hilton	1 First Stamford Place	Stamford	CT	06902	484
BMIMC	Marriott	AH35	Normal Marriott	201 Broadway Avenue	Normal	IL	61761	228
BNAFL	Hilton	AH35	Franklin Embassy	820 Crescent Centre Drive	Franklin	TN	37067	250
BWGWT	IHG	AH47	Bowling Green Holiday Inn	1021 Wilkinson Trace	Bowling Green	KY	42103	218
CAEGS	Hilton	AH47	Columbia Embassy	200 Stoneridge Drive	Columbia	SC	29210	218
CHATE	IND	AH35	Branson Chateau Hotel	415 North State Highway 265	Branson	MO	65616	301
CHSEM	Hilton	AH47	N Charleston Embassy	5055 International Boulevard	North Charleston	SC	29418	255
CHSNO	Marriott	AH35	N Charleston Residence	5035 International Boulevard	North Charleston	SC	29418	150
CIDMC	Marriott	AH47	Cedar Rapids Marriott	1200 Collins Road NE	Cedar Rapids	IA	52402	220
CLTBR	Marriott	AH47	Charlotte Renaissance	2800 Coliseum Centre Drive	Charlotte	NC	28217	275
CRWEM	Hilton	AH47	Charleston Embassy	300 Court Street	Charleston	WV	25301	253
CVGEM	IHG	AH47	Eastgate Holiday Inn	4501 Eastgate Blvd	Cincinnati	OH	45245	212
DALEM	Hilton	AH47	Dallas Fort Worth Embassy	2401 Bass Pro Drive	Grapevine	TX	76051	329
DALFS	Hilton	AH35	Frisco Embassy	7600 John Q. Hammons Drive	Frisco	TX	75034	330
DALHS	Hilton	AH47	Mesquite Hampton	1700 Rodeo Drive	Mesquite	TX	75149	160
DALRD	Marriott	AH35	Richardson Renaissance	900 E. Lookout Drive	Richardson	TX	75082	335
DENAU	IHG	AH47	Denver Crowne Plaza	15500 East 40th Avenue	Denver	CO	80239	255
DSMDN	Hilton	AH47	Des Moines Embassy	101 East Locust Street	Des Moines	IA	50309	234
DSMSI	Marriott	AH47	Des Moines Sheraton	1800 50th Street	West Des Moines	IA	50266	285
DTWWI	Marriott	AH47	Southfield Westin	1500 Town Center	Southfield	MI	48074	388
MRYES	Hilton	AH47	Monterey Embassy	1441 Canyon Del Rey	Seaside	CA	93955	225
FLLMC	Marriott	AH47	Coral Springs Marriott	11775 Heron Bay Boulevard	Coral Springs	FL	33076	224
FNLCO	Hilton	AH47	Fort Collins Hilton	425 West Propsect Road	Fort Collins	CO	80526	255
FNLES	Hilton	AH35	Loveland Embassy	4705 Clydesdale Parkway	Loveland	CO	80538	263
FSDSI	Marriott	AH35	Sioux Falls Sheraton	1211 West Avenue North	Sioux Falls	SD	57104	243
FSMCY	Marriott	AH35	Fort Smith Courtyard	900 Rogers Avenue	Fort Smith	AR	72901	138
FYVSP	Hilton	AH47	Springdale Hampton	1700 S. 48th Street	Springdale	AR	72762	102
GSOGB	Hilton	AH47	Greensboro Embassy	204 Centreport Drive	Greensboro	NC	27409	219
GSOHW	Hilton	AH47	Greensboro Homewood	201 Centreport Dr.	Greensboro	NC	27409	104
GSPES	Hilton	AH47	Greenville Embassy	670 Verdae Boulevard	Greenville	SC	29607	268
HOTES	Hilton	AH35	Hot Springs Embassy	400 Convention Boulevard	Hot Springs	AR	71901	246
HOUHH	Marriott	AH47	Houston Marriott	9100 Gulf Freeway	Houston	TX	77017	287
JAXBR	Marriott	AH47	St. Augustine Renaissance	500 South Legacy Trail	St. Augustine	FL	32092	301

JEFFP	IND	AH47	Jefferson City Capitol Plaza	415 W McCarty St.	Jefferson City	MO	65101	255
JLNRI	Marriott	AH35	Joplin Residence	3128 East Hammons Blvd	Joplin	MO	64804	114
LGBLH	Hilton	AH47	Long Beach Hilton	701 West Ocean Boulevard	Long Beach	CA	90831	399
LITCP	Hilton	AH47	Little Rock Embassy	11301 Financial Centre Parkway	Little Rock	AR	72211	251
LNKES	Hilton	AH35	Lincoln Embassy	1040 P Street	Lincoln	NE	68508	252
MGMES	Hilton	AH47	Montgomery Embassy	300 Tallapoosa Street	Montgomery	AL	36104	237
MHKCY	Marriott	AH35	Junction City Courtyard	310 Hammons Dr	Junction City	KS	66441	119
MKCAP	Hilton	AH47	Kansas City Homewood	7312 NW Polo Drive	Kansas City	MO	64153	116
MKCPD	Hilton	AH47	Kansas City Embassy	7640 NW Tiffany Springs Parkway	Kansas City	MO	64153	237
MODSH	Marriott	AH47	Modesto SpringHill	1901 W Orangeburg Ave	Modesto	CA	95350	111
MSNWE	Marnott	AH47	Madison Marriott	1313 John Q Hammons Drive	Middleton	WI	53562	292
N/A	N/A	AH35	Concord - Rocky River Golf Club	6900 Bruton Smith Blvd	Concord	NC	28027	N/A
N/A	IND	AH47	Diamond's Casino	1010 East Sixth Street	Reno	NV	89512	N/A
GSPCC	N/A	AH47	Greenville - The Preserve at Verdae	650 Verdae Boulevard	Greenville	SC	29607	N/A
N/A	N/A	AH35	Kansas City - Tiffany Springs Golf Club	6100 NW Tiffany Springs Parkway	Kansas City	MO	54154	N/A
N/A	N/A	AH35	Springfield - Highland Springs Country Club	5400 S Highland Springs Boulevard	Springfield	MO	65809	N/A
OKCBR	Marriott	AH47	Oklahoma City Renaissance	10 North Broadway Avenue	Oklahoma City	OK	73102	311
OKCBT	Marriott	AH35	Oklahoma City Residence	400 East Reno Avenue	Oklahoma City	OK	73104	151
OKCDT	Marriott	AH35	Oklahoma City Courtyard	2 West Reno Avenue	Oklahoma City	OK	73104	225
OMADT	Hilton	AH47	Omaha Embassy	555 South 10th Street	Omaha	NE	68102	249
OMAES	Hilton	AH35	La Vista Embassy	12520 Westport Parkway	La Vista	NE	68128	257
OMALV	Marriott	AH35	La Vista Courtyard	12560 Westport Parkway	La Vista	NE	68128	246
ORFSI	Marriott	AH47	Norfolk Sheraton	777 Waterside Drive	Norfolk	VA	23510	468
PDXAP	IHG	AH47	Portland Holiday Inn	8439 NE Columbia Boulevard	Portland	OR	97220	284
PDXES	Hilton	AH47	Portland Embassy	7900 NE 82nd Avenue	Portland	OR	97220	251
PHFCC	Hilton	AH35	Hampton Embassy	1700 Coliseum Drive	Hampton	VA	23666	295
PIAES	Hilton	AH35	East Peoria Embassy	100 Conference Center Drive	East Peoria	IL	61611	226
RDUAP	Hilton	AH47	Raleigh Embassy	201 Harrison Oaks Boulevard	Cary	NC	27513	273
RNODT	IND	AH47	Reno Ramada	1000 East 6th St.	Reno	NV	89512	281
SACCP	IHG	AH47	Sacramento Holiday Inn	300 J Street	Sacramento	CA	95814	359
SACEG	Hilton	AH47	Elk Grove Hampton	2305 Longport Ct	Elk Grove	CA	95758	110
SGFAP	Marriott	AH35	Springfield Courtyard	3527 West Kearney	Springfield	MO	65803	142
SGFEX	IHG	AH35	Springfield Holiday Inn Express	1117 E. St. Louis St.	Springfield	MO	65806	120
SGFNO	IHG	AH47	Springfield Holiday Inn	2720 North Glenstone Ave	Springfield	MO	65803	188
SGFUC	IND	AH35	Springfield University Plaza	333 John Q. Hammons Pkwy	Springfield	MO	65806	267
SNMES	Hilton	AH35	San Marcos Embassy	1001 E. McCarty Lane	San Marcos	TX	78666	283
SPDAR	IHG	AH47	Springdale Holiday Inn	1500 South 48th Street	Springdale	AR	72762	206
STLEM	Hilton	AH35	St. Charles Embassy	Two Convention Center Plaza	Saint Charles	MO	63303	296
TOPEK	IND	AH47	Topeka Capitol Plaza	1717 SW Topeka Boulevard	Topeka	KS	66612	224

TPAFR	Hilton	AH47	Tampa Embassy	3705 Spectrum Boulevard	Tampa	FL	33612	247
TULBR	Marriott	AH35	Tulsa Renaissance	6808 South 107th East Avenue	Tulsa	OK	74133	300
TUSMP	Marriott	AH47	Tucson Marriott	880 East 2nd Street	Tucson	AZ	85719	250
XNAES	Hilton	AH35	Rogers Embassy	3303 Pinnacle Hills Parkway	Rogers	AR	72758	400

**APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b**

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

Office Use

**RECEIVED**

OCT 25 2018

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: CSC-Lawyers Incorporating Service Company

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

JDHQ Hotels LLC

LLC Address: 2398 Camelback Road, Suite 1000

City: Phoenix State: AZ Zip Code: 85016

LLC Phone Number: (480) 393-7898 LLC Fax Number: (212) 730-6971

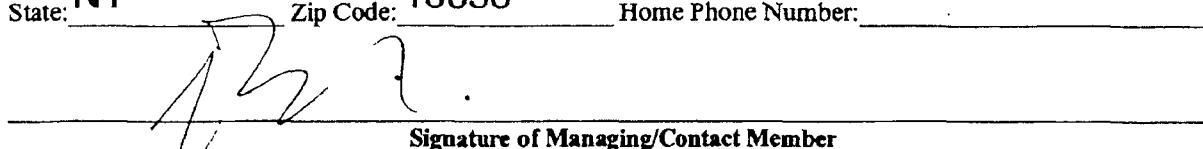
Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Eilian First Name: Jonathan MI: D

Home Address: 1114 Avenue of the Americas City: New York

State: NY Zip Code: 10036 Home Phone Number: \_\_\_\_\_

  
Signature of Managing/Contact Member

**ACKNOWLEDGEMENT**

State of Nebraska New York  
County of New York The foregoing instrument was acknowledged before me this

10/23/2018

by Jonathan D. Eilian

name of person acknowledging

ELIZA ZIMMERER

Affix Seal	Notary Public - State of New York NO. 01Z16331524 Qualified in New York County My Commission Expires Oct 13, 2019
------------	--

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Eilian First Name: Jonathan MI: D

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): Amanda Godwin Eilian

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 0%

---

Last Name: JDHQ Hotels Mezz A LLC First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 100%

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Is the applying Limited Liability Company controlled by another corporation/company?

