

LA VISTA CITY COUNCIL MEETING AGENDA

March 1, 2022

6:00 p.m.

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

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- **Police Department Life Saving Award Presentation**
- **Proclamation: Women in Construction Week**
- **Appointment**
- Planning Commission – Reappoint Harold Sargus – 3 year term

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 February 15, 2022 City Council Meeting**
3. **Request for Payment – DLR Group – Professional Services – La Vista City Centre Parking Structure 2 – \$8,684.16**
4. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Central Park Improvements – \$12,831.60**
5. **Request for Payment – MAPA – Professional Services – Applewood Creek Trail – \$552.00**
6. **Approval of Claims**

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

- **Presentation – 5 Year Tree Plan Update**

B. Ordinance – Amend Master Fee Ordinance – Park Open Green Space

C. Resolution – Authorize Agreement – Land Use Study/Market Analysis

D. Grade Control Improvements – City Centre Lot 14

1. **Resolution – Change Order No. 1**
2. **Request for Payment – La Vista City Centre – Professional Services – Grade Control Improvements – \$8,340.00**

E. Resolution – Authorize Purchase – Computer Equipment

F. Resolution – Award Contract – Ultra-Thin Bonded Asphalt System (UBAS) Services

G. Presentation and Discussion – The Link

- **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.



**PROCLAMATION
WOMEN IN CONSTRUCTION WEEK
NATIONAL ASSOCIATION OF WOMEN IN
CONSTRUCTION**

WHEREAS, the Greater Omaha Chapter of NAWIC has distinguished itself for over 57 years as the voice of women in construction in Eastern Nebraska; and

WHEREAS, the work done by the Greater Omaha Chapter has benefited the City of La Vista through community development and educational programs; and

WHEREAS, the Greater Omaha Chapter has unceasingly promoted the employment and advancement of women in the construction industry; and

WHEREAS, the construction community, represented by the Greater Omaha Chapter, has been a driving force in fostering community development through renovation and beautification projects; promotion of skilled trades careers; and a positive vision of the future; and

WHEREAS, the Greater Omaha Chapter has sought to achieve successful results for City of La Vista and surrounding areas in a cooperative spirit with other organizations;

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby recognize the Greater Omaha Chapter and its many dedicated volunteers for its steadfast work on behalf and support of women in construction, and do proudly proclaim the week of March 6-12, 2022 as "Women in Construction Week," and encourage our citizens to congratulate the organization on its many accomplishments.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 1st day of March, 2022.

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

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MINUTE RECORD

A-2

No. 729 — REDFIELD DIRECT E2106195KV

LA VISTA CITY COUNCIL MEETING February 15, 2022

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on February 15, 2022. Present were Councilmembers: Frederick, Ronan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Community Development Director Fountain, Finance Director Miserez and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on February 2, 2022. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

APPOINTMENT – CIVIL SERVICE COMMISSION – APPOINT PAUL BOHN – FULFILL 5 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Paul Bohn to the Civil Service Commission fulfilling a 5 year term. Councilmember Sell motioned the approval, seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE FEBRUARY 1, 2022 CITY
COUNCIL MEETING
3. MONTHLY FINANCIAL REPORT – DECEMBER 2021
4. REQUEST FOR PAYMENT – CITY CENTRE MUSIC VENUE, LLC &
ASTRO THEATER, LLC – DISBURSEMENT OF EDP AWARD FUNDS –
\$268,288.26
5. REQUEST FOR PAYMENT – HEIMES CORPORATION –
CONSTRUCTION SERVICES – THOMPSON CREEK – CENTRAL
PARK EAST - \$96,978.37
6. REQUEST FOR PAYMENT – HDR ENGINEERING INC. –
PROFESSIONAL SERVICES – PROJECT MANAGEMENT – PUBLIC
IMPROVEMENTS AND OTHER WORKS - \$3,653.58
7. REQUEST FOR PAYMENT – HGM ASSOCIATES INC. –
PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND
PAVEMENT REHABILITATION – PHASE 2 FINAL DESIGN - \$91,612.87
8. REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG –
PROFESSIONAL SERVICES – 84TH STREET TRAFFIC IMPACT STUDY
– \$229.72
9. APPROVAL OF CLAIMS

