

**LA VISTA CITY COUNCIL MEETING AGENDA**

**October 20, 2020**

**6:00 p.m.**

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

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- **Service Award: Mark Hardesty – 15 Years**

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

**A. CONSENT AGENDA**

1. **Approval of the Agenda as Presented**
2. **Approval of the Minutes of the October 6, 2020 City Council Meeting**
3. **Approval of the Minutes of the October 1, 2020 Planning Commission Meeting**
4. **Monthly Financial Report – August 2020**
5. **Request for Payment – Alfred Benesch & Company – Professional Services – 96th & 108th Pavement Rehabilitation – \$3,820.00**
6. **Request for Payment – Kissel, Kohout, ES Associates LLC – Professional Services – Legislative Services – \$9,607.48**
7. **Approval of Claims**

- **Reports from City Administrator and Department Heads**

**B. Annexation – Oriental Trading Company Business Park**

1. **Public Hearing**
2. **Ordinance – First Reading**

**C. 1 and 6 Year Street Improvement Plan**

1. **Public Hearing**
2. **Resolution – Authorize Municipal Annual Certification of Program Compliance**

**D. Compensation Study**

1. **Presentation**
2. **Receive and File**

**E. Ordinance – Adopt Municipal Code Section 30.16 – Emergency Authority – Second Reading**

**F. Resolution – Approve Sarpy County and Cities Wastewater Agency Revised Sewer User Rates and Connection Fees Schedule**

**G. Resolution – Approve Sarpy County and Cities Wastewater Agency Policies and Procedures for Growth Management Plan**

**H. Resolution – Interlocal Agreement – PACE Administration**

**I. Resolution – Award Bid – 96th Street and 108th Street Pavement Reconstruction and Pavement Rehabilitation**

**J. Resolution – Giles Road Bridge Guardrail Replacement**

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

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



CITY OF LA VISTA

**CERTIFICATE OF APPRECIATION**

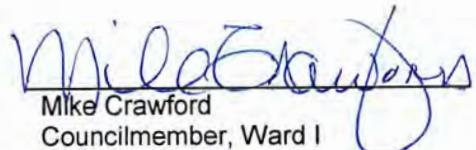
A CERTIFICATE OF APPRECIATION PRESENTED TO **MARK HARDESTY** OF THE LA VISTA POLICE DEPARTMENT, FOR 15 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

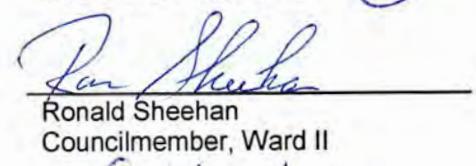
WHEREAS, **Mark Hardesty** has served the City of La Vista since April 18, 2005; and

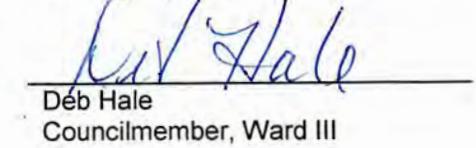
WHEREAS, **Mark Hardesty's** input and contributions to the City of La Vista have contributed to the success of the City;

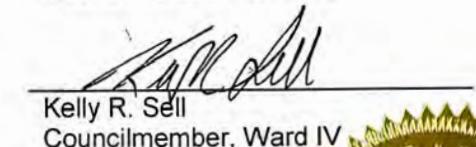
NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Mark Hardesty** on behalf of the City of La Vista for 15 years of service to the City.

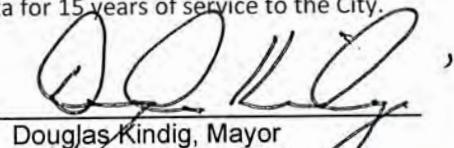
DATED THIS 20TH DAY OF OCTOBER 2020.

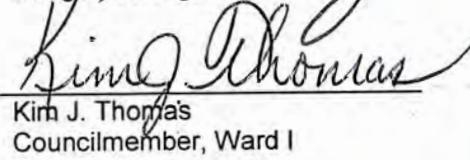
  
Mike Crawford  
Councilmember, Ward I

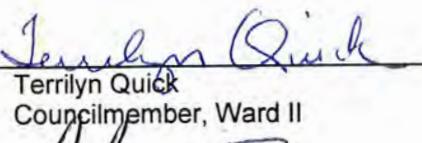
  
Ronald Sheehan  
Councilmember, Ward II

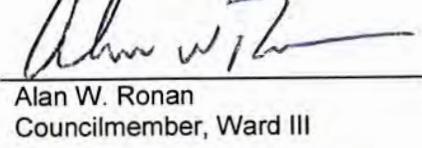
  
Deb Hale  
Councilmember, Ward III

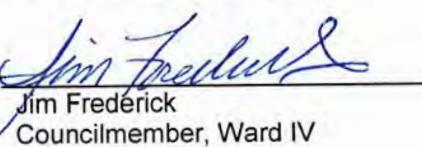
  
Kelly R. Sell  
Councilmember, Ward IV

  
Douglas Kindig, Mayor

  
Kirk J. Thomas  
Councilmember, Ward I

  
Terrilyn Quick  
Councilmember, Ward II

  
Alan W. Ronan  
Councilmember, Ward III

  
Jim Frederick  
Councilmember, Ward IV

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk

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6:00 p.m.

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# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING October 6, 2020

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 October 6, 2020. Present were Councilmembers: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Police Chief Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, City Engineer Dowse, and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Times on September 23, 2020. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order and made the announcements.

### **SERVICE AWARDS: RICK ROY – 15 YEARS; CINDY MISEREZ – 5 YEARS**

Mayor Kindig recognized Rick Roy for 15 years of service to the City of La Vista and Cindy Miserez for 5 years of service to the City of La Vista.

#### **A. CONSENT AGENDA**

1. **APPROVAL OF THE AGENDA AS PRESENTED**
2. **APPROVAL OF THE MINUTES OF THE SEPTEMBER 15, 2020 CITY COUNCIL MEETING**
3. **REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 96TH & 108TH ST. PAVEMENT REHABILITATION – \$10,727.00**
4. **REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREETSCAPE PLAN – \$14,272.80**
5. **REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREETSCAPE PLAN – \$68,725.67**
6. **REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE PARKING STRUCTURE 2 – \$15,424.73**
7. **REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR SERVICES FOR PUBLIC IMPROVEMENTS AND OTHER WORKS – \$309.42**
8. **REQUEST FOR PAYMENT – LAMP RYNEARSON – PROFESSIONAL SERVICES – 2020 ASSET MANAGEMENT – \$23,898.00**
9. **REQUEST FOR PAYMENT – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES – 120TH & GILES – \$237.50**
10. **REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$4,747.44**
11. **REQUEST FOR PAYMENT – WATERS EDGE AQUATIC DESIGN – PROFESSIONAL SERVICES – OUTDOOR POOL PLANNING – \$10,751.50**
12. **RESOLUTION NO. 20-089 – AUTHORIZE PAYMENT – MCC/LIBRARY SHUT OFF VALVES**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PAYMENT TO METROPOLITAN COMMUNITY COLLEGE (MCC), OMAHA, NEBRASKA, FOR WATER SHUT OFF VALVES AT THE METROPOLITAN COMMUNITY COLLEGE – SARPY CENTER / LA VISTA PUBLIC LIBRARY FOR A LOCAL COST NOT TO EXCEED \$10,756.98.

WHEREAS, the Mayor and City Council have determined that the water shut off valves were necessary; and

WHEREAS, the City is responsible for 42.28% of the project costs; and

# MINUTE RECORD

October 6, 2020

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

WHEREAS, the costs total \$25,442.25 with the City's portion being \$10,756.98; and  
WHEREAS, the FY 19/20 Biennial Budget provides funding for this project; and  
WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the city administrator secure Council approval prior to authorizing any purchase over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the payment to Metropolitan Community College (MCC), Omaha, Nebraska, for water shut off valves in an amount not to exceed \$10,756.98.

## **13. RESOLUTION NO. 20-090 – AUTHORIZE PAYMENT – MCC/LIBRARY WATER LINE BREAK**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PAYMENT TO METROPOLITAN COMMUNITY COLLEGE (MCC), OMAHA, NEBRASKA, FOR WATER LINE BREAK REPAIR AT THE METROPOLITAN COMMUNITY COLLEGE – SARPY CENTER / LA VISTA PUBLIC LIBRARY FOR A LOCAL COST NOT TO EXCEED \$14,045.60.

WHEREAS, the Mayor and City Council have determined that the water line break repair was necessary; and

WHEREAS, the City is responsible for 42.28% of the project costs; and

WHEREAS, the costs total \$33,220.46 with the City's portion being \$14,045.60; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the payment to Metropolitan Community College (MCC), Omaha, Nebraska, for water line break repair in an amount not to exceed \$14,045.60.

## **14. RESOLUTION NO. 20-091 – AUTHORIZE REPAIRS TO FRONT-END LOADER**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING NMC CAT OMAHA, OMAHA, NEBRASKA TO REPAIR THE 1997 CAT 938F IN AN AMOUNT NOT TO EXCEED \$12,000.00.

WHEREAS, the City Council of the City of La Vista has determined that repair of the roof on the 1997 CAT 938F is necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed repairs; 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 authorize NMC CAT Omaha, Omaha, Nebraska to repair the 1997 CAT 938F in an amount not to exceed \$12,000.00.

## **15. APPROVE MANAGER APPLICATION – CLASS C LIQUOR LICENSE – HOA RESTAURANT HOLDER, LLC DBA HOOTERS – TROY FALK**

## **16. APPROVE MANAGER APPLICATION – CLASS I LIQUOR LICENSE – SSL OPERATING GROUP LLC DBA SWIZZLE STIX LOUNGE – STEVEN WYLDERS**

## **17. RECEIVE & FILE – INSURANCE RENEWAL – PROPERTY, LIABILITY AND WORKERS COMPENSATION**

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## 18. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	10.00
911 CUSTOM LLC, services	2,815.25
A-1 FLAGS, POLES,& REPAIR LLC, services	256.00
ABM INDUSTRIES INC, services	10,825.16
ACTION BATTERIES, maint.	415.87
AED ZONE, supplies	507.00
AKRS EQUIPMENT, maint.	180.18
ALL MAKES OFFICE EQUIPMENT CO, services	615.00
AMAZON, supplies	6,869.91
AT&T MOBILITY LLC, services	191.14
B & H PHOTO VIDEO, services	1,540.78
BAUER BUILT INC, maint.	170.77
BEN VILLOSIS, refund	24.00
BENNETT REFRIGERATION INC, services	705.83
BJORKLUND COMP CONSULTING, services	1,700.00
BLACK HILLS ENERGY, utilities	58.18
BUETHE, P., services	124.00
CENTER POINT INC, books	408.66
CENTURY LINK, phones	430.18
CENTURY LINK BUSN SVCS, phones	440.27
CINTAS CORP, services	711.80
CITY OF OMAHA, utilities	476,442.90
CITY OF PAPILLION, services	216,578.31
COMMERCIAL SEEDING CONTRACTORS, services	2,299.10
COMP CHOICE INC, services	77.50
CONSOLIDATED MANAGEMENT CO, services	238.78
CONVERGE ONE INC, services	3,302.77
CORNHUSKER INTL TRUCKS INC, maint.	77.14
CORNHUSKER STATE INDUSTRIES, services	303.00
COX COMMUNICATIONS INC, services	324.06
CUMMINS CENTRAL POWER LLC, bld&grnds	592.02
D & K PRODUCTS, bld&grnda	3,637.50
DATASHIELD CORP, services	100.00
DAVID SPARKS, refund	55.00
DEBORAH CLARY, refund	98.47
DELL MARKETING LP, services	986.71
DEMCO INC, services	666.57
DONALD B EIKMEIER, services	813.25
EBSCO INFORMATION, services	757.28
EDGEWEAR SCREEN PRINTING, apparel	833.85
ENVISIO SOLUTIONS INC, services	6,510.00
FAC PRINT & PROMO CO, supplies	1,088.90
FASTENAL CO, maint.	19.03
FBG SERVICE CORP, bld&grnds	6,029.80
FEDEX, services	24.36
FERGUSON ENTERPRISES, services	3,442.83
FIKES COMMERCIAL HYGIENE LLC, supplies	72.00
G I CLEANERS & TAILORS, services	352.50
GALE, books	124.45
GENERAL FIRE & SAFETY, services	893.80
GILMORE & BELL PC, services	37,500.00
GRAINGER, maint.	508.26
GRAYBAR ELECTRIC CO, bld&grnds	580.51
GREAT PLAINS UNIFORMS, apparel	2,960.00
HARM'S CONCRETE INC, maint.	389.00
HAYES MECHANICAL LLC, services	3,839.22
HELGET SAFETY, supplies	210.00
HERRICK, ANGELA DAWN, services	55.00
HOBBY LOBBY, supplies	28.06

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

HOTSY EQUIPMENT CO, maint.	563.31
INDUSTRIAL SALES CO, supplies	120.60
INGRAM LIBRARY SERVICES, books	5,347.32
INTERNATIONAL CODE COUNCIL, services	470.00
J & J SMALL ENGINE, maint.	37.77
JMN CONSTRUCTION, services	25,500.00
K ELECTRIC, services	885.11
KANOPIY INC, services	144.00
KELLER, R., services	300.00
KEYMASTERS LOCKSMITH, services	179.50
KIESLER POLICE, supplies	302.50
KILEY STEHMAN, refund	9.99
KRIHA FLUID POWER CO, maint.	60.28
LEAGUE OF NE MUNICIPALITIES, services	490.00
LIBRA INDUSTRIES INC, supplies	38.40
LIBRARY IDEAS LLC, books	1,048.20
LILY JOHNSON, services	80.00
LOGAN CONTRACTORS SUPPLY, maint.	10,715.37
LV COMM FOUNDATION, payroll	30.00
MALLOY ELECTRIC, bld&grnds	139.38
MARCO INC, services	121.25
MARK A KLINKER, services	200.00
MECHANICAL SALES INC, bld&grnds	520.00
MENARDS-RALSTON, bld&grnds	1,084.59
METAL DOORS AND HARDWARE, bld&grnds	145.00
METRO AREA TRANSIT, services	911.00
METRO COMM COLLEGE, services	45,207.93
MUD, utilities	28,047.78
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	766.29
MIDWEST FENCE-GUARDRAIL, services	12,750.00
MIDWEST RIGHT OF WAY, services	95.00
MIDWEST TAPE, media	94.00
MIDWEST TURF & IRRIGATION, maint.	626.02
MSC INDUSTRIAL, supplies	495.20
NE DEPT OF LABOR-services	1,288.00
NE DEPT OF MOTOR VEHICLE-services	6.60
NE ENVIRONMENTAL PRODUCTS, maint.	335.36
NEIOWA INDL FASTENERS, maint.	5.17
NE LAW ENFORCEMENT, services	225.00
NOLL, MARGARET M, services	150.00
NORM'S DOOR SERVICE, bld&grnds	230.00
OCLC INC, services	322.42
ODEYS INC, supplies	47.90
OFFICE DEPOT INC, supplies	455.21
O'KEEFE ELEVATOR CO INC, services	681.00
OLSSON INC, services	2,723.50
OPPD, utilities	14,709.76
OMAHA WINNELSON, bld&grnds	21.50
OMNI ENGINEERING, maint.	664.30
P.Q.L. INC, bld&grnds	288.56
PER MAR SECURITY, services	129.78
PETTY CASH, supplies	260.98
PRAETORIAN GROUP INC, services	3,064.50
RALSTON AREA BASEBALL ASSOC, services	835.00
RDG PLANNING & DESIGN, services	604.48
READY MIXED CONCRETE, maint.	1,353.67
RED WING BUSINESS ACCT, apparel	150.00
SAPP BROS INC, maint.	350.83
SECURITY EQUIPMENT INC, services	1,344.00
SIGN IT, services	117.00

# MINUTE RECORD

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

SIRCHIE ACQUISITION CO LLC, services	120.33
SOUTHERN UNIFORM apparel	2,600.61
STAPLES INC, supplies	39.57
TED'S MOWER SALES, maint.	13.87
TELEVIC US CORP, services	1,250.00
THE COLONIAL PRESS INC, services	1,973.20
THE SCHEMMER ASSOCIATES INC, services	195.12
THOMPSON DREESSEN & DORNER INC, services	6,903.50
TORNADO WASH LLC, services	945.00
TURFWERKS, maint.	7.31
UNITED PARCEL, services	84.51
UNITED STATES POSTAL, services	2,739.47
VAL VERDE ANIMAL HOSPITAL INC, services	579.68
VERIZON CONNECT, phones	631.41
VERMEER HIGH PLAINS, services	1,856.13
VIERREGGER ELECTRIC CO, services	413.64
WALMART, supplies	597.80
WATCHGUARD INC, services	8,249.50
WATKINS CONCRETE BLOCK, services	474.15
WHITE CAP CONSTR SUPPLY, maint.	76.28
WOODHOUSE, maint.	282.96
ZIMCO SUPPLY CO, services	480.00

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported that the Sarpy-Douglas Law Enforcement Academy graduation will be held on October 16, 2020 at Beautiful Savior Lutheran Church. He also reported that he is on a committee to create a force team for Sarpy County that would investigate use of force incidents and would be in place sometime in 2021.

## B. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT

### 1. PUBLIC HEARING

At 6:06 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the EDP Report. Citizen Advisory Review Committee Past Chair Jeff Schovanec presented the report.

At 6:08 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## C. CONDITIONAL USE PERMIT – GIANDINOTO, LLC – LOT 16A3B PARK VIEW HEIGHTS

### 1. PUBLIC HEARING

At 6:08 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed conditional use permit. Jeff Giandinoto, representing the applicant, was available to answer any questions.

At 6:09 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

# MINUTE RECORD

October 6, 2020

No. 728 — REEDIE & COMPANY, INC. OMAHA E1310556LD

## 2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 20-092 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR GIANDINOTO, LLC TO OPERATE A PRIVATE CAR WASH ON LOT 16A3B PARK VIEW HEIGHTS.

WHEREAS, Giandinoto, LLC has applied for approval of a conditional use permit for a private car wash on Lot 16A3B Park View Heights, generally located east of S. 85<sup>th</sup> Street between Park View Blvd and Maple Ct.; and

WHEREAS, the La Vista Planning Commission reviewed the application on September 3, 2020 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Giandinoto, LLC to allow for a private car wash on Lot 16A3B Park View Heights.

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

## D. CONDITIONAL USE PERMIT AMENDMENT – THE WALDINGER CORPORATION – 8802 S. 121ST STREET

### 1. PUBLIC HEARING

At 6:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed amendment to the conditional use permit. Adam McConnell, representing the applicant, was available to answer any questions.

At 6:12 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried

### 2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-093 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE WALDINGER CORPORATION FOR OUTDOOR STORAGE ON LOT 2 PAPIO VALLEY 2 BUSINESS PARK REPLAT 1.

WHEREAS, The Waldinger Corporation has applied for approval of a Conditional Use Permit Amendment for outdoor storage on Lot 2 Papio Valley 2 Business Park Replat 1, generally located west of S. 121<sup>st</sup> Street between Portal Road and Centennial Road; and

WHEREAS, the La Vista Planning Commission reviewed the application on September 3, 2020 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the amendment of the conditional use permit for such purposes;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit Amendment in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for The Waldinger Corporation to allow for outdoor storage on Lot 2 Papio Valley 2 Business Park Replat 1.

# MINUTE RECORD

October 6, 2020

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

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

## **E. AMEND KENO OPERATOR AGREEMENT**

### **1. PUBLIC HEARING**

At 6:13 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed amendment to the agreement. Bill Harvey presented the proposed changes to Council.

At 6:22 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried

### **2. RESOLUTION**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-094 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE LOTTERY OPERATOR AGREEMENT.

WHEREAS, the Contractor recommends amending certain Keno pay tables and games of the Lottery Operator Agreement; and

WHEREAS, a proposed FOURTH AMENDMENT to the Lottery Operator Agreement has been prepared for this purpose as presented at this meeting or on file with the City Clerk;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the FOURTH AMENDMENT to the Lottery Operator Agreement as presented at this meeting or on file with the City Clerk, and incorporated into this Resolution by reference, is hereby approved and the Mayor and City Clerk are hereby authorized to execute said amendment on behalf of the City of La Vista, subject to review and any modifications the City Administrator determines necessary or appropriate.

Councilmember Crawford asked if this amendment was approved that \$10,000 would be earmarked for the Senior Program. Councilmember Thomas accepted this addition as part of his motion. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## **F. PAVEMENT ASSESSMENT**

### **1. PRESENTATION**

Greg Van Patten from Lamp Rynearson presented the pavement assessment report. There were Council questions and discussion regarding the report.

### **2. RECEIVE AND FILE**

Councilmember Sell made a motion to receive and file the pavement assessment report. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

# MINUTE RECORD

October 6, 2020

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

## **G. ORDINANCE – ADOPT MUNICIPAL CODE SECTION 30.16 – EMERGENCY AUTHORITY**

Councilmember Thomas introduced Ordinance No. 1399 entitled: AN ORDINANCE TO ADOPT SECTION 30.16 OF THE MUNICIPAL CODE REGARDING REGULATORY REQUIREMENTS, AND TO REPEAL CONFLICTING PROVISIONS, AND PROVIDE FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.

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

Councilmember Crawford made a motion to approve Ordinance No. 1399 on its first reading and pass it on to a second reading. Seconded by Councilmember Thomas. Councilmember voting aye: Ronan, Sheehan, Thomas, Crawford, and Quick. Nays: Hale and Sell. Abstain: None. Absent: Frederick. Motion carried.

## **H. RESOLUTION – AUTHORIZE REPLACEMENT OF AUTOMATIC DOOR OPENERS AT PUBLIC WORKS FACILITY**

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-095 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF AUTOMATIC OVERHEAD DOOR OPENERS AT THE PUBLIC WORKS FACILITY FROM OMAHA DOOR & WINDOW, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$14,644.00.

WHEREAS, the City Council of the City of La Vista has determined that the replacement of automatic overhead door openers at the public works facility is necessary; and

WHEREAS, the FY 21/22 biennial budget provides funding for this project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of automatic overhead door openers at the public works facility from Omaha Door & Window, Omaha, Nebraska, in an amount not to exceed \$14,644.00.

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

## **I. RESOLUTION – AUTHORIZE PURCHASE AND INSTALLATION OF TWO P2PE CERTIFIED CARD READERS FOR PARKING GARAGE 1**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-096 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TWO (2) P2PE CERTIFIED CARD READERS FOR PARKING GARAGE 1 FROM FISHER PARKING & SECURITY, KEARNEY, MISSOURI IN AN AMOUNT NOT TO EXCEED \$11,950.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) P2Pe Certified Card Readers 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, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of two (2) P2Pe Certified

# MINUTE RECORD

October 6, 2020

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

Card Readers from Fisher Parking & Security, Kearney, Missouri in an amount not to exceed \$11,950.00.

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

## J. RESOLUTION – COUNCIL POLICY STATEMENT – ISSUANCE OF MILITARY LIBRARY CARDS

Councilmember Sell made a motion to table this item until there was more information on the financial impacts and other exceptions. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan asked that when voting no, council members would express why.

Mayor Kindig commented that Police Chief Lausten is testifying before the State on how officers are trained for the United Cities of Sarpy County.

At 7:11 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER 2020.

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 1, 2020 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, October 1, 2020 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, and Josh Frey. Members absent were: Mike Circo, Jason Dale, Harold Sargus, and Patrick Coghlan. Also, in attendance were Bruce Fountain, Community Development Director; Chris Solberg, Deputy Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician; and Pat Dowse, 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 Wetuski 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – September 3, 2020**

*Malquist* moved, seconded by *Krzywicki*, to approve the September 3rd minutes. **Ayes: Krzywicki, Gahan, Wetuski, Alexander, Frey, and Malmquist. Nays: None. Abstain: None. Absent: Circo, Coghlan, Dale, and Sargus. Motion Carried, (6-0)**

**3. Old Business**

None.

**4. New Business**

**A. Public Hearing to consider annexation of Lots 1, 2 and 3 and Outlots B and C, Oriental Trading Company Business Park, a subdivision in Sarpy County, Nebraska.**

- i. Staff Report – Christopher Solberg, AICP:** Solberg stated that each and every year a review is done on the Annexation Plan within the Comprehensive Plan and at that time, there are decisions made through an analysis process on whether or not additional annexations should be undertaken into the city limits. Solberg showed the Planning Commission the Annexation Plan that is within the current Comprehensive Plan. He pointed out that the annexation of the Oriental Trading Business Park is in the Near-Term Annexation Plan for the City of La Vista. Solberg said that the City has done an analysis of this possible annexation, which was included in the packet given to the commissioners.

Solberg said that the property included is Lots 1-3 and Outlots B & C of Oriental Trading Company Business Park. He said that Outlot A of that subdivision was annexed during the Brook Valley II Annexation. Staff recommends approval of the proposed annexation of Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park as it is consistent with La Vista's Comprehensive Plan.

Krzywicki asked if Oriental Trading's Parcels have recently paid down all their debt or if there was another reason this wasn't coming up until now.

Solberg said there was no SID set up for Oriental Trading Company, but that there was an agreement with the subdivision when they originally developed that the City would not annex the site until after December 31<sup>st</sup> of 2019. So, after the first of this year, we were able to start the annexation process. However, due to the COVID pandemic, it was decided to hold off until in-person public hearings could be held again City Council Chambers.

ii. **Public Hearing: Wetuski opened the Public Hearing.**

**Wetuski closed the Public Hearing as no members of the public came forward.**

iii. **Recommendation:** Gahan moved, seconded by Alexander, to recommend approval to the City Council of the proposed annexation of Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park as it is consistent with La Vista's Comprehensive Plan. **Ayes: Krzywicki, Gahan, Wetuski, Alexander, Frey, and Malmquist. Nays: None. Abstain: None. Absent: Circo, Coghlan, Dale, and Sargus. Motion Carried, (6-0)**

**5. Comments from the Floor**

No members of the public were present.

**6. Comments from the Planning Commission**

None

**7. Comments from the Staff**

Solberg said that there have been a series of public input sessions as part of the planning process for Central and Civic Center Parks, Kelly Fields, and 2 plazas in City Centre along Main Street. He said that they are looking into different amenities that people would like to see in these areas. Solberg said that there is a survey available online and that the Planning Commission should have gotten a postcard in the mail regarding the activities.

Solberg also mentioned that all the Planning Commission and Board of Adjustment members have been signed up for the NPZA Fall Virtual Workshop. He mentioned that they will get an email with the links to sessions.

Brodersen mentioned that there will be a meeting on October 15<sup>th</sup> to go over the 1 and 6 year road plan.

#### **8. Adjournment**

Wetuski adjourned the meeting at 6:45 p.m.