YES

NO

If yes, provide the following:

1) Name of corporation **JDHQ Hotels Mezz A LLC**

2) Supply an organizational chart of the controlling corporation named above

3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

---

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: **January**

Ending Date: **December**

---

Is this a Non Profit Corporation?

YES

NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities  
A ten day advance period is requested in writing to produce the alternate format

**MANAGER APPLICATION  
INSERT - FORM 3c**

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

Office Use	RECEIVED
OCT 25 2018	
NEBRASKA LIQUOR CONTROL COMMISSION	

**MUST BE:**

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form MUST be included with your application
- ✓ 21 years of age or older

**Corporation/LLC information**

Name of Corporation/LLC: JDHQ Hotels LLC

**Premise information**

Liquor License Number: \_\_\_\_\_ Class Type CK (if new application leave blank)

Premise Trade Name/DBA: Courtyard Marriott

Premise Street Address: 12560 Westport Parkway

City: LaVista County: Sarpy Zip Code: 68128

Premise Phone Number: (402) 339-4900

Premise Email address: Cameron.Kroll@JQH.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).

**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**  
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Kroll First Name: Cameron MI: N

Home Address: 5016 Lafayette Ave.

City: Omaha County: Douglas Zip Code: 68132

Home Phone Number: ( )

Driver's License Number & State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

Email address: Cameron.Kroll@JQH.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES

NO

Spouse's information

Spouse's Last Name: Kroll First Name: Benjamin MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**

**APPLICANT**

**SPOUSE**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Omaha, NE	2014	Present			
Brooklyn, NY	2006	2014			

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2013	Present	Embassy Suites	David Scott	(402) 331-7400
2010	2013	Ars Nova	Jeremy Blocker	(212) 489-9800

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES       NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Cameron Kroll	between 1998-2002		Speeding	Ticket

**2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?**

YES       NO

**IF YES, list the name of the premise(s):**

Current Corporate Manager at Courtyard Marriott and Embassy Suites in LaVista

**3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?**

YES       NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

\*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Cameron Kroll/Dir. of Event Sales	2013-Present	Embassy Suites, LaVista, NE
Cameron Kroll/Development Manager	2010-2013	Managed bartenders and alcohol for special events – Ars Nova, New York, NY
Cameron Kroll/Bartender	2008-2009	Mark't, Meat Packing District, New York, NY
Cameron Kroll/Bartender	2006-2007	Boxers, West Village, New York, NY
Cameron Kroll/Bartender	2002-2004	Applebees, Omaha, NE

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

## STATE OF NEBRASKA AND CONSENT TO INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec 653-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

*Applicant Notification and Record Challenge:* Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 1634.

  
 Signature of Manager Applicant

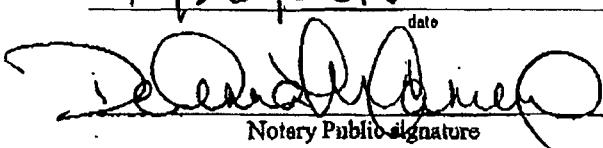
  
 Signature of Spouse

## ACKNOWLEDGEMENT

State of Nebraska  
 County of Douglas The foregoing instrument was acknowledged before me this

10/22/2018  
 date

by Cameron Kroll  
 NAME OF PERSON BEING ACKNOWLEDGED

  
 Notary Public signature

Affix Seal	GENERAL NOTARY - State of Nebraska <b>DEANNA M CAMERO</b> My Comm. Exp. July 20, 2019
------------	---

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS D LIQUOR LICENSE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE 2454, LA VISTA, NEBRASKA.

WHEREAS, Casey's Retail Company dba Casey's General Store 2454, 9542 Giles Road, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class D Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class D Liquor License application submitted by Casey's Retail Company dba Casey's General Store 2454, 9542 Giles Road, La Vista, NE.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** **Pam Buethe, City Clerk**

**FROM:** **Robert S. Lausten, Police Chief**

**DATE:** **November 6, 2018**

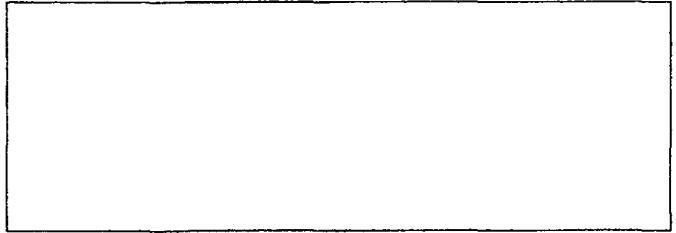
**RE:** **Application for Liquor License Class Change from B to D**

---

The La Vista Police Department has reviewed the application by Casey's and no concerns were identified by the police department. The Manager listed, Tina Krings, has no record.

## APPLICATION FOR LIQUOR LICENSE RETAIL

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



### CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES **CHECK DESIRED CLASS**

RETAIL LICENSE(S) **Application Fee \$400 (nonrefundable)**

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

### **CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert 1 FORM 104)
- Partnership License (requires insert 2 FORM 105)
- Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

### **NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)**

**Commission will call this person with any questions we may have on this application**

Name MIKAEL LAGE, STORE OPERATIONS

Phone number: 515-965-6517

Firm Name CASEY'S RETAIL COMPANY, STORE OPERATIONS-LICENSING

**PREMISES INFORMATION**Trade Name (doing business as) CASEY'S GENERAL STORE #2454Street Address #1 9542 GILES ROAD

Street Address #2 \_\_\_\_\_

City LA VISTACounty SARPY#59Zip Code 68128Premises Telephone number 402-592-6502Business e-mail address mikael.lage@caseys.com

Is this location inside the city/village corporate limits:

 YES xxx NO

Mailing address (where you want to receive mail from the Commission)

Name CASEY'S RETAIL COMPANY, ATTN: MIKAEL LAGEStreet Address #1 PO BOX 3001

Street Address #2 \_\_\_\_\_

City ANKENYState IAZip Code 50021**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED****READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

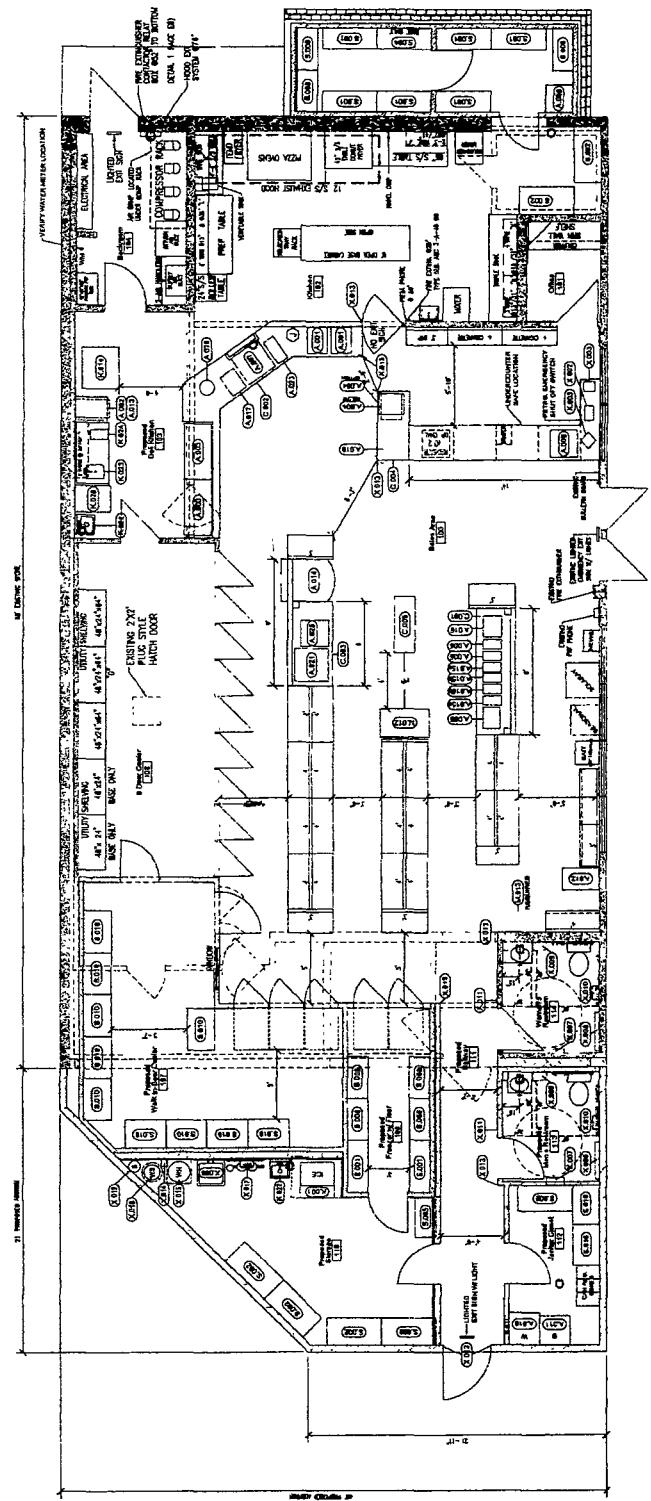
\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 89' x width 40' in feetIs there a basement? Yes        No xxxIf yes, length        x width        in feetIs there an outdoor area? Yes        No xxxIf yes, length        x width        in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

one story building approx 89 x 40

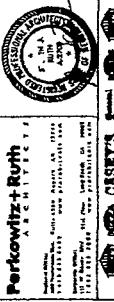
### General Notes



Equipment Plan

## Equipment Schedule

Perkowitz + Ruth  
Kochi



CASEY'S CONSTRUCTION



110

CONSTRUCTION DIVISION  
CHANDLER FAMILY <sup>ESTATE</sup> JAMES & DAWN

## APPLICANT INFORMATION

### 1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. **Include traffic violations.** Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES  NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
PLEASE SEE THE ATTACHED SPREADSHEET				

2. Are you buying the business of a current retail liquor license?

YES  NO

If yes, give name of business and liquor license number \_\_\_\_\_

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

YES  NO

If yes, give name and license number CASEY'S RETAIL COMPANY- B080181

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

Nebraska Liquor Control Commission-  
 Application for Liquor License Checklist-  
 Retail, Applicant Information Question #1

Name of Applicant	Date of Conviction	Where Convicted	Description of Charge	Disposition
William Walljasper	2017	Windsor Heights, Iowa	Speeding Ticket- Camera	Paid
Darryl Bacon	Unknown	Iowa	Two speeding tickets issued in lifetime- both non-alcohol related.	Paid
Douglas Beech	Unknown	Iowa	Two non-alcohol related speeding ticket issued in lifetime.	Paid
Richardt Schappert	Unknown	Iowa	Non-alcohol related speeding tickets issued in lifetime.	Paid
Cindi Summers	Unknown	Iowa	One non-alcohol related speeding tickets issued in lifetime.	Paid
Jay Soupene	Unknown	Unknown	Non-alcohol related speeding tickets issued in lifetime.	Paid
Tina Krings	Unknown	Unknown	One non-alcohol related speeding tickets issued in lifetime.	Paid

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  XXX  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  XXX  NO

If yes, explain. (all involved persons must be disclosed on application)

---

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  XXX  NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  XXX  NO

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

Provide letter of support or opposition, see FORM 134 - church or FORM 135 - campus

---

9. Is anyone listed on this application a law enforcement officer?

YES  XXX  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

---

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

UMB BANK- PO BOX 419226, KANSAS CITY, MO 64141- CASEY'S CORPORATE ACCOUNT DEPARTMENT

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11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

CASEY'S RETAIL COMPANY HOLDS ALCOHOL LICENSES IN THE STATE OF: IL, KS, MN, ND, NE, AND SD. PLEASE SEE THE FULL LIST ATTACHED.