1-800 RADIATOR, maint.	867.00
ABM INDUSTRIES INC, services	10,706.48
ACTIVE NETWORK LLC, services	88.99
AKRS EQUIPMENT SOLUTIONS INC, maint.	825.52
ALFRED BENESCH & CO, services	7,107.00
AMAZON, supplies	1,482.76
AMERICAN HERITAGE LIFE INS CO, services	1,244.72
BERGANKDV LLC, services	15,000.00
BIBLIOTHECA LLC, media	27.00
BISHOP BUSINESS, services	647.83
BLACK HILLS ENERGY, utilities	11,963.12
CCAP AUTO LEASE LTD, services	1,289.12

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CENTURY LINK/LUMEN, phones	428.61
CHI HEALTH EMPLOYEE ASST, services	3,146.55
CINTAS CORP, services	254.16
CITY CENTRE MUSIC VENUE LLC, services	166,420.42
CITY OF OMAHA, services	222,312.41
CITY OF PAPILLION, services	245,322.02
COMP CHOICE INC, services	454.22
CONTINENTAL RESEARCH CORP, supplies	503.45
CORNHUSKER INTL TRUCKS INC, maint.	78.45
COX COMMUNICATIONS INC, services	170.15
CULLIGAN OF OMAHA, services	23.00
DATASHIELD CORP, services	140.00
DEARBORN NAT'L LIFE INS CO, services	7,501.92
DEMCO INC, supplies	160.55
DLR GROUP, services	27,145.56
DULTMEIER SALES LLC, maint.	56.50
ECHO GROUP INC, bld&grnds	123.75
FASTENAL CO, maint.	137.70
FERGUSON ENTERPRISES INC, maint.	359.92
FIRST STATE BANK, services	6,536.93
GALE, books	99.71
GENERAL FIRE & SAFETY EQUIP CO, bld&grnds	155.00
GENUINE PARTS CO, maint.	758.48
GRAINGER, maint.	16.95
GREAT PLAINS COMMUNICATION, services	777.60
GT DISTRIBUTORS INC, services	1,309.60
HOME DEPOT, bld&grnds	4,158.93
HY-VEE INC, services	77.00
INSIGHT DIRECT USA, services	1,616.97
J & J SMALL ENGINE, maint.	41.94
JOHNNY RAY GOMEZ, services	150.00
KANOPIY INC, services	203.00
KIMBALL MIDWEST, maint.	78.67
KRIHA FLUID POWER CO, maint.	322.74
KUBOTA OF OMAHA, maint.	144.45
LABRIE, DONALD P, services	150.00
LARSEN SUPPLY CO, bld&grnds	81.93
LIBRARY IDEAS LLC, books	87.90
LINCOLN NATIONAL LIFE INS, services	6,681.28
LOGO LOGIX EMBROIDERY, apparel	183.00
MARCO INC, services	147.10
MEDICA INSURANCE CO, services	116,926.44
MENARDS-RALSTON, bld&grnds	417.87
METRO AREA TRANSIT, services	856.00
MID-AMERICAN BENEFITS INC, services	3,378.26
MIDWEST SERVICE & SALES, services	2,038.00
MIDWEST TURF & IRRIGATION, maint.	14.47
MSC INDUSTRIAL SUPPLY CO, supplies	265.72
NE DEPT OF REVENUE, lottery taxes	80,404.00
NE FEDERAL SURPLUS PROPERTY, maint.	550.00
NE LIBRARY COMMISSION, services	871.69
OCLC INC, media	164.44
OFFICE DEPOT INC, supplies	433.17
OLSSON INC, services	1,072.75
ONE CALL CONCEPTS INC, services	135.52
O'REILLY AUTO PARTS, maint.	1,848.34
PAPILLION SANITATION, services	1,944.25
PAYROLL MAXX, payroll & taxes	386,743.45
PINOT'S PALETTE LA VISTA, refund overpayment	2.48
PITNEY BOWES, services	429.99
RTG BUILDING SERVICES INC, bld&grnds	6,665.00