Reviewed by Planning Commission:



Kathleen Solberg  
Planning Commission Secretary



Kevin Wetuski  
Planning Commission Chair

10/15/2020  
Date

CITY OF LAVISTA, NEBRASKA  
COMBINED STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<u>Total All Funds</u>					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) <u>Budget</u>		
<b><u>OPERATING REVENUES</u></b>						
General Fund	\$ 19,268,775	\$ 3,270,908	\$ 16,812,415	\$ (2,456,360)	87%	
Sewer Fund	4,410,092	359,465	3,785,391	(624,701)	86%	
Debt Service Fund	4,037,476	535,256	3,414,083	(623,393)	85%	
Capital Improvement Program Fund	22,411	-	248	(22,163)	1%	
Lottery Fund	1,206,420	135,800	1,289,182	82,762	107%	
Economic Development Fund	517	1	25	(492)	5%	
Off Street Parking Fund	115,771	1,564	13,561	(102,210)	12%	
Redevelopment Fund	2,441,569	192,457	2,022,849	(418,720)	83%	
Police Academy	100,083	6	102,656	2,573	103%	
TIF 1A	541,612	47,814	95,628	(445,984)	18%	
TIF 1B	-	15,435	30,870	30,870	0%	
Sewer Reserve Fund	8,937	644	6,800	(2,137)	76%	
Qualified Sinking Fund	625	116	626	1	100%	
<b>Total Operating Revenues</b>	<b>32,154,288</b>	<b>4,559,466</b>	<b>27,574,335</b>	<b>(4,579,953)</b>	<b>86%</b>	
<b><u>OPERATING EXPENDITURES</u></b>						
General Fund	18,932,599	1,188,036	15,113,377	(3,819,222)	80%	
Sewer Fund	3,737,941	47,653	2,789,991	(947,950)	75%	
Debt Service Fund	3,153,682	29,820	3,128,917	(24,765)	99%	
Capital Improvement Program Fund	-	-	-	-	0%	
Lottery Fund	710,076	43,734	485,131	(224,945)	68%	
Economic Development Fund	137,466	-	-	(137,466)	0%	
Off Street Parking Fund	1,241,698	26,986	1,053,543	(188,155)	85%	
Redevelopment Fund	1,533,687	15	1,308,046	(225,641)	85%	
Police Academy	98,596	5,003	91,974	(6,622)	93%	
TIF 1A	541,612	478	66,179	(475,433)	12%	
TIF 1B	-	154	15,589	15,589	0%	
Sewer Reserve Fund	-	-	-	-	0%	
Qualified Sinking Fund	-	-	-	-	0%	
<b>Total Operating Expenditures</b>	<b>30,087,357</b>	<b>1,341,879</b>	<b>24,052,747</b>	<b>(6,034,610)</b>	<b>80%</b>	
<b><u>OPERATING REVENUES NET OF EXPENDITURES</u></b>						
General Fund	336,176	2,082,873	1,699,039	1,362,863		
Sewer Fund	672,151	311,812	995,400	323,249		
Debt Service Fund	883,794	505,436	285,166	(598,628)		
Capital Improvement Program Fund	22,411	-	248	(22,163)		
Lottery Fund	496,344	92,066	804,051	307,707		
Economic Development Fund	(136,949)	1	25	136,974		
Off Street Parking Fund	(1,125,927)	(25,422)	(1,039,982)	85,945		
Redevelopment Fund	907,882	192,442	714,802	(193,080)		
Police Academy	1,487	(4,998)	10,683	9,196		
TIF 1A	-	47,336	29,450	29,450		
TIF 1B	-	15,281	15,281	15,281		
Sewer Reserve Fund	8,937	644	6,800	(2,137)		
Qualified Sinking Fund	625	116	626	1		
<b>Operating Revenues Net of Expenditures</b>	<b>2,066,931</b>	<b>3,217,587</b>	<b>3,521,588</b>	<b>1,454,657</b>	<b>-</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the eleven months ending August 31, 2020**  
**92% of the Fiscal Year 2020**

<b>Total All Funds</b>				
	<u>Budget</u> (12 month)	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>

**OTHER FINANCING SOURCES & USES**

**TRANSFERS IN**

General Fund	100,293	65,843	65,843	(34,450)	66%
Sewer Fund	3,000	-	-	(3,000)	0%
Debt Service Fund	214,782	97,622	441,451	226,669	206%
Capital Improvement Program Fund	1,142,500	436,580	1,073,824	(68,676)	94%
Lottery Fund	-	-	-	-	-
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	1,396,911	428,011	1,004,069	(392,842)	72%
Redevelopment Fund	200,000	-	940,110	740,110	470%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	728,630	740,000	740,000	11,370	102%
Qualified Sinking Fund	450,000	250,000	250,000	(200,000)	56%
<b>Total Transfers In</b>	<b>4,236,116</b>	<b>2,018,056</b>	<b>4,515,296</b>	<b>279,180</b>	<b>107%</b>

**TRANSFERS OUT**

General Fund	(1,430,161)	(355,080)	(496,288)	933,873	35%
Sewer Fund	(728,630)	(740,000)	(740,000)	(11,370)	102%
Debt Service Fund	(1,255,003)	(438,542)	(1,224,070)	30,933	98%
Capital Improvement Program Fund	-	-	(253,322)	(253,322)	-
Lottery Fund	(822,322)	(140,526)	(517,599)	304,723	63%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	-	-	(940,110)	(940,110)	-
Redevelopment Fund	-	(343,908)	(343,908)	(343,908)	-
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	-	-	-	-	-
Qualified Sinking Fund	-	-	-	-	-
<b>Total Transfers Out</b>	<b>(4,236,116)</b>	<b>(2,018,056)</b>	<b>(4,515,296)</b>	<b>(279,180)</b>	<b>107%</b>

**NET TRANSFERS**

General Fund	(1,329,868)	(289,237)	(430,445)	899,423	32%
Sewer Fund	(725,630)	(740,000)	(740,000)	(14,370)	102%
Debt Service Fund	(1,040,221)	(340,920)	(782,619)	257,602	75%
Capital Improvement Program Fund	1,142,500	436,580	820,502	(321,998)	72%
Lottery Fund	(822,322)	(140,526)	(517,599)	304,723	63%
Economic Development Fund	-	-	-	-	-
Off Street Parking Fund	1,396,911	428,011	63,958	(1,332,953)	5%
Redevelopment Fund	200,000	(343,908)	596,203	396,203	298%
Police Academy	-	-	-	-	-
TIF 1A	-	-	-	-	-
TIF 1B	-	-	-	-	-
Sewer Reserve Fund	728,630	740,000	740,000	11,370	102%
Qualified Sinking Fund	450,000	250,000	250,000	(200,000)	56%
<b>Total Net Transfers</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the eleven months ending August 31, 2020**  
**92% of the Fiscal Year 2020**

	<b>Total All Funds</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>OTHER REVENUE: BOND PROCEEDS</b>					
Sewer Fund	-	-	-	-	-
Capital Improvement Program Fund	8,500,000	-	-	(8,500,000)	0%
Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
Off Street Parking Fund	-	-	-	-	-
Redevelopment Fund	6,500,000	-	-	(6,500,000)	0%
<b>Total Bond Proceeds</b>	<b>18,000,000</b>	<b>-</b>	<b>-</b>	<b>(18,000,000)</b>	<b>0%</b>

**OTHER EXPENDITURES: CAPITAL IMPROVEMENT PROGRAM**

Sewer Fund	50,000	-	38,002	(11,998)	76%
Capital Improvement Program Fund	9,979,512	45,374	890,308	(9,089,204)	9%
Off Street Parking Fund	750,000	94,174	535,574	(214,426)	71%
Redevelopment Fund	10,700,000	55,115	3,198,301	(7,501,699)	30%
<b>Total Capital Improvement Program</b>	<b>21,479,512</b>	<b>194,662</b>	<b>4,662,185</b>	<b>(16,817,327)</b>	<b>22%</b>

**OTHER EXPENDITURES: EDP GRANT**

Economic Development Fund	3,000,000	-	-	(3,000,000)	0%
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**NET FUND ACTIVITY**

General Fund	(993,692)	1,793,635	1,268,594	2,262,286
Sewer Fund	(103,479)	-	217,399	320,878
Debt Service Fund	(156,427)	164,517	(497,453)	(341,026)
Capital Improvement Program Fund	(314,601)	391,206	(69,559)	245,043
Lottery Fund	(325,978)	(48,460)	286,452	612,430
Economic Development Fund	(136,949)	1	25	136,974
Off Street Parking Fund	(479,016)	308,415	(1,511,598)	(1,032,582)
Redevelopment Fund	(3,092,118)	(206,581)	(1,887,296)	1,204,822
Police Academy	1,487	(4,998)	10,683	9,196
TIF 1A	-	47,336	29,450	29,450
TIF 1B	-	15,281	15,281	15,281
Sewer Reserve Fund	737,567	740,644	746,800	9,233
Qualified Sinking Fund	450,625	250,116	250,626	(199,999)
<b>Net Activity</b>	<b>\$ (4,412,581)</b>	<b>3,022,924</b>	<b>(1,140,597)</b>	<b>3,271,984</b>
		0		-

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

<b>FUND BALANCE</b>	<b>Total All Funds</b>			
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	Over(under) <u>Budget</u>
	<u>As of FYE 9/30/2020</u>	<u>As of 8/31/2020</u>	<u>Variance</u>	<u>Notes</u>
General Fund	4,688,168	8,149,190	3,461,022	
Sewer Fund	978,985	1,311,686	332,701	
Debt Service Fund	2,354,279	3,294,728	940,449	
Capital Improvement Program Fund	(41,847)	(45,374)	(3,527)	
Lottery Fund	2,900,404	3,797,453	897,049	
Economic Development Fund	70,019	7,068	(62,951)	
Off Street Parking Fund	234,504	(279,537)	(514,041)	
Redevelopment Fund	2,416,093	3,832,212	1,416,119	
Police Academy	26,360	37,067	10,707	
TIF 1A	(3,420)	47,336	50,756	
TIF 1B	(19,136)	15,281	34,417	
Sewer Reserve Fund	1,944,692	1,956,535	11,843	
Qualified Sinking Fund	551,125	351,342	(199,783)	
<b>Net Fund Balance</b>	<b>16,100,226</b>	<b>-</b>	<b>22,474,988</b>	<b>6,374,762</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the eleven months ending August 31, 2020**  
**92% of the Fiscal Year 2020**

	<b>General Fund</b>					% of Budget Used
	<b>Budget (12 month)</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>		
<b>REVENUES</b>						
Property Taxes	\$ 8,673,516	\$ 2,508,825	\$ 7,915,466	\$ (758,050)		91%
Sales and use taxes	4,691,663	380,622	3,936,513	(755,150)		84%
Payments in Lieu of taxes	288,922	-	304,487	15,565		105%
State revenue	1,958,268	120,837	1,677,954	(280,314)		86%
Occupation and franchise taxes	883,900	55,498	838,654	(45,246)		95%
Hotel Occupation Tax	1,017,550	40,618	616,051	(401,499)		61%
Licenses and permits	440,250	73,682	414,345	(25,905)		94%
Interest income	28,708	5,865	51,536	22,828		180%
Recreation fees	172,710	5,157	72,904	(99,806)		42%
Special Services	19,500	1,318	18,773	(727)		96%
Grant Income	150,575	10,626	100,636	(49,939)		67%
Other	943,213	67,860	865,097	(78,116)		92%
<b>Total Revenues</b>	<b>19,268,775</b>	<b>3,270,908</b>	<b>16,812,415</b>	<b>(2,456,360)</b>		<b>87%</b>
<b>EXPENDITURES</b>						
Administrative Services	555,523	36,348	474,216	(81,307)		85%
Mayor and Council	258,001	11,223	187,190	(70,811)		73%
Boards & Commissions	10,544	222	3,291	(7,253)		31%
Building Maintenance	666,644	33,196	371,117	(295,527)		56%
Administration	814,815	44,916	640,823	(173,992)		79%
Police and Animal Control	5,316,825	353,895	4,672,712	(644,113)		88%
Fire	2,181,863	181,920	1,983,647	(198,216)		91%
Community Development	687,211	40,221	526,057	(161,154)		77%
Public Works	3,982,560	208,132	2,962,013	(1,020,547)		74%
Recreation	887,273	43,234	540,103	(347,170)		61%
Library	908,468	54,288	714,324	(194,144)		79%
Information Technology	289,745	13,205	265,372	(24,373)		92%
Human Resources	1,023,722	75,368	816,681	(207,041)		80%
Public Transportation	109,385	5,764	73,835	(35,550)		68%
Finance	489,213	47,236	430,987	(58,226)		88%
Capital outlay	750,807	38,868	451,008	(299,799)		60%
<b>Total Expenditures</b>	<b>18,932,599</b>	<b>1,188,036</b>	<b>15,113,377</b>	<b>(3,819,222)</b>		<b>80%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>336,176</b>	<b>2,082,873</b>	<b>1,699,039</b>	<b>1,362,863</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (Lottery)	100,293	65,843	65,843	(34,450)		66%
Operating transfers out (DSF, OSP, CIP)	(1,430,161)	(355,080)	(496,288)	933,873		35%
<b>Total other Financing Sources (Uses)</b>	<b>(1,329,868)</b>	<b>(289,237)</b>	<b>(430,445)</b>	<b>899,423</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ (993,692)</b>	<b>\$ 1,793,635</b>	<b>\$ 1,268,593.7</b>	<b>\$ 2,262,286</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<b>Sewer Fund</b>				
	<b>Budget</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>(Under) Budget</b>	<b>% of Budget Used</b>
<b>REVENUES</b>					
User fees	\$ 4,277,805	\$ 355,321	\$ 3,649,975	\$ (627,830)	85%
Service charge and hook-up fees	128,210	3,537	122,481	(5,729)	96%
Miscellaneous	18	2	49	31	
<b>Total Revenues</b>	<b>4,406,033</b>	<b>358,860</b>	<b>3,772,505</b>	<b>(633,528)</b>	<b>86%</b>
<b>EXPENDITURES</b>					
Personnel Services	581,719	34,372	479,008	(102,711)	82%
Commodities	39,200	1,095	22,433	(16,767)	57%
Contract Services	2,989,841	11,155	2,222,272	(767,569)	74%
Maintenance	38,584	1,031	24,280	(14,304)	63%
Other	228	-	1,458	1,230	640%
Storm Water Grant	54,540	-	15,373	(39,167)	28%
Capital Outlay	33,829	-	25,167	(8,662)	74%
<b>Total Expenditures</b>	<b>3,737,941</b>	<b>47,653</b>	<b>2,789,991</b>	<b>(947,950)</b>	<b>75%</b>
<b>OPERATING INCOME (LOSS)</b>	<b>668,092</b>	<b>311,206</b>	<b>982,514</b>	<b>314,422</b>	Note 1
<b>NON-OPERATING REVENUE (EXPENSE)</b>					
Interest income	4,059	606	12,886	8,827	317%
	4,059	606	12,886	8,827	317%
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>672,151</b>	<b>311,812</b>	<b>995,400</b>	<b>323,249</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (Lottery Events)	3,000	-	-	(3,000)	0%
Operating transfers out (CIP)	(728,630)	(740,000)	(740,000)	(11,370)	102%
Capital Improvement	(50,000)	-	(38,002)	11,998	76%
<b>Total other Financing Sources (Uses)</b>	<b>(775,630)</b>	<b>(740,000)</b>	<b>(778,002)</b>	<b>(2,372)</b>	<b>100%</b>
<b>NET INCOME (LOSS)</b>	<b>\$ (103,479)</b>	<b>\$ (428,188)</b>	<b>\$ 217,399</b>	<b>\$ 320,878</b>	

**Note 1: Restatement of Operating Income Variance**

Operating Income Variance	982,514
City of Omaha billing in arrears 1 months	(240,000)
Adjusted Operating Income Variance	<b>742,514</b>

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<b>Debt Service Fund</b>					
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over(under) Budget</u>	<u>% of Budget Used</u>	
<b><u>REVENUES</u></b>						
Property Taxes	\$ 1,004,487	\$ 301,098	\$ 917,167	\$ (87,320)	91%	
Sales and use taxes	2,345,832	190,311	1,968,256	(377,576)	84%	
Payments in Lieu of taxes	93,506	-	37,284	(56,222)	40%	
Other (Special Assessments, Fire Reimbursmt)	581,714	42,222	465,880	(115,834)	80%	
Interest income	11,937	1,625	25,495	13,558	214%	
<b>Total Revenues</b>	<b>4,037,476</b>	<b>535,256</b>	<b>3,414,083</b>	<b>(623,393)</b>	<b>85%</b>	
<b><u>EXPENDITURES</u></b>						
Administration	12,834	2,958	19,138	6,304	149%	
Fire Contract Bond	121,611	10,008	110,088	(11,523)	91%	
Debt service						
Principal	2,605,000	-	2,605,000	-	100%	
Interest	414,237	16,854	394,692	(19,545)	95%	
<b>Total Expenditures</b>	<b>3,153,682</b>	<b>29,820</b>	<b>3,128,917</b>	<b>(24,765)</b>	<b>99%</b>	
<b>REVENUES NET OF EXPENDITURES</b>	<b>883,794</b>	<b>505,436</b>	<b>285,166</b>	<b>(598,628)</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in (GF Hwy Alloc)	214,782	97,622	441,451	226,669	206%	
Operating transfers out (CIP, OSP)	(1,255,003)	(438,542)	(1,224,070)	30,933	98%	
<b>Total other Financing Sources (Uses)</b>	<b>(1,040,221)</b>	<b>(340,920)</b>	<b>(782,619)</b>	<b>257,602</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ (156,427)</b>	<b>\$ 164,517</b>	<b>\$ (497,453)</b>	<b>\$ (341,026)</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

<b>Capital Fund</b>						
	<b>Budget</b>	<b>MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>	
<b>REVENUES</b>						
Interest income	\$ 22,411	\$ -	\$ 248	\$ (22,163)	1%	
Grant Income	-	-	-	-	0%	
Special Assessment	-	-	-	-	0%	
Interagency	-	-	-	-	0%	
<b>Total Revenues</b>	<b>22,411</b>	<b>-</b>	<b>248</b>	<b>(22,163)</b>	<b>1%</b>	
<b>EXPENDITURES</b>						
Other	-	-	-	-	-	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>22,411</b>	<b>-</b>	<b>248</b>	<b>(22,163)</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (GF, DSF)	1,142,500	436,580	1,073,824	(68,676)	94%	
Operating transfers out (DSF)	-	-	(253,322)	(253,322)	0%	
Bond/registered warrant proceeds	8,500,000	-	-	(8,500,000)	0%	
Capital outlay	(9,979,512)	(45,374)	(890,308)	9,089,204	9%	
<b>Total other Financing Sources (Uses)</b>	<b>(337,012)</b>	<b>391,206</b>	<b>(69,806)</b>	<b>267,206</b>	<b>21%</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ (314,601)</b>	<b>\$ 391,206</b>	<b>\$ (69,558)</b>	<b>\$ 245,043</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<b>Lottery Fund</b>					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) <u>Budget</u>		
<b>REVENUES</b>						
Lottery Rev/Community Betterment	\$ 850,000	\$ 105,731	\$ 958,449	\$ 108,449		113%
Lottery Tax Form 51	340,000	29,766	291,515	(48,485)		86%
Event Revenue	-	-	-	-		0%
Interest income	16,420	303	26,731	10,311		163%
Miscellaneous / Other	-	-	12,488	12,488		0%
<b>Total Revenues</b>	<b>1,206,420</b>	<b>135,800</b>	<b>1,289,182</b>	<b>82,762</b>		<b>107%</b>
<b>EXPENDITURES</b>						
Professional Services	160,735	11,106	72,293	(88,442)		45%
Salute to Summer	56,848	-	5,310	(51,538)		9%
Community Events	20,027	-	9,180	(10,847)		46%
Events - Marketing	59,747	2,862	68,123	8,376		114%
Recreation Events	1,474	-	-	(1,474)		0%
Concert & Movie Nights	11,145	-	158	(10,987)		1%
City Anniversary Celebration	50,000	-	38,453	(11,547)		77%
Travel & Training	-	-	-	-		0%
State Taxes	350,000	29,766	291,515	(58,485)		83%
Other	100	-	100	-		100%
Capital outlay	-	-	-	-		0%
<b>Total Expenditures</b>	<b>710,076</b>	<b>43,734</b>	<b>485,131</b>	<b>(224,945)</b>		<b>68%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>496,344</b>	<b>92,066</b>	<b>804,051</b>	<b>307,707</b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in	-	-	-	-		
Operating transfers out (GF, SF, DSF)	(822,322)	(140,526)	(517,599)	304,723		63%
<b>Total other Financing Sources (Uses)</b>	<b>(822,322)</b>	<b>(140,526)</b>	<b>(517,599)</b>	<b>304,723</b>		<b>63%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (325,978)</b>	<b>\$ (48,460)</b>	<b>\$ 286,452</b>	<b>\$ 612,430</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<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><u>REVENUES</u></b>					
Other Income	\$ -	\$ -	\$ -	\$ -	
Interest income	\$ 517	\$ 1	\$ 25	\$ (492)	
<b>Total Revenues</b>	<b>\$ 517</b>	<b>\$ 1</b>	<b>\$ 25</b>	<b>\$ (492)</b>	
<b><u>EXPENDITURES</u></b>					
Professional Services	75,000	-	-	(75,000)	0%
Debt service: (Warrants)					0%
Principal	-	-	-	-	0%
Interest	62,466	-	-	(62,466)	0%
<b>Total Expenditures</b>	<b>137,466</b>	<b>-</b>	<b>-</b>	<b>(137,466)</b>	<b>0%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(136,949)</b>	<b>1</b>	<b>25</b>	<b>136,974</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in (GF, DSF)	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
Bond/registered warrant proceeds	3,000,000	-	-	(3,000,000)	0%
Community Development - Grant	(3,000,000)	-	-	3,000,000	0%
<b>Total other Financing Sources (Uses)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (136,949)</b>	<b>\$ 1</b>	<b>\$ 25</b>	<b>\$ 136,974</b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

<b>Off Street Parking</b>						
	<b>Budget</b> (12 month)	<b>MTD</b> <u>Actual</u>	<b>YTD</b> <u>Actual</u>	<b>Over(under)</b> <u>Budget</u>	<b>% of Budget</b> <u>Used</u>	
<b>REVENUES</b>						
Interest income	\$ 771	\$ 26	\$ 3,411	\$ 2,640	442%	
Other Income	<u>115,000</u>	<u>1,538</u>	<u>10,150</u>	<u>(104,851)</u>	9%	
<b>Total Revenues</b>	<b><u>115,771</u></b>	<b><u>1,564</u></b>	<b><u>13,561</u></b>	<b><u>(102,210)</u></b>	<b>12%</b>	
<b>EXPENDITURES</b>						
General & Administrative	220,518	14,828	134,588	(85,930)	61%	
Professional Services	76,500	15	1,301	(75,199)	2%	
Maintenance	31,404	11,860	16,421	(14,983)	52%	
Commodities	17,365	283	5,323	(12,042)	31%	
Debt service (Warrants)						
Principal	685,000	-	685,000	-	100%	
Interest	<u>210,911</u>	<u>-</u>	<u>210,910</u>	<u>(1)</u>	<u>100%</u>	
<b>Total Expenditures</b>	<b><u>1,241,698</u></b>	<b><u>26,986</u></b>	<b><u>1,053,543</u></b>	<b><u>(188,155)</u></b>	<b><u>85%</u></b>	
<b>REVENUES NET OF EXPENDITURES</b>	<b><u>(1,125,927)</u></b>	<b><u>(25,422)</u></b>	<b><u>(1,039,982)</u></b>	<b><u>85,945</u></b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (GF, DSF, RDF)	1,396,911	428,011	1,004,069	(392,842)	72%	
Operating transfers out	-	-	(940,110)	(940,110)	0%	
Bond/registered warrant proceeds	-	-	-	-	0%	
Capital Improvement	<u>(750,000)</u>	<u>(94,174)</u>	<u>(535,574)</u>	<u>214,426</u>	<u>71%</u>	
<b>Total other Financing Sources (Uses)</b>	<b><u>646,911</u></b>	<b><u>333,837</u></b>	<b><u>(471,615)</u></b>	<b><u>(1,118,526)</u></b>	<b><u>-73%</u></b>	
<b>NET FUND ACTIVITY</b>	<b><u>\$ (479,016)</u></b>	<b><u>\$ 308,415</u></b>	<b><u>\$ (1,511,598)</u></b>	<b><u>\$ (1,032,582)</u></b>		

CITY OF LAVISTA, NEBRASKA  
COMBINED STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<u>Redevelopment Fund</u>					% of Budget Used
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	Over(under) <u>Budget</u>		
<b><u>REVENUES</u></b>						
Sales and use taxes	\$ 2,345,832	\$ 190,311	\$ 1,968,256	\$ (377,576)		84%
Franchise Fee & Occupation Tax	29,485	-	-	(29,485)		0%
Interest income	66,252	2,145	54,593	(11,659)		82%
<b>Total Revenues</b>	<b>2,441,569</b>	<b>192,457</b>	<b>2,022,849</b>	<b>(418,720)</b>		<b>83%</b>
<b><u>EXPENDITURES</u></b>						
Community Development	-	-	-	-		0%
Professional Services	200,000	-	22,500	(177,500)		11%
Financial / Legal Fees	100,500	15	149,859	49,359		149%
Debt service (Warrants)	-	-	-	-		0%
Principal	505,000	-	505,000	-		100%
Interest	728,187	-	630,688	(97,500)		87%
<b>Total Expenditures</b>	<b>1,533,687</b>	<b>15</b>	<b>1,308,046</b>	<b>(225,641)</b>		<b>85%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>907,882</b>	<b>192,442</b>	<b>714,802</b>	<b>(193,080)</b>		
<b><u>OTHER FINANCING SOURCES (USES)</u></b>						
Operating transfers in	200,000	-	940,110	740,110		470%
Operating transfers out (OSP)	-	(343,908)	(343,908)	(343,908)		0%
Bond/registered warrant proceeds	6,500,000	-	-	(6,500,000)		0%
Capital Improvement	(10,700,000)	(55,115)	(3,198,301)	7,501,699		30%
<b>Total other Financing Sources (Uses)</b>	<b>(4,000,000)</b>	<b>(399,022)</b>	<b>(2,602,098)</b>	<b>1,397,902</b>		
<b>NET FUND ACTIVITY</b>	<b>\$ (3,092,118)</b>	<b>\$ (206,581)</b>	<b>\$ (1,887,296)</b>	<b>\$ 1,204,822</b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the eleven months ending August 31, 2020**  
**92% of the Fiscal Year 2020**

<b>Police Academy Fund</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>REVENUES</b>						
Other Income	\$ 100,000	\$ -	\$ 102,405	\$ 2,405	102%	
Interest income	83	6	251	168	303%	
<b>Total Revenues</b>	<b><u>100,083</u></b>	<b><u>6</u></b>	<b><u>102,656</u></b>	<b><u>2,573</u></b>	<b><u>103%</u></b>	
<b>EXPENDITURES</b>						
Personnel Services	79,672	4,806	72,281	(7,391)	91%	
Commodities	3,535	138	1,239	(2,296)	35%	
Contract Services	11,854	60	8,496	(3,358)	72%	
Other Charges	3,535	-	9,958	6,423	282%	
<b>Total Expenditures</b>	<b><u>98,596</u></b>	<b><u>5,003</u></b>	<b><u>91,974</u></b>	<b><u>(6,622)</u></b>	<b><u>93%</u></b>	
<b>REVENUES NET OF EXPENDITURES</b>	<b><u>1,487</u></b>	<b><u>(4,998)</u></b>	<b><u>10,683</u></b>	<b><u>9,196</u></b>		
<b>OTHER FINANCING SOURCES (USES)</b>						
Operating transfers in (GF)	-	-	-	-	0%	
Operating transfers out	-	-	-	-	0%	
<b>Total other Financing Sources (Uses)</b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>		
<b>NET FUND ACTIVITY</b>	<b><u>\$ 1,487</u></b>	<b><u>\$ (4,998)</u></b>	<b><u>\$ 10,683</u></b>	<b><u>\$ 9,196</u></b>		

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

	<b>TIF 1A</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>					
Property Tax	\$ 541,612	\$ 47,814	\$ 95,628	\$ (445,984)	18%
<b>Total Revenues</b>	<b><u>541,612</u></b>	<b><u>47,814</u></b>	<b><u>95,628</u></b>	<b><u>(445,984)</u></b>	<b><u>18%</u></b>
<b>EXPENDITURES</b>					
Other	-	-	-	-	0%
Contract Services	5,416	478	956	(4,460)	18%
Debt service (Warrants)					
Principal	313,710	-	65,222	(248,488)	21%
Interest	222,486	-	-	(222,486)	0%
<b>Total Expenditures</b>	<b><u>541,612</u></b>	<b><u>478</u></b>	<b><u>66,179</u></b>	<b><u>(475,433)</u></b>	<b><u>  </u></b>
<b>REVENUES NET OF EXPENDITURES</b>	<b><u>-</u></b>	<b><u>47,336</u></b>	<b><u>29,450</u></b>	<b><u>29,450</u></b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	-	-	-	-	0%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	
<b>NET FUND ACTIVITY</b>	<b><u>\$ -</u></b>	<b><u>\$ 47,336</u></b>	<b><u>\$ 29,450</u></b>	<b><u>\$ 29,450</u></b>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

<b>TIF 1B</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><u>REVENUES</u></b>					
Property Tax	\$ _____ -	\$ 15,435	\$ 30,870	\$ 30,870	0%
<b>Total Revenues</b>	<u>_____ -</u>	<u>15,435</u>	<u>30,870</u>	<u>30,870</u>	<u>0%</u>
<b><u>EXPENDITURES</u></b>					
Other	-	-	15,281	15,281	0%
Contract Services	-	154	309	309	0%
<b>Total Expenditures</b>	<u>_____ -</u>	<u>154</u>	<u>15,589</u>	<u>15,589</u>	<u>0%</u>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<u>_____ -</u>	<u>15,281</u>	<u>15,281</u>	<u>15,281</u>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in				-	0%
Operating transfers out				-	0%
<b>Total other Financing Sources (Uses)</b>	<u>_____ -</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b><u>NET FUND ACTIVITY</u></b>	<u>\$ _____ -</u>	<u>\$ 15,281</u>	<u>\$ 15,281</u>	<u>\$ 15,281</u>	

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

<b>Sewer Reserve Fund</b>					
	<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><u>REVENUES</u></b>					
Interest income	\$ 8,937	\$ 644	\$ 6,800	\$ (2,137)	76%
<b>Total Revenues</b>	<b>\$ 8,937</b>	<b>\$ 644</b>	<b>\$ 6,800</b>	<b>\$ (2,137)</b>	<b>76%</b>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b>8,937</b>	<b>644</b>	<b>6,800</b>	<b>(2,137)</b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	728,630	740,000	740,000	11,370	102%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b>728,630</b>	<b>740,000</b>	<b>740,000</b>	<b>11,370</b>	
<b><u>NET FUND ACTIVITY</u></b>	<b>\$ 737,567</b>	<b>\$ 740,644</b>	<b>\$ 746,800</b>	<b>\$ 9,233</b>	

CITY OF LAVISTA, NEBRASKA  
COMBINED STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES  
For the eleven months ending August 31, 2020  
92% of the Fiscal Year 2020

<u>Qualified Sinking Fund</u>					
	<u>Budget</u> (12 month)	<u>MTD</u> Actual	<u>YTD</u> Actual	<u>Over(under)</u> <u>Budget</u>	<u>% of Budget</u> <u>Used</u>
<b><u>REVENUES</u></b>					
Interest income	\$ 625	\$ 116	\$ 626	\$ 1	100%
<b>Total Revenues</b>	<b><u>625</u></b>	<b><u>116</u></b>	<b><u>626</u></b>	<b><u>1</u></b>	<b><u>100%</u></b>
<b><u>EXPENDITURES</u></b>					
Other	-	-	-	-	0%
<b>Total Expenditures</b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>-</u></b>
<b><u>REVENUES NET OF EXPENDITURES</u></b>	<b><u>625</u></b>	<b><u>116</u></b>	<b><u>626</u></b>	<b><u>1</u></b>	
<b><u>OTHER FINANCING SOURCES (USES)</u></b>					
Operating transfers in	450,000	250,000	250,000	(200,000)	56%
Operating transfers out	-	-	-	-	0%
<b>Total other Financing Sources (Uses)</b>	<b><u>450,000</u></b>	<b><u>250,000</u></b>	<b><u>250,000</u></b>	<b><u>(200,000)</u></b>	
<b><u>NET FUND ACTIVITY</u></b>	<b><u>\$ 450,625</u></b>	<b><u>\$ 250,116</u></b>	<b><u>\$ 250,626</u></b>	<b><u>\$ (199,999)</u></b>	



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

October 7, 2020

Project No: 00120661.00  
Invoice No: 167092

96th & 108th St Pavement Rehabilitation

**Professional Services from August 31, 2020 to September 30, 2020**

Task 00003 Preliminary Design

**Professional Personnel**

	Hours	Rate	Amount
E1a Professional Engineer/Project Mgr			
Kastl, Patrick	4.00	181.00	724.00
O'Bryan, Timothy	11.00	181.00	1,991.00
E5 Eng Tech II, Insp II, Env Tech II			
Salisbury, Tracy	13.00	85.00	1,105.00
Totals	28.00		3,820.00
<b>Total Labor</b>			<b>3,820.00</b>
		<b>Total this Task</b>	<b>\$3,820.00</b>

	Current	Prior	To-Date
Billing Limits			
Total Billings	3,820.00	100,849.07	104,669.07
Limit			116,995.00
Remaining			12,325.93
		<b>Total this Invoice</b>	<b>\$3,820.00</b>

**Outstanding Invoices**

Number	Date	Balance
165702	9/9/2020	10,727.00
<b>Total</b>		<b>10,727.00</b>

OK TO PAY

PMD 10/7/2020

PO#20-008952

A-1e



Kissel, Kohout,  
ES Associates LLC

301 South 13th Street Suite 400  
Lincoln, Nebraska 68508  
[kisselkohoutes.com](http://kisselkohoutes.com)  
Phone: 402-476-1188  
Fax: 402-476-6167

**INVOICE**  
**October 1, 2020**

Inv. #UCSC-LAV-1020

TO: United Cities of Sarpy County  
Brenda Gunn, City Administrator  
City of La Vista  
8116 Park View Boulevard  
LaVista, Nebraska 68128

For Legislative Services: October 1, 2020 – September 30, 2021 \$9,607.48  
(\$48,073.00 - \$35.59 = \$48,037.41/5 = \$9,607.48)

**Total Due:** **\$9,607.48**

Please remit, net 30, to  
Joseph D. Kohout  
Kissel, Kohout ES Associates LLC  
301 S 13th Street, Suite 400  
Lincoln, NE 68508

10-20-2020  
Consent Agenda  
1-11-0314

**THANK YOU FOR YOUR BUSINESS!!!**

Consent Agenda 10/20/2020  
(as)