---

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
TINA KRINGS	05/29/2013	RESPONSIBLE HOSPITALITY COUNCIL

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
TINA KRINGS, DISTRICT MANAGER FOR CASEY'S RETAIL COMPANY	09/10/2001-PRESENT	CASEY'S GENERAL STORES, INC, ONE SE CONVENIENCE BLVD, ANKENY, IA 50021

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date \_\_\_\_\_  
 Deed  
 Purchase Agreement

14. When do you intend to open for business? UPGRADE TO CLASS D, LIQUOR LICENSE

15. What will be the main nature of business? CONVENIENCE STORE- GAS STATION

16. What are the anticipated hours of operation? 5A-12P ALL DAYS

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS. APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT CITY & STATE	YEAR FROM _____ TO _____		SPOUSE: CITY & STATE	YEAR FROM _____ TO _____	
PLEASE SEE THE ATTACHED LIST					

If necessary attach a separate sheet.

**CASEY'S RETAIL COMPANY**

**OFFICERS AND SPOUSES**  
ATTACHMENT FOR QUESTION #17

**John C. Soupene, President and Spouse: Amy Beth Soupene**  
2006-2008: US Army, 125 Harvest Loop, Harker Heights, TX 96548  
2008-2011: US Army 1017 NE 24<sup>th</sup> Court, Ankeny, IA 50021  
2011- Present: 3150 NW 82<sup>nd</sup> Avenue, Ankeny, IA 50023

**Richardt T. Schappert, Vice President and Spouse: N/A**  
2003-2015: 1950 Copper Wynd Court, Pleasant Hill, IA 50327  
2015- Present: 2911 – 152<sup>nd</sup> Court, Urbandale, IA 50323

**Darryl F. Bacon, Vice President and Spouse: N/A**  
1996-2016: 1227 Lake Shore Drive, Altoona, IA 50009  
2016- Present: 8717 SE 26<sup>th</sup> Avenue, Runnells, IA 50237

**Cindi W. Summers, Vice President and Spouse: Alan Summers**  
2004-2015: 2306 NW Park Meadows, Ankeny, IA 50023  
2015- Present: 12082 NE 66<sup>th</sup> Street, Bondurant, IA 50035

**Julia L. Jackowski, Secretary and Spouse: Thomas Jackowski**  
1999- Present: 9813 Iltis Drive, Urbandale, IA 50322

**William J. Walljasper, Treasurer and Spouse: Laura Ann Walljasper**  
2004- Present: 2112 SW Woodside Court, Ankeny, IA 50023

**Douglas M. Beech, Assistant Secretary and Spouse: Nanette Beech**  
2007-Present: 729 NE Brook Haven Drive, Ankeny, IA 50021

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Must be signed in the presence of a notary public by applicant(s) and spouse(s) See guideline for required signatures



Signature of Applicant

JULIA L. JACKOWSKI, SECRETARY FOR CASEY'S  
RETAIL COMPANY

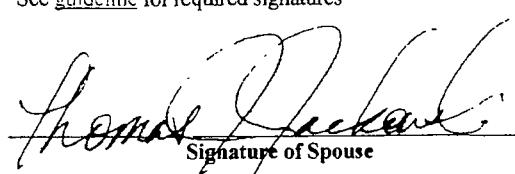
Print Name



Signature of Applicant

RICHARDT T. SCHAPPERT, VICE PRESIDENT FOR  
CASEY'S RETAIL COMPANY

Print Name



Signature of Spouse

THOMAS JACKOWSKI, NON-PARTICIPATING  
SPOUSE OF JULIA JACKOWSKI

Print Name

Signature of Spouse

N/A

Print Name

#### ACKNOWLEDGEMENT

State of IOWA

County of POLK

SEPTEMBER 25TH, 2018

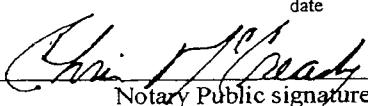
date

by

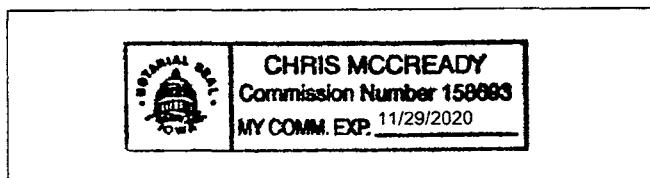
The foregoing instrument was acknowledged before me this

JULIA JACKOWSKI, THOMAS JACKOWSKI, RICHARDT SCHAPPERT

name of person(s) acknowledged (individual(s) signing)



Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities  
A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
CORPORATION  
INSERT - FORM 3a**

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

Office Use

Officers, directors and stockholders holding over 25% shares of stock, including spouses, are required to adhere to the following requirements:

- 1) All officers, directors and stockholders must be listed
- 2) President/CEO and stockholders holding over 25% and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Officers, directors and stockholders holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License Form 100 (even if a spousal affidavit has been submitted)

**Attach copy of Articles of Incorporation**

CT CORPORATION

Name of Registered Agent:

**Name of Corporation that will hold license as listed on the Articles**

CASEY'S RETAIL COMPANY

Corporation Address: PO BOX 3001, ONE SE CONVENIENCE BLVD

City: ANKENY State: IOWA Zip Code: 50021

Corporation Phone Number: 515-965-6517 Fax Number: 515-965-6205

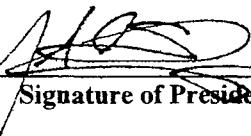
Total Number of Corporation Shares Issued: NONE

**Name and notarized signature of President/CEO (Information of president must be listed on following page)**

Last Name: SOUPENE First Name: JOHN MI: C.

Home Address: 3150 NW 82ND AVENUE City: ANKENY

State: IOWA Zip Code: 50023 Home Phone Number:



Signature of President/CEO JOHN C. SOUPENE, PRESIDENT FOR CASEY'S RETAIL COMPANY

**ACKNOWLEDGEMENT**

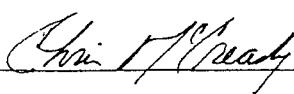
State of IOWA  
County of POLK

The foregoing instrument was acknowledged before me this

SEPTEMBER 25, 2018

by JOHN C. SOUPENE, PRESIDENT FOR CASEY'S RETAIL COMPANY

Date



name of person acknowledge

Affix Seal	CHRIS MCCREADY Commission Number 158693 MY COMM. EXP. 11-29-2020	
------------	--	--

List names of all officers, directors and stockholders including spouses (even if a spousal affidavit has been submitted)

Last Name: SOUPENE First Name: JOHN MI: C.

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: PRESIDENT Number of Shares 0

Spouse Full Name (indicate N/A if single): AMY BETH SOUPENE, NON PARTICIPATING SPOUSE

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: SCHAPPERT First Name: RICHARDT MI: T.

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: VICE-PRESIDENT Number of Shares 0

Spouse Full Name (indicate N/A if single): N/A

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: BACON First Name: DARRYL MI: F.

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: VICE-PRESIDENT Number of Shares 0

Spouse Full Name (indicate N/A if single): N/A

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

---

Last Name: SUMMERS First Name: CINDI MI: W.

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: VICE-PRESIDENT Number of Shares 0

Spouse Full Name (indicate N/A if single): ALAN SUMMERS, NON PARTICIPATING SPOUSE

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: JACKOWSKI First Name: JULIA MI: L.

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: SECRETARY Number of Shares 0

Spouse Full Name (indicate N/A if single): THOMAS JAMES JACKOWSKI, NON PARTICIPATING SPOUSE

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Last Name: BEECH First Name: DOUGLAS MI: M

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: ASST. SECRETARY Number of Shares 0

Spouse Full Name (indicate N/A if single): NANETTE JOELL BEECH, NON PARTICIPATING SPOUSE

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Last Name: WALLJASPER First Name: WILLIAM MI: J.

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: TREASURER Number of Shares 0

Spouse Full Name (indicate N/A if single): LAURA ANN WALLJASPER, NON PARTICIPATING SPOUSE

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Title: \_\_\_\_\_ Number of Shares \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Is the applying corporation controlled by another corporation/company?

YES

NO

If yes, complete controlling corporation insert form 185

Indicate the Corporation's tax year with the IRS (Example January through December)

Starting Date: MAY 1

Ending Date: APRIL 30

### Is this a Non-Profit Corporation?

YES

NO

If yes, provide the Federal ID #

**MANAGER APPLICATION  
INSERT - FORM 3c**

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

Office Use

**MUST BE:**

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

**Corporation/LLC information**

Name of Corporation/LLC: CASEY'S RETAIL COMPANY

**Premises information**

Liquor License Number: 080181 Class Type B (if new application leave blank)

Premises Trade Name/DBA: CASEY'S GENERAL STORE #2454

Premises Street Address: 9542 GILES RD

City: LA VISTA County: SARP Zip Code: 68128

Premises Phone Number: 402-592-6502

Premises Email address: mikael.lage@caseys.com

**The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).**

  
JULIA L. JACKOWSKI, SECRETARY FOR CASEY'S RETAIL COMPANY  
**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**  
(Faxed signatures are acceptable)

**Manager's information must be completed below PLEASE PRINT CLEARLY**

Last Name: KRINGS First Name: TINA MI: M

Home Address: 1212 BLUE STEM CIRCLE

City: NORFOLK County: MADISON Zip Code: 68701

Home Phone Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

Email address: tina.krings@caseys.com \_\_\_\_\_

**Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)**

YES

NO

**Spouse's information**

Spouses Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**

**APPLICANT** \_\_\_\_\_ **SPOUSE** \_\_\_\_\_

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
NORFOLK, NE	1967	CURRENT			

## MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
9/01	CURRENT	CASEY'S GENERAL STORES	JAN KONRAD	515-965-6517
01-98	08/01	ARNOLD ENGINEERING	PLANT CLOSED	NA

### 1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES       NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
PLEASE SEE THE ATTACHED				

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES       NO

**IF YES**, list the name of the premise(s):

CASEY'S GENERAL STORES - MULTIPLE NEBRASKA STORES- PLEASE SEE LIST

3. Do you, as a manager, qualify under Nebraska Liquor Control Act §53-131.01) and do you intend to supervise, in person, the management of the business?