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SARPY COUNTY SHERIFF'S OFFICE, services	602.59
SECURITY EQUIPMENT INC, services	159.00
SHI INTERNATIONAL CORP, services	4,075.50
SOUTHERN UNIFORM, apparel	739.83
STRATEGIC GOVT RESOURCES INC, services	6,349.75
STREETSCAN, services	5,750.00
SUBURBAN NEWSPAPERS INC, services	846.46
TEAMSIDELINE CO, services	649.00
TED'S MOWER SALES & SERVICE, maint.	640.10
THE COLONIAL PRESS INC, services	280.64
THE SCHEMMER ASSOCIATES INC, services	231.25
THOMPSON DREESSEN & DORNER INC, services	7,843.00
TRANS UNION RISK, services	75.00
TRUCK CENTER COMPANIES, maint.	4,332.89
TY'S OUTDOOR POWER, maint.	604.23
U.S. CELLULAR, phones	1,826.02
UNITE PRIVATE NETWORKS LLC, services	4,400.00
UNITED HEALTHCARE INSURANCE CO, services	1,053.87
VERIZON CONNECT NWF, phones	631.41
VERIZON WIRELESS, phones	383.77
VIVERE APARTMENTS, services	1,480.00
VOIANCE LANGUAGE, services	25.00
WAGNER, SCOTT, refund	90.34
WESTLAKE HARDWARE, maint.	619.28
WINTER EQUIPMENT CO, services	1,833.00
WOODHOUSE SW OMAHA, maint.	334.17

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported that Larry Filbrandt is retiring from the Civil Service Commission after more than 36 years of service. A reception will be held at the La Vista Police Department.

Recreation Director Stopak reported on senior activities.

Police Chief Lausten reported on an incident at 83rd & Brentwood.

GROW SARPY – FOURTH QUARTER REPORT & ANNUAL REPORT

Josh Charvat with Grow Sarpy presented the Fourth Quarter Report & Annual Report.

SARPY COUNTY TOURISM REPORT

Fred Uhe with Sarpy County Tourism presented the Sarpy County Tourism Report.

B. RESOLUTION – AUTHORIZE AGREEMENT – STORM WATER PUBLIC EDUCATION & OUTREACH

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-009 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AGREEMENT WITH THE BRIAN SLOBOTSKI MEMORIAL FOUNDATION DBA BRIAN SMILES FOR THE PURPOSE OF PROVIDING STORM WATER PUBLIC EDUCATION & OUTREACH SERVICES IN AN AMOUNT NOT TO EXCEED \$3,000.

WHEREAS the City Council of the City of La Vista has determined that public education and outreach in relation to the NPDES permit requirements for MS4 public storm water discharge is necessary; and

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WHEREAS the FY21/22 Biennial Budget provides funding for this proposed service; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby approve an agreement with The Brian Slobotski Memorial Foundation dba Brian Smiles for the purpose of providing storm water public education & outreach services in an amount not to exceed \$3,000.

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

C. RESOLUTION – AWARD CONTRACT – ULTRA-THIN BONDED ASPHALT SYSTEM (UBAS) SERVICES

Staff has requested that no action be taken on this item at this time.

D. RESOLUTION – AUTHORIZE AGREEMENT – 84TH STREET SIGNAL IMPROVEMENTS

Councilmember Hale introduced and moved for the adoption of Resolution No. 22-010 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FELSBURG, HOLT AND ULLEVIG (FHU), OMAHA, NEBRASKA, FOR 84TH STREET SIGNAL IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$15,675.

WHEREAS, the Mayor and City Council have determined that 84th Street signal improvements are necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for this project;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Felsburg, Holt and Ullevig (FHU), Omaha, Nebraska, for 84th Street Signal Improvements in an amount not to exceed \$15,675.