User: mgustafson

DB: La Vista

Check #

Check #	Check Date	Vendor Name	Amount	Voided
133378	10/07/2020	ALFRED BENESCH & COMPANY	10,727.00	N
133379	10/07/2020	DESIGN WORKSHOP INC	82,998.47	N
133380	10/07/2020	DLR GROUP	15,424.73	N
133381	10/07/2020	HDR ENGINEERING INC	309.42	N
133382	10/07/2020	LAMP RYNEARSON & ASSOCIATES	23,898.00	N
133383	10/07/2020	MIDWEST RIGHT OF WAY SVCS INC	237.50	N
133384	10/07/2020	POWER DMS INC	8,285.80	N
133385	10/07/2020	RDG PLANNING & DESIGN	4,747.44	N
133386	10/07/2020	WATER'S EDGE AQUATIC DESIGN	10,751.50	N
133387	10/20/2020	3CMA MEMBERSHIP	400.00	N
133388	10/20/2020	911 CUSTOM LLC	591.00	N
133389	10/20/2020	A-1 FLAGS, POLES, AND REPAIR LLC	49.00	N
133390	10/20/2020	ACTION BATTERIES UNLTD INC	59.90	N
133391	10/20/2020	AKRS EQUIPMENT SOLUTIONS, INC.	4,034.80	N
133392	10/20/2020	AMAZON CAPITAL SERVICES, INC.	1,411.07	N
133393	10/20/2020	ANDERSON BROTHERS ENGINEERING	753.00	N
133394	10/20/2020	ARBOR DAY FOUNDATION	15.00	N
133395	10/20/2020	BAUER BUILT INC	18.71	N
133396	10/20/2020	BIBLIOTHECA LLC	6,495.00	N
133397	10/20/2020	BOB'S RADIATOR REPAIR CO INC	95.00	N
133398	10/20/2020	BUILDERS SUPPLY CO INC	142.34	N
133399	10/20/2020	CENTURY LINK	27.05	N
133400	10/20/2020	CENTURY LINK BUSN SVCS	55.47	N
133401	10/20/2020	CINTAS CORPOTATION NO. 2	128.85	N
133402	10/20/2020	CITY OF PAPILLION	2,200.00	N
133403	10/20/2020	COMP CHOICE INC	631.00	N
133404	10/20/2020	CONSOLIDATED CONCRETE, LLC	461.25	N
133405	10/20/2020	CONTROL MASTERS INCORPORATED	308.80	N
133406	10/20/2020	CORNHUSKER INTL TRUCKS INC	472.72	N
133407	10/20/2020	COX COMMUNICATIONS, INC.	280.55	N
133408	10/20/2020	CULLIGAN OF OMAHA	18.00	N
133409	10/20/2020	D & K PRODUCTS	5,722.00	N
133410	10/20/2020	DIAMOND VOGEL PAINTS	444.89	N
133411	10/20/2020	DIGITAL EXPRESS	210.60	N
133412	10/20/2020	ECHO GROUP INCORPORATED	1,864.11	N
133413	10/20/2020	FASTENAL COMPANY	74.46	N
133414	10/20/2020	FBG SERVICE CORPORATION	5,965.00	N
133415	10/20/2020	FITZGERALD SCHORR BARMETTLER	41,549.00	N
133417	10/20/2020	GRAINGER	1,787.59	N
133418	10/20/2020	GRAYBAR ELECTRIC COMPANY INC	491.03	N
133419	10/20/2020	HANEY SHOE STORE	150.00	N
133420	10/20/2020	HARM'S CONCRETE INC	3,395.76	N
133421	10/20/2020	INDUSTRIAL SALES COMPANY INC	65.86	N
133422	10/20/2020	INGRAM LIBRARY SERVICES	2,485.06	N
133424	10/20/2020	J & J SMALL ENGINE SERVICE	30.94	N
133425	10/20/2020	JOHNSTONE SUPPLY CO	289.71	N
133426	10/20/2020	KANOPLY, INC.	165.00	N
133427	10/20/2020	KRIHA FLUID POWER CO INC	20.47	N
133428	10/20/2020	LA VISTA 5327 INC	616.83	N
133429	10/20/2020	LIBRARY IDEAS LLC	324.05	N
133430	10/20/2020	LOGAN CONTRACTORS SUPPLY	194.79	N
133431	10/20/2020	MENARDS-RALSTON	351.62	N
133432	10/20/2020	METRO LANDSCAPE MATERIALS &	42.00	N
133433	10/20/2020	METROPOLITAN COMMUNITY COLLEG	24,802.58	N
133434	10/20/2020	MICHAEL TODD AND COMPANY INC	40.45	N
133435	10/20/2020	MIDLANDS LIGHTING & ELECTRIC SUP	903.59	N
133436	10/20/2020	NEWSBANK	3,170.00	N
133437	10/20/2020	NOLL, MARGARET M	120.00	N
133438	10/20/2020	O'REILLY AUTO PARTS	838.41	N
133439	10/20/2020	OCLC INC	161.21	N

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
133440	10/20/2020	ODEYS INCORPORATED	1,380.00	N
133441	10/20/2020	OFFICE DEPOT INC	278.41	N
133442	10/20/2020	OMAHA DOOR & WINDOW CO INC	111.75	N
133443	10/20/2020	OMAHA PUBLIC POWER DISTRICT	1,622.14	N
133444	10/20/2020	OMNI ENGINEERING	281.40	N
133445	10/20/2020	ON YOUR MARKS	9,757.98	N
133446	10/20/2020	ONE CALL CONCEPTS INC	300.39	N
133447	10/20/2020	PAPILLION SANITATION	1,163.61	N
133448	10/20/2020	PAPILLION TIRE INCORPORATED	220.22	N
133449	10/20/2020	PAPIO VALLEY NURSERY INC	710.25	N
133450	10/20/2020	READY MIXED CONCRETE COMPANY	1,492.31	N
133451	10/20/2020	RED MUNICIPAL & INDUSTRIAL EQUIP	366.58	N
133452	10/20/2020	SARPY COUNTY FISCAL ADMINSTRTN	12,523.65	N
133453	10/20/2020	SARPY DOUGLAS LAW ENFORCE. ACAD	32,500.00	N
133454	10/20/2020	SECURITY EQUIPMENT INC.	1,019.75	N
133455	10/20/2020	SHI INTERNATIONAL CORP.	3,328.28	N
133456	10/20/2020	SUN VALLEY LANDSCAPING	76.80	N
133457	10/20/2020	THE COLONIAL PRESS, INC	10,912.84	N
133458	10/20/2020	THE SCHEMMER ASSOCIATES INC	3,403.20	N
133459	10/20/2020	TRANS UNION RISK AND ALT. DATA S	50.00	N
133460	10/20/2020	TRI-CITY FOOD PANTRY	305.00	N
133461	10/20/2020	U.S. CELLULAR	1,694.34	N
133462	10/20/2020	WESTLAKE HARDWARE INC NE-022	1,129.73	N
			TOTAL:	356,934.01

APPROVED BY COUNCIL MEMBERS ON: 10/20/2020

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
1164(E)	09/25/2020	FIRST BANKCARD	4,401.65	N
1168(E)	09/25/2020	3C PAYMENT USA CORPORATION	100.00	N
1169(E)	09/25/2020	AMERICAN HERITAGE LIFE INSURANCE	1,433.06	N
1170(E)	09/25/2020	BLUE CROSS BLUE SHIELD OF NEBR	115,295.08	N
1171(E)	09/25/2020	BOK FINANCIAL	266,953.75	N
1172(E)	09/25/2020	BOK FINANCIAL	16,853.75	N
1173(E)	09/25/2020	CCAP AUTO LEASE LTD	449.00	N
1174(E)	09/25/2020	CCAP AUTO LEASE LTD	391.12	N
1175(E)	09/25/2020	DEARBORN NATIONAL LIFE INSURANC	1,240.00	N
1176(E)	09/25/2020	DEARBORN NATIONAL LIFE INSURANC	5,602.72	N
1177(E)	09/25/2020	ESSENTIAL SCREENS	38.00	N
1178(E)	09/25/2020	FIRST STATE BANK	4,399.70	N
1179(E)	09/25/2020	FIRST STATE BANK	5,668.85	N
1180(E)	09/25/2020	FIRST STATE BANK	2,137.23	N
1181(E)	09/25/2020	LINCOLN NATIONAL LIFE INS CO	6,650.02	N
1182(E)	09/25/2020	MID-AMERICAN BENEFITS INC	656.50	N
1183(E)	09/25/2020	MID-AMERICAN BENEFITS INC	7,562.33	N
1184(E)	09/25/2020	NE DEPT OF REVENUE-SALES TAX	156.27	N
1185(E)	09/25/2020	TOSHIBA FINANCIAL SERVICES	127.40	N
1186(E)	09/25/2020	TSYS	145.19	N
1187(E)	09/25/2020	UNITED HEALTHCARE INSURANCE CO	973.16	N
TOTAL:				441,234.78

APPROVED BY COUNCIL MEMBERS ON: 10/20/2020

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ANNEXATION — ORIENTAL TRADING COMPANY BUSINESS PARK	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CHRIS SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing and first reading of the ordinance to consider the annexation of the following property has been scheduled:

Oriental Trading Company Business Park

- Oriental Trading Company Business Park: Lots 1 thru 3, along with Outlots B and C

**FISCAL IMPACT**

	<u>Assessed Valuation</u>	<u>Net Debt</u>
OTC Business Park	\$ 34,715,846	\$ 0

Additional detail can be found in the annexation plan.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On March 19, 2019, the City Council adopted Look Out La Vista, a full update of the Comprehensive Plan, which provides a detailed annexation plan. The areas proposed for annexation are identified in the plan, on the Annexation Summary spreadsheet, within the 1-5 Year consideration window.

On September 15, 2020, the City Council approved Resolution No. 20-087 that commenced the annexation process as per Section 16-117 of the Nebraska Revised Statutes.

A detailed annexation plan has been prepared and is attached for review. Following adoption of the resolution, a public hearing to consider the proposed annexation was held by the Planning Commission on October 1, 2020. The Planning Commission unanimously voted to recommend approval.

The City Clerk and planning staff mailed notices of the Planning Commission public hearing to utility companies, fire districts, school districts, and owners of the property within the area proposed for annexation according to statutory requirements and the City's Annexation Plan. Property owners within the area proposed for annexation were also notified of the City Council public hearing.

The following areas being considered for annexation are comprised of the following:

- Oriental Trading Company Business Park: Lots 1 thru 3, along with Outlots B and C

K:\APPS\City Hall\CNCLRPT (Blue Letters)\20file\20 CD OTC Annexation - 1st Reading 10.20.2020.Docx

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

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (LOTS 1 THRU 3, ALONG WITH OUTLOTS B AND C, ORIENTAL TRADING COMPANY BUSINESS PARK, AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NE), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land, and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and plan to provide services, and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska;

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

**SECTION 1.**

- A. The foregoing recitals shall be incorporated into this ordinance by reference and are hereby ratified, affirmed and approved.
- B. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1, 2 AND 3 AND OUTLOTS B AND C, ORIENTAL TRADING COMPANY BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID LOT 2, SAID CORNER BEING ON THE EAST LINE OF 114<sup>TH</sup> STREET;

THENCE S84°44'30"E (ASSUMED BEARING) 1918.19 FEET ON THE NORTH LINE OF SAID LOT 2 AND SAID OUTLOTS B AND C;

THENCE SOUTHEASTERLY ON THE NORTH LINES OF SAID OUTLOTS B AND C ON A 2241.50 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S79°10'42"E, CHORD DISTANCE 434.61 FEET, AN ARC DISTANCE OF 435.29 FEET;

THENCE S73°37'02"E 158.22 FEET ON THE NORTH LINE OF SAID OUTLOT B;

THENCE S54°07'02"E 94.50 FEET ON THE NORTH LINE OF SAID OUTLOT B TO THE NE CORNER THEREOF;

THENCE S00°24'53"E 2232.04 FEET ON THE EAST LINES OF SAID LOTS 1 AND 3 AND OUTLOTS B AND C TO THE SE CORNER OF SAID LOT 3;

THENCE S89°42'31"W 1438.14 FEET ON THE SOUTH LINE OF SAID LOT 3;  
THENCE N00°02'09"E 412.07 FEET ON THE SOUTH LINE OF SAID LOT 3;  
THENCE S89°42'07"W 1030.54 FEET ON THE SOUTH LINE OF SAID LOT 3;  
THENCE S00°00'33"W 33.94 FEET ON THE SOUTH LINE OF SAID LOT 3;  
THENCE S89°42'26"W 138.70 FEET ON THE SOUTH LINE OF SAID LOT 3 TO  
THE SW CORNER THEREOF;  
THENCE N00°00'33"E 1719.00 FEET ON THE WEST LINES OF SAID LOTS 2  
AND 3;  
THENCE N05°04'17"E 238.00 FEET ON THE WEST LINE OF SAID LOT 2;  
THENCE N00°00'33"E 226.00 FEET ON THE WEST LINE OF SAID LOT 2;  
THENCE N05°39'53"E 42.79 FEET ON THE WEST LINE OF SAID LOT 2 TO THE  
POINT OF BEGINNING.

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

**SECTION 2.** That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Lots 1-3 along with Outlots B and C, Oriental Trading Company Business Park, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

**SECTION 3.** This ordinance shall be in full force and effect on December 3, 2020 after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



## **ANNEXATION PLAN**

**ORIENTAL TRADING COMPANY BUSINESS PARK  
(Lots 1-3, Outlots B & C)**

**August 25, 2020**

## ANNEXATION SCHEDULE\*

(Per R.S. 1943, § 16-117, Annexation; powers\*\*; procedure; hearing; and LB 495)

(1) Prepare a plan for extending city services\*\*\* to the land proposed for annexation that contains sufficient detail to provide a reasonable person with a full and complete understanding of the proposal for extending city services to such land. The plan shall:

- a. State the estimated cost impact of providing the services to such land;
- b. State the method by which the city plans to finance the extension of services to the land and how any services already provided to the land will be maintained;
- c. Include a timetable for extending the services to such land;
- d. Include a map drawn to scale clearly delineating the land proposed for annexation, the current boundaries of the city, the proposed boundaries of the city after the annexation, and the general land-use pattern in the land proposed for annexation.

**\_packets to depts.**

**10/2/2019**

**Info. due back**

**11/1/2019**

**Draft study 7/9-7/20**

**Depts. review draft 8/3**

**Revisions due back 8/17**

**Prepare final draft 8/18**

**Final Plan 9/1**

(2) The City Council adopts the resolution stating that the city is considering the annexation of the land and the plan for extending services to the land. The resolution shall state:

- a. The time, date and location of the public hearing (#10 below);
- b. A description of the boundaries of the land proposed for annexation; and
- c. That the plan of the city for the extension of city services to the land proposed for annexation is available for inspection during regular business hours in the office of the City Clerk.

**CC Resolution 9/15**

**PC Public Hearing 10/1**

**CC Public Hearing 10/20**

### Update City website and social media sites.

(3) Not later than **14 days** prior to the Planning Commission public hearing in #6, the City Clerk must send notice of the proposed annexation by **certified mail, return receipt requested** to any of the following entities serving customers in the City or area proposed for annexation (Section 16-130(6)):

- a. Natural gas public utility defined in Section 66-1802
- b. Natural gas utility owned or operated by the city
- c. Metropolitan utilities district
- d. Any municipality
- e. Public power district
- f. Public power and irrigation district
- g. Electric cooperative
- h. Any other governmental entity providing electric service

This notice must include:

- a. Copy of proposed annexation ordinance,
- b. The date, time and place of public hearing before Planning Commission on proposed annexation ordinance, and
- c. A map showing the boundaries of the area proposed for annexation

**Mail 9/16**

(4) The City must send written notice of the proposed annexation to the owners of property within the area proposed for annexation by **regular U.S. mail**, postage prepaid, to the address of each owner of such property<sup>i</sup> as it appears in the records of the office of the register of deeds, **postmarked** at least **10 working days** prior to the Planning Commission's public hearing on the proposed change with a **certified letter** to the SID Clerk if the annexation includes property located within the boundaries of such SID. The notice must include:

- a. Description of the area proposed to be annexed, including a map showing the boundaries of the area proposed for annexation, and
- b. The date, time, and location of Planning Commission hearing and

**(Ownership list no earlier than 9/1)**

**Mail 9/16**

c.	How further information regarding the annexation can be obtained, including the phone number of the pertinent city official and electronic mail or internet address if available.	
(5)	A copy of the resolution in #2 providing for the public hearing shall be sent by first-class mail following its passage to the school board of any school district in the land proposed for annexation. Also notify Fire District.	Mail 9/16 to PLVSD
(6)	The Planning Commission conducts a public hearing on the proposed annexation and forwards a recommendation to the City Council.	PC 10/1 (PC 10/15 if continued)
(7)	A copy of the resolution in #2 providing for the public hearing shall be published in a legal newspaper in or of general circulation in the city at least once <u>not less than 10 days</u> preceding the date of the public hearing. A map drawn to <b>scale</b> delineating the land proposed for annexation shall be published with the resolution.	Publish 10/7 (Email resolution and map 10/1)
(8)	The City must send a second notice of the proposed annexation to the same owners of property who were provided with notice in #4 above by <b>regular U.S. mail</b> , postage prepaid, to the owner's address as it appears in the records of the office of the register of deeds, <b>postmarked</b> at least <b>10 working days</b> prior to the public hearing of the City Council on the proposed annexation. The notice must include:	
a.	Description of the area proposed to be annexed, including a map showing the boundaries of the area proposed for annexation, and	Mail 10/1
b.	The date, time, and location of the City Council hearing and	
c.	How further information regarding the annexation can be obtained, including the phone number of the pertinent city official and an electronic mail or internet address if available.	
(9)	The City Council introduces the annexation ordinance (first reading).	CC 10/20 (1 <sup>st</sup> Reading)
(10)	The City Council holds the public hearing on the proposed annexation <u>within 60 days</u> following the adoption of the resolution in # 2 above to allow City Council to receive testimony from interested persons (the City Council may recess the hearing, for good cause, to a time and date specified at the hearing).	CC 10/20 (Public Hearing)
(11)	The City Council considers the second reading of the annexation ordinance.	CC 11/3 (2 <sup>nd</sup> Reading)
(12)	Prior to the final adoption of the annexation ordinance, the minutes of the City Council meeting at which the final adoption was considered shall reflect formal compliance with #3 above. <i>[For example, when the agenda item for final adoption comes up and prior to any vote, the Mayor or City Clerk should state for the record that the minutes will reflect formal compliance with the requirements of subsection 16-130(6) of Nebraska Statutes.]</i>	CC 11/17
(13)	The City Council considers the third and final reading of the annexation ordinance.	CC 11/17 (3 <sup>rd</sup> Reading)
(14)	The City Clerk publishes the annexation ordinance and it becomes effective 15 days after passage*. <i>*Specify effective date of 12/3/2020</i>	Publish 11/25 <i>*Effective 12/3</i>
(15)	The City Clerk notifies:	
a.	SID Chairman – request information on contracts, outstanding bills, name/contact information for auditor, an audit up to the date of annexation, and accounting per Section 31-764. <i>[if applicable, i.e. when the annexed area is in an SID]</i>	
b.	Reporting of annexation pursuant to various statutes, such as:	
	i. (Section ?) – notice to Postmaster General of Nebraska	
	ii. Section 13-509(3) – taxable valuation - Mayor and City Council shall file and record a certified copy of the annexation ordinance, petition, or resolution in the office of the register of deeds or, if none, the county clerk and the county assessor of the county in which the annexed property is located. The annexation ordinance, petition, or resolution shall include a full legal description of the annexed property. If the register of deeds or county clerk receives and records such ordinance, petition, or resolution prior to <b>July 1</b> or, for annexations by a city of the metropolitan class, prior to August 1, the valuation of the real and personal property annexed shall be considered in the taxable valuation of the annexing political subdivision for the current year	11/26

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iii. Section 18-1753 – if annexation adds additional population to the city, city must report additional population to tax commissioner and include a copy of the ordinance and other information specified in Section 18-1753

iv. Section 77-27,143 – sales and use tax administration - local jurisdiction boundary changes apply only on the first day of a calendar quarter after a minimum of one hundred twenty days' notice to the Tax Commissioner and sixty days' notice to sellers

c. Determination if redistricting is required pursuant to Section 19-3052 (within 180 days). No municipality which proposes to annex territory and thereby bring new residents into the municipality shall annex such territory unless the redistricting will be accomplished at least eighty days prior to the next primary election in which candidates for the city council or village board of trustees are nominated. No city of the first class shall annex any territory during the period from eighty days prior to any primary election in which candidates for the city council are nominated until the date of the general election of the same year if such annexation would bring sufficient new residents into such city so as to require that election districts be redrawn to maintain substantial population equality between districts.

d. **County Offices, utility companies, others?**

e. **911 notification – request change to who is dispatched in annexed areas.**

**(16) DATE TO PROVIDE SERVICES**

Note: Dates may be revised during preparation of final report, see item (1) above, but prior to (2) above.

**POLICE:** 12/3/2020

**FIRE:** 10/1/2021

**LIBRARY:** 12/3/2020

**RECREATION:** 12/3/2020

**PUB WORKS:** 12/3/2020

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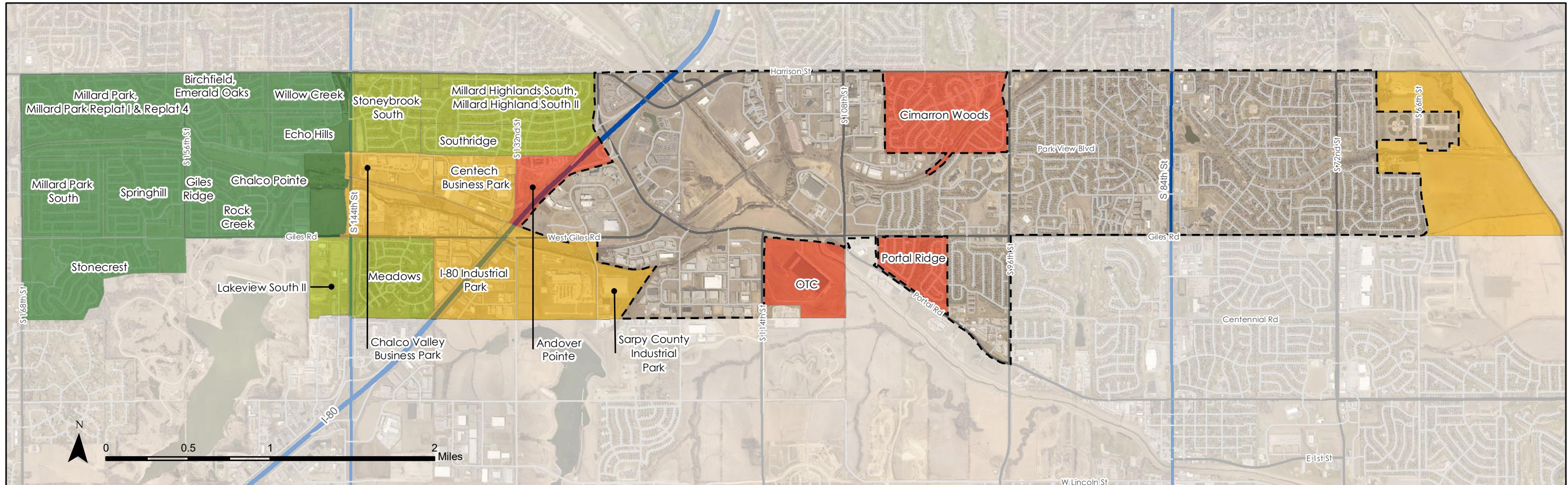
**Denotes special meeting.**

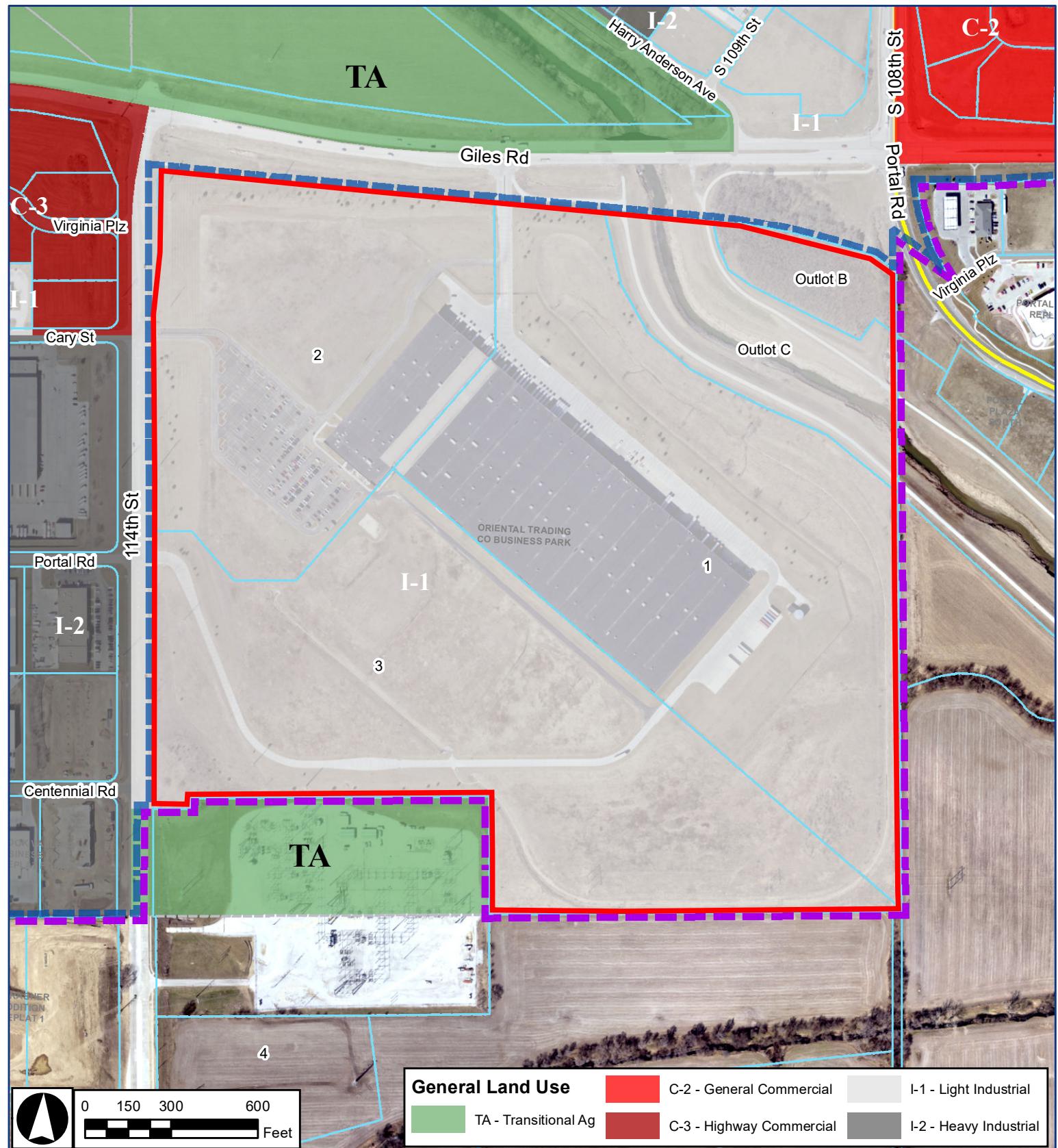
**Denotes not required by statute.**

Revised 9-15-20

<sup>i</sup> Owner means owner of a piece of property as indicated on the records of the office of the register of deeds as provided to or made available to the city no earlier than the last business day before the 25<sup>th</sup> day preceding the public hearing by the planning commission on the annexation proposed for the subject property (Section 19-5001(7)).

# Annexation





## Annexation Vicinity Map - Oriental Trading Company Business Park



### Legend

- Proposed Annexation Area
- City Limits - Current
- City Limits - Post Annexation

7/29/2020  
CB

LEGAL DESCRIPTION

LOTS 1, 2 AND 3 AND OUTLOTS B AND C, ORIENTAL TRADING COMPANY BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID LOT 2, SAID CORNER BEING ON THE EAST LINE OF 114<sup>TH</sup> STREET;

THENCE S84°44'30"E (ASSUMED BEARING) 1918.19 FEET ON THE NORTH LINE OF SAID LOT 2 AND SAID OUTLOTS B AND C;

THENCE SOUTHEASTERLY ON THE NORTH LINES OF SAID OUTLOTS B AND C ON A 2241.50 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S79°10'42"E, CHORD DISTANCE 434.61 FEET, AN ARC DISTANCE OF 435.29 FEET;

THENCE S73°37'02"E 158.22 FEET ON THE NORTH LINE OF SAID OUTLOT B;

THENCE S54°07'02"E 94.50 FEET ON THE NORTH LINE OF SAID OUTLOT B TO THE NE CORNER THEREOF;

THENCE S00°24'53"E 2232.04 FEET ON THE EAST LINES OF SAID LOTS 1 AND 3 AND OUTLOTS B AND C TO THE SE CORNER OF SAID LOT 3;

THENCE S89°42'31"W 1438.14 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE N00°02'09"E 412.07 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE S89°42'07"W 1030.54 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE S00°00'33"W 33.94 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE S89°42'26"W 138.70 FEET ON THE SOUTH LINE OF SAID LOT 3 TO THE SW CORNER THEREOF;

THENCE N00°00'33"E 1719.00 FEET ON THE WEST LINES OF SAID LOTS 2 AND 3;

THENCE N05°04'17"E 238.00 FEET ON THE WEST LINE OF SAID LOT 2;

THENCE N00°00'33"E 226.00 FEET ON THE WEST LINE OF SAID LOT 2;

THENCE N05°39'53"E 42.79 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

**LOTS 1-3 & OUTLOTS B & C  
ORIENTAL TRADING COMPANY BUSINESS PARK**

**I. Statistics**

- A. 2020 Valuation = \$34,715,846
- B. SID Tax Levy (per \$100 valuation) = N/A
- C. Estimated Population of Subject Area (as of 8/17/2020)\* = 0  
\*Population estimated from 2010 Census, persons per household multiplied by housing unit count.
- D. Land Area (acres) = 136.22
- E. Land Use
  - 1. Single Family Units = 0
  - 2. Multi-Family Units = 0
  - 3. Public Property = 2 Outlots
  - 4. Developed Commercial Lots = 0
  - 5. Developed Industrial Lots = 2  
(Oriental Trading Company)
  - 5. Number of Vacant Lots = 1
- F. School District = Papillion/La Vista
- G. Fire District = Papillion Rural Fire Protection District

**II. Improvements**

- A. Streets
  - Total Lane Miles = 0.00
  - Street Rating = NA
  - 1. New Lane Miles: Giles Road and 114<sup>th</sup> Street are both currently within the La Vista City Limits. No additional lane miles will be added as a result of this annexation.
  - 2. Street Lights: The City will incur no additional street lights.
  - 3. Traffic Signals: The City will incur no additional signals as part of this annexation.
  - 4. Right-of-Way: The City will acquire no additional right-of-way as a result of this annexation.

5. **Street Maintenance & Snow Removal:** No additional streets will be added as a result of this annexation. All adjoining streets are within the La Vista City Limits and are currently maintained by the La Vista Public Works Department. The overall condition of the streets adjoining proposed annexation area is good.
6. **Street Signs:** All required signage in the area is in place. The proposed annexation area is small enough that routine maintenance can be absorbed into the current budget.
7. **Sidewalks:** There no sidewalks in the annexation area. The West Papio Trail traverses Outlot C along the West Papillion Creek. Outlot C is owned by the Papio-Missouri NRD who maintains the trail.

B. Storm Sewer

1. There are no public storm sewer facilities within the proposed annexation areas.

C. Sanitary Sewer

1. The OTC building is served by a lift station and approximate 900-foot force main that connects into the Omaha Interceptor Sewer on the easterly side of the West Papio in an outlot owned by the City. The lift station is privately maintained as per the 2004 agreement with Oriental Trading Company. However, the force main is public and is currently maintained by La Vista Public Works.
2. Per our wastewater service agreement with the City of Omaha, La Vista will collect sewer use fees for this area.
3. The sanitary sewers flow into the Omaha Interceptor Sewer.

D. Water

1. All water services are provided by Metropolitan Utilities District.

E. Public Parks/Recreational Facilities

1. The West Papio Trail traverses Outlot C. The trail is maintained by the Papio-Missouri Natural Resources District. There are no other public parks or recreational facilities in this annexation.