YES       NO

Store	Store Name	PermitNo.	Manager	Store	Store Name	PermitNo.	Manager	Store	Store Name	PermitNo.	Manager
0065	BEATRICE #2	B10710	Tina Krings	2712	SUPERIOR	D110716	Tina Krings	3085	AURORA #2	D107248	Tina Krings
1160	PLAINVIEW	D54892	Tina Krings	2714	WAVERLY #2	D107245	Tina Krings	3089	COLUMBUS #5	B98247	Tina Krings
1173	HARTINGTON	B26281	Tina Krings	2716	SCHUYLER #2	B71286	Tina Krings	3206	VALLEY #2	D101668	Tina Krings
1177	COLUMBUS #1	B12765	Tina Krings	2717	KEARNEY #4	B71401	Tina Krings	3270	PIERCE	D105091	Tina Krings
1181	WEST POINT #1	D122135	Tina Krings	2718	WILBER	071354	Tina Krings	3298	KEARNEY #6	D106697	Tina Krings
1181	WEST POINT #1	D122135	Tina Krings	2719	HASTINGS #2	B71290	Tina Krings	3334	OMAHA #5	D109282	Tina Krings
1182	PLATTSMOUTH #1	B12781	Tina Krings	2720	LINCOLN #6	B71213	Tina Krings	3344	BLAIR #2	D108538	Tina Krings
1193	FAIRBURY	B67355	Tina Krings	2721	LINCOLN #7	D107246	Tina Krings	3444	OMAHA #6	D112148	Tina Krings
1565	WYMORE	B20970	Tina Krings	2722	S SIOUX CITY	B71356	Tina Krings	3465	GIBBON	D115424	Tina Krings
1575	CRETE #1	B76412	Tina Krings	2724	LINCOLN #9	B71351	Tina Krings	3515	LINCOLN #30	D118837	Tina Krings
1576	HEBRON	B20969	Tina Krings	2725	EAGLE #1	B71405	Tina Krings	3526	ST PAUL	D119770	Tina Krings
1579	PAWNEE CITY	B20974	Tina Krings	2729	LINCOLN #11	B71288	Tina Krings	3529	PLATTSMOUTH #2	D119777	Tina Krings
1583	RED CLOUD	B24068	Tina Krings	2730	SEWARD #2	B72991	Tina Krings	3577	OGALLALA	D121550	Tina Krings
1595	FRANKLIN	B22070	Tina Krings	2732	GRAND ISLAND #4	B71404	Tina Krings				
1600	PERU	B21008	Tina Krings	2733	STROMSBURG	D107247	Tina Krings				
1603	EXETER	D111579	Tina Krings	2734	COZAD	D110717	Tina Krings				
1606	HOLDREGE #1	B26282	Tina Krings	2735	SYRACUSE	D121563	Tina Krings				
1622	MILFORD	D111580	Tina Krings	2736	ASHLAND	B71284	Tina Krings				
1690	YORK #1	D107241	Tina Krings	2737	GRAND ISLAND #5	B76265	Tina Krings				
1717	GENEVA	B54883	Tina Krings	2738	WAYNE	B071353	Tina Krings				
1737	FREMONT #1	B27721	Tina Krings	2740	OSCEOLA	B71378	Tina Krings				
1743	ORD	B67351	Tina Krings	2742	GRAND ISLAND #6	B71396	Tina Krings				
1744	BEATRICE #3	B29127	Tina Krings	2743	PALMYRA	D111581	Tina Krings				
1752	AUBURN	B28763	Tina Krings	2744	LINCOLN #12	B82398	Tina Krings				
1768	GRAND ISLAND #1	B29484	Tina Krings	2745	LINCOLN #13	B71289	Tina Krings				
1780	HASTINGS #1	B30540	Tina Krings	2750	TECUMSEH #2	028747	Tina Krings				
1784	BEATRICE #4	B29126	Tina Krings	2752	HASTINGS #3	B77726	Tina Krings				
1790	FALLS CITY	B67356	Tina Krings	2853	SPRINGFIELD	D86826	Tina Krings				
1800	HOLDREGE #2	B31240	Tina Krings	2881	COLUMBUS #4	B111570	Tina Krings				
1801	MINDEN	B67357	Tina Krings	2882	GRAND ISLAND #7	B86850	Tina Krings				
1804	CENTRAL CITY #1	B31470	Tina Krings	2883	GRAND ISLAND #8	B86849	Tina Krings				
1812	BLAIR #1	B32442	Tina Krings	2884	KEARNEY #5	B86848	Tina Krings				
1817	NEBRASKA CITY	B31425	Tina Krings	2885	NORFOLK #3	B86847	Tina Krings				
1934	LINCOLN #1	B36334	Tina Krings	2886	OMAHA #1	D121858	Tina Krings				
1954	MCCOOK #1	B36976	Tina Krings	2886	OMAHA #1	B86846	Tina Krings				
1965	COLUMBUS #3	B12766	Tina Krings	2903	GRAND ISLAND #9	B86905	Tina Krings				
2015	YORK #2	D107242	Tina Krings	2966	BELLEVUE	D92584	Tina Krings				
2090	FREMONT #2	D107243	Tina Krings	2967	BENNET	D92583	Tina Krings				
2238	ARLINGTON	B67349	Tina Krings	2968	EAGLE #2	D92856	Tina Krings				
2291	MCCOOK #2	D50367	Tina Krings	2969	FAIRMONT	D92585	Tina Krings				
2370	NORFOLK #1	B52345	Tina Krings	2970	LINCOLN #16	D92578	Tina Krings				
2414	STANTON #2	B012610	Tina Krings	2973	LINCOLN #19	D92587	Tina Krings				
2441	PAPILLION	B55223	Tina Krings	2977	LINCOLN #23	D92581	Tina Krings				
2454	LA VISTA	B80181	Tina Krings	2978	LINCOLN #24	D92572	Tina Krings				
2675	NORTH BEND	B78600	Tina Krings	2979	LINCOLN #25	D92571	Tina Krings				
2700	WAHOO	107244	Tina Krings	2980	LINCOLN #26	D92573	Tina Krings				
2702	BEATRICE #5	B71285	Tina Krings	2981	LINCOLN #27	D92574	Tina Krings				
2707	GRAND ISLAND #2	B76264	Tina Krings	2982	LINCOLN #28	D92576	Tina Krings				
2709	CAMBRIDGE	B71399	Tina Krings	2983	LINCOLN #29	D92575	Tina Krings				
2710	NORFOLK #2	B71397	Tina Krings	2984	MCCOOK #3	B92580	Tina Krings				
2711	KEARNEY #3	B76263	Tina Krings	2985	OMAHA #2	D92579	Tina Krings				

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
TINA KRINGS	04/14/16-04/14/2019	RESPONSIBLE HOSPITALITY COUNCIL MANAGEMENT TRAINING

\*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

## **PERSONAL OATH AND CONSENT OF INVESTIGATION**

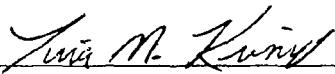
The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

---

  
Signature of Manager Applicant

---

Signature of Spouse

### ACKNOWLEDGEMENT

State of IOWA

County of POLK

The foregoing instrument was acknowledged before me this

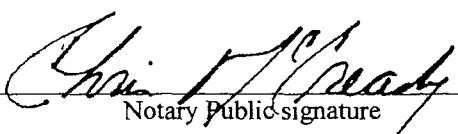
SEPTEMBER 25, 2018

TINA M. KRINGS

by

date

NAME OF PERSON BEING ACKNOWLEDGED

  
Notary Public signature

Affix Seal



CHRIS MCCREADY  
Commission Number 158603  
MY COMM. EXP. 11/29/2020

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

# **CERTIFICATE OF COMPLETION RESPONSIBLE HOSPITALITY COUNCIL MANAGEMENT TRAINING**

This certificate is awarded to

**Tina Krings**

For completing the Hospitality Insighter Training and Lincoln Server/Seller Permit  
May 29, 2013

**RESPONSIBLE HOSPITALITY COUNCIL**

Signature

Signature

5-9-13

Date

5/9/13

Date



RESPONSIBLE HOSPITALITY COUNCIL

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION OF RH Restaurants, LLC DBA OZZY'S ROADHOUSE, LA VISTA, NEBRASKA.

WHEREAS, RH Restaurants, LLC dba Ozzy's Roadhouse, 12744 Westport Parkway Suite 1A, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by RH Restaurants, LLC dba Ozzy's Roadhouse, 12744 Westport Parkway Suite 1A, La Vista, NE.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** Pam Buethe, City Clerk

**FROM:** Chief Robert S. Lausten

**DATE:** November 6, 2018

**RE:** LOCAL BACKGROUND- LIQUOR LICENSE- MANAGER  
OZZY'S ROADHOUSE

**CC:**

---

The police department conducted a check of computerized records for criminal conduct regarding the applicant for the Liquor License and Manager application. Scott Miller disclosed the following on the State application:

10/91 – DUI  
02/06 – Suspended  
09/05 – DUI  
02/06 – Suspended  
06/11 – DUI

The State application includes documentation regarding the above where Miller was ordered to Show Cause to the Liquor Commission in 2015 regarding his application regarding Old Chicago. The Liquor Commission reviewed and granted the application.

As with all Nebraska Retail Liquor Licenses, I am asking that the applicant strictly conform to Nebraska Liquor Control Commission rules and regulations under (Sec 53-131.01) Nebraska Liquor Control Act.

## APPLICATION FOR LIQUOR LICENSE RETAIL

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

RECEIVED	01/01/2017
NEBRASKA LIQUOR CONTROLLER	

### CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES CHECK DESIRED CLASS

#### RETAIL LICENSE(S)

Application Fee \$400 (nonrefundable)

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

### CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert 1 FORM 104)
- Partnership License (requires insert 2 FORM 105)
- Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

### NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable) Commission will call this person with any questions we may have on this application

Name \_\_\_\_\_

Phone number: \_\_\_\_\_

Firm Name \_\_\_\_\_

**PREMISES INFORMATION**Trade Name (doing business as) Ozzy's RoadhouseStreet Address #1 12744 Westport Pkwy Suite 1A

Street Address #2 \_\_\_\_\_

City La VistaCounty Sarpy#59Zip Code 68138Premises Telephone number 402-848-8764Business e-mail address scottmiller@ozzyroadhouse.comIs this location inside the city/village corporate limits:  YES  NO