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

E. RESOLUTION – APPROVE CHANGE ORDER NO. 1 – THOMPSON CREEK REHABILITATION – CENTRAL PARK EAST

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-011 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH HEIMES CORPORATION, OMAHA, NEBRASKA, TO PROVIDE FOR QUANTITY ADDITIONS AND DELETIONS FOR AN INCREASED AMOUNT OF \$6,414.05 AND A TOTAL PROJECT AMOUNT NOT TO EXCEED \$843,750.50.

WHEREAS the City has determined it is necessary to make changes to provide for additions and deletions to the contract with Heimes Corporation, and

WHEREAS the FY21/22 Biennial Budget provides funding for the project increase; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order to the contract with Heimes Corporation, Omaha, Nebraska, to provide for additions and deletions for an increased amount of \$6,414.05 and a total project amount not to exceed \$843,750.50

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

F. DISCUSSION – PUBLIC SURVEILLANCE CAMERAS

Police Chief Lausten provided an update on Public Surveillance Cameras and what staff plans to look at for future safety.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on the Valentine's Day Lunch.

At 7:00 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

Invoice

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

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

February 10, 2022
 Project No: 10-17105-41
 Invoice No: 0199300

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

Billing Period: January 1, 2022 to January 31, 2022

Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	198,750.00	16.00	31,800.00	23,850.00	7,950.00
Total Fee	198,750.00		31,800.00	23,850.00	7,950.00
Total Fee					7,950.00

Consultants

Olsson, Inc	727.38
Total Consultants	727.38

Reimbursable Expenses

Travel Expenses-Mileage	6.78
Total Reimbursables	6.78

Billing Limits	Current	Prior	To-Date
Expenses	6.78	13.56	20.34
Limit			13,000.00
Remaining			12,979.66
Total this Invoice			\$8,684.16

Billings to Date

	Current	Prior	Total
Fee	7,950.00	23,850.00	31,800.00
Consultant	727.38	0.00	727.38
Expense	6.78	13.56	20.34
Totals	8,684.16	23,863.56	32,547.72

OK to Pay
 PMD 2/23/22
 05.71.0917.000-CMDV18002

We appreciate your confidence in us and thank you in advance for your payment.

Being environmentally friendly, we encourage payments via Wire Transfer.

Routing number: 121000248 Account Number: 4945435436

Matthew Gulsvig, AIA, LEED AP



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors

A-4
INVOICE

Please remit to:
TD2 Nebraska Office
10836 Old Mill Road; Omaha, NE 68154
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108
Office: 605/951-0886

CITY OF LA VISTA
PAT DOWSE
9900 PORTAL ROAD
LA VISTA, NE 68128

Invoice number 148742
Date 02/14/2022
Project 0171-422 CENTRAL PARK
IMPROVEMENTS

Professional Services from January 10, 2022 through February 06, 2022

Description	Contract Amount	Prior Billed	Remaining	Current Billed
Task 1 - Topographic Survey	3,500.00	3,500.00	0.00	0.00
Task 2 thru 4-Design Work except Task 2.4	39,500.00	39,500.00	0.00	0.00
Task 2.4	20,000.00	13,541.53	6,458.47	0.00
<i>Subconsultant Services - Felsburg Holt Ullevig</i>				
Task A1.1	2,600.00	2,540.00	60.00	0.00
Task A1.2 - Right of Way Documents	6,300.00	4,220.00	1,240.00	840.00
Task A1.3 - Coordinate B2E Environmental Services	1,100.00	1,110.00	-10.00	0.00
Task A1.4 - Coordinate RDG Planning/Design Services	5,500.00	40.00	5,460.00	0.00
Task A1.5-Prepare NPDES NOI, SWPPP Plan, and Grading Permit	2,500.00	260.00	2,240.00	0.00
Task A1.6 - Prepare Constr Plans/Specs-Srvc Drive Connection to Park View Blvd	12,000.00	5,162.60	5,137.40	1,700.00
Task A1.7-Constr Phase Srvcs - Staking/Testing/Observation/CA	75,500.00	4,685.40	60,523.00	10,291.60
	Total	168,500.00	74,559.53	81,108.87
				12,831.60