F. Miscellaneous Improvements/Property Owned by SID

1. None that staff is aware of.

### **III. City Services**

#### **A. Police**

1. **Calls for Service:** The Police Department has examined the impact of annexing Oriental Trading Company Business Park and has found that for the 2018 calendar year there was 1 call for service to the area, 5 calls in 2017 and 14 in 2016. The Police Department has been responding to calls if officers are in the area when the call comes out.
2. **Fiscal Impact:** The Police Department has staffed an additional patrol district to service areas west of 96<sup>th</sup> Street since the development of the Southport area. No additional fiscal impact is expected.
3. **Staffing Impact:** During planning for the annexation of the Southport area, the Police Department planned and has since staffed an additional patrol district to service areas west of 96<sup>th</sup> Street. The planning at the time also included future service to the residential, industrial and commercial areas west of 96th Street. The areas to be annexed will benefit from faster response times than the County is presently providing.
4. **Overall:** The overall impact to the Police Department will be absorbed easily by the current district police car. The district cruiser currently drives through the vicinity in order to patrol and respond to calls for service in the City areas adjacent to the proposed annexation.

#### **B. Fire**

1. **Calls for Service:** The Papillion Fire Department has examined the impact of annexing Oriental Trading Company Business Park and has found that for the 2018 calendar year there was 6 calls for service to the area, 7 calls in 2017 and 9 in 2016.
2. **Fiscal Impact:** Based on the current contract arrangement between the Cities of La Vista, Papillion and the Papillion Rural Fire District it is hard to ascertain the fiscal impact of the annexation as the agreement is based on overall property valuation within and between the three entities. As the annexation would take place in the middle of FY21, there is no expected impact to the FY21

budget. It has been roughly calculated that the annexation would increase the payments through the contract by approximately \$56,000.

3. Staffing Impact: The Oriental Trading Company Business Park is already covered by the Papillion Fire Department. No staffing impacts are anticipated.
4. Overall: The Papillion Fire Department will continue to respond to calls for service in the area and maintain adequate response times. There appears to be adequate water supply and access roads for fire and EMS response.

C. Library

1. No impact to the La Vista Public Library is anticipated from this annexation.

D. Recreation

1. No impact to the La Vista Recreation Department is anticipated from this annexation.

E. Community Development

1. These lots are contiguous to the City limits.
2. Annexation of this area is consistent with the approved annexation plan within the City's Comprehensive Plan.

**IV. Contractual Obligations of the SID**

A. Contracts

1. None (not a SID).

B. Pending Litigation

1. None (not a SID).

C. Pending Improvement Projects

1. None (not a SID).

## **V. Analysis**

### **A. Annexation Suitability**

1. These lots are bordered by the City limits to the north and west making it a contiguous annexation.
2. From a financial standpoint, total annual income from all funds exceeds total annual expense by \$190,918.
3. The City's debt to assessed valuation ratio would decrease from 2.43% to 2.24%.

### **B. Policy Alternatives**

1. Annex.
2. Postpone annexation.

### **C. Recommendations/Conclusions**

The annexation of Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park will bridge the gap in between the City Limits of Papillion and La Vista in this area. This will reduce confusion regarding which areas are within the City limits and which areas are in Sarpy County's jurisdiction. It is recommended that the City annex Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park as this analysis confirms its suitability for annexation and the annexation is in conformance with the Comprehensive Plan.

Revised 8-25-2020

## Financial Information - OTC Business Park

REVENUE	EXPENSES
<b>General Fund</b>	<b>General Fund</b>
<i>Income Sources:</i>	<i>Costs to Service:</i>
Property Tax \$ 173,562	Street Lighting
Highway Allocation	Street Maintenance - Personnel
Sales & Use Tax	Street Maintenance - Operating
Franchise Tax \$ -	Snow Removal
<b>General Fund Income</b> \$ 173,562	Street Signs
	Traffic Signals
	Right-of-Way Maintenance
	Law Enforcement
	Fire Protection
	Community Development
	Administration
	Human Resource
	Library
	<b>General Fund Expenses</b> \$ -
	<b>Equipment - One-Time General Fund</b>
	"No Parking" Signs
	<b>One-Time Expenses</b> \$ -
<b>Total General Fund Income</b> \$ 173,562	<b>Total General Fund Expenses</b> \$ -
<b>Sewer Fund</b>	<b>Sewer Fund</b>
<i>Income Sources:</i>	
Sewer Use Fees * \$ -	Sewer Personnel
<b>Sewer Fund Income</b> \$ -	Sewer Maintenance
	<b>Sewer Fund Expenses</b> \$ -
	<b>Equipment - One-Time Sewer Fund</b>
	<b>One-Time Expenses</b> \$ -
<b>Total Sewer Fund Income</b> \$ -	<b>Total Sewer Fund</b> \$ -
<b>Debt Service (Bond Fund)</b>	<b>Debt Service (Bond Fund)</b>
<i>Income Sources:</i>	
Property Tax \$ 17,356	Annual P&I Payments
Unpaid Special Assessments	Rural Fire Districts - One-Time Expense
Special Assessments to be Levied	
Interest on Unpaid Assessments	
Cash On Hand	
<b>Total Debt Service Income</b> \$ 17,356	<b>Debt Service Fund Expenses</b> \$ -
	<b>Capital Fund - One-Time Expense</b>
	Street Repairs
	<b>Total Construction Fund Expenses</b> \$ -
<b>One-Time Income</b> \$ -	<b>One-Time Expenses</b> \$ -
<b>Annual Income</b> \$ 190,918	<b>Annual Expenses</b> \$ -

\* Already collecting Sewer Use Fees in OTC.

ADDITIONAL INFORMATION		
Current Assessed Valuation of Annexed Area	\$34,712,366	
0 Lane Miles		
<b>Outstanding Debt</b>		
General Obligation		0.5
Special Assessments to be Levied <sup>8</sup>		0.05
Accrued Interest		
<b>Total Outstanding Debt</b>	<b>\$0</b>	<b>0.55</b>
<b>Outstanding Revenue</b>		
Special Assessments to be Levied <sup>8</sup>	\$0	0.0%
	\$0	
<b>SID Net Debt</b>		
Outstanding Debt	\$0	
less Special Assessments to be Levied	\$0	
less Unpaid Specials	\$0	
less Cash on Hand	\$0	
<b>Total Net Debt</b>	<b>\$0</b>	
<b>Net debt to assessed valuation ratio</b>	<b>0.00%</b>	

Annexed Area Fire District Debt Obligation		
<b>Millard Fire District</b>		
Annexed Property <i>within</i>		
Percent of Valuation:	0.0%	
<b>Millard Fire District Debt(net)<sup>9</sup></b>	<b>0</b>	
City of La Vista	0	
<b>Papillion Rural Fire District</b>		2,821,243,244
Annexed Property <i>within</i>		34,712,366
Percent of Valuation:	1.23%	
<b>Papillion Rural Fire District Debt(net)<sup>9</sup></b>	<b>0</b>	
City of La Vista	0	
<b>Total Fire District Debt - One Time</b>	<b>\$</b>	<b>-</b>

City Information - Pre Annexation		City Debt to Assessed Valuation Ratio Post - Annexation	
Outstanding long term debt (10/01/20)	\$42,725,000		
Less Cash reserves:			
Debt Service Fund	(\$2,710,709)		
Lottery Fund			
<b>Net Debt (10/01/20)</b>	<b>\$40,014,291</b>		
Assessed Valuation			
Real Estate	\$1,755,107,309		
Personal Property			
<b>City Total Assessed Valuation</b>	<b>\$1,755,107,309</b>		
Net debt to assessed valuation ratio	2.28%		
<b>Debt to assessed valuation ratio</b>	<b>2.43%</b>		
		<b>Total Combined Valuation</b>	<b>\$1,789,819,675</b>
		City debt (10/01/19)	\$40,014,291
		OTC Debt (10/01/19)	\$0
		<b>Total Combined Debt</b>	<b>\$40,014,291</b>
		<b>City post-annexation debt/assessed valuation ratio</b>	<b>2.24%</b>

## **PLAN FOR EXTENDING CITY SERVICES TO THE LAND PROPOSED FOR ANNEXATION**

Pursuant to Nebraska Revised Statute §16-117, the following plan represents the City of La Vista's intent to serve Lots 1 – 3 and Outlots B & C Oriental Trading Company Business Park.

### **Lots 1-3 Oriental Trading Company Business Park**

The following city services will be extended on or before December 3, 2020:

Community/Recreation Center	Police Protection
Library Services	Street Maintenance
Sewer Maintenance	Park Maintenance

The following city services will be extended on or before October 1, 2021:

Fire and Rescue Services\*

\*Papillion Fire Department already provides services to this area. Annexation will cause a shift from their Rural Fire District to the La Vista Fire District on the aforementioned date.

City of La Vista Nebraska  
9900 Poral Rd.  
La Vista, NE 68128

Toys NE Qrd 15-74 Inc.  
C/O Oriental Trading Company  
4206 S 108<sup>th</sup> St.  
Omaha, NE 68137

Toys NE Qrd 15-74 Inc.  
C/O Oriental Trading Company  
4206 S 108<sup>th</sup> St.  
Omaha, NE 68137

Toys NE Qrd 15-74 Inc.  
C/O Oriental Trading Company  
4206 S 108<sup>th</sup> St.  
Omaha, NE 68137

The Papio-Missouri River  
Natural Resources District  
8901 S 154<sup>th</sup> St.  
Omaha, NE 68138

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
1 AND 6 YEAR STREET IMPROVEMENT PLAN & MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

#### **SYNOPSIS**

A public hearing has been scheduled and a resolution prepared authorizing the submittal of the Municipal Annual Certification of Program Compliance resolution and form to the Nebraska Board of Public Roads Classifications and Standards (NBCS) for the City of La Vista 1 and 6 Year Street Improvement Plan.

#### **FISCAL IMPACT**

The 1 and 6 Year Plan establishes prioritization and cost estimates for street improvements. Funding for the projects in the 1 and 6 Year plan are included in the Capital Improvement Program (CIP). Funding for years 1 and 2 of the 1 and 6 Year Plan is included in the FY21/22 Biennial Budget.

#### **RECOMMENDATION**

Approval

#### **BACKGROUND**

In the spring of 2019, the Nebraska Legislature passed LB82 which made significant changes to requirements on reporting of the One and Six Plan to the Nebraska Board of Public Roads Classifications and Standards (NBCS). Counties and municipalities are still required to have a One and Six Plan on file but are only required to submit a compliance resolution to the NBCS.

On October 15, 2020, the Planning Commission reviewed the Plan and recommended approval of the compliance resolution to the City Council.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM FOR 2020.

WHEREAS, State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS, State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista that the Mayor of La Vista is hereby authorized to sign the Municipal Annual Certification of Program Compliance form for 2020.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



Good Life. Great Journey.

**DEPARTMENT OF TRANSPORTATION**

August 14, 2020

**Notice to file the Annual Certification of Program Compliance and Signing Resolution with the Board of Public Roads Classifications and Standards by October 31, 2020.**

The enclosed **MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE** form and **RESOLUTION** authorizing the signing of the certification by the Mayor or Village Board Chairperson, replaces the annual filing of the One- and Six-Year Plan or Program and the former Standardized System of Annual Reporting (SSAR) with the **Nebraska Board of Public Roads Classifications and Standards (NBCS)**. Reference LB82, 2019.

To avoid the suspension of Highway-user Revenue to your municipality, following adoption of the One- and Six-Year Plan or Program and Annual Budget, please complete the enclosed **MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE** form and **RESOLUTION** and return them to the NBCS by October 31, 2020. Reference Neb. Rev. Stat. §§39-2120 and 39-2121(1).

Penalties for failure to comply can be found in the following State Statutes:

- Failure to comply with the provisions of Neb. Rev. Stat. §39-2115.
- Failure to comply with the provisions of Neb. Rev. Stat. §39-2119.
- Failure to file the Municipal Annual Certification of Program Compliance form with the NBCS, Neb. Rev. Stat. §39-2121(2).
- Filing of a materially false Municipal Annual Certification of Program Compliance form, Neb. Rev. Stat. §39-2121(3).
- Construction below minimum standards without the prior approval of the NBCS, Neb. Rev. Stat. §39-2121(3).

**Note:** While the signature of the City Street Superintendent is optional on the certification, the NBCS strongly recommends that the superintendent sign this certification if said municipality has a superintendent.

Please let me know if you have any questions. Email: [lemoyne.schulz@nebraska.gov](mailto:lemoyne.schulz@nebraska.gov)  
Phone: (402) 479-4436

Sincerely,

*LeMoyn D. Schulz*

LeMoyn D. Schulz  
Secretary for the Board

LDS/

xc: File

Enclosures

Kyle Schneweis, P.E., Director

**Department of Transportation**

Board of Public Roads Classifications and Standards

1500 Highway 2

PO Box 94759

Lincoln, NE 68509-4759

OFFICE 402-479-4436

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Steven R. Rames  
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Timothy W. Weander  
Omaha

Edward R. Wootton, Sr.  
Bellevue

LeMoyn D. Schulz  
Secretary – ex officio

**Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted.  
Failure to return both pages of the original document by the filing deadline (October 31) may result in the suspension of  
Highway Allocation funds until the documents are filed.**

**MUNICIPAL  
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE  
TO  
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS  
AND STANDARDS  
2020**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads Classifications and Standards, the City  Village  of \_\_\_\_\_  
(Check one box) (Print name of municipality)  
hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2520; and
- ✓ **has attached to this certification, a copy of the resolution of the governing body authorizing the signing of this certification by the Mayor or Village Board Chairperson.**



Signature of Mayor  Village Board Chairperson  (Required)

(Date)

Signature of City Street Superintendent (Optional)

(Date)

**Return the completed original certification and resolution by  
October 31, 2020 to:**

Nebraska Board of Public Roads Classifications and Standards  
PO Box 94759  
Lincoln NE 68509

**Do not recreate or revise the pages of this document**, as revisions and recreations will not be accepted.  
Failure to return both pages of the original document by the filing deadline (October 31) may result in the suspension of  
Highway Allocation funds until the documents are filed.

## RESOLUTION

### SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2020

Resolution No. \_\_\_\_\_

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**Be it resolved** that the Mayor  Village Board Chairperson  of \_\_\_\_\_  
(Check one box) (Print name of municipality)  
is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ Nebraska.  
(Month)

City Council/Village Board Members

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City Council/Village Board Member \_\_\_\_\_

Moved the adoption of said resolution

Member \_\_\_\_\_ Seconded the Motion

Roll Call: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_ Absent

Resolution adopted, signed and filed as adopted.

Attest:

---

(Signature of Clerk)

**Board of Public Roads Classifications and Standards**  
**Form 8 Summary of One- Year Plan**

Year Ending 2020 Sheet 1 of 1

COUNTY:		CITY:	VILLAGE:	
PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
1	M376 (220)	<b>84<sup>th</sup> Street</b> (From Harrison Street to Giles Road) Adaptive Traffic Signals	1.00	53.8 L.V. <u>3,046.1</u> Other 3,099.9
2	M376 (376)	<b>Applewood Creek Trail</b> (BNSF Railroad to Giles Road) Engineering for the Construction of a Hiking and Biking Trail	0.57	69.0 L.V. <u>276.3</u> Fed 345.3
3	M376 (230)	<b>Giles Road Widening</b> (Eastport Parkway to I-80 Ramps) Preliminary Design	1.20	286.0
4	M376 (383)	<b>117<sup>th</sup> and Giles Rd. Traffic Signal Construction</b>	0.01	40.0 L.V. <u>200.0</u> Private 240.0
5	M376 (392)	<b>Thompson Creek Trail</b> (Central Park) Design	.2	25.0
SIGNATURE:		TITLE:	DATE:	
		STREET SUPERINTENDENT (S-1046)	9/23/20	

**Board of Public Roads Classifications and Standards**  
**Summary of Six- Year Plan**  
**Six-Year Period Ending – 2025**

COUNTY:		CITY:		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2020	1	M376 (220)	<b>84<sup>th</sup> Street</b> (From Harrison Street to Giles Road) Adaptive Traffic Signals	1.00	53.8 L.V. <u>3,046.1</u> Other 3,099.9
2020	2	M376 (376)	<b>Applewood Creek Trail</b> (BNSF Railroad to Giles Road) Engineering for the Construction of a Hiking and Biking Trail	0.57	69.0 L.V. <u>276.3</u> Fed 345.3
2020	3	M376 (230)	<b>Giles Road Widening</b> (Eastport Parkway to I-80 Ramps) Preliminary Design	1.20	286.0
2020	4	M376 (383)	<b>117<sup>th</sup> and Giles Rd. Traffic Signal</b> Construction	0.01	40.0 L.V. <u>200.0</u> Private 240.0
2020	5	M376 (392)	<b>Thompson Creek Trail</b> (Central Park) Design	.2	25.0
2021	6	M376 (390)	<b>96<sup>th</sup> Street Concrete Panel Replacement</b> (Harrison Street to Portal Road) Construction	1.6	2,400.0
2021	7	M376 (391)	<b>108<sup>th</sup> St. Mill and Asphalt Overlay</b> (Harrison Street to Giles Rd) Construction	1.0	2,815.0
SIGNATURE:		TITLE:		DATE:	
		<b>STREET SUPERINTENDENT (S-1046)</b>			

**Board of Public Roads Classifications and Standards**  
**Summary of Six- Year Plan**  
**Six-Year Period Ending – 2025**

COUNTY:		CITY:		VILLAGE:	
<b>LA VISTA</b>					
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2021	8	M376 (228)	<b>East La Vista Sewer/Streets</b> (Harrison Street to Thompson Creek; 69 <sup>th</sup> Street to 72 <sup>nd</sup> Street) Design	2.56	600.0
2021	9	M376 (392)	<b>Thompson Creek Trail</b> (Central Park) Design	.2	106.0
2021	10	M376 (387)	<b>Resurfacing Package #1</b> (Various Street Maintenance)	1.0	500.0
2021	11	M376 (378)	<b>Park View Blvd. Panel Replacement</b> (84 <sup>th</sup> St to 96 <sup>th</sup> St. various locations)	1.0	150.0
2021	12	M376 (393)	<b>114<sup>th</sup> and Giles Intersection Updates</b> (Construction)	.05	75.0
2021	13	M376 (394)	<b>Giles Rd. &amp; Southport Pkwy Signal Update</b> (Construction)	.01	25.0
2021	14	M376 (230)	<b>Giles Road Improvements</b> (Eastport Parkway to I-80 Ramps) Preliminary Design	1.20	260.0
2022	15	M376 (228)	<b>East La Vista</b> (Harrison Street to Thompson Creek; 69 <sup>th</sup> Street to 72 <sup>nd</sup> Street) Construction	2.56	5,300.0
2022	16	M376 (376)	<b>Applewood Creek Trail</b> (BNSF Railroad to Giles Road) Construction	0.57	600.0 L.V. <u>1,719.3 Fed</u> 2,319.3
SIGNATURE:			TITLE:	DATE:	
<b>STREET SUPERINTENDENT (S-1046)</b>					

**Board of Public Roads Classifications and Standards**  
**Summary of Six- Year Plan**  
**Six-Year Period Ending – 2025**

COUNTY:		CITY:		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2022	17	M376 (230)	<b>Giles Road Improvements</b> (Eastport Parkway to I-80 Ramps) Preliminary Design	1.20	200.0
2022	18	M376 (392)	<b>Thompson Creek Trail</b> (Central Park) Construction	.2	1,236.0
2022	19	M376 (395)	<b>Battery Backup for Traffic Signals</b> (Various Intersections without backup)	.01	56.0
2022	20	M376 (388)	<b>Resurfacing Package #2</b> (Various Street Maintenance)	1.06	500.0
2022	21	M376 (396)	<b>Civic Center Park Access Road</b> (Design)	.10	200.0
2023	22	M376 (384)	<b>West Leg Summer Drive</b> Design	.10	250.0
2023	23	M376 (397)	<b>Resurfacing Package #3</b> (Various Street Maintenance)	1.0	500.0
2023	24	M376 (398)	<b>Thompson Creek Trail East</b> (Design)	1.0	54.0 L.V. 270.0 Fed 324.0
2023	25	M376 (399)	<b>Civic Center Park Access Road</b> (Construction)	.10	1,050.0
SIGNATURE:		TITLE:		DATE:	
		<b>STREET SUPERINTENDENT (S-1046)</b>			

**Board of Public Roads Classifications and Standards**  
**Summary of Six- Year Plan**  
**Six-Year Period Ending – 2025**

COUNTY:		CITY:		VILLAGE:	
		<b>LA VISTA</b>			
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2024	26	M376 (400)	<b>Resurfacing Package #4</b> Street Maintenance	1.04	500.0
2024	27	M376 (398)	<b>Thompson Creek Trail East</b> (ROW)	1.0	20.0 L.V. 80.0 Fed 100.0
2024	28	M376 (389)	<b>Bridge Deck Maintenance</b> (Various locations)	.10	900.0
2025	29	M376 (401)	<b>Resurfacing Package #5</b> Street Maintenance	1.04	500.0
2025	30	M376 (398)	<b>Thompson Creek Trail East</b> (Construction)	0.9	290.0 L.V. 1,450.0 Fed 1,740.0
2025	31	M376 (230)	<b>Giles Road Improvements</b> (Eastport Parkway to I-80 Ramps) Construction	1.20	2,484.0
2025	32	M376 (402)	<b>Transportation Network Study</b>	0.0	50.0
SIGNATURE:		TITLE:		DATE:	
		<b>STREET SUPERINTENDENT (S-1046)</b>			

**Board of Public Roads Classifications and Standards**  
**Form 11 Report of Previous Year**  
**Highway or Street Improvement**

Year Ending 2019 Sheet 1 of 1

COUNTY:	CITY: <b>LA VISTA</b>	VILLAGE:		
PROJECT NUMBER & DESCRIPTION	LENGTH Nearest Tenth (MILES)	PROJECTED COST (THOUSANDS)	CONTRACT PROJECT	DATE COMPLETED (ACTUAL OR ESTIMATED)
<b>M376 (380)</b> <b>City Centre – Public Infrastructure Phase 1</b> (Bartmettler Dr. and City Centre Drive -Includes sewers, lighting and Paving) Design and Construction	<b>0.55</b>	<b>4,604.4</b>	Yes	<b>Completed Aug 2019</b>
<b>M376 (386)</b> <b>City Centre – Public Infrastructure</b> <b>Intersections</b> (Bartmettler Dr., City Centre Dr.) Design and Construction	<b>2.80</b>	<b>630.5</b>	Yes	<b>Completed July 2019</b>
<b>M376 (217)</b> <b>Resurface 84th St. &amp; Brentwood Dr.</b> (Asphalt Overlay of 84th St from Harrison St. to Giles Rd., & Brentwood from 84th St to 87th St.)	<b>1.0</b>	<b>2,112.0</b>	Yes	<b>Completed October 2019</b>
<b>M376 (380)</b> <b>Resurface Parkview Blvd.</b> (Asphalt Overlay 84 <sup>th</sup> St. to 72 <sup>nd</sup> St.)	<b>1.20</b>	<b>866.8</b>	Yes	<b>Completed September 2019</b>
<b>M376 (376)</b> <b>Applewood Creek Trail</b> (BNSF Railroad to Giles Road) Engineering for the Construction of a Hiking and Biking Trail	<b>.57</b>	<b>32.5</b>	Yes	<b>Completed December 2019</b>
SIGNATURE:	TITLE: <b>STREET SUPERINTENDENT (S-1046)</b>			DATE: <b>09/23/2020</b>

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CLASSIFICATION AND COMPENSATION STUDY	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	KEVIN POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

**SYNOPSIS**

A Classification, Compensation and Benefits study has been completed in accordance with the Pay for Performance Compensation policy. Bob Bjorklund of Bjorklund Compensation Consulting will be present at the Council meeting to present the final results. Council is being asked to accept the study by a simple motion.

**FISCAL IMPACT**

N/A – Council will need to take additional action to implement the study recommendations at a future date.

**RECOMMENDATION**

Acceptance

**BACKGROUND**

On February 4, 2020, the City Council awarded Bjorklund Compensation Consulting, LLC, (BCC) a contract to conduct a Classification, Compensation and Benefit Study. The City's Pay for Performance Compensation Policy establishes that these studies be conducted on a regular basis in order to maintain an equitable, comparable and non-discriminatory wage and salary structure.

An internal employee committee worked with BCC to establish the general process for the study. All of the City's job descriptions were reviewed by Mr. Bjorklund and employee interviews were conducted for each current job title. Additionally, each position was rated on four criteria and the points total was used to establish a jobs rating table. Finally, a salary and benefits survey was conducted. Recommendations for salary ranges and position placement within the ranges were based on both the jobs rating and the market data. The salary ranges for a handful of positions were impacted by special circumstances or market conditions and those are pointed out in the final report.

Results of the market study indicated that La Vista's salary ranges were generally below the market by approximately 8.9% on the minimum end and 8.6% on the maximum side. This is not a complete surprise as the City has not made annual adjustments to the ranges. The new salary structure recommended by BCC closely mirrors the market, with ranges positioned in the 50<sup>th</sup> percentile. Complete data and analysis can be found in BCC's final report, a copy of which has been provided, and will be reviewed at the Council meeting. The Managing Directors and Managers were provided draft copies of these reports for feedback and questions prior to finalization.

The annual financial impact of implementing the proposed full-time salary structure is \$72,191 over 12 months or approximately \$54,143 for a 9 month period. This cost is a result of bringing employees who are outside of the new ranges up to the minimums. A majority of employees will **not** see an increase in salary as a result of this study as their current wage remains within the range proposed for their position. No changes to benefits are being proposed based on the study. The recommendation would be to implement the new salary structure in January of 2021.

# **CLASSIFICATION & COMPENSATION STUDY**

## **FINAL REPORT**

**Prepared For:**  
**CITY OF LA VISTA, NE**

**August 2020**

**By**  
**Bjorklund Compensation Consulting, LLC**  
**18979 Ellie Lane**  
**Eden Prairie, MN 55346**  
**952-974-9787**  
**[rbjorklund@earthlink.net](mailto:rbjorklund@earthlink.net)**

## **Table of Contents**

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<u>Section</u>	<u>Page</u>
<b>I. Introduction</b>	1
<b>II. Study Methodology</b>	2
<b>III. Findings and Recommendations</b>	7

### **Appendices:**

- 1. Salary Survey Technical Report: (Delivered Under Separate Cover and CD)**
- 2. CLASSIFICATION MATRIX HANDBOOK (Delivered Under Separate Cover. FOR HR USE ONLY-Not To Be Copied or Distributed)**

## **I. INTRODUCTION**

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February 22, 2020, Bjorklund Compensation Consulting (BCC), LLC began the process to conduct a comprehensive classification and compensation study of all identified full-time job titles for the City that would be fair, better aligned with the market, and to better position the organization to meet its HR needs and goals. The objectives of the study were to:

- Work closely with the City's Project Committee in the design and processes of the study at key deliverable points the study;
- Study all positions as part of the study;
- Evaluate all classification titles using job evaluation to align job classes internally;
- Conduct a salary and benefits survey;
- Update and/or design a new pay structure(s) for the City;
- Formulate an implementation plan (costing) associated with adopting the pay plan.
- Prepare a classification manual to aid the organization in maintaining the classification and compensation program in the future.

The following sections of the report outline the procedures followed during the course of the study and our findings and recommendations.



## **II. METHODOLOGY**

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### **A. Conducted Preliminary Meetings**

- BCC met with representatives of the City's Project Committee to gather information concerning your current situation, issues, concerns and general approach to pay. The organization provided preliminary information concerning its human resources policies and procedures, job descriptions, pay rates, benefit information, pay-for-performance plan documents, and other general information for BCC to review.
- BCC reviewed the general process of the study to assure all parties understood the proposal, tasks to be performed during the study, and any additional options or expected activities beyond the scope of the proposal or original study.
- The Project Committee determined that individual employee interviews be performed in each of the current job titles under study rather than just conduct manager/department head interviews.
- The committee provided information concerning some of the strengths and weaknesses of the current classification and compensation plan. The results of my initial meeting and a review of documents suggested some of the following issues:
  - a) The former study did not provide any sufficient documentation concerning the job rating outcomes or training to allow the City to determine how job outcomes and total points were derived at during the study.
  - b) The belief that the City has been falling behind the market due to increases in the pay structure being insufficient to keep pace with market practices or where the City did not provide any pay structure



improvements at all.

## **II. METHODOLOGY**

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### **A. Conducted Preliminary Meetings (Cont.)**

- c) While the Committee was uncertain, it was believed that the City positioned itself at the 75<sup>th</sup> percentile of the market.
- d) The performance management system installed by the City seems to involve a considerable amount of work, as it should, and for the most part is accepted by employees although not universally.
- e) There does not seem to be a systematic ongoing process in place for the review and updating of job descriptions, review of job ratings, ongoing assessment of market or jobs subject to specific market pressures.
- f) There did not seem to be a clear consensus regarding the overall competitiveness of the City's overall benefit plan.
  - o Due to COVID-19, BCC conducted a Zoom conference with employees to provide an overview of the study process, steps and tools to be utilized during the study.

### **B. Studied All Jobs: Conducted Job Analysis**



BCC reviewed all job descriptions provided by Human Resources and then conducted follow up employee interviews with employees in each of the existing jobs in the City being part of the study. In total, BCC completed approximately 56 employee interviews.

## **II. METHODOLOGY (CONT.)**

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### **B. Studied All Jobs: Conducted Job Analysis (Cont.)**

Interviews permitted BCC to expand upon, clarify and understand the expectations and responsibilities of each position. Interviews also permitted us to compare and contrast responsibilities in similar or adjacent job classes during the interview process and assist in making comparisons of benchmark jobs in the survey.

### **C. Conducted Job Grading**

- Using the job information collected in the position descriptions and interviews, BCC assessed the duties and responsibility level of positions and attached a preliminary job rating to each of the proposed classification titles using the Classification Matrix System (CMS) of job evaluation.
- The HR Department also requested that BCC evaluate part-time and seasonal position descriptions provided by the City. HR did not request interviews but wanted the job ratings to provide assistance determining pay for part-time and seasonal positions utilized by the City.
- BCC documented all rating outcomes of each Factor and Subfactor utilized by CMS on a spreadsheet for ease by the City in ongoing documentation and maintenance of the job evaluation system and changes over time.
- BCC prepared and provided a classification manual for the City outlining the methodology, forms used in the conduct of the study, worksheets that than be maintained by the City in documenting ratings, reviews



and job changes over time, recommended policies, procedures, or processes that may be used by the City.



## **II. METHODOLOGY (CONT.)**

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### **C. Conducted Job Grading (Cont.)**

- BCC met with the Project Committee to review the preliminary job ratings. Based upon their comments or concerns, BCC reviewed its rating recommendations and made revisions provided they were justified within the job evaluation criteria of the CMS and consistent with the information outlined in the job descriptions or any employee's job expectations.

### **D. Conducted A Salary and Benefits Survey & Designed a New Pay Structure**

- BCC designed a salary and benefits survey questionnaire to collect salary information.
- BCC worked with the Project Committee to identify comparable benchmark jobs and benchmark organizations in which to collect salary and benefits information.
- BCC collected, summarized and analyzed all survey data.
- BCC analyzed the salary data and proposed a new pay structure (e.g. salary ranges) for all City jobs.
- BCC met with the Project Committee to review the preliminary market findings, a proposed pay plan, and options/costs for implementing the new pay plan(s).