Mailing address (where you want to receive mail from the Commission) \_\_\_\_\_

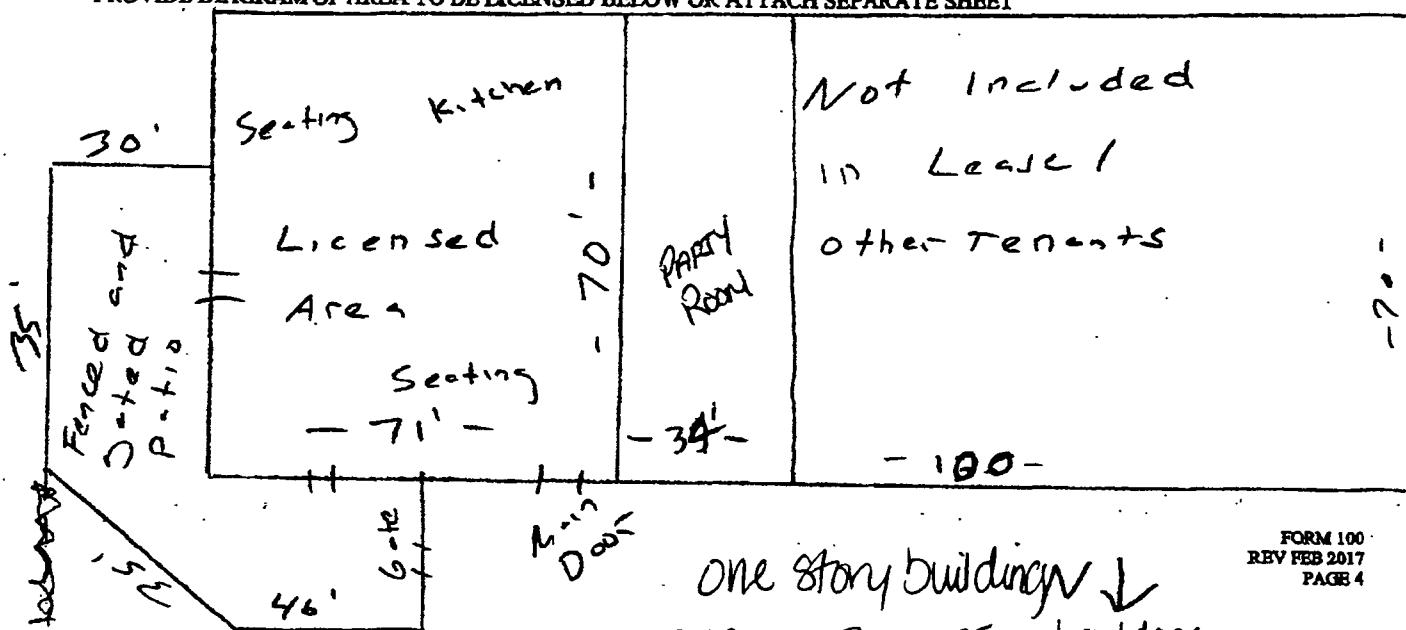
Name Ozzy's roadhouseStreet Address #1 12744 Westport Pkwy Suite 1A

Street Address #2 \_\_\_\_\_

City La VistaState NEZip Code 68138**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED****READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 70' x width 105' in feetIs there a basement? Yes        No XXIf yes, length        x width        in feetIs there an outdoor area? Yes XX No       If yes, length 36' x width 46' in feet**PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET**

## APPLICANT INFORMATION

### 1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES  NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted ( city & state)	Description of Charge	Disposition
Scott Miller			See Attached	See Attached

### 2. Are you buying the business of a current retail liquor license?

YES  NO

If yes, give name of business and liquor license number \_\_\_\_\_

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

### 3. Was this premise licensed as liquor licensed business within the last two (2) years?

YES  NO

181753

If yes, give name and license number Playmakers Entertainment Group LLC

### 4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.



**Pete Ricketts**  
Governor

## STATE OF NEBRASKA

### NEBRASKA LIQUOR CONTROL COMMISSION

**Robert B. Rupe**  
Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814 or (402) 471-2374

TRS USER 800 833-7352 (TTY)

web address <http://www.lcc.ne.gov/>

December 29, 2015

Wadsworth Old Chicago Inc.  
"Old Chicago"  
7506 Olson Drive  
Papillion NE 68046

Re: #IK-075997

Dear Applicant/Licensee:

You are hereby notified that an Order to Show Cause has been issued to show cause whether the manager application of Scott J. Miller should not be denied due to the character and reputation. i.e. Applicant disclosed the following:

- 10/91 - DUI
- 02/06 – Suspended
- 09/05 – Exhibition Driving
- 12/05 - DUI
- 02/06 – Suspended
- 06/11 - DUI

You are further notified that said hearing will be held before the Nebraska Liquor Control Commission at its offices on the 5<sup>th</sup> floor of the State Office Building, located at 301 Centennial Mall South, Lincoln, Nebraska, on **Wednesday, February 9, 2016, at 10:00 A.M.**, or as soon thereafter as it may be heard.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

A handwritten signature in black ink that reads "Jacqueline Rodriguez".

Jacqueline Rodriguez  
Legal Division

c: file  
Wadsworth Old Chicago Inc.

**Janice M. Wiebusch**  
Commissioner

**Robert Batt**  
Chairman

**Bruce Bailey**  
Commissioner

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO  
If yes, explain. (all involved persons must be disclosed on application)

---

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

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

Provide letter of support or opposition, see FORM 134 – church or FORM 135 - campus

---

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

---

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

**First National Bank of Omaha - Scott J Miller**

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11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

N/A

---

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
SCOTT MILLER	11/5/14	SERVE SAFE MGR COURSE
SCOTT MILLER	10/18/18	RBST STATE ALCOHOL CERTIFICATE
SCOTT MILLER	10/18/18	SERVE SAFE ALCOHOL COURSE

List of NLCC certified

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
SCOTT MILLER GM	6/14 - 2/17	OLD CHICAGO PAPILLION NE.

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date 09/30/2023

Deed

Purchase Agreement

14. When do you intend to open for business? November 15th

15. What will be the main nature of business? Full Service bar and restaurant

16. What are the anticipated hours of operation? 11 AM - 11 PM

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR FROM TO		SPOUSE: CITY & STATE	YEAR FROM TO	
106 S. 55TH ST OMAHA NE	10/07	3/09			
1541 N. 120TH #12 OMAHA NE 68154	3/09	3/12			
13015 TAYLOR CIR OMAHA NE 68164	3/12	6/18			
1501 BUTLER ST. BLAIR, NE 68008	6/18	—			

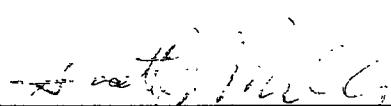
If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

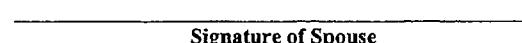
Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures



Signature of Applicant

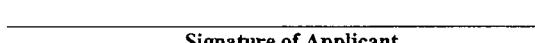


Signature of Spouse

Scott Miller

Print Name

Print Name



Print Name

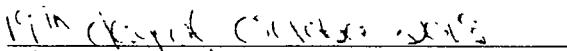
Print Name

#### ACKNOWLEDGEMENT

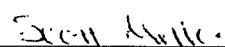
State of Nebraska

County of Lincoln

The foregoing instrument was acknowledged before me this

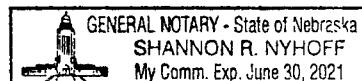


date



name of person(s) acknowledged (individual(s) signing)

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities  
A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b**

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

Office Use

RECEIVED

7-20-2015

NEBRASKA LIQUOR

CONTROL COMMISSION

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: Wayne Rasmussen

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

RH Restaurants LLC

10267828

LLC Address: 8712 West Dodge Road Suite 400

City: OMAHA State: NE Zip Code: 68114

LLC Phone Number: 402-819-3654 LLC Fax Number: \_\_\_\_\_

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Miller First Name: Scott MI: J

Home Address: 1501 Butler St City: Blair

State: NE Zip Code: 68008 Cell: \_\_\_\_\_  
Home Phone Number: \_\_\_\_\_

  
Signature of Managing/Contact Member

**ACKNOWLEDGEMENT**

State of Nebraska

County of Lincoln The foregoing instrument was acknowledged before me this

19th day of October 2015

by Scott Miller

name of person acknowledge

Affix Seal

GENERAL NOTARY - State of Nebraska  
SHANNON R. NYHOFF  
My Comm. Exp. June 30, 2021

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: SKL Group LLC (See attached) First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 95%

---

Last Name: Chester First Name: Aaron MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): N/A

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 5%

---

Last Name: Miller First Name: Scott MI: J

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): N/A

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 0%

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Is the applying Limited Liability Company controlled by another corporation/company?

YES       NO

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

---

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: **January 1st**      Ending Date: **December 31**

---

Is this a Non Profit Corporation?

YES       NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities  
A ten day advance period is requested in writing to produce the alternate format.

APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b

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

Office Use

RECEIVED

NEBRASKA LIQUOR  
CONTROL COMMISSION

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: Legalinc Corporate Services Inc.

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

SKL Group LLC

LLC Address: 5520 Springwick Ct

City: Powell State: OH Zip Code: 43065

LLC Phone Number: 614-726-1512 LLC Fax Number: \_\_\_\_\_

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Vedireswarapu First Name: Soma MI: \_\_\_\_\_

Home Address: 2526 N 109th Ter #112 City: Omaha

State: NE Zip Code: 68164 Home Phone Number: \_\_\_\_\_

S. Somasekhar

Signature of Managing/Contact Member

ACKNOWLEDGEMENT

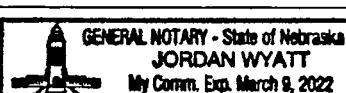
State of Nebraska  
County of Douglas The foregoing instrument was acknowledged before me this

10-18-18

Date

by Jordan Wyatt name of person acknowledge

Affix Seal



List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Kuruvella First Name: Keerthana MI:

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): Sandeep Pothuganti

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 20

---

Last Name: Vedireswarapu First Name: Soma MI: S

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): Vijaya S Bolloju

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership 80

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Is the applying Limited Liability Company controlled by another corporation/company?

YES       NO

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

---

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: January 1st      Ending Date: December 31

---

Is this a Non Profit Corporation?

YES       NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format.

**MANAGER APPLICATION  
INSERT - FORM 3c**

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

Office Use

RECEIVED  
JUL 13 2018  
NEBRASKA LIQUOR  
COMMISSION - LINCOLN

**FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE  
PROCESSED**

**MANAGER MUST:**

- Complete all sections of the application. Be sure it is signed by a member or corporate officer, corporate officer or member must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application

Spouse who will not participate in the business, spouse must:

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. Be sure to complete both halves of this form.
- Need not answer question #1 of the application

Spouse who will participate in the business, the spouse must:

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required

BARCODE

**MANAGER APPLICATION  
INSERT - FORM 3c**

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

Office Use	RECEIVED
JULY 13 2018	
NEBRASKA LIQUOR CONTROL COMMISSION	

**MUST BE:**

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

---

**Corporation/LLC information**

Name of Corporation/LLC: RH Restaurants LLC

---

**Premise information**

Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_ (if new application leave blank)

Premise Trade Name/DBA: Ozzy's Roadhouse

Premise Street Address: 12744 Westport Pkwy Suite 1A

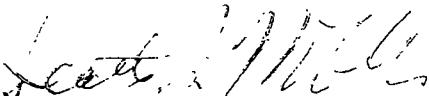
City: La Vista County: Sarpy Zip Code: 68138

Premise Phone Number: (402) 819-8764

Premise Email address: scottmiller@ozzysroadhouse.com

---

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information here.