Invoice total 12,831.60

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
148742	02/14/2022	12,831.60	12,831.60				
	Total	12,831.60	12,831.60	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

OK to Pay
PMD 02/23/22
16.71.0917.000-PARK20002

Invoice # 2282
 Invoice Date: 11/30/2021



City of La Vista
 8116 Park View Boulevard
 La Vista, NE 68128

2222 Cuming St Omaha, NE 68102
 Phone: 402-444-6866 x215
nbarrett@mapacog.org

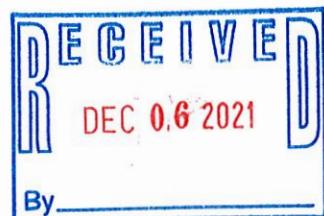
Invoice #	Payment Terms	Due Date
2283	Net 30	12/30/2021

	Description	Total
	FY 2021 TIP FEE (October 1, 2020 - September 30, 2021)	
	Applewood Creek Trail	\$552.00
	Subtotal	\$552.00
	Sales Tax	\$0.00
	Total	\$552.00

Make all checks payable to Metropolitan Area Planning Agency

Thank you for your business!

OH TO PAY
 PMS 2123122
 05-71-0917.001-PART 19001



COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
136476	02/16/2022	BNSF RAILWAY COMPANY	633.00	N
136477	02/16/2022	FELSBURG HOLT & ULLEVIG INC	229.72	N
136478	02/16/2022	HDR ENGINEERING INC	3,653.58	N
136479	02/16/2022	HEIMES CORPORATION	96,978.37	N
136480	02/16/2022	HGM ASSOCIATES, INC.	91,612.87	N
136481	02/16/2022	UNITED STATES POSTAL SERVICE	1,455.83	N
1831(E)	02/23/2022	CITY CENTRE MUSIC VENUE LLC	268,288.26	N
136482	02/23/2022	UNITED STATES POSTAL SERVICE	1,659.43	N
1832(E)	02/24/2022	ACTIVE NETWORK LLC	457.62	N
1833(E)	02/24/2022	CCAP AUTO LEASE LTD	391.12	N
1834(E)	02/24/2022	CENTURY LINK/LUMEN	505.04	N
1835(E)	02/24/2022	CENTURY LINK/LUMEN	44.26	N
1836(E)	02/24/2022	ESSENTIAL SCREENS	91.30	N
1837(E)	02/24/2022	GREATAMERICA FINANCIAL SERVICES	1,980.69	N
1838(E)	02/24/2022	MID-AMERICAN BENEFITS INC	7,474.03	N
1839(E)	02/24/2022	MID-AMERICAN BENEFITS INC	7,738.10	N
1840(E)	02/24/2022	NE DEPT OF REVENUE-SALES TAX	1,085.12	N
1841(E)	02/24/2022	OMAHA PUBLIC POWER DISTRICT	38,976.48	N
1842(E)	02/24/2022	PAYROLL MAXX	370,281.71	N
1843(E)	02/24/2022	PITNEY BOWES-EFT POSTAGE	1,514.00	N
1844(E)	02/24/2022	TOSHIBA FINANCIAL SERVICES	418.68	N
15(S)	03/01/2022	NMC GROUP INC	0.00	N
1845(A)	03/01/2022	ABM INDUSTRIES, INC	9,845.09	N
1846(A)	03/01/2022	CITY OF PAPILLION - MFO	233,475.00	N
1847(A)	03/01/2022	STRATEGIC GOVERNMENT RESOURCES INC	10,117.89	N
1848(A)	03/01/2022	VIVERE APARTMENTS	1,480.00	N
136483	03/01/2022	ACTION BATTERIES UNLTD INC	77.85	N
136484	03/01/2022	AKRS EQUIPMENT SOLUTIONS, INC.	4,125.00	N
136485	03/01/2022	AMAZON CAPITAL SERVICES, INC.	880.03	N
136486	03/01/2022	ANDERSON, PATTI	169.00	N
136487	03/01/2022	APWA-AMER PUBLIC WORKS ASSN	222.00	N
136488	03/01/2022	ASSOCIATED FIRE PROTECTION	240.00	N
136489	03/01/2022	AT&T MOBILITY LLC	97.68	N
136490	03/01/2022	AWE ACQUISITION INC	5,738.00	N
136491	03/01/2022	BISHOP BUSINESS EQUIPMENT	1,464.50	N
136492	03/01/2022	BUETHE, PAM	169.00	N
136493	03/01/2022	CAVLOVIC, PAT	149.99	N
136494	03/01/2022	CENTER POINT, INC.	420.06	N
136495	03/01/2022	CINTAS CORPORATION NO. 2	221.24	N
136496	03/01/2022	CITY OF PAPILLION PARKS/RECREATION	476.00	N
136497	03/01/2022	CONTROL MASTERS INCORPORATED	223.83	N
136498	03/01/2022	CULLIGAN OF OMAHA	45.75	N
136499	03/01/2022	D & K PRODUCTS	645.75	N
136500	03/01/2022	DATASHIELD CORPORATION	60.00	N
136501	03/01/2022	DOUGLAS COUNTY SHERIFF'S OFC	225.00	N
136502	03/01/2022	ECHO GROUP INCORPORATED	729.45	N
136503	03/01/2022	FASTENAL COMPANY	77.87	N