## **II. METHODOLOGY (CONT.)**

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### **E. Conducted Training, Prepared and Presented Final Report**

- BCC prepared a manual for the exclusive use of the HR Department in the application and maintenance of the job evaluation system, potential policies and procedures to follow in maintaining the system over time. In addition, BCC provided all the forms, spreadsheets and documents to provide documentation and materials to aid in the maintenance of the program. BCC then conducted a training session with HR to cover the job evaluation principles, the criteria and application of the CMS system of job evaluation, and the spreadsheet that can be utilized to document and maintain changes over time.
- BCC prepared a final report and presented the final report to the City Council outlining our findings and recommendations of the study. At the time of the report preparation, it had not been decided whether to conduct employee meeting(s) to provide an overview of the findings due to COVID issues.



### **III. FINDINGS & RECOMMENDATIONS**

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#### **A. Recommend Job Ratings and Grade Assignments**

- BCC applied the Classification Matrix System (CMS) of job evaluation to determine the responsibility level of each job within the City. This resulted in a ranking of classifications from top to bottom. The final outcome or ranking of classifications within an organization is also known as a "job hierarchy". Based upon the similarity of job points (e.g. rating outcome), jobs of similar point value were assigned on a preliminary basis to similar salary ranges for similar pay treatment.
- Results of the job hierarchy were reviewed with the Project Committee and comments and concerns were addressed when appropriate with the rating criteria and job expectations detailed in the job descriptions.
- As a final step, a few positions were reallocated to salary grades based upon the findings for the market study and market pressures uncovered to indicate an adjustment to a higher salary grade that may have been indicated by the job ratings alone. This will be covered in more detail in our outline of the market and survey findings.
- The job rating results assures jobs are aligned fairly on the basis of internal responsibility not market or other external factors. The job ratings are used to slot jobs to salary ranges. The use of job evaluation and the resulting job ratings addresses the issue of "internal pay equity". This is one of the three key concepts in establishing a fair and objective classification and compensation system.
- Table I shows the results of the finalized job rankings, grade placement and the resulting job hierarchy.



Proposed Classification Title:	Total Points	TABLE I	
		Salary Grade	Market Grade Adj
City Administrator	2210	31	
Asst City Administrator/Dir Community Svcs	1775	28	
Chief of Police/Director Public Safety	1765	28	
Director of Public Works	1745	28	
Director of Administrative Services	1705	28	
Deputy Director of Public Works	1280	24	
Director of Community Development	1255	24	25
Director of Finance	1160	23	24
Director of Human Resources	1160	23	
City Engineer***	1155	23	24
Library Director	1080	22	
Police Captain	1065	22	23
Recreation Director	1060	22	
Deputy Community Development Director	1050	21	
Police Training Coordinator	1020	21	
City Clerk***	975	20	22
Chief Building Official	920	20	
Information Technology Manager	920	20	
Park Superintendent	910	20	
Street Superintendent	910	20	
Assistant Recreation Director	875	19	
Building Superintendent	860	19	
Planner	855	19	
Accountant	850	19	
Police Sergeant	840	19	
Librarian III	830	18	
Community Relations Coordinator	815	18	
Operations Manager	800	18	
Senior Services Manager	800	18	
Assistant To City Administrator	775	18	
Finance Analyst	775	18	



Proposed Classification Title:	Total Points	TABLE I	
		Salary Grade	Market Grade Adj
Police Officer	750	17	
Youth & Adults Sports Manager	735	17	
Assistant Planner	720	17	
Librarian II	680	16	
Building Inspector II	670	16	
Librarian I	660	15	
Communications Specialist (if filled Coord would go to Grd 20)	660	15	
Shop Foreman	650	15	
Human Resources Generalist	650	15	
Police Records Manager	600	14	
Building Technician	595	14	
Sign/Signal Technician	595	14	
Park Foreman	575	14	
Sewer Foreman	575	14	
Street Foreman	575	14	
Deputy City Clerk	555	13	
Executive Assistant	535	13	
Building Inspector I	520	12	
Code Enforcement Officer	520	12	
Street Maintenance II	480	11	
Park Maintenance II	480	11	
Sewer Maintenance II	480	11	
Mechanic	460	11	
Building Maintenance Worker II	460	11	
Pool Manager	460	11	
Administrative Assistant III	440	10	
Street Maintenance Worker I	410	9	
Park Maintenance Worker I	410	9	
Sewer Maintenance Worker I	410	9	
Building Maintenance Worker I	410	9	
Evidence Technician	390	9	



Proposed Classification Title:	Total Points	TABLE I	
		Salary Grade	Market Grade Adj
Administrative Assistant II	370	8	
Permit Technician	370	8	
Assistant Pool Manager	335	7	
Lifeguard	315	6	
Special Services Driver	315	6	
Administrative Assistant I	295	5	
Police Data Entry Clerk	295	5	6
Recreation Attendant	295	5	
Circulation Clerk II	295	5	
PT Receptionist	295	5	
Parks Laborer/PT-Seasonal	260	4	
Shop Assistant	260	4	
Street Laborer	260	4	
Custodian	260	4	
Circulation Clerk I	220	2	
<i>*** Rating change reflects City's discretion and recommendation not BCC's rating recommendation</i>			

- The assignment of jobs to salary ranges was based total points and the application of the Grade Placement chart outlined in Table II and then, as noted above a reallocation of a few jobs due to specific market pressures, only.



Table II

**Grade Determination Chart**

Grade Assignment	Point Minimum	Point Maximum
1	200	216
2	217	234
3	235	254
4	255	276
5	277	299
6	300	324
7	325	351
8	352	380
9	381	411
10	412	445
11	446	482
12	483	522
13	523	564
14	565	611
15	612	661
16	662	715
17	716	773
18	774	836
19	837	904
20	905	977
21	978	1056
22	1057	1142
23	1143	1234
24	1235	1334
25	1335	1442
26	1443	1558
27	1559	1684
28	1685	1820
29	1821	1966
30	1967	2125
31	2126	2296
32	2297	2481



### **III. FINDINGS & RECOMMENDATIONS**

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- As can be seen in Table I, each of the City's jobs was assigned to one of 32 possible different salary ranges. The job evaluation point spread is 8% between salary grades on the chart. The criteria used to assign positions involved examining four factors set forth in the Classification Matrix System. They include:

#### **Classification Matrix System (CMS)**

<b><u>Factor:</u></b>	<b><u>Relative Weighting:</u></b>
Factor 1: <b>Knowledge &amp; Skills</b>	52%
Sub-factors:	
a. Nature of Assignments	
b. Occupational Skill Level	
Factor 2: <b>Supervisory Authority</b>	20%
Sub-factors:	
a. Level of Supervisory Responsibility	
b. Extent of Supervisory Responsibility	
Factor 3: <b>Public Relations</b>	20%
Sub-factors:	
a. Customer Relations	
b. Governmental Relations	
Factor 4: <b>Working Conditions</b>	8%
Sub-factors:	
a. Physical Effort	
b. Risks and Hazards	



### **III. FINDINGS & RECOMMENDATIONS**

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#### **B. Salary Survey Findings:**

- In cooperation with the Project Committee, the salary and benefits survey questionnaire was distributed to 21 comparable organizations. Of the 21 organizations, only 9 organizations decided to participant for a survey participation rate of 45%. Survey participation may have been impacted by COVID and the considerable detail of benefit information contained in the survey. Participants were selected in the basis of geographic, historic comparisons, and/or similar size/characteristics.

#### **Participating Organizations:**

##### **Organizations Participating:**

City of Ralston, NE  
Sarpy County, NE  
City of Kearney, NE  
City of Johnston, IA  
City of Papillion, NE

##### **Organizations Participating**

Douglas County, NE  
City of Omaha, NE  
City of Ankeny, IA  
City of Grand Island, NE

#### **Non-Participating Survey Participants:**

City of Council Bluffs, IA; City of Urbandale, IA; City of Coralville, IA; City of Waukee, IA; City of Lenexa, KS; Prairie Village, KS;  
City of Blue Springs, MO; City of Liberty, MO; Papillion-La Vista School District, NE; Metropolitan Utilities District, NE;  
City of Bellevue, NE

#### **Published Sources:**

Bureau of Labor Statistics, Wage Occupational Survey, Omaha and Council Bluff, May 2019. Wage data was aged by 2%.



- BCC worked with the Project Committee to select 34 benchmark positions to gather salary information on. Benchmark jobs were selected based upon the following criteria: 1) duties of the selected job would be fairly consistent across survey participants; 2) benchmark jobs selected would cover the spectrum of responsibility levels across the organization; 3) cover jobs in the various departments; and 4) cover as many of the employees in the organization as possible. The Project Committee selected the following jobs to collect salary data on as benchmark jobs on the following page.

#### **LIST OF BENCHMARK POSITIONS**

- 1) City Administrator
- 2) Assistant City Administrator/Director of Community Services
- 3) Community Development Director
- 4) Chief Building Official
- 5) Building Inspector II
- 6) Recreation Director
- 7) Chief of Police/Director of Public Safety
- 8) Police Captain
- 9) Police Sergeant
- 10) Police Officer
- 11) Director of Public Works
- 12) City Engineer
- 13) Street Superintendent
- 14) Street Foreman
- 15) Park Foreman
- 16) Sewer Foreman



- 17) Shop Foreman
- 18) Mechanic

### **III. FINDINGS & RECOMMENDATIONS**

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#### **LIST OF BENCHMARK POSITIONS**

- 19) Maintenance Worker I – Parks
- 20) Maintenance Worker I – Building
- 21) Maintenance Worker II – Sewer
- 22) Maintenance Worker II – Streets
- 23) Director of Finance
- 24) Accountant
- 25) City Clerk
- 26) Human Resources Generalist
- 27) Librarian II
- 28) Executive Assistant to the City Administrator
- 29) Administrative Assistant III
- 30) Administrative Assistant II
- 31) Administrative Assistant I
- 32) Police Data Entry Clerk
- 33) Lifeguard
- 34) Recreation Attendant



### **III. FINDINGS & RECOMMENDATIONS**

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#### **B. Salary Survey Findings (cont.):**

BCC analyzed the market data using two different methods. One method used was to examine market data on a job-by-job basis to assess the competitiveness of your current pay rates to the market. The second approach was a statistical trend analysis (i.e. linear regression analysis) of current pay rates, market rates and job evaluation outcomes to assess differences between the market and your current pay structure.

Exhibit I on the next page shows the analysis of the job-by-job analysis of your pay rates to the corresponding rates reported in the market. This analysis suggests the following:

- On average, market starting median pay rates are approximately 8.9% higher than La Vista's average starting (minimum) pay.
- On average, the market median average pay is approximately 5.6% higher than the City's average pay.
- On average, the market median maximum pay rate is approximately 8.6% higher than the City's maximum pay.

The second approach to assessing the competitiveness of your pay program involves using a trend analysis or a procedure that plots a “best line of fit” using the job ratings and the market pay data or your pay data. Graph I-IV illustrates the results of this analysis graphically. This is a powerful statistical smoothing approach utilized by HR practitioners in designing salary structures that mirror market pay practices. The trend analysis summarized in Exhibit II predicted similar cost percentage differences between your pay rates and the market as compared to Exhibit I. Exhibit II



shows the predicted pay rates or values along the pay lines in Graphs I – IV generated by the linear regression analysis (trend analysis).



**City of La Vista - 2020**  
**Analysis of Benchmark Salaries by Benchmark**

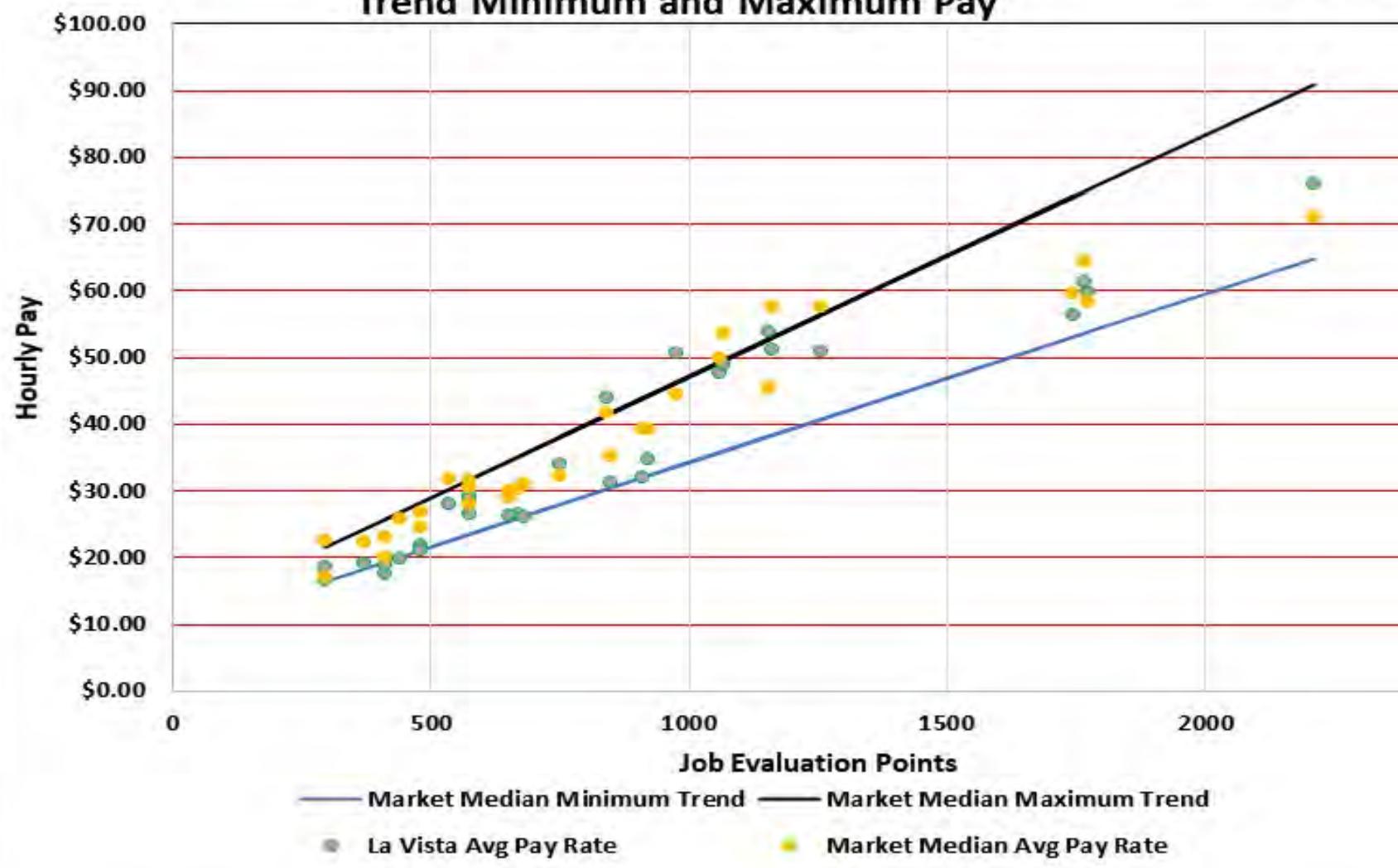
**Exhibit I**

Benchmark Comparison of Median Salaries									
Benchmark Title:	La Vista Salary Range Minimum	Market Median Starting Salary	% Diff	La Vista Average Salary	Market Average Median Salary	% Diff	La Vista Salary Range Maximum No Longevity	Market Median Salary Maximum No Longevity	% Diff
City Administrator	\$61.39			\$75.96	\$71.10	-6.8%	\$75.96	\$76.86	1.2%
Asst. City Administrator/Dir of Community Svcs	\$42.66	\$46.10	7.5%	\$59.91	\$58.27	-2.8%	\$64.00	\$63.54	-0.7%
Community Development Director	\$38.62	\$47.89	19.3%	\$50.84	\$57.71	11.9%	\$54.92	\$63.37	13.3%
Chief Building Official	\$29.11	\$33.17	12.2%	\$34.65	\$39.08	11.3%	\$37.92	\$47.49	20.1%
Building Inspector II	\$22.21	\$25.19	11.8%	\$26.63	\$30.16	11.7%	\$28.60	\$34.06	16.0%
Recreation Director	\$36.34	\$40.88	11.1%	\$47.70	\$49.98	4.6%	\$50.59	\$55.57	9.0%
Chief of Police/Director of Public Safety	\$42.66	\$49.05	13.0%	\$61.35	\$64.41	4.8%	\$64.00	\$71.06	9.9%
Police Captain	\$36.34	\$41.70	12.8%	\$48.89	\$53.60	8.8%	\$50.59	\$55.43	8.7%
Police Sergeant	\$39.97	\$34.43	-16.1%	\$43.83	\$41.60	-5.4%	\$44.27	\$43.82	-1.0%
Police Officer	\$26.20	\$26.59	1.4%	\$33.96	\$32.30	-5.1%	\$37.37	\$36.34	-2.8%
Director of Public Works	\$42.66	\$48.02	11.2%	\$56.26	\$59.51	5.5%	\$64.00	\$65.92	2.9%
City Engineer	\$38.62	\$40.68	5.1%	\$53.97	\$45.42	-18.8%	\$54.92	\$53.74	-2.2%
Street Superintendent	\$29.11	\$33.39	12.8%	\$32.10	\$39.10	17.9%	\$37.92	\$46.09	17.7%
Street Foreman	\$23.16	\$26.11	11.3%	\$29.37	\$31.55	6.9%	\$29.37	\$33.43	12.1%
Park Foreman	\$23.16	\$23.35	0.8%	\$28.74	\$27.99	-2.7%	\$29.37	\$30.74	4.4%
Sewer Foreman	\$23.16	\$25.89	10.5%	\$26.50	\$30.57	13.3%	\$29.37	\$35.71	17.8%
Shop Foreman	\$23.16	\$26.09	11.2%	\$29.37	\$29.89	1.7%	\$29.37	\$32.44	9.5%
Maintenance Worker I - Parks	\$15.64	\$19.46	19.6%	\$17.68	\$23.14	23.6%	\$22.05	\$26.33	16.2%
Maintenance Worker I - Building	\$15.64	\$17.44	10.3%	\$18.85	\$20.14	6.4%	\$22.05	\$23.46	6.0%
Maintenance Worker II - Sewer	\$17.20	\$20.75	17.1%	\$21.92	\$26.86	18.4%	\$24.25	\$27.74	12.6%
Maintenance Worker II - Streets	\$17.20	\$20.92	17.8%	\$20.98	\$24.63	14.8%	\$24.25	\$26.38	8.1%
Director of Finance	\$38.62	\$45.73	15.5%	\$51.01	\$57.69	11.6%	\$54.92	\$67.44	18.6%
Accountant	\$26.54	\$26.44	-0.4%	\$31.25	\$35.32	11.5%	\$34.02	\$39.58	14.0%
City Clerk	\$36.34	\$34.81	-4.4%	\$50.59	\$44.43	-13.9%	\$50.59	\$49.69	-1.8%
Human Resources Generalist	\$23.16	\$23.38	0.9%	\$26.24	\$28.91	9.2%	\$29.37	\$33.94	13.5%
Librarian II	\$22.21	\$27.23	18.4%	\$25.97	\$30.98	16.2%	\$28.60	\$36.98	22.7%
Executive Assistant to the City Administrator	\$23.16	\$22.06	-5.0%	\$28.14	\$31.69	11.2%	\$29.37	\$33.40	12.1%
Administrative Assistant III	\$17.20	\$21.36	19.5%	\$19.82	\$25.83	23.3%	\$24.25	\$27.58	12.1%
Administrative Assistant II	\$15.64	\$18.70	16.4%	\$19.00	\$22.22	14.5%	\$22.05	\$25.02	11.9%
Administrative Assistant I	\$14.95	\$14.15	-5.7%	\$18.64	\$17.04	-9.4%	\$20.18	\$19.93	-1.3%
Police Data Entry Clerk	\$14.95	\$17.89	16.4%	\$16.63	\$22.51	26.1%	\$20.18	\$24.51	17.7%
Lifeguard	\$10.50	\$10.20	-2.9%	\$10.80	\$10.88	0.7%	\$13.65	\$11.25	-21.3%
Recreation Attendant	\$10.50	\$9.57	-9.7%	\$10.81	\$11.02	1.9%	\$13.65	\$11.32	-20.6%
<b>Totals:</b>	\$836.59	\$918.56		\$1,128.36	\$1,195.49		\$1,215.97	\$1,330.09	
<b>Excluded: Mechanic poor match</b>	<b>Summary Statistics:</b>								
	<b>Average % Differences</b> 8.92%			<b>Average % Differences</b> 5.61%			<b>Average % Differences</b> 8.58%		



## La Vista Trend Analysis Trend Minimum and Maximum Pay

Graph I



**City of La Vista - 2020**  
**Trend Analysis of Median Market Data**

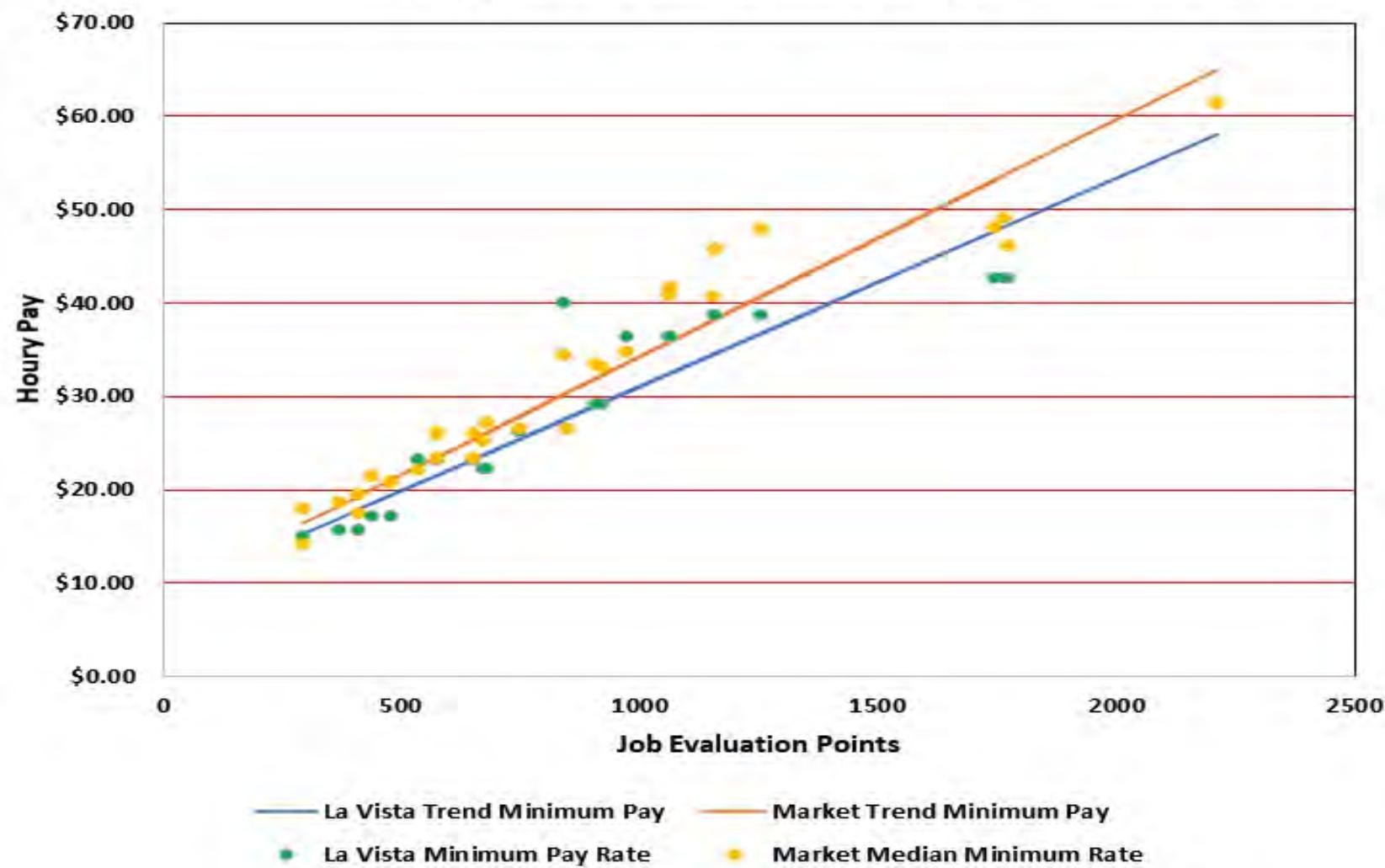
**Exhibit II**

<b>Trend Analysis of Median (50th Percentile) Salary Data</b>										
Job Points	Benchmark Title:	Trend La Vista Range Minimum	Market Trend Median Starting Salary	% Diff	Trends La Vista Average Salary	Market Trend Median Avg Salary	% Diff	Trend La Vista Range Maximum No Longevity	Market Trend Median Maximum Salary No Longevity	% Diff
2210	City Administrator	\$58.07	\$64.91	10.5%	\$80.35	\$81.50	1.4%	\$84.72	\$90.96	6.9%
1775	Asst. City Administrator/Dir of Community Svcs	\$48.37	\$53.91	10.3%	\$65.92	\$67.41	2.2%	\$69.80	\$75.22	7.2%
1255	Community Development Director	\$36.77	\$40.75	9.8%	\$48.68	\$50.56	3.7%	\$51.96	\$56.40	7.9%
920	Chief Building Official	\$29.29	\$32.27	9.2%	\$37.57	\$39.71	5.4%	\$40.47	\$44.27	8.6%
670	Building Inspector II	\$23.71	\$25.95	8.6%	\$29.28	\$31.61	7.4%	\$31.89	\$35.22	9.5%
1060	Recreation Director	\$32.42	\$35.82	9.5%	\$42.21	\$44.24	4.6%	\$45.27	\$49.34	8.2%
1765	Chief of Police/Director of Public Safety	\$48.15	\$53.65	10.3%	\$65.59	\$67.08	2.2%	\$69.45	\$74.86	7.2%
1065	Police Captain	\$32.53	\$35.94	9.5%	\$42.37	\$44.41	4.6%	\$45.44	\$49.52	8.2%
840	Police Sergeant	\$27.51	\$30.25	9.1%	\$34.91	\$37.12	5.9%	\$37.72	\$41.37	8.8%
750	Police Officer	\$25.50	\$27.97	8.8%	\$31.93	\$34.20	6.6%	\$34.63	\$38.12	9.1%
1745	Director of Public Works	\$47.70	\$53.15	10.3%	\$64.93	\$66.43	2.3%	\$68.77	\$74.13	7.2%
1155	City Engineer	\$34.53	\$38.22	9.6%	\$45.36	\$47.32	4.1%	\$48.53	\$52.78	8.1%
910	Street Superintendent	\$29.07	\$32.02	9.2%	\$37.23	\$39.38	5.5%	\$40.12	\$43.91	8.6%
575	Street Foreman	\$21.59	\$23.55	8.3%	\$26.13	\$28.53	8.4%	\$28.63	\$31.78	9.9%
575	Park Foreman	\$21.59	\$23.55	8.3%	\$26.13	\$28.53	8.4%	\$28.63	\$31.78	9.9%
575	Sewer Foreman	\$21.59	\$23.55	8.3%	\$26.13	\$28.53	8.4%	\$28.63	\$31.78	9.9%
650	Shop Foreman	\$23.27	\$25.44	8.6%	\$28.61	\$30.96	7.6%	\$31.20	\$34.50	9.5%
410	Maintenance Worker I - Parks	\$17.91	\$19.37	7.5%	\$20.65	\$23.19	10.9%	\$22.97	\$25.81	11.0%
410	Maintenance Worker I - Building	\$17.91	\$19.37	7.5%	\$20.65	\$23.19	10.9%	\$22.97	\$25.81	11.0%
480	Maintenance Worker II - Sewer	\$19.47	\$21.14	7.9%	\$22.98	\$25.45	9.7%	\$25.37	\$28.34	10.5%
480	Maintenance Worker II - Streets	\$19.47	\$21.14	7.9%	\$22.98	\$25.45	9.7%	\$25.37	\$28.34	10.5%
1160	Director of Finance	\$34.65	\$38.35	9.7%	\$45.53	\$47.48	4.1%	\$48.70	\$52.96	8.0%
850	Accountant	\$27.73	\$30.50	9.1%	\$35.25	\$37.44	5.9%	\$38.06	\$41.74	8.8%
975	City Clerk	\$30.52	\$33.67	9.3%	\$39.39	\$41.49	5.1%	\$42.35	\$46.26	8.5%
650	Human Resources Generalist	\$23.27	\$25.44	8.6%	\$28.61	\$30.96	7.6%	\$31.20	\$34.50	9.5%
680	Librarian II	\$23.94	\$26.20	8.6%	\$29.61	\$31.93	7.3%	\$32.23	\$35.58	9.4%
535	Executive Assistant to the City Administrator	\$20.70	\$22.53	8.1%	\$24.80	\$27.24	8.9%	\$27.26	\$30.34	10.1%
440	Administrative Assistant III	\$18.58	\$20.13	7.7%	\$21.65	\$24.16	10.4%	\$24.00	\$26.90	10.8%
370	Administrative Assistant II	\$17.02	\$18.36	7.3%	\$19.33	\$21.89	11.7%	\$21.60	\$24.36	11.3%
295	Administrative Assistant I	\$15.35	\$16.46	6.8%	\$16.84	\$19.46	13.5%	\$19.03	\$21.65	12.1%
295	Police Data Entry Clerk	\$15.35	\$16.46	6.8%	\$16.84	\$19.46	13.5%	\$19.03	\$21.65	12.1%
315	Lifeguard	\$15.79	\$16.97	6.9%	\$17.50	\$20.11	13.0%	\$19.71	\$22.37	11.9%
295	Recreation Attendant	\$15.35	\$16.46	6.8%	\$16.84	\$19.46	13.5%	\$19.03	\$21.65	12.1%
Summary Totals:		\$894.66	\$983.47		\$1,098.40	\$1,166.32		\$1,185.99	\$1,300.18	
<b>Summary Statistics:</b>										
Average % Differences				Average % Differences			Average % Differences			
9.03%				5.82%			8.78%			