  
**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**  
(Faxed signatures are acceptable)

**Manager's information must be completed below PLEASE PRINT CLEARLY**

Last Name: Miller First Name: Scott MI: J

Home Address: 1501 Butler St

City: Blair County: Washington Zip Code: 68008

Home Phone Number: \_\_\_\_\_

Driver's License Number & State: Nebraska

Social Security Number: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

Email address: scottmiller@ozzysroadhouse.com

**Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)**

YES

NO

**Spouse's information**

Spouses Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**

**APPLICANT**

**SPOUSE**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO

### MANAGER'S LAST TWO EMPLOYERS

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1998	2014	CRACKER BARNER OCS	DAVID MATHER	402-680-2241
2014	2017	OLD CHICAGO	SCOTT PARME	303-570-4218

#### 1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES

NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Scott Mather			SEE ATTACHED	SEE ATTACHED

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES       NO

IF YES, list the name of the premise(s):

---

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES       NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Scott Miner	11/15/14	SERVE SAFE MGR COURSE
Scott Miner	10/18/18	RBST STATE ALCOHOL CERTIFICATE
Scott Miner	10/18/18	SERVE SAFE ALCOHOL

\*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Scott Miner	8/14 - 2/17	OLD CHICAGO PAPILLON NE.

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

## PERSONAL OATH AND CONSENT OF PARTICIPATION

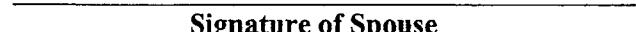
The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

  
Signature of Manager Applicant

  
Signature of Spouse

### ACKNOWLEDGEMENT

State of Nebraska

County of Lincoln The foregoing instrument was acknowledged before me this

19th day of October 2021 by Shannon Nyhoff  
date

NAME OF PERSON BEING ACKNOWLEDGED

  
Notary Public signature

Affix Seal	GENERAL NOTARY - State of Nebraska SHANNON R. NYHOFF My Comm. Exp. June 30, 2021
------------	--

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 20, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CHANGE ORDER No. 1 84 <sup>TH</sup> STREET REDEVELOPMENT AREA PUBLIC IMPROVEMENT REDEV. PROJECT 84 <sup>TH</sup> STREET ACCESS IMPROVEMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to approve a change order to the contract with Swain Construction, Inc. of Omaha, Nebraska to provide for material and labor increases due to the delay of a portion of the contract to 2019 not caused by the Contractor and for signal foundation design work that was required during shop drawing reviews. The contract price increases from \$529,953.11 to \$540,336.11.

**FISCAL IMPACT**

The FY 19/20 biennial budget includes funding for this project.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The initial contract was awarded to Swain Construction, Inc. on May 15, 2018 in the amount of \$529,953.11. Due to the City Centre Drive intersection relocation being delayed until spring of 2019 from fall of 2018 for reasons not caused by Swain Construction, Inc., there are material and labor cost increases. There was also a requirement for their electrical subcontractor to provide traffic signal foundation designs during shop drawing review which was not part of the original bid requirements. These changes amount to an addition of \$10,383.00. The change order also modifies the completion date for Phases 2 and 3 related to the City Centre Drive relocation to June 9, 2019 for substantial completion and June 24, 2019 for final completion.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH SWAIN CONSTRUCTION, INC., OMAHA, NEBRASKA, TO PROVIDE FOR MATERIAL AND LABOR INCREASES DUE TO THE DELAY FOR A PORTION OF THE CONTRACT TO 2019 AND ADDITIONS OF WORK TO THE CONTRACT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$10,383.00.

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

WHEREAS, the FY19/20 Biennial Budget provides funding for the project. The contract price increases from \$529,953.11 to \$540,336.11

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 1 to the contract with Swain Construction Inc., Omaha, Nebraska, to provide for material and labor increases due to the delay for a portion of the contract to 2019 and additions of work to the contract for an additional amount not to exceed \$10,383.00.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

Date of Issuance: November 12, 2018

Effective Date: November 12, 2018

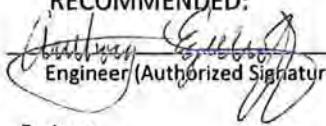
Project: La Vista City Centre 84 <sup>th</sup> Street Access Improvements	Owner: City of La Vista	Owner's Contract No.: CD-17-008
Contract: 84 <sup>th</sup> Street Access Improvements		Date of Contract: 06/05/18
Contractor: Swain Construction		Engineer's Project No.: B16-0546

The Contract Documents are modified as follows upon execution of this Change Order:

Description: **Modification #1** – Add to the contract schedule the change in SUBSTANTIAL AND FINAL COMPLETION for phases 2, and 3.**Modification #2** – Cost implications associated with the delay of Phases 2 and 3 until Spring of 2019.

Attachments: (List documents supporting change); See attached Change Proposal Request

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price:  \$ 529,953.11	Original Contract Times: Substantial Completion (Phase 1, 2 & 3): <u>October 15, 2018</u> Ready for Final Payment (Phase 1, 2 & 3): <u>October 30, 2018</u>
No Change from previously approved Change Orders No. ___ to No. ___:  \$	No Change from previously approved Change Orders No. Substantial Completion (Phase 1, 2 & 3): <u>October 15, 2018</u> Ready for Final Payment (Phase 1, 2 & 3): <u>October 30, 2018</u>
Contract Price prior to this Change Order:  \$ 529,953.11	Contract Times prior to this Change Order: Substantial Completion (Phase 1, 2 & 3): <u>October 15, 2018</u> Ready for Final Payment (Phase 1, 2 & 3): <u>October 30, 2018</u>
Increase Change of this Change Order:  \$ 10,383.00	Increase of this Change Order: Substantial Completion Phase 1: <u>November 2, 2018</u> Ready for Final Payment Phase 1: <u>November 15, 2018</u> Substantial Completion Phase 2 & 3: <u>June 9, 2019</u> Ready for Final Payment Phase 2 & 3: <u>June 24, 2019</u>
Contract Price incorporating this Change Order:  \$ 540,336.11	Contract Times with all approved Change Orders: Substantial Completion Phase 1: <u>November 2, 2018</u> Ready for Final Payment Phase 1: <u>November 15, 2018</u> Substantial Completion Phase 2 & 3: <u>June 9, 2019</u> Ready for Final Payment Phase 2 & 3: <u>June 24, 2019</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By:  Engineer (Authorized Signature)	By: _____ Contractor (Authorized Signature)	By: _____ Owner (Authorized Signature)
Title: Engineer	Title: _____	Title: _____
Date: 11/12/18	Date: _____	Date: _____



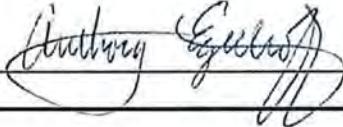
## CHANGE PROPOSAL REQUEST

Project Name: LVCC – 84<sup>th</sup> Street Redevelopment Date: 9/17/18

Contractor: Swain Reply By: \_\_\_\_\_

Question: (Attach Sketches if Required)

1. Requesting cost implications associated with the delay of Phases 2&3 till spring of 2019.

By:  Date: 9/17/18

Reply: \_\_\_\_\_

1. I have revised the completion dates on page 2 to reflect the calendar days allowed by our Contract documents.
2. We hereby request and additional \$5,700.00 for additional Swain related labor and concrete increases in 2019.
3. We hereby request an additional \$2,141.00 for additional Commonwealth Electric related labor increases in 2019.
4. We hereby request an additional \$1,270.00 for additional Todco Barricade related labor increases in 2019.
5. ~~We hereby request and additional \$9,280.00 for the added battery backup for the traffic signals~~
6. We hereby request an additional \$1,272.00 for the required traffic signal foundation designs.
7. Stored materials payment will be requested for traffic signal items with no retainage withheld.

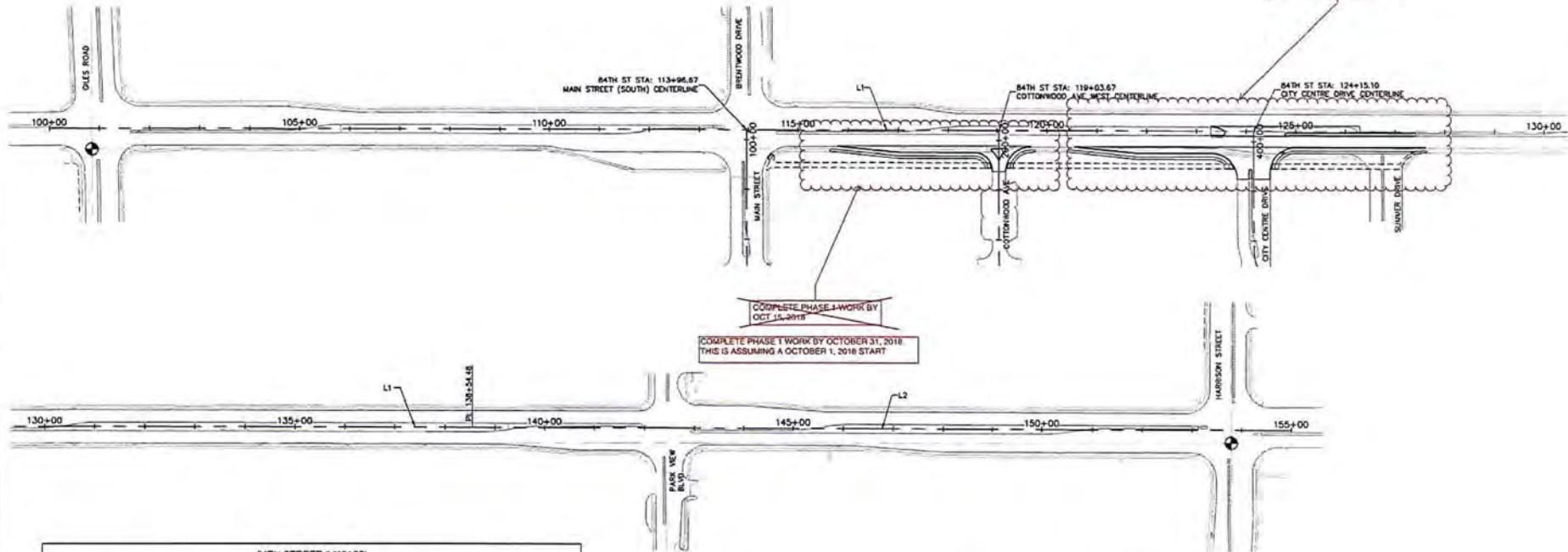
By:  Date: 9/19/18

CC: RPR, File

# 84TH STREET

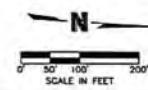
DELAY PHASES 2 & 3 TILL APRIL 1, 2019 WITH COMPLETION BY JUNE 9, 2019 PENDING WEATHER PERMITTING ON APRIL 1, 2019

DELAY PHASES 2 & 3 TILL APRIL 1, 2019 WITH COMPLETION BY MAY 20, 2019



## SYMBOL LEGEND

● SECTION CORNER



0° 30° 60° 90° 120° 150° 180° 210° 240° 270° 300° 330°

CITY OF LA VISTA  
PUBLIC WORKS DEPARTMENT

OLSSON  
ASSOCIATES

## HORIZONTAL CONTROL

CD-17-008

SHEET 5



**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 20, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
REQUEST FOR PROPOSALS — BRANDING & MARKETING SERVICES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared authorizing the issuance of a Request for Proposals for Branding and Marketing Services.

**FISCAL IMPACT**

The FY19 & FY20 Biennial Budget provides funding for the recommended professional services.

**RECOMMENDATION**

Approval.