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
136504	03/01/2022	FELSBURG HOLT & ULLEVIG INC	875.00	N
136505	03/01/2022	FERGUSON ENTERPRISES INC #226	40.31	N
136506	03/01/2022	FITZGERALD SCHORR BARMETTLER	22,907.20	N
136507	03/01/2022	GALE	98.96	N
136508	03/01/2022	GREAT PLAINS UNIFORMS	4,500.00	N
136509	03/01/2022	GUMDROP BOOKS	1,557.11	N
136510	03/01/2022	HOBBY LOBBY STORES INC	82.53	N
136511	03/01/2022	INGRAM LIBRARY SERVICES	1,137.58	N
136512	03/01/2022	INGRAM LIBRARY SERVICES LLC	1,099.06	N
136513	03/01/2022	JOHNSON CONTROLS US HOLDINGS LLC	327.15	N
136514	03/01/2022	JOHNSTONE SUPPLY CO	700.11	N
136515	03/01/2022	K & J ELITE SPORTS TURF INC	1,000.00	N
136516	03/01/2022	KIMBALL MIDWEST	200.84	N
136517	03/01/2022	KINDIG, DOUGLAS	74.35	N
136518	03/01/2022	KRIHA FLUID POWER CO INC	23.07	N
136519	03/01/2022	LARSEN SUPPLY COMPANY	755.50	N
136520	03/01/2022	LEAGUE OF NEBRASKA MUNICIPALITIES	285.00	N
136521	03/01/2022	LERNER PUBLISHING GROUP	587.20	N
136522	03/01/2022	LIBRA INDUSTRIES INC	40.00	N
136523	03/01/2022	LITTLE GUY BRANDING	300.00	N
136524	03/01/2022	MARCO INCORPORATED	142.13	N
136525	03/01/2022	MATHESON TRI-GAS INC	49.14	N
136526	03/01/2022	MENARDS-RALSTON-CORPORATE	2,676.18	N
136527	03/01/2022	METROPOLITAN COMMUNITY COLLEGE	19,739.25	N
136528	03/01/2022	NORTH AMERICAN RESCUE	959.73	N
136529	03/01/2022	OFFICE DEPOT INC	131.54	N
136530	03/01/2022	OLD NEWS	17.00	N
136531	03/01/2022	OMAHA TACTICAL LLC	5,695.00	N
136532	03/01/2022	OMAHA WINNELSON SUPPLY	51.14	N
136533	03/01/2022	ON YOUR MARKS INC	299.00	N
136534	03/01/2022	OVERHEAD DOOR COMPANY OF OMAHA	120.00	N
136535	03/01/2022	PER MAR SECURITY SERVICES	137.01	N
136536	03/01/2022	QUALITY AUTO REPAIR & TOWING, INC.	500.00	N
136537	03/01/2022	RAKA, NMC GROUP INC	145.51	N
136538	03/01/2022	READY MIXED CONCRETE COMPANY	491.25	N
136539	03/01/2022	SAPP BROS, INC.	3,137.45	N
136540	03/01/2022	SARPY DOUGLAS LAW ENFORCE. ACADEMY	870.20	N
136541	03/01/2022	SIGN IT	534.00	N
136542	03/01/2022	THE COLONIAL PRESS, INC	7,390.07	N
136543	03/01/2022	THE UNIVERSITY OF NEBRASKA MED CTR	2,700.00	N
136544	03/01/2022	THOMPSON DREESSEN & DORNER, INC.	2,450.00	N
136545	03/01/2022	THORPE'S BODY SHOP	744.97	N
136546	03/01/2022	TRX TRAINING	1,019.75	N
136547	03/01/2022	WATCHGUARD, INC.	1,380.00	N