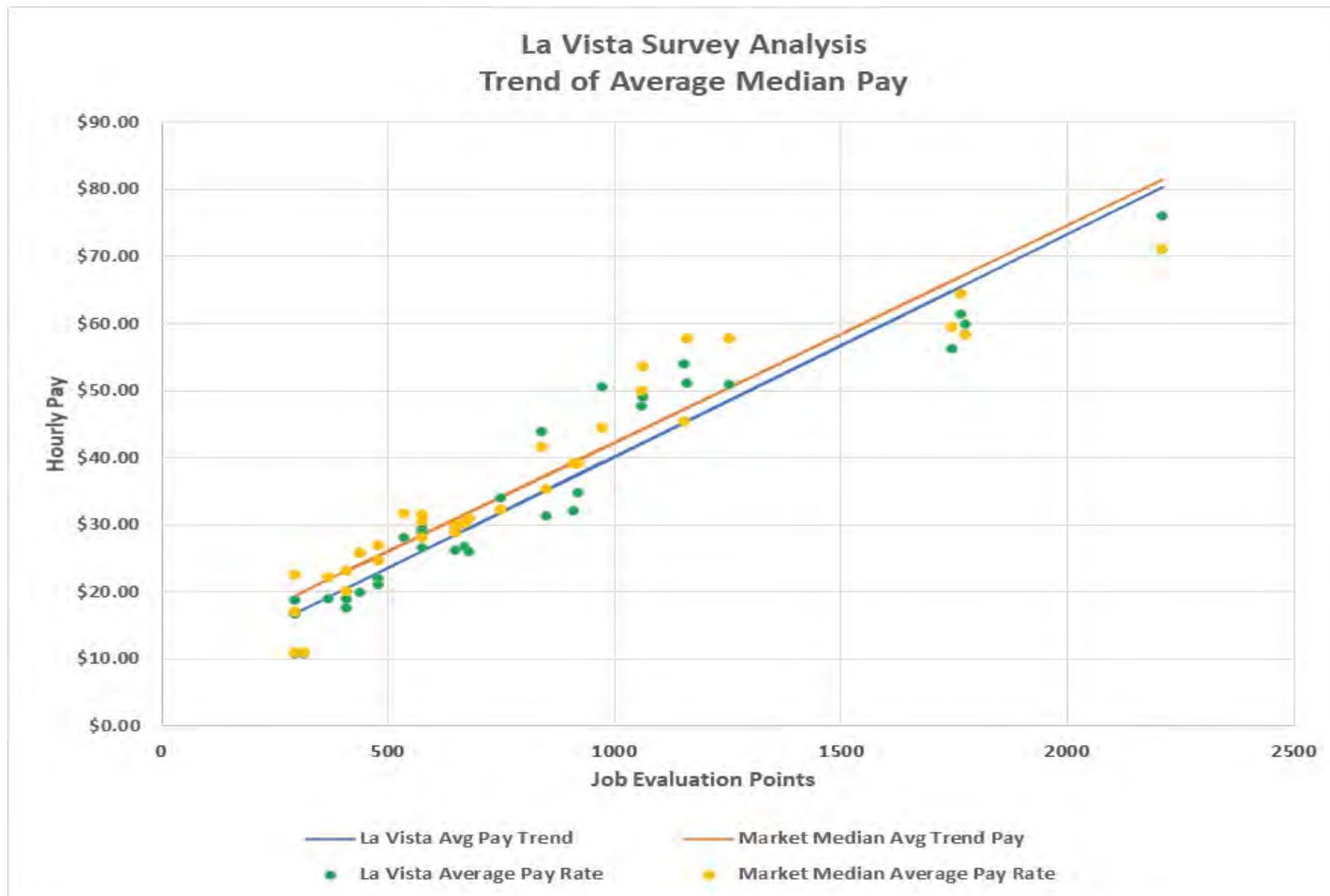


**La Vista Survey**  
**Analysis of Minimum Trend Pay**

**Graph II**

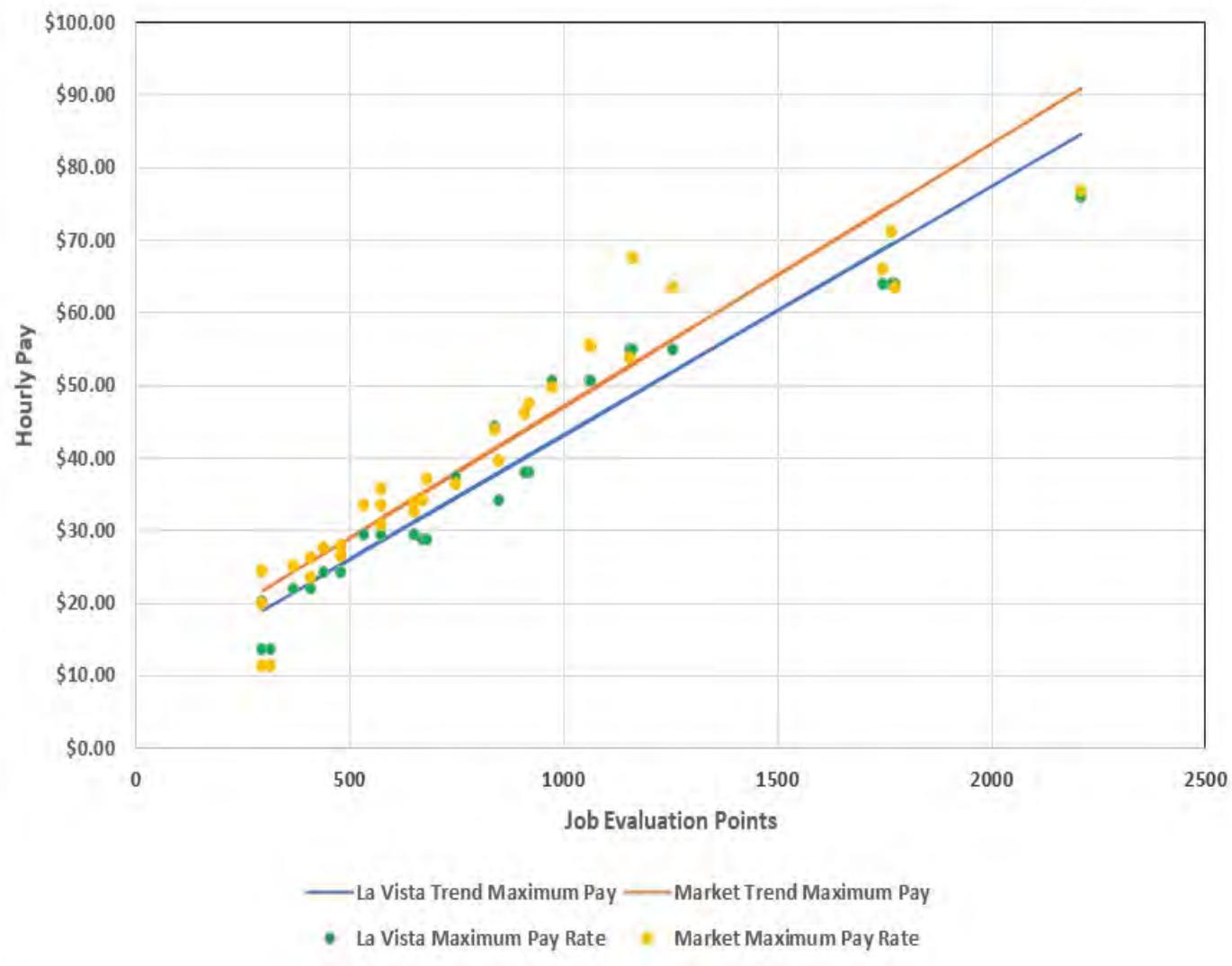


**Graph III**



## La Vista Survey Analysis Trend of Maximum Pay

Graph IV



### **III. FINDINGS & RECOMMENDATIONS**

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#### **B. Salary Survey Findings (Cont.):**

Graph II-IV on the prior pages show generally show:

- A consistent pattern of market rates falling above La Vista's corresponding pay rates. The graphs show that whether examining minimum pay, average pay or maximum pay, La Vista is falling consistently below market pay rates.
- For the most part, market and La Vista pay lines show there is a close relationship between job points and market pay rates and your pay rates. In other words, as the responsibility level of jobs increase the market pays more and so does the City. This is demonstrated by how the pay lines parallel one another and the high correlations obtained.
- The correlation between La Vista pay and job rating outcomes were in the range of  $r=.93$  to  $r=.94$ . The correlation between CMS ratings and market pay was between  $r=.94$  to  $r=.95$ .
- Graph II and IV showing the analysis of minimum and maximum pay respectively where the analysis suggests that La Vista's pay is more competitive for jobs of lower responsibility level than higher responsibility.
- Graph III ,the analysis of median average pay, suggests that jobs of higher responsibility level are being paid closer to corresponding market pay rates as compared to jobs of lower responsibility level.



Graph I shows the predicted market pay lines of median minimum and maximum rates. BCC also plotted the current pay rates of your existing jobs to show the relative placement of your current pay rates in relation to the statistical pay lines generated by the analysis for market pay rates.



### **III. FINDINGS & RECOMMENDATIONS**

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#### **D. Salary Structure Recommendations:**

BCC wanted to design a pay structure that closely mirrored the market implications. Our analysis showed that the difference between the market maximum pay line and market minimum pay line varied between 40% to 31% and a relative average salary spread difference of approximately 36%. Since your salary ranges currently have a salary range spread of between 50% and approximately 30%, I decided to design the pay structure for non-represented employees covered under the study as follows:

- BCC utilized the market maximum as the control point for designing the new pay plan.
- The maximum pay rate of each salary grade was set at the predicted 50<sup>th</sup> percentile (median) of the market maximum plus an additional 1.5% increase to the proposed pay structure to bring the structure current to 2021.
- The minimum of each range was then set at 40% below the maximum pay rate. While the range spread is higher than typically found in lower responsibility levels (generally 30% being the most common), you have a performance based pay program and that generally requires a greater salary range spread to offer flexibility in addressing different levels of performance and employee contributions.
- This structure resulted in a midpoint difference between grades at approximately 5.5%
- The salary ranges were left open to be consistent with your current pay administrative program and your merit based pay program.

The proposed salary plan for non-represented positions covered under the study discussed above is outlined below in Exhibit III:



### Exhibit III

Proposed Salary Structure For Full-Time Positions							
Job Mdpt Value	Salary Grade	Hrly Salary Range Minimum		Hrly Salary Range Midpoint		Hrly Salary Range Maximum	Salary Range Spread
2389	32	\$70.62		\$84.76		\$98.90	40%
2211	31	\$65.95		\$79.16		\$92.36	40%
2046	30	\$61.62		\$73.96		\$86.30	40%
1894	29	\$57.63		\$69.18		\$80.72	40%
1752	28	\$53.91		\$64.70		\$75.50	40%
1622	27	\$50.50		\$60.61		\$70.73	40%
1501	26	\$47.32		\$56.80		\$66.28	40%
1388	25	\$44.36		\$53.24		\$62.13	40%
1285	24	\$41.66		\$50.00		\$58.34	40%
1188	23	\$39.11		\$46.95		\$54.78	40%
1099	22	\$36.78		\$44.14		\$51.51	40%
1017	21	\$34.63		\$41.56		\$48.50	40%
941	20	\$32.63		\$39.17		\$45.71	40%
870	19	\$30.77		\$36.93		\$43.10	40%
805	18	\$29.07		\$34.89		\$40.71	40%
744	17	\$27.47		\$32.97		\$38.47	40%
688	16	\$26.00		\$31.20		\$36.41	40%
636	15	\$24.63		\$29.57		\$34.50	40%
588	14	\$23.37		\$28.06		\$32.74	40%
544	13	\$22.22		\$26.67		\$31.12	40%
502	12	\$21.12		\$25.35		\$29.58	40%
464	11	\$20.12		\$24.15		\$28.18	40%
429	10	\$19.20		\$23.05		\$26.90	40%
396	9	\$18.34		\$22.01		\$25.68	40%
366	8	\$17.55		\$21.07		\$24.58	40%
338	7	\$16.82		\$20.18		\$23.55	40%
312	6	\$16.13		\$19.37		\$22.60	40%
288	5	\$15.51		\$18.61		\$21.72	40%
265	4	\$14.90		\$17.89		\$20.87	40%
245	3	\$14.38		\$17.26		\$20.14	40%
226	2	\$13.88		\$16.66		\$19.44	40%



### **III. FINDINGS & RECOMMENDATIONS (Cont.)**

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The initial cost to implement the proposed pay plan structure was determined by examining each employee rate and then:

- Adjusting employees 2021 pay rates below the proposed minimum to the minimum of the range;
- Employee rates over the maximum would be “red-circled” and frozen until pay plan increases capture their pay rate at which time they would be adjusted to the maximum of their assigned grade.

The cost associated with implementing the pay plan is as follows:

- After the City has granted approved employee increases for 2021, the cost to bring all employees up to the minimum of the proposed salary range is .92% or an annual cost impact of \$72,191 for 12 months or approximately \$54,143 for a 9 month period.

At the conclusion of studies, employees seem to always express the desire to retain their relative placement within the salary structure. For example, if an employee is already at the top of the range, they wish to remain at the top of the range. This approach is generally to cost prohibitive for most public jurisdiction. To estimate the cost of this, BCC determined each employee’s compa-ratio (current pay/current salary range midpoint). To place all employees into the new pay structure based upon their former compa-ratio, the implementation cost would be 8.85% of estimated payroll. For this reason, BCC ruled against this approach. The advantage of just bringing employees to the minimum, if below the minimum, is that it is relatively cost effective and establishes ranges that are competitive within the market. The negative is that some employees with longer service might find their pay similar to or equal to a new hires pay rate in that job classification.

We would also recommend that annually the City determine how much to increase the salary structure to maintain the pay plans and to keep pace with the market. Since you have open ranges, the cost to adjust ranges annually will only



impact new hires or employees over the pay range who have been “red-circled” and will involve minimal cost for non-union positions covered under the pay-for-performance system.

### **III. FINDINGS & RECOMMENDATIONS**

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#### **Special Market Considerations/Job Treatment:**

After putting together the proposed salary structure prior to granting the 1.5% 2021 structure increase, BCC examined the midpoints of the proposed salary ranges against 1) the median average market rates for benchmark job classes surveyed or 2) the predicted 50<sup>th</sup> percentile median pay line value for jobs not included as a benchmark job. This reconciliation is a necessary process to assure a pay program that recognizes both the dual consideration of external vs. internal pay fairness. This additional analysis is performed to identify any job where there may be unique market pressures on selected jobs that may warrant closer examination.

Jobs were identified for special treatment when there was difference of 15% or greater between the market median average pay rates vs. the proposed new grade midpoint. When this threshold of 15% or greater was indicated it suggested that special market consideration should be taken into account. Our analysis suggested that the following classifications met the 15% threshold and required special market treatment. They were as follows:

- Community Development Director moved to Grade 24 to Grade 25
- Finance Director moved from Grade 23 to Grade 24
- Police Captain moved from Grade 22 to Grade 23
- City Clerk moved from Grade 20 to 21. Note job did not meet market threshold but moved to Grade 22 per Project Committee request against BCC’s recommendation.
- Police Data Entry Clerk went from Grade 5 to Grade 6
- City Engineer moved to Grade 24 from Grade 23. Note job did not meet market threshold but moved to Grade 24 per Project Committee request against BCC’s recommendation.

Jobs earmarked for special consideration should be closely examined in subsequent years to assess whether or not the market has changed and whether or not a “special market” treatment is still appropriate and justified. Should the market



change significantly, BCC would recommend reassigning the job to the salary range originally assigned in Table I.

### **III. FINDINGS AND RECOMMENDATIONS**

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#### **E. Performance Management Review:**

While not a specific deliverable of the current study, the Project Committee asked that I review the City performance manual and procedures. I was generally impressed with the comprehensiveness of the procedures and processes associated with your plan. Specifically, the plan provides for:

- Peer review
- Several scheduled manager/employee reviews throughout the performance cycle
- Training for evaluators
- A dedicated staff person to oversee the performance management process
- Evaluation criterion defined and permitting flexibility per job requirements
- Goal setting included as a component of the evaluation process

As with any performance management system, it involves a considerable amount of time and dedication to manage the process, assure evaluators are following the processes, and mechanisms in place to adjust the system as needs, organizational philosophy or culture change over time. There are three areas that the City might examine in the future.

One area I might change is to examine flat performance increases across evaluated performance levels. Rather than giving, for example, a 3% increase for “meets expectations” to any employee with that outcome, many performance management plans tie performance increase to both the performance rating and the placement of an individual within their salary range. The principle of this approach is to try to reward new employees who meet expectations or exceed



expectations at a higher % increase to bring them to the midpoint (market rate if you will) of the range at a faster rate. Conversely, your long term employees should be expected to perform at higher levels to achieve similar performance increases as in the past or as compared to less experienced employees with similar performance ratings.

### **III. FINDINGS AND RECOMMENDATIONS**

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#### **E. Performance Management Review: (cont.)**

For example, a performance plan of this nature might be structured in the following manner. The organization would examine the % of performance increase in the cells of the plan annually based upon financial constraints.

Performance Outcome	Salary Range 1 <sup>st</sup> Quartile	2 <sup>nd</sup> Quartile	3 <sup>rd</sup> Quartile	4 <sup>th</sup> Quartile
Exceeds Expectations	9%	7%	5%	4%
Meets Expectations	5%	4%	2%	1%
Needs Improvement	4%	2%	1%	0%
Unacceptable	2%	0%	0%	0%

Secondly, I did not see under your current plan provide any differential weighting of goal attainment vs. competencies. Again, many performance plans recognize the long-term commitment to achieving specific and stated job objectives on the part of employees and tend to place greater importance on this component of job performance. Since management and professional jobs generally have greater flexibility and influence on goal attainment, it is sometimes advisable to also have more than one performance evaluation tool to better fit all employees.

Thirdly, average employee step plans include step increases and pay structure increases. A step increase of 2.5% and structure increase of 2% generally results in an average increase of 4.5%. Under a merit-based system, organizations



attempt to target meets expectations at or slightly above that level to keep pace with market and to recognize the greater effort on the part of employees to achieve that level of increase under a merit system



### III. FINDINGS AND RECOMMENDATIONS

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#### F. Benefits Analysis:

The salary and benefits survey technical report provided under separate cover provides significantly more benefit detail, survey responses, and differences than is outlined here. A general summary of our findings are outlined in the pages that follow:

**F.1 Paid Time Off:** BCC summarized survey data for holidays, vacations, and sick leave provisions for all survey respondents. The table below shows paid time off benefits provided by La Vista are competitive and generally higher than the average survey respondent. It becomes increasingly more competitive for employees with 15-25 years or seniority.

Organization	TOTAL DAYS: PAID TIME OFF (VACATION, HOLIDAYS, SICK LEAVE)						
	YEARS OF SERVICE (5-10 YESRS USED FOR BENCHMARK COSTING)						
Organization	0>2 Yrs	2<5 Yrs	5<10 Yrs	10<15 Yrs	15< 20 Yrs	20<25 Yrs	25+ Yrs
City of La Vista	34	36	40	45	49	50	50
City of Omaha	42	42	48	48	48	48	48
Sarpy County	35.5	35.5	40.5	45.5	46.5	48	50
City of Ralston	33	35	40	45	46	46	46
City of Ankeny	30	30	35	40	45	45	50
City of Papillion	34	34	39	44	47	47	47
City of Grand Island	32	33	37	39	42	44	46
Douglas County	38	38	41	46	51	51	51
City of Kearney	35	35	40	40	45	45	45
City of Johnson	33.6	33.6	38.6	43.27	48.21	48.21	48.21
Average # of Days:	34.8	35.1	39.9	43.4	46.5	46.9	47.9
Percent Difference:	2.3%	-2.5%	-0.3%	-3.6%	-5.3%	-6.6%	-4.4%

### III. FINDINGS & RECOMMENDATIONS (Cont.)

**F.2 Estimated Summary of Hourly Insurance Employer Benefit Costs:** Figures reported here include retirement, paid time off, deferred compensation paid by employer, and single insurance benefit costs paid by employer. Again, these are best estimates given the data reported by respondents, the formats provided, etc. Data shows respondents on average of 17.9% higher benefit hourly rates than the City of La Vista. Benefits as a % of median average pay for respondents was 13.04% higher than La Vista's % of average pay. Figures reported should be considered only rough estimates due to differences in survey respondent reported formats, exclusions, or combinations of provided benefits being reported.

COMPARISON OF PAID BENEFITS - HOURLY AND AS A PERCENTAGE OF AVERAGE/MEDIAN SALARY							
Job Title	City of La Vista Estimated Hrly Benefits	Median Market Estimated Hrly Benefits	Difference	Average Pay City of La Vista Benefits As A % of Pay (Salary)	Median Market Benefits As A % of Pay (Salary)	Difference	
City Administrator	\$19.45	\$20.13	3.36%	25.60%	28.30%	9.54%	
Asst. City Administrator/Dir of Community Svcs	\$16.02	\$18.32	12.55%	26.70%	31.40%	14.97%	
Community Development Director	\$14.08	\$18.16	22.47%	27.70%	31.48%	12.01%	
Chief Building Official	\$10.62	\$14.83	28.39%	30.60%	37.90%	19.26%	
Building Inspector II	\$8.90	\$11.16	20.25%	33.40%	37.00%	9.73%	
Recreation Director	\$13.41	\$16.46	18.53%	28.10%	32.90%	14.59%	
Chief of Police/Director of Public Safety	\$16.94	\$19.02	10.94%	27.60%	29.50%	6.44%	
Police Captain	\$14.15	\$17.34	18.40%	28.90%	32.35%	10.66%	
Police Sergeant	\$13.02	\$13.86	6.06%	27.70%	33.30%	16.82%	
Police Officer	\$10.81	\$11.54	6.33%	31.83%	35.70%	10.84%	
Director of Public Works	\$15.24	\$17.55	13.16%	27.08%	29.50%	8.20%	
City Engineer	\$14.75	\$15.27	3.41%	27.33%	33.61%	18.68%	
Street Superintendent	\$10.07	\$12.97	22.36%	31.37%	33.20%	5.51%	
Street Foreman	\$9.49	\$11.02	13.88%	32.28%	34.92%	7.56%	
Park Foreman	\$9.36	\$10.91	14.21%	32.57%	39.00%	16.49%	
Sewer Foreman	\$8.88	\$11.36	21.83%	33.50%	37.20%	9.95%	
Shop Foreman	\$9.49	\$10.76	11.80%	32.31%	36.00%	10.25%	
Maintenance Worker I - Parks	\$6.99	\$9.14	23.52%	39.53%	39.52%	-0.03%	
Maintenance Worker I - Building	\$7.24	\$9.61	24.66%	38.41%	47.70%	19.48%	
Maintenance Worker II - Sewer	\$7.90	\$10.62	25.61%	36.04%	39.50%	8.76%	
Maintenance Worker II - Streets	\$7.70	\$10.20	24.51%	36.70%	41.40%	11.35%	
Director of Finance	\$14.12	\$18.62	24.17%	27.68%	32.30%	14.30%	
Accountant	\$9.89	\$14.31	30.89%	31.65%	40.53%	21.91%	
City Clerk	\$14.03	\$13.09	-7.18%	27.73%	31.30%	11.41%	
Human Resources Generalist	\$8.82	\$11.16	20.97%	33.61%	38.60%	12.93%	
Librarian II	\$8.76	\$11.22	21.93%	33.71%	36.20%	6.88%	
Executive Assistant to the City Administrator	\$9.23	\$13.30	30.60%	32.80%	42.00%	21.90%	
Administrative Assistant III	\$7.45	\$11.31	34.13%	37.59%	43.80%	14.18%	
Administrative Assistant II	\$7.27	\$9.46	23.15%	38.26%	42.60%	10.19%	
Administrative Assistant I	\$7.20	\$10.19	29.34%	38.63%	59.79%	35.39%	
Police Data Entry Clerk	\$6.77	\$8.72	22.36%	40.70%	38.75%	-5.03%	
Total:	\$338.05	\$411.61		997.61%	1147.25%		
Average Hrly Benefit:	\$10.90	\$13.28	Average % Paid	32.18%	37.01%		
Average Hrly Diff:	17.87%		Average % Paid Diff:	13.04%			

### III. FINDINGS & RECOMMENDATIONS (Cont.)

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**F.3 Table of Estimated Employer Contribution Insurance Costs (for single employee only):** Insurance summary below suggests that there is a significant difference between overall insurance costs paid by the City vs. market average with health care contributions paid by the City contributing to the biggest cost difference.

	Hourly Employer Cost Estimates: Single Only						Est Total Ins.
	Vision Ins	Dental Ins	Life Ins	Health Ins	Deferred Comp	Disability Ins	
Organization	Employer Costs						
City of La Vista	\$0.00	\$0.14	\$0.02	\$3.05	\$0.00		\$3.21
City of Omaha	\$0.21	\$0.00		\$3.42	\$0.84	\$0.00	\$4.47
Sarpy County	\$0.00	\$0.21	\$0.05	\$5.42	\$0.50		\$6.18
City of Ralston	\$0.04	\$0.36		\$4.86			\$5.26
City of Ankeny	\$0.00	n/a		\$3.10	\$0.00		\$3.10
City of Papillion	\$0.00		\$0.03	\$3.83	\$0.00	\$0.08	\$3.94
City of Grand Island		\$0.08		\$3.13			\$3.21
Douglas County	\$0.00	\$0.12	n/a	\$4.33			\$4.45
City of Kearney	\$0.00	\$0.23	n/a	\$4.59			\$4.82
City of Johnston	\$0.00	\$0.10		\$3.10	\$0.00		\$3.20
Average Hourly Ins. Difference:	\$0.03	\$0.16	\$0.04	\$3.98	\$0.27	\$0.04	\$4.29 25.2%

### III. FINDINGS & RECOMMENDATIONS (Cont.)

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**F.4 Health Insurance Benefit Summary:** As can be seen from the Table below there is a substantial difference between the employer contribution and employee contribution amounts.

HEALTH INSURANCE										
Organization	Employer Contribution Single-Mo.	Employer Contribution Family-Mo	Employee Contribution Single-Mo.	Employee Contribution Family-Mo	In-Network Deductible Single-Yr.	In-Network Deductible Family-Yr.	(HRA) Health Reimbursement Arrangement	Est In-Network out-of-pocket max Single	Est In-Network out-of-pocket max Family	co-ins Split in network svcs
City of Omaha	\$593.71	\$1,662.71	\$67.44	\$188.86	\$2,800.00	\$5,600.00	No			
Sarpy County	\$940	\$2,089	\$104	\$428	\$500	\$1,000	No	\$3,700	\$7,400	80/20
City of Ralston	\$843	\$2,402	\$43	\$355	\$1,000	\$2,000	No	\$4,000.00	\$8,000.00	80/20
City of Ankeny	\$539	\$1,407	\$60	\$157	\$1,725	\$1,425	No	\$1,500.00	\$4,200.00	100% after copay
City of Grand Island	\$484	\$1,371	\$76	\$259	\$3,000	\$5,500	yes/\$58 mo.	\$3,000.00	\$5,500.00	100% after deduct
Douglas County	\$750	\$1,696	\$56	\$297	\$600	\$1,200	No	\$2,100.00	\$4,200.00	80/20
City of Papillion	\$664	\$1,926	\$108	\$314	\$500	\$1,500	No	\$2,500.00	\$5,000.00	80/20
City of Kearney	\$796	\$1,354	\$141	\$239	\$1,000	\$3,000				80/20
City of Johnston	\$537	\$1,416	\$60	\$316	\$500	\$1,000	No	\$1,500.00	\$3,000.00	80/20
Average	\$682.94	\$1,702.67	\$79.48	\$283.73	\$1,291.67	\$2,469.44		\$2,614.29	\$5,328.57	
City of La Vista	\$529.1	\$1,326.7	\$115.98	\$544.1	\$1,000	\$2,000	Yes	\$3,000	\$6,000	80/20
Difference:	22.5%	22.1%	-45.9%	-91.8%	22.6%	19.0%		-14.8%	-12.6%	

#### **G: Prepared Job Evaluation Manual and Handbook and Conducted Training:**

Lastly, BCC prepared a job evaluation manual or handbook outlining the procedures, criteria and evaluation process of the Classification Matrix System (CMS). In addition, the manual outlines some policies and procedures for the City that it might wish to consider in maintaining the system in the future. Again, as with any policy, you should carefully consider the policies and procedures given your current policies, employee relation concerns, your organizational philosophy, and needs. The manual also includes all of the forms, spreadsheets, and templates that the City needs to maintain the system with or without our assistance. BCC will provide training to HR staff and personnel so the system can be used in a consistent and fair manner in the future. This manual is for the sole use and benefit of HR staff and the evaluation forms, criteria and matrices are for internal use and not to be distributed without the consent of BCC, LLC.



BCC wishes to thank the employees, the Project Committee and especially the HR Department staff for their assistance and support during the conduct of the study. I have enjoyed working with you and hope to provide ongoing support and assistance to the City in maintaining your classification and compensation program in the coming years.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Bjorklund".

Robert Bjorklund, Project Manager

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ADOPT MUNICIPAL CODE SECTION 30.16 EMERGENCY AUTHORITY	◆ RESOLUTION ◆ ORDINANCE ◆ RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT

**SYNOPSIS**

Proposed La Vista Municipal Code Section 30.16 would authorize temporary suspension or modification of regulatory requirements in an emergency.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval

**BACKGROUND**

Flexibility to suspend or modify regulatory requirements sometimes may be necessary in an emergency. The proposed ordinance would allow the Mayor to temporarily suspend or modify regulatory requirements such as transportation, traffic, or zoning regulations in response to an emergency. Any such action would be subject to notification and further review or action of the City Council.

At their October 6, 2020 meeting, City Council approved this ordinance on its first reading and passed it on to second reading.

## ORDINANCE NO. 1399

AN ORDINANCE TO ADOPT SECTION 30.16 OF THE MUNICIPAL CODE REGARDING REGULATORY REQUIREMENTS, AND TO REPEAL CONFLICTING PROVISIONS, AND PROVIDE FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE

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

I. Section 30.16 of the La Vista Municipal Code is hereby adopted and approved as follows:

### “§30.16 EMERGENCY AUTHORITY

A. Findings. The Mayor and City Council hereby find and determine as follows:

1. The City is authorized to adopt such Ordinances and take such actions as necessary or appropriate for public health, comfort, safety, welfare, and interests, including without limitation such authorization as set forth in Neb. Rev. Stat. Sections 16-238, 16-240, 16-246, 16-314, 16-405, the Emergency Management Act, and the City's emergency operations plan, as any from time to time may be adopted or amended; and
2. Pursuant to such authority, the City Council adopts this Section 30.16 of the La Vista Municipal Code authorizing the Mayor in the event of an emergency to temporarily suspend or modify certain regulatory requirements within the City or its extraterritorial jurisdiction.

B. Authority. If a state of emergency is declared by the Governor or Mayor with respect to areas within the City or its extraterritorial jurisdiction pursuant to the Emergency Management Act or other applicable laws, rules, or regulations, the Mayor shall be authorized to temporarily suspend or modify any regulatory laws, rules, regulations, policies, or procedures of the City, including without limitation any transportation, traffic, or zoning laws, rules, regulations, policies, or procedures, or enforcement thereof, for a period of up to sixty days, subject to renewal for one or more additional periods, as the Mayor determines necessary or appropriate to address or respond to the emergency or to reduce, eliminate, or limit the impact or effects of, or factors or circumstances causing, comprising, or contributing to, the emergency or its spread, severity, or duration. The Mayor promptly after taking action pursuant to this Section, and no later than the next City Council meeting, shall advise the City Council of the action taken. The City Council at any time at any regular, special, or emergency meeting shall be authorized to terminate, add to, subtract from, or modify any action of the Mayor pursuant to this Section.”

II. Repeal of Conflicting Provisions. Any and all Ordinances or portions thereof, which are in conflict herewith are hereby repealed.