**BACKGROUND**

As discussed during the February 24, 2018 City Council work session and at the June 5, 2018 City Council meeting, La Vista has a reputation for being a progressive, safe and family friendly community, but has no cohesive brand image to convey a common message or to connect the many community assets, services and overall attractiveness of the community for businesses, residents and visitors. The City has timely and immediate opportunities to identify and promote what makes La Vista distinct in a regionally competitive market for investors, businesses, retailers, young professionals, visitors and residents.

Proposals are being solicited to assist the City in developing a brand and to provide brand execution and ongoing marketing and public relations services as identified in Scope of Services included in the RFP attached for your review.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR BRANDING AND MARKETING SERVICES.

WHEREAS, the City Council of the City of La Vista has determined that branding and marketing services are necessary; and

WHEREAS, the FY19 and FY20 Biennial Budget provides funding for professional services; and

WHEREAS, proposals will be due December 21, 2018 with the approval of selected firm by the City Council on February 5, 2019, subject to the discretion of the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the issuance of a Request for Proposals for Branding and marketing Services.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

City of La Vista, Nebraska



## Request for Proposals

# Marketing & Branding Services

**ISSUE DATE:**

**November 20, 2018**

**SUBMISSIONS DUE:**

**December 21, 2018 – 10:00 a.m. CST**

\*Late Proposals Will Be Rejected

**FINALIST PRESENTATIONS:**

**January 14 – 18, 2019**

**REPLY TO:**

Pamela A. Buethe  
City Clerk  
8116 Park View Blvd.  
La Vista, NE 68128  
[pbuethe@cityoflavista.org](mailto:pbuethe@cityoflavista.org)  
402.331.4343

## **INSERT STANDARD NOTICE**

## **REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES**

### **1. PURPOSE**

The City of La Vista (the “City”) is issuing this Request for Proposals (this “RFP”) seeking proposals (“Proposals”) from qualified, licensed firms (“Vendors”) capable of providing creative and technical services to (i) assist the City in developing a brand and (ii) to provide brand execution and ongoing marketing and public relations services (“Services”) as more particularly described in the Scope of Work.

La Vista has a reputation for being a progressive, safe, and family friendly community, but has no cohesive brand image to convey a common message or to connect the many community assets, services and overall attractiveness of the community for business, residents, and visitors. The City has timely and immediate opportunities to identify and promote what makes La Vista distinct in a regionally competitive market for investors, businesses, retailers, young professionals, visitors and residents.

### **2. BACKGROUND**

As one of the fastest growing cities in the State of Nebraska, La Vista is the gateway to the Omaha metro area, enjoying a wide market of over 900,000 potential residents, visitors and/or employees. Incorporated in 1960, La Vista is a relatively young and progressive city situated in the southwest part of the metropolitan area contiguous to the cities of Bellevue, Ralston, Papillion and Omaha.

Strategically located only minutes from Offutt Air Force Base, Eppley Airfield and the interstate system, La Vista has grown quickly to a community of over 18,000. “La Vista” is Spanish for “The View,” which described the scenic panorama of the Big Papio Creek Basin that was enjoyed by the City’s first residents.

Several of the most significant employers in Sarpy County are located in La Vista. These include PayPal, Securities America, Streck Laboratories, Inc., Rotella’s Bakery, Embassy Suites/La Vista Conference Center, Cabela’s, Costco, Oath (Yahoo!), Educational Services Unit #3, Oriental Trading Company and Claas Omaha.

La Vista has a reputation for providing high quality municipal programs and services, and promoting community engagement. The City embraces a progressive plan for future growth, and is able to attract and retain diverse businesses and highly skilled residents because of its solid infrastructure and convenient location. The City has aggressively pursued high caliber development opportunities that have both strengthened the local economy and put La Vista on the map. Currently underway is a bold redevelopment plan, “Corridor 84”, which is in the early stages of implementation. This effort will create a vibrant, mixed-use, town center (*La Vista City Centre*) and transition the City’s former golf course into a 34-acre park that abuts the redevelopment area.

### **3. INSTRUCTIONS TO PROPOSERS:**

#### **3.1 Examination of Proposal Documents**

The submission of a proposal shall be deemed a representation and certification by the Proposer that they:

- 3.1.1** Have carefully read and fully understand the information that was provided by the City to serve as the basis for submission of this proposal.
- 3.1.2** Have the capability to successfully undertake and complete the responsibilities and obligations of the proposal being submitted.
- 3.1.3** Represent that all information contained in the proposal is true and correct.
- 3.1.4** Did not, in any way, collude, conspire to agree, directly or indirectly, with any person, firm, corporation or other Proposer in regard to the amount, terms or conditions of this proposal.
- 3.1.5** Acknowledge that the City has the right to make any inquiry it deems appropriate to substantiate or supplement information supplied by Proposer, and Proposer hereby grants the City permission to make these inquiries, and to provide any and all related documentation in a timely manner.

No request for modification of the proposal shall be considered after its submission on grounds that Proposer was not fully informed of any fact or condition.

#### **3.2 Questions**

Any questions by the Proposer regarding the RFP or the project must be put in writing and received by the City not later than 10:00 A.M. on December 14, 2018.

All correspondence should be addressed to:

Pamela A. Buethe, City Clerk  
La Vista City Hall  
8116 Parkview Blvd.  
La Vista, NE 68128  
(402) 331.4343 (phone)  
(402) 331.4375 (fax)  
[pbuethe@cityoflavista.org](mailto:pbuethe@cityoflavista.org)

The City shall not be responsible for, nor be bound by, any oral instructions, interpretations or explanations issued by the City or its representatives.

Responses from the City to questions by any Proposer will be communicated in writing to all recipients of this RFP. Questions received after the date and time stated above will not be accepted, and will be returned to senders without response.

### **3.3 Addenda**

Any addenda issued by the City shall be in writing, shall become a part of this RFP, and shall be acknowledged and responded to by Proposer.

### **3.4 Required Submittal**

The Proposal shall be a maximum of **twenty-five (25)** pages to address the Proposal criteria (excluding resumes, but including the materials necessary to address project understanding, general information, organizational chart, photos, tables, graphs and diagrams). Each page side (maximum 8 1/2" x 11") with criteria information shall be counted. However, one page may be substituted with an 11" x 17" sheet of paper, folded to 8 1/2" x 11", showing a proposed project schedule or organizational chart and only having information on one side. Cover, back, table of contents and tabs may be used and shall not be used in the page count, unless they include additional Project-specific information or Proposal criteria responses. The minimum allowable font for the proposal is **11 pt, Arial or Times New Roman**. Failure to adhere to the page limit size and font criteria may result in the proposal being considered non-responsive.

### **3.5 Submission of Proposals**

All proposals shall be submitted to:

Pamela A. Buethe, City Clerk  
La Vista City Hall  
8116 Parkview Blvd.  
La Vista, NE 68128  
(402) 331.4343 (phone)  
(402) 331.4375 (fax)  
[pbuethe@cityoflavista.org](mailto:pbuethe@cityoflavista.org)

Please note that faxes or electronic submissions, or any media other than hard copies are not acceptable.

Proposals must be delivered no later than **10:00 A.M. on Friday, December 21, 2018**. All proposals received after that time will be returned to the Proposer unopened.

The Proposer shall submit one (1) unbound single-sided copy on standard weight paper (no heavy weight paper or tabbed dividers), ten (10) printed bound copies, and one (1) flash drive containing a PDF file of your proposal to the City.

Proposals must be enclosed in a sealed envelope or package, addressed as noted above, bearing the Proposer's name and address clearly marked, "RFP FOR BRANDING & MARKETING SERVICES."

#### **4. RIGHTS OF THE CITY OF LA VISTA**

This RFP does not commit the City to enter into a contract nor does it obligate the City to pay for any costs incurred in preparation and submission of proposals or in anticipation of a contract.

**The City reserves the right to:**

- Make the selection based on its sole discretion;
- Reject any and all proposals;
- Issue subsequent Requests for Proposals;
- Postpone opening proposals for its own convenience;
- Remedy errors in the Request for Proposals process;
- Approve or disapprove the use of particular subconsultants;
- Negotiate with any, all or none of the Proposers;
- Accept other than the lowest offer;
- Waive informalities and irregularities in the Proposals; and/or
- Enter into an agreement with another Proposer in the event the originally selected Proposer defaults or fails to execute an agreement with the City.

An agreement shall not be binding or valid with the City unless and until it is approved by the City Council, and executed by authorized representatives of the City and of the Proposer.

#### **5. RFP TIMELINE**

The following table identifies the estimated dates/time frame for receipt, evaluation, and award of this work. Please note the following key dates when preparing your response to this RFP.

RFP Issued	November 20, 2018
Deadline for questions, clarifications	December 7, 2018 10:00 A.M.
<b>Proposals must be submitted by</b>	<b>December 21, 2018 10:00 A.M.</b>
Short List Announced	January 14, 2019
Target Oral Interviews	January 21-25, 2019
Final Selection & Begin Contract/Scope Development	February 1, 2019
Contract Development Complete	February 15, 2019
Council Awards Contract	February 19, 2019
Contract Begins	February 25, 2019

The City reserves the right to add, remove or combine steps in the timeline, and/or compress or extend the timeline as the City, in its sole discretion, sees fit.

## 6. SCOPE OF SERVICES

There are two phases to this project, which are discussed in more detail below. Phase 1 involves assisting the City in developing a brand. Phase 2 will provide ongoing marketing and public relations support. The City may select one or more communication and outreach firms to assist the City with each Phase. Proposers may bid on Phase 1 or Phase 2 or bid on both phases.

### **6.1 Phase 1: Brand Platform Development**

#### **6.1.1 Discovery and Assessment**

Perform research and identify the perception of La Vista from a resident, business and visitor standpoint in comparison to what the City wants to become. Focus groups, interviews, surveys and other research methodologies should be used as appropriate. Data should be collected from residents, businesses, partner organizations, stakeholders, City employees and any other identified group key to the success of all tasks. At the end of the research and analysis, the Proposer should identify La Vista's key distinctive competencies and clearly communicate the City's value proposition. The City welcomes your guidance and recommendations on the most effective way to reach our objectives.

The following questions should be answered:

1. *What does La Vista want to be known for?*
2. *What thoughts and feelings does the City want to evoke when people are exposed to their name?*
3. *How can La Vista stand out from the crowd and be more competitive?*

**Deliverables:**

- Research Summary
- Brand Positioning Statement

#### **6.1.2 Development of a Competitive Identity**

Compile findings and develop a succinct message that highlights La Vista's distinctive competencies and communicates the City's desired identity. The message should communicate the City's promise – confirming what we stand for, our unique value proposition and how we carve out a unique and differentiated place in our target audience's mind. The new La Vista brand platform will be a roadmap for all communications and a filter for other activities. We expect our brand to permeate everything we do, both internally and externally.

In addition, the message should be capable of being used across a variety of departments, programs and services, as well as throughout the community. The Proposer will develop promotional materials that aid in communicating the City's competitive identity.

**Deliverables:**

- Identify core audience(s)
- Articulation of main issue we resolve for our audiences
- Articulation of our positioning
- Articulation of our brand persona
- Brand Essence: the one to three words that form the soul of what the La Vista brand story should be

### **6.1.3 Logo and Tagline Development and Messaging Guidelines**

The City is evaluating the option to develop a brand with a new logo and tagline.