III. Severability. 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 hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

IV. Publication and Effective Date. This Ordinance shall be published and in force and effect in accordance with applicable law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SARPY COUNTY AND CITIES WASTEWATER AGENCY – REVISED SEWER USER RATES AND CONNECTION FEES SCHEDULE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared approving the Sarpy County and Cities Wastewater Agency Revised Sewer User Rates and Connection Fees Schedule.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

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

Pursuant to Section V(A)(3) of the Formation Interlocal, the Agency has the power and authority to “[e]stablish just and equitable rates, fees, or charges for the use of or connection to the Unified SSWs, any property or equipment associate therewith, or any services proved in connection with [the Unified SSWs]”. Which shall be presented to and subject to approval of the individual governing body of each Member. A copy of the Sewer User Rates and Connection Fees Schedule is attached.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A REVISED SEWER USER RATES AND CONNECTION FEES SCHEDULE AND RELATED POLICIES AND PROCEDURES FOR THE UNIFIED SSWs FOR LAND DEVELOPMENT WITHIN CERTAIN PARTS OF THE SARPY COUNTY AND CITIES WASTEWATER AGENCY'S JURISDICTION

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

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

WHEREAS, the Agency Board approved an updated sewer user rates and connection fees schedule, attached as EXHIBIT A (the "2020 Rate and Fee Schedule") and related policies and procedures with respect to payment and collection of such rates and fees, attached as EXHIBIT B (the "2020 Rate and Fee Policies") for land development in parts of the Agency's Jurisdiction, located in southern portions of Sarpy County south of the hydrological ridgeline, and excluding any area within the corporate boundaries or extraterritorial or other jurisdiction of the City of La Vista.

WHEREAS, certain actions of the Agency Board require approval of the Members and the Agency Board has submitted the 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies to the Members for approval.

NOW, THEREFORE, BE IT RESOLVED by the City of La Vista City Council that the 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies are approved.

BE IT FURTHER RESOLVED that neither the 2020 Rate and Fee Schedule nor the 2020 Rate and Fee Policies, nor any part thereof, shall apply to or within the City of La Vista or any area within the corporate boundaries or extraterritorial or other jurisdiction of the City of La Vista, as such corporate boundaries or jurisdiction from time to time may be adjusted.

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

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

CITY OF LA VISTA

ATTEST:

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

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

## EXHIBIT A

*Effective: August 26, 2020*

### 2020 Rate and Fee Schedule

USER RATES (per 1,000 gallons<sup>1</sup>)

Property Use	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
Residential	\$8.82	\$9.26	\$9.73	\$10.21	\$10.72
Commercial/Civic	\$8.82	\$9.26	\$9.73	\$10.21	\$10.72
Industrial	\$13.23	\$13.89	\$14.59	\$15.32	\$16.09

### CONNECTION FEES

Property Use	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
Single-family Residential lots located in the Urban Reserve Zone (“URZ”) <sup>2</sup> consisting of three acres or less, and approved for development through applicable Member build-through or similar type zoning and/or subdivision regulations	\$4,181.62 per parcel/ tract/lot	\$4,307.48 per parcel/ tract/lot	\$4,437.14 per parcel/ tract/lot	\$4,570.70 per parcel/ tract/lot	\$4,707.36 per parcel/ tract/lot
Single-family Residential parcel/tract/ lots located in the URZ consisting of twenty acres or more, and approved for development through applicable Member large-lot or similar type zoning and/or subdivision regulations	\$4,181.62 per parcel/ tract/lot	\$4,307.48 per parcel/ tract/lot	\$4,437.14 per parcel/ tract/lot	\$4,570.70 per parcel/ tract/lot	\$4,707.36 per parcel/ tract/lot
All other Residential uses that do not fall within the residential uses described in the two rows immediately above	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Commercial	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Industrial	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Civic	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre

\* Single-family residential lots located in the URZ consisting of (i) three acres or less and approved for development through applicable Member build-through or similar type zoning and/or subdivision regulations, or (ii) twenty acres or more and approved for development through applicable Member large lot or similar type zoning and/or subdivision regulations shall pay a flat connection fee in accordance with the schedule above.

<sup>1</sup> The User Rates will be computed based on the water consumption calculated and billed by each Member’s water service provider. The Members’ calculation of water consumption may be based on actual consumption, average consumption or a combination thereof.

<sup>2</sup> As defined pursuant to the Agency’s Growth Management Plan initially adopted by the Agency on June 26, 2019 pursuant to Resolution No. 2019-004, as amended from time to time.

## **EXHIBIT B**

### **2020 Rate and Fee Policies**

*Effective: August 26, 2020*

All capitalized terms set forth in these Rate and Fee Policies (the “Policies”) shall have the same meanings as set forth in that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater System by and between the County of Sarpy, Nebraska and the Cities of Papillion, Bellevue, Springfield, La Vista, and Gretna, Nebraska dated September 19, 2017 (as amended, the “Formation Interlocal”).

The Agency has adopted a Growth Management Plan and implementing policies and procedures (collectively, as amended from time to time, the “Growth Management Plan”) which provides the overall framework for the suburban/urban/industrial development of land within the Agency’s Jurisdiction to be served by the Unified SSWs owned and operated by the Agency. The Growth Management Plan identifies areas intended to be served by the Unified SSWs as well as growth zones intended to manage development in phases. All development within the Agency’s jurisdiction shall be in accordance with the Growth Management Plan.

The Agency Board adopted a revised sewer user rates and fee schedule (the “2020 Rate and Fee Schedule”) pursuant to Agency Resolution No. 2020-014. These Policies shall apply to the payment and collection of user rate and connection fees established by the 2020 Rate and Fee Schedule and to any other rates, fees and charges established by the Agency in the future.

Pursuant to Section V(A)(4) of the Formation Interlocal, the Agency has the power and authority to “[m]ake, amend, and repeal such Agency bylaws, rules, and regulations from time to which are not inconsistent with the Act and [the Formation Interlocal] and which are intended to carry out and effectuate the Agency’s powers and purposes”.

These Policies, as adopted by the Agency in accordance with the Formation Interlocal, apply to all land and developments located within the Growth Zones (as defined in the Growth Management Plan) and subject to the Agency’s Jurisdiction. Therefore, except to the extent otherwise agreed to by the Agency in writing, any license, agreement, permit or other approval by the Agency for any Agency Member, owner, developer, sub-divider, sanitary improvement district, or other person or entity to connect any development, tract, parcel or land to any sewer system located within the Agency’s Jurisdiction shall be subject to the following terms, conditions, policies and procedures:

(1) Prior to the date the Agency begins providing wastewater services to users in the Agency’s Jurisdiction, the Agency will conduct a cost of service study to determine whether this 2020 Rate and Fee Schedule is sufficient to support the Agency’s financial obligations and, if necessary, to modify the same accordingly.

(2) Connection to the Unified SSWs or any sewer system located within the Agency’s Jurisdiction or to any sewer line that drains into a sewer system located within the

Agency's Jurisdiction obligates the connecting owner, developer or sub-divider to pay ongoing user charges in accordance with the user rates set forth in the 2020 Rate and Fee Schedule, as the same may be modified or amended from time to time (the "User Rates") for the treatment of the sewage entering such sewer system, and for the ongoing operations and maintenance of the Unified SSWS. The User Rates will be computed based on the water consumption calculated and billed by each Member's water service provider. The Members' calculation of water consumption may be based on actual consumption, average consumption or a combination thereof. Failure to pay the applicable User Rates on a timely basis shall subject such owner, developer or sub-divider to disconnection of water service by the applicable water service provider, as well as any other lawful remedies necessary to recover past due charges. Each Member shall use good faith efforts to collect and pay to the Agency all outstanding and unpaid User Rates.

(3) Each Agency Member shall cause the applicable municipal water provider (either MUD or the Member itself) to collect the User Rates from the owners, developers and sub-dividers of land within such Member's zoning jurisdiction on a monthly basis and shall pay to the Agency within 30 days of the date of each receipt of such collected amounts from said owners, developers and sub-dividers. The Agency shall pay for the reasonable and customary administrative charges and fees related to each water provider's collection and remittance of the User Rates to the Agency pursuant to this section.

(4) The sewer connection fees applied pursuant to these Policies shall be in the applicable amounts set forth in the 2020 Rate and Fee Schedule, as the same may be modified and amended from time to time or in such other amount agreed to by the Agency Board in connection with developments having unique or special circumstances (hereinafter, the "Connection Fee(s)"). The amount of the applicable Connection Fees shall be based on the land use and the number of developable acres shown on the final plat approved by the governing body of the applicable Agency Member having zoning jurisdiction over such land. For purposes this section, the term "developable acres" shall mean the difference between the gross acres reflected on such final plat, less the aggregate acreage attributable to greenspace, outlots, road, utility and other similar easements, and other areas on which development is not permitted under such final plat.

(5) No connection shall be made to the Unified SSWS or any other sewer system within the Agency's Jurisdiction until the applicable portions Connection Fees shall have been paid to the Agency Treasurer.

(6) The Connection Fees shall not create an obligation on behalf of the Agency to provide any services to the applicable development or platted parcels until such time as the applicable Member jurisdiction in which such development or platted parcels are connected to the Unified SSWS.

(7) This section shall only apply to Connection Fees for lots, parcels and tracts located in the Urban Development Zone (as such term is defined in the Agency's Growth Management Plan initially adopted by the Agency on June 26, 2019 pursuant to Resolution No. 2019-004, as amended from time to time (as amended, the "Growth Management Plan")). The Connection Fees shall apply to all final plats which come before the applicable Agency Member's governing body for approval. One-half of the applicable Connection Fee shall be paid prior to the recording of the

final plat with Sarpy County Register of Deeds. The remaining one-half of the applicable Connection Fee shall be paid at the time the owner, developer or sub-divider submits its building permit application to the applicable Agency Member. In the event the subject parcel is not platted, one hundred percent (100%) of the applicable Connection Fee shall be paid at the time the owner, developer or sub-divider submits its building permit application to the Applicable Agency Member. In the event of a lot line adjustment or lot split of a single-family residential lot in which no building permit is required, one hundred percent (100%) of the applicable Connection Fee shall be paid prior to the recording of the replat reflecting such lot line adjustment or lot split with the Sarpy County Register of Deeds. The applicable Agency Member shall collect the portions of the Connection Fees when due from the applicable owner, developer or sub-divider and shall remit the same to the Agency within 30 days of its receipt of such payment.

(8) One hundred percent (100%) of the Connection Fees for lots, parcels and tracts located in the Urban Reserve Zone (as such term is defined in the Agency's Growth Management Plan) shall be paid by the applicable owner, developer or sub-divider prior to the recording of the final plat of the applicable development with the Sarpy County Register of Deeds, unless otherwise agreed to by the Agency in writing. If no plat or rezoning is required, said Connection Fee shall be paid prior to the issuance of the building permit.

(9) The calculation and payment of the Connection Fees pursuant to these Policies only apply to the initial land use, as defined by the applicable Member's zoning regulations, related to the development shown on the final plat.

(10) In the event the total developable acreages is expanded beyond the area for which a final plat was originally approved by the applicable Member, the owner, developer or sub-divider thereof shall pay an additional connection fee as determined by the Agency with respect to such expanded developable area, even if additional sewer connection is not required.

(11) Unless otherwise agreed to by the Agency Board in writing, physical connection to the Unified SSWS or any other sewer system located within the Agency's Jurisdiction, or to any sewer line that drains into the Unified SSWS or any other sewer system located within the Agency's Jurisdiction, is not permitted until: (A) the payment of all fees and charges due to the Agency Member having zoning jurisdiction over such connecting sewer system have been made by the applicable owner, developer or sub-divider; (B) the payment of all Connection Fees then due and payable to the Agency have been remitted by the Agency Member having zoning jurisdiction over the connecting sewer system; and (C) any and all required development, subdivision and/or connection agreements (as applicable, the "Member Agreements"), have been fully-executed by the owner, developer or sub-divider and the applicable Agency Member(s) having jurisdiction over the land to be developed. The required Member Agreements may include wastewater sewer agreements with the Agency Members, the City of Omaha, and other applicable governmental entities. Any sewer connection that violates this provision shall be subject to a service charge of 10% of the applicable connection fee(s) and will be disconnected until brought into compliance.

(12) Each Agency Member shall incorporate these Policies into the applicable Member Agreements.

(13) The Agency reserves the right to assess the applicable owner, developer or subdivider a reasonable administrative fee to offset the Agency's costs and expenses related to any review of any proposed plats, plans, specifications, Member Agreements or other instruments and documents related to a proposed development subject to the Agency's Jurisdiction or connection of the SSWs or other sewer system located within the Agency's Jurisdiction; provided, however, that no such administrative fee shall be assessed unless and until such fee is adopted by the Agency Board.

(14) Notwithstanding anything in these Policies or in Agency Resolution No. 2020-014 to the contrary, the Agency's Growth Management Plan and these Policies do not in any manner apply to the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, or Papillion Sewer Service Area, respectively, as designated pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019 and the sewer systems therein that are not connected to the Agency's System.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SARPY COUNTY AND CITIES WASTEWATER AGENCY – POLICIES AND PROCEDURES FOR GROWTH MANAGEMENT PLAN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared approving the Sarpy County and Cities Wastewater Agency Policies and Procedures Implementing the Growth Management Plan.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

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

Pursuant to Agency Resolution 2020-13, the Agency adopted and approved certain policies and procedures that are intended to implement and enforce the Growth Management Plan, which shall be presented to and subject to approval of the individual governing body of each Member. The Growth Management Policies are attached.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING POLICIES AND PROCEDURES IMPLEMENTING THE GROWTH MANAGEMENT PLAN FOR THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City of La Vista City Council that the GMP Policies are approved.

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

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

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

CITY OF LA VISTA

ATTEST:

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

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

**EXHIBIT A**

**GMP Policies and Procedures**

[Attached]

**SARPY COUNTY AND CITIES WASTEWATER AGENCY**  
**GROWTH MANAGEMENT PLAN**

*Effective June 26, 2019*

*Adopted by Sarpy County and Cities Wastewater Agency on June 26, 2019 Pursuant to Resolution No. 2019-004*

*Amended on February 26, 2020 Pursuant to Resolution No. 2020-004*

**Overview**

This Growth Management Plan (the “Plan”) provides an overall framework for the suburban/urban development of a portion of southern Sarpy County (the “County”) to be served by a unified sanitary sewer system owned and operated under the auspices of the Sarpy County and Cities Wastewater Agency (the “System”). The Plan identifies areas intended to be served by the System as well as growth zones intended to manage development in phases.

The Agency and its individual Members agree that the System’s design, phasing and operation are intended to achieve the following objectives:

- Enable future development while limiting it to areas that can be served by sanitary wastewater facilities and other necessary public infrastructure, facilities and services.
- Encourage economic development in the County through targeted public infrastructure development.
- Provide support for the Future Land Use plans and related infrastructure and service plans of each Agency Member.
- Consider market demand while providing predictability for private investment.
- Support projects that provide County-wide benefit.
- Reflect holistic public infrastructure, facility and service needs and impacts.
- Ensure that those who benefit from the System contribute to its development, operation and maintenance.

To achieve these objectives, the Agency and its Members intend to adopt this Plan and, separately, the policies and procedures required to implement it. The Agency may periodically update this Plan, the Growth Zones (as defined below) and the implementing policies and procedures.

**Growth Management Area**

The Service Area map (Figure 1) depicts the “Service Area” covered by the Growth Management Plan. Land within this area (the “Growth Management Area”) is intended to be

developed to a suburban/urban density, defined as development that requires municipal water and sanitary sewer service. Land outside of the Growth Management Area and outside of the Papillion Creek Watershed is restricted to lower-density development that can be accommodated through individual or small-scale well and septic systems.

### **Growth Zones**

The Growth Management Area comprises two “Growth Zones” that manage where and how new development occurs within the Growth Management Area: (1) the Urban Reserve Zone (“URZ”), which limits growth in areas not currently served with sanitary sewer and other public utilities but which can be served in the future; and (2) the Urban Development Zone (“UDZ”), which provides opportunity for immediate investment and development and which best supports urban and suburban-scale densities with corresponding infrastructure extensions.

The URZ’s purpose is to ensure that sufficient land is available to accommodate projected demand for future urban development. Further, given the cost of the infrastructure needed to support such development, it is critical that enough land is reserved within the URZ to accommodate the density of development needed to pay for the sewers, streets, utilities and other infrastructure required to serve the new urban development. As urban scale infrastructure (sanitary sewer, roads, etc.) becomes available on the periphery of the URZ, the Agency should assess the phased transition of watersheds to the UDZ.

The Growth Zone map (Figure 2) depicts the boundaries of each Growth Zone. Boundary adjustments will be made in accordance with policies and procedures set forth by the Agency and will support the Agency’s objective of ensuring any development occurring within the URZ is consistent with infrastructure development plans and availability within the UDZ. Criteria considered by the Agency in evaluating boundary adjustment requests to include portions of the URZ in the UDZ may include:

- Will the property in question be served by sanitary interceptor sewers and other infrastructure necessary to support urban-scale development?
- Can the property be served by industry-standard depth gravity flow to an existing municipal sanitary sewer line in the UDZ?
- Is there a factual error in the delineation of the URZ boundary?

If a boundary adjustment request meets one or more of the criteria set forth above, the Agency should consider adjusting the URZ boundary to incorporate the property in question into the UDZ and update the Growth Zone map accordingly.

This Growth Management Plan does not supersede each Member’s planning approval jurisdiction.

## **GROWTH MANAGEMENT PLAN IMPLEMENTING POLICIES AND PROCEDURES**

*Effective August 26, 2020*

*Adopted by Sarpy County and Cities Wastewater Agency on August 26, 2020 Pursuant to Resolution No. 2020-013*

### **I. Purpose**

The policies and procedures set forth herein (collectively, these “Policies”) are intended to and do effectuate the Growth Management Plan adopted by the Sarpy County and Cities Wastewater Agency (the “Agency”) on June 26, 2019 pursuant to Resolution No. 2019-004 and amended on February 26, 2020 pursuant to Resolution No. 2020-004 (as amended, the “Growth Management Plan”) to guide suburban and urban development within the Agency’s jurisdiction in southern Sarpy County depicted as the “Service Area” on **Figure 1** attached hereto (the “Agency’s Jurisdiction”) to be served by a unified sanitary sewer system owned and operated under the Agency (the “System”). The Growth Management Plan is incorporated herein by this reference.

### **II. Amendments**

The Agency Board may establish and adopt such additional procedures as it deems necessary and appropriate to effectuate these policies and procedures.

### **III. Policies**

The following policies, as adopted by the Agency and its individual members (individually, a “Member”; collectively, “Members”), applies to property within the designated Urban Reserve Zone (“URZ”) and Urban Development Zone (“UDZ”), as depicted on the Growth Zone map attached hereto as **Figure 2**.

#### **A. URZ Policies:**

1. Standard suburban/urban/industrial development requiring municipal water and/or sewage treatment services will not be allowed in the URZ until individual watersheds are included within the UDZ and "opened" for development as part of the phased extension of sanitary sewer service from the UDZ, unless otherwise provided in these Policies.
2. New development in this zone will be limited except as may be allowed by the applicable Member’s large acreage and build-through or similar type of zoning and/or subdivision regulations. For Members that do not have a large acreage, build-through or similar type zoning and/or subdivision regulations, developments in those Members’ zoning and planning jurisdiction shall adhere to Sarpy County’s corresponding regulations.

3. New developments in this zone must provide for arterial street connections and through-street connections and adequate easements for future utility extensions. Such future extensions cannot be altered, blocked or denied. The applicable Members shall follow their respective street connection plans or similar type policies. For Members that do not have such plans or policies, those Members shall follow Sarpy County's street connection plan.
4. Prior to a Member's approval of a final plat for any tract, parcel or lot within the URZ, there must be a Member Agreement for such tract, parcel or lot.
5. If development is permitted in these areas it should be designed in a way that minimizes impact on surrounding uses and allows for future suburban/urban/industrial development, i.e. cluster development.
6. The URZ should be periodically monitored/evaluated for adjustment by the Agency. As urban scale infrastructure (sanitary sewer, roadways, and other improvements) becomes available on the periphery of the URZ, the Agency may assess the phased transition of watersheds located in the URZ to the UDZ.
7. If a Member determines that standard suburban/urban/industrial development should occur within a portion of the URZ located within that Member's planning and zoning jurisdiction, that Member may allow such standard suburban/urban/industrial development consistent with the following procedure, unless waived or otherwise agreed to by the Agency Board in writing:
  - (a) Such Member must notify the Agency Administrator in writing that it desires to pursue a Member Agreement (defined below) to allow standard suburban/urban/industrial development in the URZ;
  - (b) The Agency pays for and commissions from its financial advisor(s) a new study of the potential adverse impact of such development within the URZ to the System's anticipated capacity, function and connection fees if such development were to occur. The Member shall provide the Agency's financial advisor(s) with all pertinent information reasonably requested by said advisor(s) related to the proposed standard suburban/urban/industrial development in order for the advisor(s) to conduct such a study;
  - (c) Prior to such impact study being conducted, (i) a preliminary plat of such proposed standard suburban/urban/industrial development must have previously been submitted to the Member's planning and zoning board, and (ii) the Member requesting the Agency impact study must pay to the Agency one-half of the cost for the same;

- (d) In the event the Member disagrees with the results of the Agency's impact study, such Member may, at the Member's sole cost and expense, obtain a separate study on the potential adverse impact of such development in the URZ. If the Member elects to obtain a separate impact study, it shall provide a copy of the same to the Agency Administrator. The Agency is under no obligation to accept, consider, adopt or incorporate any portion of such Member's impact study, and the Agency Board retains the authority to determine the adverse impact of such development in the URZ in its sole and absolute discretion; and
- (e) The Agency and such Member enter into a written agreement (a "Member Agreement") pursuant to which such Member agrees to compensate the Agency for and make other accommodations necessary to eliminate any adverse impact as determined by the Agency's impact study. If the Member agrees to compensate the Agency for and otherwise eliminate the potential impacts to the System capacity, function and connection fees as determined by the impact study, then the Agency cannot deny or delay approval of the Member Agreement.

8. To the extent feasible and agreed to by the Agency and the applicable Member, the Member Agreement may include provisions permitting the developer of such land to be reimbursed by such Member or other future developments in connection with the developer's pioneering of the construction and payment of non-interceptor sewer infrastructure.

B. *UDZ Policies:*

- 1. Development in these areas must be served with public infrastructure, facilities, utilities and services in a manner that is coordinated with the appropriate Member jurisdictions.
- 2. Development must follow the Agency's technical advisor's sewer flow and revenue assumptions for the land within the UDZ and the Agency's Growth Management Plan. In general, it is assumed that the future land use pattern in the Agency's Jurisdiction will be urban, suburban, or industrial in character and density.
- 3. If a Member approves a development within the UDZ that is not urban, suburban or industrial in character and density, such development shall be subject to a connection fee on a per acre basis as set forth in the Agency's rate and fee schedule then in effect. If, however, such Member does not want to assess a connection fee on a per acre basis, the procedure set forth in Section III(A)(7) above shall be followed to determine the adverse impact of such development and the Member's agreement to compensate the Agency for the same.

C. *Policies Applicable to Unique Developments:* If a Member notifies the Agency of a development in its zoning and planning jurisdiction that such Member does not otherwise support pursuant to subsections (B) or (C) above, and only after such Member used good faith efforts to reach an agreement with the applicable developer with respect to connection fees, user rates and other considerations applicable to such development not otherwise addressed in this Section III or set forth in the Growth Management Plan, the Agency agrees to waive the connection fees otherwise payable to the Agency applicable to such development in accordance with the Agency's rate and fee schedules then in effect.

#### IV. **Boundary Adjustment Procedures and Criteria**

Although it is not encouraged, a limited amount of development may be allowed within the URZ prior to the installation of infrastructure necessary to support urban development. However, it is important that any such interim development provides for future sewer and utility easements and follows applicable Agency and Member policies for arterial and internal street connections.

In addition, it is important that any such development reserves sufficient land for future urban development. Such steps will ensure that future urban development can be supported and fit seamlessly with earlier development. To ensure that sufficient land is set aside and that proper connections and easements are provided, any development approved by the Agency in the URZ in accordance with the Agency's policies and procedures shall adhere to build-through regulations comparable to those of Sarpy County with respect to the level of sewer flows and revenue generated by such development or the applicable Member's similar type regulations, whichever is more restrictive and promotes the most dense development.

##### A. *Agency Boundary Updates:*

1. Following the initial adoption of the Growth Management Plan and establishment of the URZ and UDZ boundaries by the Agency, the Agency shall set aside a portion of the fees collected from development for future updates to the Growth Management Plan. This update shall occur every 4-5 years or sooner if market conditions require. The update shall follow the same process as the initial adoption of the plan, as follows:
  - (a) Document and review historic development data and trends in the Agency's Jurisdiction and the surrounding metropolitan area
  - (b) Review all plans for the area and ensure that those plans and the new growth management plan are compatible.
  - (c) Analyze current market conditions and estimate future development needs.

- (d) Review actual revenue from various sources and estimate revenue based on future development patterns and trends.
- (e) Review potential watersheds for a shift from the URZ to the UDZ and estimate costs.
- (f) Consider not only the sewer costs but also the cost of other needed public infrastructure, utility, facility and service costs.
- (g) Based on this analysis identify preferred watershed(s), if any, that are needed to accommodate new development, to be included in the UDZ. Calculate the revenue adjustments needed to pay for the necessary improvements.
- (h) Meet with the Member jurisdictions, development community, business community and public, to develop the proposed changes, costs and financing plan.
- (i) Based on input from these interested parties prepare a final boundary plan for approval by the Agency Board and adoption by the applicable Member jurisdictions.

B. *Boundary Adjustment Requests:* The following section outlines the process and criteria for adjusting the Urban Reserve Zone and Urban Development Zone boundaries following a special request by an Agency Member.

1. Requests for boundary adjustments by an Agency Member should be made in writing to the Agency Administrator stating the reason or reasons for the adjustment. The Agency Administrator will transmit the request to the Board as a Growth Management Plan amendment for appropriate action.
2. In considering the request for a boundary adjustment, the Agency Board should inquire whether the following criteria can be met:
  - (a) The applicable Member and/or developer must have taken the necessary steps to ensure that a portion of the URZ will be served by municipal sanitary interceptor sewers and other infrastructure necessary to support urban development.
  - (b) The applicant can show that there is a factual defect in the delineation of the Urban Reserve Zone boundary line.
  - (c) A developer can show that after the proposed grading of a portion of its plat that is within the URZ, the property can be served by industry standard depth gravity flow to an existing municipal sanitary sewer line in the Urban Development Zone (UDZ).
  - (d) Any other criteria not now anticipated that follows the objectives outlined in the Growth Management Plan.

If it is determined by the Agency Board that at least one of the above criteria has been met and upon execution of agreements and/or adoption of an Agency Board resolution

effectuating the above, the development area will be added into the UDZ and the Growth Zone map(s) will be adjusted accordingly unless the Agency determines that such modification would: (i) adversely impact the System, the Agency, or any Member jurisdiction; (ii) cause the Agency to violate any agreements to which it is a party; or (iii) otherwise violate Agency policies and/or procedures then in effect.

V. **Exception Requests Procedures and Criteria**

A. The following provides the process and criteria for evaluating specific requests by an applicant or Agency Member for an exception (an “Exception”) from the Growth Management Plan and/or these Policies:

1. Requests for Exception should be made in writing to the Agency Administrator stating the reason or reasons why the guidelines should be waived.
2. The Agency Administrator will transmit the request to the Board for appropriate action as a Growth Management Plan Exception.
3. In considering the request for Exception, the Board shall determine whether one or more of the following criteria can be met:
  - (a) The applicant can show that it made a bona fide application for subdivision approval and/or rezoning prior to the effective date of the 2019 Growth Management Plan and, therefore, should be entitled to have its plat considered in accordance with the regulations prevailing at the time they submitted their plat.
  - (b) The applicant can show that approval of the request would further another important Member Comprehensive Plan objective which might offset any detrimental impact of granting an Exception from the URZ requirements.
  - (c) The applicant can show that the approval will allow division of property for settlement of an estate between family members so that ownership will be continued uninterrupted within the family and that they have followed the County's guidelines for utility and drainage easements and roadway access and connections.
  - (d) The applicant can show that it is requesting to create a single additional lot for sale or transfer to a member of their immediate family for construction of a home for that family member and that they have followed the County's guidelines for utility and drainage easements and roadway access and connections.
  - (e) The applicant agrees to pay sewer connection and usage fees established by the Agency and to set aside any necessary sewer easements as may be necessary to ensure the future extension of sewer service within the Agency's Jurisdiction.

- B. Exceptions shall not be granted if the subdivision is proposed for land that has previously been set aside as an "outlot" through the Build-Through Overlay Zoning District process.
- C. Exceptions related to 3b above should not be granted unless supported by the applicable Member jurisdiction within which the exception is located and only after appropriate physical and financial adjustments and possible compensations are provided to ensure that the exception will not adversely affect the Agency's objectives, policies, procedures or finances. In addition, such an exception should not be granted if the small lot subdivision can be achieved through a Build-Through Overlay Zoning District process.
- D. In the event the Agency grants conditional approval of an Exception request, such Agency conditions shall be satisfied before the applicable Agency Member approves the applicable preliminary plat and/or rezoning approval.

VI. **Administrative Changes/Approvals.** Requests for an Exception and/or Agency approval of developments within the Agency's Jurisdiction that are determined to be, as determined by the Agency's planning and land use advisor(s), (a) non-material or administrative in nature, or (b) in conformance with, or otherwise satisfy, the criteria set forth in the Growth Management Plan and these Policies may be approved by the Agency Administrator without Agency Board approval. Such approval by the Agency Administrator must be in writing and accompanied by a written recommendation by the applicable Agency planning and land use advisor(s) and approved by Agency legal counsel.

VII. **Fees and Rates**

- A. Prior to the connection to the Agency's System of any development or land located within the Agency's Service Area, such development or land shall be subject to the payment of applicable connection, usage, and other rates and fees established by the Agency from time to time. Each Member having zoning jurisdiction over such developments shall be responsible for collecting and paying to the Agency such rates and fees in accordance with applicable Agency resolutions, policies and procedures then in effect.
- B. Except as otherwise set forth in the Agency's then applicable rate and fee schedules, single-family lots of three (3) acres or less, or single-family lots of twenty (20) acres or more located in the URZ and as allowed by the applicable Member's large acreage and build-through or similar type of zoning and/or subdivision regulations that are approved and developed in accordance with the Growth Management Plan (as amended) and these Policies (as amended), shall be assessed a connection fee equal to one (1) equivalent dwelling unit (EDU) as

defined and set forth in the applicable Agency rate and fee schedules then in effect.

VIII. **Connection Agreements.** Prior to a Member's approval of a final plat for any development or land located within the Agency's Service Area, the Agency, the Member having zoning and planning jurisdiction, and such owner, developer or sub-divider shall enter into a three-party connection agreement that authorizes the connection of such development or land to the Agency's System and incorporates the Agency's Growth Management Plan, these Policies, and the sewer connection fees and user rates schedules and policies then in effect. Each Member shall include this provision as a condition to each preliminary plat approval. Provided however, that no such three-party connection agreement is required for any final plat for any development or land that is (a) within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, or Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019, and (b) not connecting to the Agency's System.

**Agency Growth Management Plan and Implementing Policies and Procedures Adopted by:**

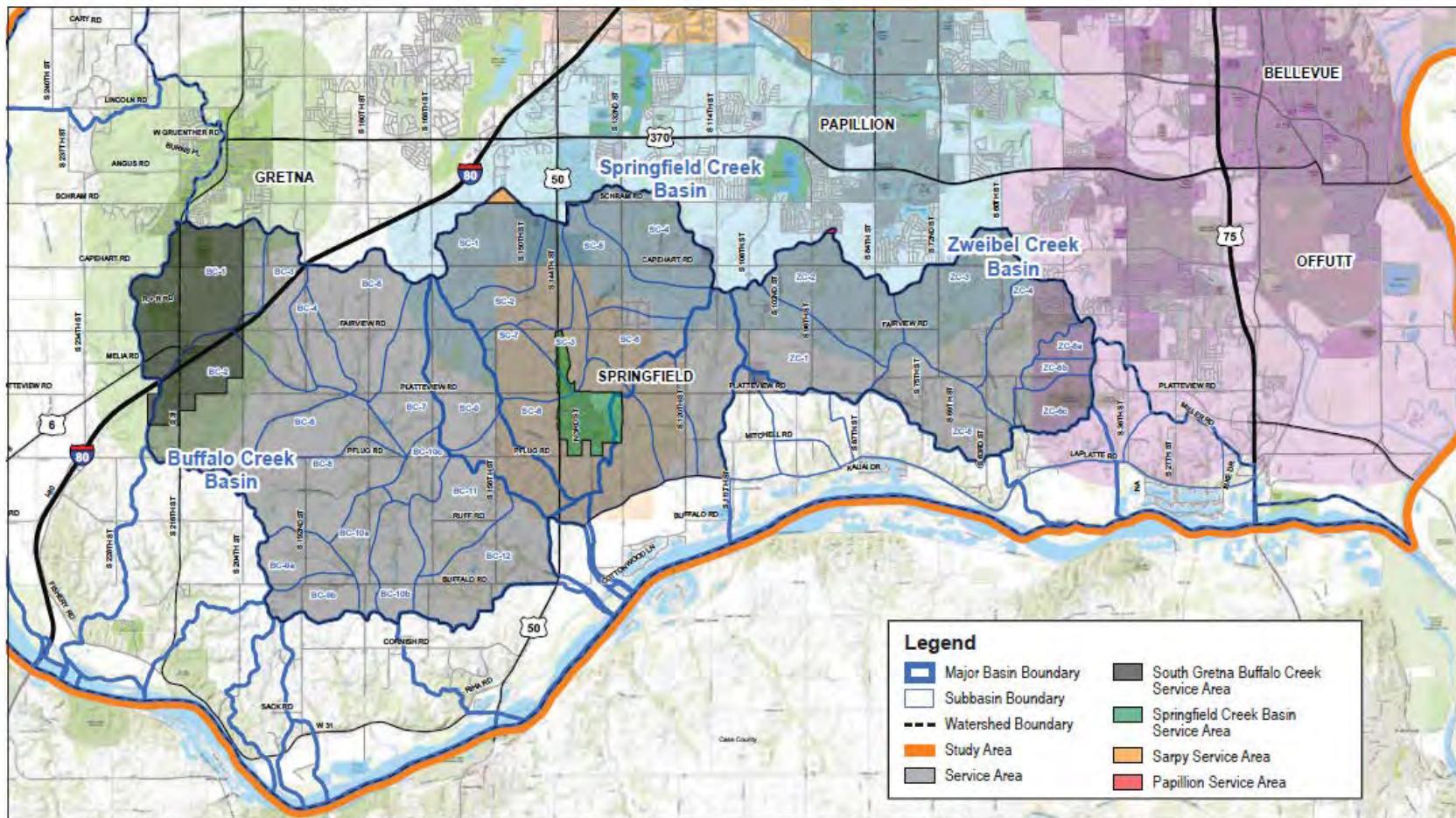
Agency Board:	August 26, 2020
Sarpy County Governing Body:	[____], 2020
Bellevue Governing Body:	[____], 2020
Gretna Governing Body:	[____], 2020
La Vista Governing Body:	[____], 2020
Papillion Governing Body:	[____], 2020
Springfield Governing Body:	[____], 2020

**FIGURE 1**

Agency's Jurisdiction

Established by Agency Pursuant to Resolution 2019-004 on June 26, 2019

[Attached]



**FIGURE 1**  
Growth Management Plan



SOUTHERN SARPY COUNTY



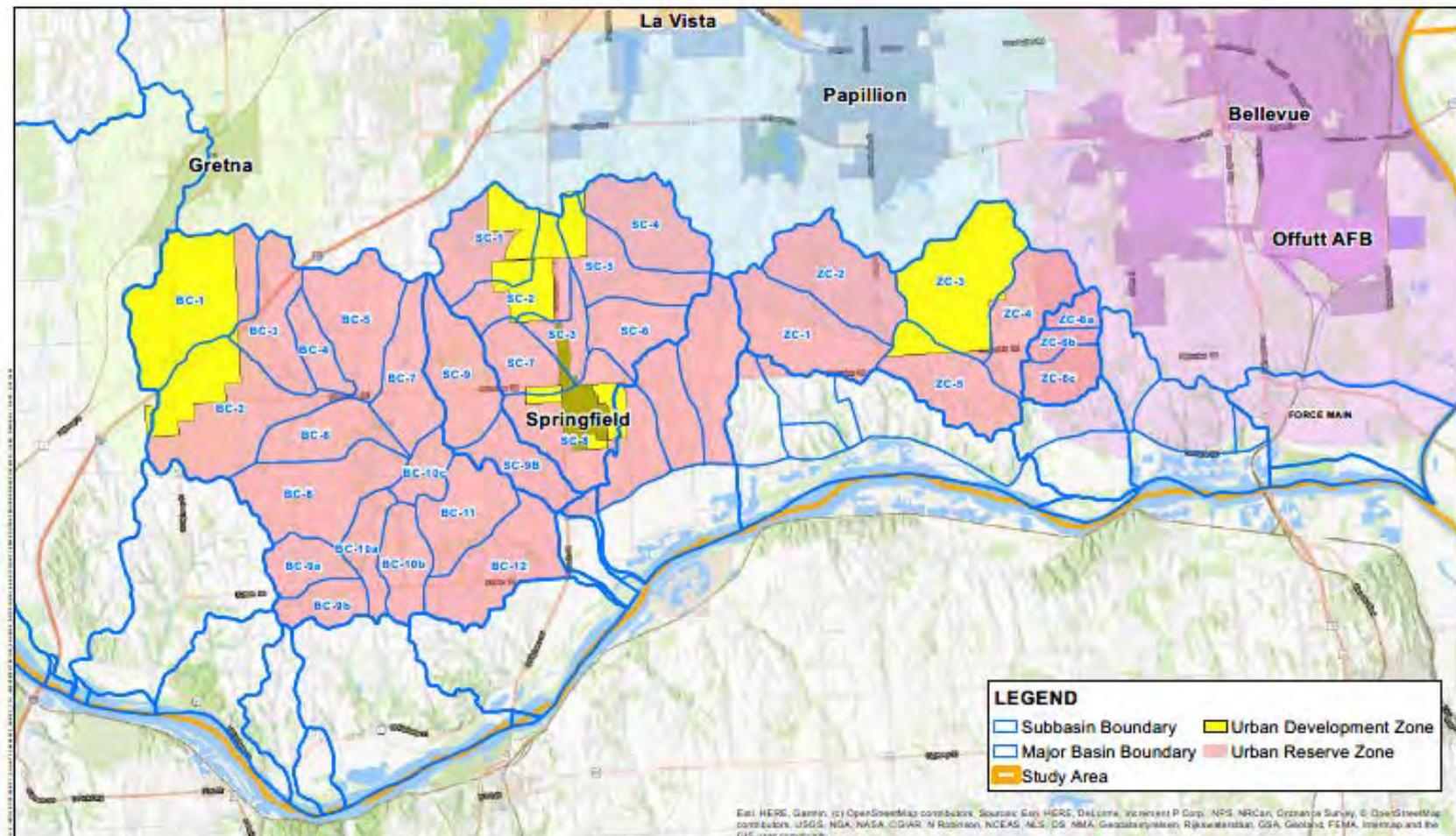
DATE: June 2018  
FIGURE: Service Area

**FIGURE 2**

Growth Zones

Initially Established by Agency on June 26, 2019 Pursuant to Resolution 2019-004  
Amended by the Agency on February 26, 2020 Pursuant to Resolution 2020-004

[Attached]



10,000 5,000 0 10,000  
Feet

## EXHIBIT A-GZ2020



### SOUTHERN SARPY COUNTY UPDATED URBAN DEVELOPMENT ZONE



DATE:  
FEBRUARY 2020

FIGURE  
Figure 2

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INTERLOCAL AGREEMENT – PACE ADMINISTRATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRUCE FOUNTAIN COMMUNITY DEVELOPMENT DIR.

**SYNOPSIS**

A resolution has been prepared to approve an interlocal agreement between La Vista and Sarpy County for La Vista to administer the application review and approval process for the Sarpy County PACE District.

**FISCAL IMPACT**

The City of La Vista will receive the \$1,000 application fee for all Sarpy County PACE projects to compensate for staff's time, so there will be no fiscal impact on the budget.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A resolution has been prepared to consider an interlocal agreement between the City of La Vista and Sarpy County for La Vista staff to administer the Sarpy County PACE District application review and processing.

The La Vista Property Assessed Clean Energy District was established by City Council on August 5, 2019. Since the establishment of the PACE District, La Vista has received two applications. Sarpy County has received some interest from developers for the use of PACE, and has requested an agreement for La Vista staff to administer their program. La Vista staff have the capacity to review additional PACE project applications.

The draft agreement is attached.

**RESOLUTION NO.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA FOR PACE APPLICATION REVIEW FOR THE SARPY COUNTY PACE DISTRICT.

WHEREAS, the City of La Vista established the La Vista Property Assessed Clean Energy District on August 5, 2020; and

WHEREAS, Sarpy County is interested in establishing a PACE District and has requested the assistance of La Vista staff in the administration of their program; and

WHEREAS, the City of La Vista has the experience and capacity necessary to review additional applications for PACE financing; and

WHEREAS, an interlocal cooperation agreement has been drafted;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the interlocal agreement between Sarpy County and the City of La Vista regarding PACE application review for the Sarpy County PACE District is hereby approved in form and content submitted with this resolution, subject to any additions, subtractions, or changes as the City Administrator or any designee of the City Administrator determines necessary or appropriate in consultation with the City Attorney, and that the Mayor or any designee of the Mayor is hereby authorized to execute said agreement on behalf of the City of La Vista.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

## INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (the "Agreement"), dated as of \_\_\_\_\_, 2020, is by the City of La Vista, Nebraska, (the "City") and Sarpy County, Nebraska (the "County") (collectively, the "Parties") pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. as amended from time to time.

### RECITALS

WHEREAS, in accordance with the provisions of Nebraska Revised Statutes Sections 13-3201 through 13-3211, known as the Property Assessed Clean Energy Act (the "PACE Act"), municipalities within the State of Nebraska are authorized to form property assessed clean energy assessment ("PACE") districts for the purpose of providing an additional financing tool to developers and property owners to encourage them to incorporate clean energy, reduce energy consumption, renewable energy, and promote efficient and effective management of natural resources and storm water, all as more fully set forth in the PACE Act;

WHEREAS, financing of PACE projects is a valid general public purpose that does not utilize general public funds to finance the costs of materials, equipment, design, installation, and implementation of PACE improvements in a qualifying property, but rather the qualifying property is separately assessed in an annual amount sufficient to repay the PACE financing loan over the average weighted useful life of the PACE project improvements;

WHEREAS, the PACE Act permits two or more municipalities to enter into an agreement pursuant to the Nebraska Interlocal Cooperation Act to jointly administer PACE districts, or a municipality to contract with a third party for the administration of PACE districts;

WHEREAS, the City established and administers a PACE program and district with respect to areas within the City ("LVPD"). The County, concurrent with this Agreement, created a PACE program and district for areas within unincorporated areas of the County ("SCPD") based on documents that are the same in form and content as the documents used to create the LVPD, including without limitation the ordinance or resolution creating the clean energy assessment district, manual, and application ("Governing Documents"). The County desires the City to assist the County, and the City is willing to assist the County, with administration in connection with processing applications under the County PACE program in compliance with the PACE Act, including application receipt, review, and recommendations to the Sarpy County PACE District Administrator ("SCPDA") for proposed PACE projects within the SCPD geographic area, which shall exclude any area wholly or partly within the corporate boundaries or extraterritorial jurisdiction of any village or city ("PACE Administrative Support");

WHEREAS, the City and County intend for this Agreement to be effective on the date of the last party to sign ("Effective Date"); and,

WHEREAS, the City and the County desire to enter into this Agreement to set forth the rights and obligations of the Parties with respect to County PACE Administrative Support.

NOW, THEREFORE, in consideration of the above and foregoing, the Parties agree as follows:

Section 1. Duration of Agreement. This Agreement shall commence on the Effective Date as defined above and remain in effect for one year, subject to annual renewal for one or more additional equivalent term(s) unless either party provides notice of nonrenewal at least 30 days before the last day of the initial or any renewal term. Provided, however, that this Agreement shall immediately terminate upon the occurrence of any of the following:

- (i) City and the County mutually agree in writing to terminate this Agreement;
- (ii) LVPD or SCPD is discontinued; or
- (iii) revisions, amendments, terminations or other modification of the Act or other federal or state statute require the termination of this Agreement.

Section 2. Purpose. The purpose of PACE is to provide developers and property owners with the opportunity to obtain additional financing for PACE eligible projects; to encourage the use of renewable energy, energy efficient improvements, materials, equipment and projects; and provide the assessment mechanisms for the repayment of private financing over the period of the average weighted useful life of the PACE project.

Section 3. Administrative Support Services. The County and the SCPD designate the La Vista PACE District Administrator (“LVPDA”) to provide PACE Administrative Support for the SCPD program. Specifically, the LVPDA, in conjunction with the PACE Review Committee established by the Parties, shall review SCPD PACE project applications; determine if the application appears to include all information required in applications under the Governing Documents; and on this basis recommend approval or disapproval of the application or to request additional information from the applicant. Final approval or denial of PACE project applications and/or waiver requests will be the responsibility of, and issued in letter form by, the SCPDA at his/her sole discretion. SCPD application and/or waiver appeals shall be handled by the County or SCPD in accordance with the appeals process as outlined in County Resolution no. 2020-326. SCPD Governing Documents shall be the same as those for LVPD projects, which County adopted to initiate the SCPD and are incorporated herein by reference. The LVPDA shall use the SCPD Governing Documents to provide Administrative Support Services for SCPD projects. SCPD assessment contracts may differ from assessment contracts of the LVPD and, for purposes of this Agreement, Governing Documents and Administrative Support Services under this Agreement shall exclude the terms or conditions of any SCPD assessment contract. The County shall be solely responsible for SCPD assessment contracts or any act or omission in connection with any such assessment contract.

Section 4. Assessments; Program Fees. The annual PACE assessments agreed upon under the assessment contract between the project applicant and the SCPD shall be levied against the qualifying property. Payment of the annual assessments may be made directly from the property owner to the PACE project lender, or to the County for distribution to the lender or other party entitled to the distribution, in accordance with the assessment contract. If assessment payments are made directly to the PACE project lender, the property owner shall make payment

of the annual program fee to the SCPD and the LVPD as required when due. City shall be compensated for Administrative Support pursuant to this Agreement through the annual program fees paid by the property owner during the term of the assessment contract and in accordance with the PACE assessment contract. The application fee due from the property owner shall be one hundred percent (100%) paid to the City. The administrative fees and annual fees due from the property owner under the assessment contract shall be one hundred percent (100%) paid to Sarpy County. An annual budget shall be prepared by the SCPDA and the LVPDA based on the estimated annual program fees. The County will be solely responsible for any actions connected with PACE assessments, including without limitation, execution and filing of assessment contracts, assessments and collections. In the event of a default in the payment of any assessment or program fee by the property owner, the County, after receipt of notice from the PACE lender or the Administrator (as applicable), shall file a notice of assessment lien in the Register of Deeds office of Sarpy County.

Section 5. Governing Law. This Agreement will be governed by, construed and enforced in accordance with the laws of the State of Nebraska.

Section 6. Severability. If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, the legality, validity and enforceability of the remaining provisions of this Agreement shall not be affected thereby, and this Agreement shall be liberally construed so as to carry out the intent of the parties to it.

Section 7. Notices. Any notice, request or other communication required or permitted to be given under this Agreement shall be given in writing by delivering it against receipt for it, by depositing it with an overnight delivery service or by depositing it in a receptacle maintained by the United States Postal Service, postage prepaid, registered or certified mail, return receipt requested, addressed to the respective parties at the addresses shown herein (and if so given, shall be deemed given when mailed). Notice sent by any other manner shall be effective upon actual receipt by the party to be notified. Actual notice, from whomever and however given or received, shall always be effective when received. Any party's address for notice may be changed at any time and from time to time, but only after thirty (30) days' advance written notice to the other parties and shall be the most recent address furnished in writing by one party to the other parties. The giving of notice by one party which is not expressly required by this Agreement will not obligate that party to give any future notice.

If to the City: City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128

Attention: Community Development Director

If to the County: Sarpy County Clerk  
1210 Golden Gate Drive  
Papillion, NE 68046

Attention: Deb Houghtaling

If to the Sarpy County PACE District: Sarpy County Planning And Building  
1210 Golden Gate Drive  
Suite 1240  
Papillion, NE 68046

Attention:

If to the La Vista PACE District: City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128

Attention: PACE District Administrator

Section 8. Parties in Interest. The terms of this Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their permitted successors and assigns. Nothing in this Agreement, whether express or implied, shall be construed to give any person or entity (other than the parties hereto and their permitted successors and assigns) any legal or equitable right, remedy or claim under or in respect of any terms or provisions contained in this Agreement or any standing or authority to enforce the terms and provisions of this Agreement. This Agreement and all rights hereunder are intended for the sole benefit of the Parties and shall not imply or create any rights on the part of, or obligations to, any other person or entity.

Section 9. General. The headings used in this Agreement are included for reference only and shall not be considered in interpreting, applying or enforcing this Agreement. The words "shall" and "will" as used in this Agreement have the same meaning. This Agreement shall not be modified or amended in any manner except by a writing signed by all the parties hereto. This Agreement represents the entire and integrated agreement between the parties with respect to the subject matter hereof. All prior negotiations, representations or agreements not expressly incorporated into this Agreement are hereby superseded and cancelled. The parties acknowledge and represent that this Agreement has been jointly drafted by the parties, that no provision of this Agreement will be interpreted or construed against any party solely because the party or its legal counsel drafted such provision and that each of them has read, understood and approved the language and terms set forth herein. This Agreement may be executed in multiple counterparts, each of which shall constitute but one agreement. All signatures need not be on the counterpart. Except for tasks to be performed by City as described in this Agreement, County shall have all responsibilities with respect to the SCPD. Recitals at the beginning of this Agreement shall be incorporated into this Agreement by reference.

Section 10. Amendments. The parties acknowledge that from time to time the Agreement may require amendments to support the Parties interests and obligations under the C-P ACE Program. Such requests for amendment from either Party shall not be unreasonably denied or delayed. No amendments or modifications of this Agreement shall be valid unless evidenced in writing and signed by duly authorized representatives of the Parties

**[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

EXECUTED as of the date first set out above.

CITY OF LA VISTA, NEBRASKA

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

[Add the necessary approvals, acknowledges, etc.]

SARPY COUNTY, NEBRASKA

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[Add the necessary approvals, acknowledges, etc.]



**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
BID RECOMMENDATION – 96 <sup>TH</sup> STREET AND 108 <sup>TH</sup> STREET PAVEMENT RECONSTRUCTION & PAVEMENT REHABILITATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to accept the bid from Swain Construction in an amount not to exceed \$3,740,796.57 for the 96<sup>th</sup> Street and 108<sup>th</sup> Street Pavement Reconstruction Projects M376 (390) and M376 (391).

**FISCAL IMPACT**

Funding is included in the FY 21/22 Biennial Budget.

**RECOMMENDATION**

Approval

**BACKGROUND**

On October 09, 2020, at 10:00am, bids were publicly opened for the 96<sup>th</sup> Street and 108<sup>th</sup> Street Pavement Reconstruction and Pavement Rehabilitation project. One (1) bid was received from Swain Construction of Omaha, Nebraska in the amount of \$3,740,796.57 which is 6.88% above the Engineers Estimate of \$3,500,000.

In review of the bid by staff and the consultant, Alfred Benesch & Company, and in understanding of the current bidding climate, it is recommended that Swain be awarded the contract in the amount not to exceed \$3,740,796.57. If awarded, Swain is to commence work in Spring of 2021 and is to have all work completed by October 31, 2021. Attached hereto is the bid tabulation for the project.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO SWAIN CONSTRUCTION, INC., OMAHA, NEBRASKA FOR THE 96TH STREET AND 108TH STREET PAVEMENT RECONSTRUCTION AND PAVEMENT REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$3,740,796.57.

WHEREAS, the City Council of the City of La Vista has determined that the 96th Street and 108th Street Pavement Reconstruction and Pavement Rehabilitation Project is necessary; and

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

WHEREAS, bids were solicited; 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 award the contract to Swain Construction, Inc., Omaha, Nebraska for the 96th Street and 108th Street Pavement Reconstruction and Pavement Rehabilitation Project in an amount not to exceed \$3,740,796.57.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

	SUBMITTED PROPOSALS & COSTS Date of Bid: October 9, 2020 10:00am Client: City of La Vista Proj.: 96th Street &108th Street Pavement Reconstruction and Pavement Rehabilitation			Swain Construction, Inc.			
ITEM	DESCRIPTION	APPROX. QTY.	UNIT	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	<b>Mobilization</b>	1	LS	\$296,096.00	\$296,096.00		
2	<b>Install Curb Inlet Protection</b>	76	EA	\$353.00	\$26,828.00		
3	<b>Install Silt Fence</b>	350	LF	\$8.62	\$3,017.00		
4	<b>Remove Pavement</b>	6,889	SY	\$13.00	\$89,557.00		
5	<b>Perform 3" Cold Planing - Concrete</b>	29,500	SY	\$5.92	\$174,640.00		
6	<b>Construct 2" Asphalt Surface Course, Type SPH (PG 64-34)</b>	3,400	TN	\$104.00	\$353,600.00		
7	<b>Construct 1" Asphalt Wedge Course, Type SPR Fine (PG 64-34)</b>	1,700	TN	\$99.40	\$168,980.00		
8	<b>Construct 4" Aggregate Base Course</b>	6,889	SY	\$13.00	\$89,557.00		
9	<b>Unsuitable Subgrade Material</b>	75	CY	\$36.25	\$2,718.75		
10	<b>Subgrade Preparation</b>	6,889	SY	\$9.52	\$65,583.28		
11	<b>Construct Fly Ash Stabilization</b>	250	TN	\$150.00	\$37,500.00		
12	<b>Construct 10" Concrete Pavement (Type L65)</b>	6,889	SY	\$75.60	\$520,808.40		
13	<b>Construct 10" Concrete Pavement Repair (Type L65)</b>	6,740	SY	\$95.20	\$641,648.00		
14	<b>Construct 10" Concrete Pavement Repair (Type L85)</b>	1,625	SY	\$102.00	\$165,750.00		
15	<b>Install Epoxy Coated Tie Bars (Pavement Repair)</b>	1,860	EA	\$5.76	\$10,713.60		
16	<b>Adjust Utility Valve to Grade</b>	10	EA	\$777.00	\$7,770.00		
17	<b>Adjust Manhole To Grade</b>	22	EA	\$1,213.00	\$26,686.00		

	SUBMITTED PROPOSALS & COSTS Date of Bid: October 9, 2020 10:00am Client: City of La Vista Proj.: 96th Street &108th Street Pavement Reconstruction and Pavement Rehabilitation			Swain Construction, Inc.			
ITEM	DESCRIPTION	APPROX. QTY.	UNIT	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
18	<b>Construct 6" Sidewalk Repair</b>	22,055	SF	\$7.69	\$169,602.95		
19	<b>Construct Sidewalk Curb Wall</b>	265	SF	\$6.05	\$1,603.25		
20	<b>Construct 6" Imprinted PCC Surface</b>	784	SF	\$8.47	\$6,640.48		
21	<b>Construct 6" PCC Median Surfacing Repair</b>	13,264	SF	\$8.96	\$118,845.44		
22	<b>Relocate Median Nose</b>	3	EA	\$2,118.00	\$6,354.00		
23	<b>Relocate Pull Box</b>	2	EA	\$3,700.00	\$7,400.00		
24	<b>Adjust Pull Box to Grade</b>	1	EA	\$615.00	\$615.00		
25	<b>Clearing and Grubbing per Intersection Corner</b>	51	EA	\$250.00	\$12,750.00		
26	<b>Repair Curb and Gutter</b>	871	LF	\$38.25	\$33,315.75		
27	<b>Construct PCC Curb Ramp</b>	2,657	SF	\$14.20	\$37,729.40		
28	<b>Construct Detectable Warning Panel</b>	560	LF	\$25.70	\$14,392.00		
29	<b>Construct Segmental Retaining Wall</b>	240	SF	\$58.00	\$13,920.00		
30	<b>Remove and Replace Curb Inlet Top</b>	57	EA	\$3,194.00	\$182,058.00		
31	<b>Crack or Joint Repair - Type "A"</b>	3,025	LF	\$3.63	\$10,980.75		
32	<b>Crack or Joint Repair - Type "B" (96th Street)</b>	225	SY	\$216.00	\$48,600.00		
33	<b>Crack or Joint Repair - Type "B" (108th Street)</b>	3,500	LF	\$7.19	\$25,165.00		
34	<b>Remove and Install New Sprinkler System Head</b>	60	EA	\$203.00	\$12,180.00		

	SUBMITTED PROPOSALS & COSTS Date of Bid: October 9, 2020 10:00am Client: City of La Vista Proj.: 96th Street &108th Street Pavement Reconstruction and Pavement Rehabilitation			Swain Construction, Inc.			
ITEM	DESCRIPTION	APPROX. QTY.	UNIT	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
35	<b>Install Rolled Erosion Control, Type II With Seeding - Type B</b>	1,714	SY	\$2.03	\$3,479.42		
36	<b>Temporary Paint Marking - 5" White</b>	4,100	LF	\$0.52	\$2,132.00		
37	<b>Temporary Paint Marking - 5" Yellow</b>	3,460	LF	\$0.52	\$1,799.20		
38	<b>Install Permanent Paint Marking - 5" White Grooved (96th St Reconstruction)</b>	648	LF	\$2.90	\$1,879.20		
39	<b>Install Permanent Paint Marking - 5" White (Pavement Repair)</b>	683	LF	\$1.74	\$1,188.42		
40	<b>Install Permanent Paint Marking - 5" Yellow (Pavement Repair)</b>	104	LF	\$3.48	\$361.92		
41	<b>Install Permanent Paint Marking - 12" White (Pavement Repair)</b>	6	LF	\$11.60	\$69.60		
42	<b>Install Permanent Paint Marking - 24" White (Pavement Repair)</b>	64	LF	\$7.54	\$482.56		
43	<b>Install Permanent Preformed Tape Type 3, 5" White</b>	4,100	LF	\$5.92	\$24,272.00		
44	<b>Install Permanent Preformed Tape Type 3, 5" Yellow</b>	3,460	LF	\$5.92	\$20,483.20		
45	<b>Install Permanent Preformed Tape Symbol Type Directional Arrow, White (Right)</b>	2	EA	\$406.00	\$812.00		
46	<b>Install Permanent Preformed Tape Symbol Type Directional Arrow, White (Left)</b>	25	EA	\$377.00	\$9,425.00		
47	<b>Install Permanent Preformed Tape Symbol Type Directional Arrow, White (Thru)</b>	2	EA	\$348.00	\$696.00		
48	<b>Furnish Changeable Message Sign</b>	112	DAY	\$87.00	\$9,744.00		
49	<b>Furnish Arrow Panel</b>	305	DAY	\$58.00	\$17,690.00		
50	<b>Provide Temporary Traffic Control</b>	175	DAY	\$190.00	\$33,250.00		
51	<b>Provide Flagger</b>	290	DAY	\$341.00	\$98,890.00		

	SUBMITTED PROPOSALS & COSTS Date of Bid: October 9, 2020, 10:00am Client: City of La Vista Proj.: 96th Street &108th Street Pavement Reconstruction and Pavement Rehabilitation			Swain Construction, Inc.			
ITEM	DESCRIPTION	APPROX. QTY.	UNIT	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
52	<b>Rental of Skid Loader, Fully Operated</b>	60	HR	\$64.25	\$3,855.00		
53	<b>Rental of Dump Truck, Fully Operated</b>	60	HR	\$88.00	\$5,280.00		
54	<b>Contractor Provided Construction Survey and Staking</b>	1	LS	\$114,688.00	\$114,688.00		
55	<b>Protection of Curb Inlet</b>	6	EA	\$1,119.00	\$6,714.00		
	<b>TOTAL BID FOR ITEMS 1 THROUGH 55</b>				\$3,740,796.57		

Bid Bond, 5% of Bid, Yes or No

YES

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**OCTOBER 20, 2020 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
GUARDRAIL REPLACEMENT – GILES ROAD BRIDGE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to authorize Midwest Fence, Ralston, Nebraska, to replace guardrail and end treatment on Giles Road Bridge near the Interstate 80 exit in an amount not to exceed \$6,531.25.

**FISCAL IMPACT**

FY21/22 Biennial Budget provides funding for this work.

**RECOMMENDATION**

Approval

**BACKGROUND**

Public Works received one informal bid from Midwest Fence, Ralston, Nebraska, to replace 53.13 feet of guardrail and end treatment for the southbound approach (northwest corner) of the Giles Road Bridge over I-80. Replacement is due to a motor vehicle crash in June of 2020. A claim will be made to the driver's insurance for reimbursement.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MIDWEST FENCE, RALSTON, NEBRASKA TO REPLACE GUARDRAIL AND END TREATMENT ON THE GILES ROAD BRIDGE OVER I-80 IN AN AMOUNT NOT TO EXCEED \$6,531.25.

WHEREAS, the Mayor and City Council have determined that the replacement of 53.13 feet of guardrail and end treatment for the southbound approach of the Giles Road Bridge over I-80 is necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed services;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that Midwest Fence, Ralston, Nebraska is authorized to replace 53.13 feet of guardrail and end treatment for the southbound approach of the Giles Road Bridge over I-80 in an amount not to exceed \$6,531.25.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

MIDWEST FENCE-GUARDRAIL SYSTEMS INC.  
8000 Serum Avenue, Ralston, NE 68127  
Phone (402) 593-9006 / Fax (402) 331-4803

PROPOSAL

Bid Date: September 30, 2020

CITY: La Vista

COUNTY: Sarpy

STATE: NEBRASKA

PROJ.# Giles Rd. over I-80  
NW corner

ITEM	DESCRIPTION	QUANTITY	UNIT	TOTAL
01	MOBILIZATION	1 EA	\$1,500.00	\$ 1,500.00
02	REMOVE GUARDRAIL	53.13 LF	\$10.00	\$ 531.25
03	GUARDRAIL TREATMENT TYPE 1	1 EA	\$3,000.00	\$ 3,000.00
04	TRAFFIC CONTROL	1 EA	\$1,500.00	\$ 1,500.00
<b>Price good for 30 days after letting.....</b>			<b>TOTAL BID</b>	<b>\$ 6,531.25</b>

NOTES:

- 1. The following items are excluded from our bid; clearing, grading, , permits, bonds & dues.**
2. If bonding is required add 1 1/2 % to total contract.
3. If removal is required, GRS will retain the salvaged materials unless specified differently in the estimating proposal.
4. No retainage.
5. We will provide insurance per NDOT.

Information: TRENT GARRIS (402)593-9006 e-mail [TKG@guardrail.omhcoxmail.com](mailto:TKG@guardrail.omhcoxmail.com)