#### **Deliverables:**

- Logo and tagline development
- Process and timeline for community feedback/reactions to ideas and validation
- Once logo and tagline(s) have been chosen, include development of a full identity system including, but not limited to, graphic elements, brand architecture, verbal branding (tone of voice), logo type, fonts, color palette, icon system, imagery, co-branding, website branding, templates for presentations, business cards, letterhead, envelopes, brochures and fliers, social media graphics, interior and exterior signage, advertising, email signature, uniforms, and vehicle placards.
- Messaging guidelines
  - **Written** – The brand platform should include guidelines and examples on how to talk about the City and the services in marketing the City. These could be shared with all employees, especially those who write about the City or our services as well as external writers, agencies and partners who create content on our behalf
  - **Visual Collateral** – Guidelines should include guidance for brochures and other marketing materials
  - **Digital** – Guidelines should include high level guidance for website, email marketing and social media
  - **Communications** – Guidelines should include guidance for a PowerPoint template, City stationary, and office signage
- Internal activation. Provide suggestions and recommendations for introducing and embedding a new brand with employees.

#### **Timing**

Our goal is to kick off this project in February 2019 and complete it within 4-6 months.

## **6.2 Phase 2: Brand Implementation & Marketing Strategy**

This task will define the activities designed to effectively establish the City's new brand identity organically to internal and external audiences as well as identify ongoing strategies for communicating, maintaining, and enhancing the brand's value over the first three years following the introduction. These strategies should:

- Prioritize both short and long-term strategies and tactics, including a timeline
- Present various strategies and a variety of communication tools to roll out organically to engage the City's internal and external customer demographic audiences
- Enable audiences to connect and interact with the City and use feedback to further build the City's brand
- Provide opportunities for top identified stakeholders and other defined target audiences to become advocates
- To ensure effective implementation, the brand strategy should recommend methods for tracking results and measuring success with target audiences
- Support City staff in preparing for and responding to media inquiries

**Deliverables:**

- Brand strategy
- Develop collateral and advertising material, services may include: graphic design for the development of all print collateral (such as newsletters, posters, direct mail, service cards), print and broadcast advertising, public meeting presentation materials and supplemental video productions
- Tracking and measurement recommendations

The list of tasks above is not meant to be exclusive and proposals containing alternative and innovative approaches are encouraged. The City reserves the right to revise or eliminate tasks based on the outcome of the proposal evaluation process.

**Timing**

Brand execution is expected to commence in early 2020.

**6.3 Final Report and Presentation**

The selected consultant will deliver one (1) unbound single-sided copy on standard weight paper (no heavy weight paper or tabbed dividers), ten (10) printed bound copies, and one (1) flash drive including a pdf file of your proposal that contains style guide and related graphics, to the City. Graphics to be used for placement in the defined template designs and other marketing materials shall be in an electronic format satisfactory to the City.

**Deliverables:**

- Final report and electronic files
- Final formal presentation to the Steering Committee and City Council

**7. PROPOSAL REQUIREMENTS**

**7.1** The emphasis of the proposal should be on responding to the requirements set forth herein. In addition, proposers need to demonstrate their capabilities, background, expertise, etc. in order for the City to effectively evaluate the proposals. No limitation on the content of the Proposal is intended in these instructions and inclusion of any pertinent data or information is permitted. However, the proposal will demonstrate your firm's ability to communicate clearly and concisely. The Proposal should include, at a minimum, the following information:

**7.1.1 Cover Letter**

Cover Letter should include the name and contact information of the individual who will serve as project manager, as well as the firm's qualifications.

**7.1.2 Executive Summary**

Executive summary should include a brief summary of the firm's origin, background and size, an organizational chart, the overall capabilities of the organization, appropriate credentials, licenses, certifications and proximity of company's resources to the City's offices and facilities.

### **7.1.3 Prior Experience and Qualifications**

- a. Firm's Qualifications** – a description of the company's expertise related to the services described and examples of the last three (3) completed projects demonstrating the consultant's current branding and marketing experience working with municipalities and other public agencies similar in size, scope and purpose.
- b. Personnel** – résumés of key project team members to address experience and qualifications, educational background and skills.
- c. Management Overview & Approach** – explain the proposed methodology that will be used and clearly demonstrate an understanding of the objectives the project is intended to complete. The City wants to understand your firm's creative process and approach to branding, how you would manage each step and how you would produce the most impactful results.
- d. References** – list five (5) former municipal and private clients for whom comparable services have been performed within the last five years. Include the name, mailing address and telephone number of each client's principal representative.
- e. Proposer's Business Information**

### **7.1.4 Marketing & Branding Services: *Using the SCOPE OF SERVICES as described above:***

- a. Phase 1: Brand Platform Development**
  1. Outline the overall process you envision for this project and how you will manage the project and develop each deliverable. The City would like to understand your firm's creative process and approach to branding, how you would manage each step and how you would produce the most impactful results.
  2. Deliverables – Describe the outputs you will provide for each part of the project. The City would like to understand what you see as being included in each deliverable with as much detail (and examples) as necessary.
  3. Resources – Explain for each step who you would expect to be involved in the work (strategy, management and execution), and specifically whether you will use in-house or outside resources. Parts of the project are quite specialized and we'd like to understand if you would bring in additional expertise on any of the tasks.
  4. Describe how you would measure the success of this branding project. What criteria (quantitative and/or qualitative) should we use to evaluate that we have established and are building a strong brand?

- b. Phase 2: Brand Implementation Marketing Strategy Services: *Using the SCOPE OF SERVICES as described for Phase 2 above:***
1. Provide examples of deliverables that you have developed and/or executed for other clients that demonstrate your qualifications i.e., branding execution, marketing & public relations campaigns, collateral material development. The list of potential deliverables is not meant to be exclusive, and proposals containing alternative and innovative approaches that you have employed in other communities is encouraged.
  2. Provide the cost to develop and/or execute each of example deliverables highlighted above.

**8. PROJECT SCHEDULE**

Outline your anticipated schedule of the project, ideally broken down by each major step of the process. Suggestions for how to keep the project on track and be most efficient are welcome.

**9. FEE PROPOSAL**

The proposal should contain all pricing information relative to performing project expectations as described in this RFP, including but not limited to, the number of meetings with stakeholders, travel expenses, and document production costs. If your price excludes certain fees or charges, you must provide a complete explanation of the nature of those fees.

**10. ADDITIONS, DELETIONS AND/OR EXCEPTIONS – COMPLIANCE WITH THE CITY'S CONTRACTUAL TERMS AND/OR RFP REQUIREMENTS**

**10.1** The Proposer shall note any additions, deletions and/or exceptions to the contractual terms and/or RFP requirements. If there are no exceptions taken, note in writing that there were none.

**10.2** The City reserves the right to withhold award of contract for a period of ninety (90) days following RFP opening. All proposals received are considered firm for that 90-day period.

**10.3** The City may make such investigations as it deems necessary to determine the ability of the Proposer to provide the goods and/or services as specified, and the Proposer shall furnish to the City, as is commercially reasonable, all such information and data for this purpose. The City may discuss or negotiate with one or more firms prior to award and reserves the right to reject any proposal.

**10.4** Any questions as to the meaning of the scope of work and/or technical specifications or pre-proposal documents must be submitted in writing and should be directed to:

Pamela A. Buethe, City Clerk  
La Vista City Hall  
8116 Parkview Blvd.  
La Vista, NE 68128  
(402) 331.4343 (phone)  
(402) 331.4375 (fax)  
[pbuethe@cityoflavista.org](mailto:pbuethe@cityoflavista.org)

To be given consideration, questions and/or requests must be received by 10:00 A.M. on December 14, 2018. Any and all interpretations and any supplemental instructions will be posted on our website for viewing by all prospective Proposers not later than **December 7, 2018**. All addenda so issued shall become part of the contract documents. Under no circumstances may the Proposer contact any other staff member for clarification or interpretation of any requirements.

**10.5** The City reserves the right to reject any or all proposals, either separately or as a whole and to waive any informality in a proposal or to accept any proposal presented which it deems best suited to the interest of the City, and it not bound to accept the lowest price.

**10.6** The cost for developing the proposal is the sole responsibility of the Proposer. All proposals submitted become the property of the City.

**10.7** At the time of the opening of proposals, each Proposer shall be presumed to have read and be thoroughly familiar with the specifications and contract documents (including all Addenda).

## **11. EVALUATION AND SELECTION PROCESS**

All proposals submitted will be reviewed and evaluated by an internal review committee on the basis of the following criteria:

- Consultant's qualifications and experience;
- Consultant's creative process and approach to branding and marketing municipalities;
- Consultant's experience in completing projects similar in size, scope and purpose;
- Consultant's understanding of the Scope of Services;
- Consultant's detailed work plan to complete services;
- Qualifications and experience of team members;
- Overall quality of response to RFP; and
- Consultant's fee proposal.

During the evaluation period, the City may interview some or all of the proposing firms. The City will establish a specific date to conduct interviews, and all prospective Proposers will be asked to keep this date available. No other interview dates will be provided, therefore, if a Proposer is unable to attend the interviews on this date, its proposal may be eliminated from further discussion. The interview will likely consist of a short presentation by the Proposer after which the internal review committee will ask questions related to the firm's proposal and qualifications. At the conclusion of the evaluation process, the internal review committee may recommend to the City Council a Proposer with the highest final ranking or a short list of top ranked firms within the competitive range whose proposals are most advantageous to the City.

**12. AWARD OF CONTRACT**

The City of La Vista will receive competitive proposals from agencies having specific experience and qualifications in the areas identified in this solicitation. Under competitive negotiation procedures, the terms of the service contract, the price of the service, the method of service delivery and the conditions of the performance are all negotiable. A negotiated contract will be awarded to the firm that best meets the proposed needs at a reasonable price, not necessarily at the lowest price.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 20, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE MEDIUM DUTY TRUCK	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared to authorize the purchase of one (1) 2019 Ford F-550 Medium Duty Truck, from Andersen Ford, Lincoln, NE in an amount not to exceed \$78,327.00.

**FISCAL IMPACT**

The FY 19/20 Biennial Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

Last year the Public Works Department did a trial period running medium duty pick-up trucks for snow removal instead of the larger dump trucks. It was determined that this is a viable option to provide efficient and effective snow removal in some of the City's smaller districts. The Public Works Capital Purchasing Team determined that the most effective use for this vehicle would be to make it dual purpose, serving as a snow removal vehicle in the winter and a concrete repair truck in the summer. This truck will be outfitted with a utility box, snow plow, and slide-in sander to fulfill this role. This particular truck will replace truck #1128, a 1997 International single axle dump truck.

The truck is being purchased off the State of Nebraska Contract #14704 OC.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2019 FORD F-550 MEDIUM DUTY TRUCK FROM ANDERSEN FORD, LINCOLN, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$78,327.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one (1) medium duty truck is necessary; and

WHEREAS, the FY 19/20 Biennial 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 one (1) Ford F-550 Medium Duty Truck from Andersen Ford, Lincoln, Nebraska in an amount not to exceed \$78,327.00.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2018.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC

City Clerk