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
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APPROVED BY COUNCIL MEMBERS ON: 03/01/2022

COUNCIL MEMBER

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 1, 2022 AGENDA

Subject:	Type:	Submitted By:
AMEND MASTER FEE ORDINANCE – PARK OPEN GREEN SPACE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

SYNOPSIS

An ordinance has been prepared to amend the Master Fee Ordinance.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

The City was recently approached by a local business regarding the availability of Central Park for the purpose of hosting a disc golf tournament on Sunday, March 27, 2022. This company is planning tournaments in parks throughout the metro area from March until October and wants to hold their first of the season in La Vista since this is now the location of their retail business.

The City does not currently have a fee associated with the use of open park space for special events or gatherings. In order to facilitate this request a fee would need to be established. (The intent would be to have additional discussion in upcoming months regarding park usage and fees.) Staff researched what some other cities are doing in this regard and found that the fees for this use in the various Omaha area parks where the other tournaments will be held range from no fee at all to \$130. Other cities in Nebraska do a variety of things relative to park space usage and fees vary from zero to \$250. The \$250 fee is associated with a “Facility Use and Event Permit” rather than general park usage.

As our park spaces continue to develop there are likely to be other various types of requests for usage. Staff is proposing that we establish a fee of \$100 for the use of park open green space in order to allow this event to take place. Subsequently, we intend to have discussion relative to future park usage and a more permanent fee structure. This will continue to evolve as our park spaces are improved and new facilities are added.

ORDINANCE NO. 1432

AN ORDINANCE TO AMEND ORDINANCE NO.14241432, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

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

BUILDING & USE FEES

(Apply inside City limits and within the Extra-territorial zoning jurisdiction)

Building Permit

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

General	\$30 Base fee + see building fee schedule
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Commercial/Industrial	\$30 Base fee + see building fee schedule
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Plan Review Fee

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

Tenant Bay Façade Renovation	\$500 (min. fee or actual fee incurred)
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Bldgs. 24,999 sq. ft. or less	\$1,500 (min. fee) (or actual fee Incurred)
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Bldgs. 25,000 – 49,999 sq. ft.	\$2,000 (min. fee) (or actual fee Incurred)
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Bldgs. 50,000 -99,999 sq. ft.	\$3,000 (min. fee) (or actual fee Incurred)
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Bldgs. 100,000 + sq. ft.	\$4,000 (min. fee) (or actual fee Incurred)
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Replacement Plan Review Fee

	\$100 + Request for records fees
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Engineer's Review

	\$500
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Rental Inspection Program

License Fees:

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

Primary Inspection	No charge
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Class B Property Inspection (after primary inspection):	
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Violation corrected	No charge
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Violation not corrected	See Re-inspection Fee below
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Re-inspection Fee (no show or follow up inspection)	See Re-inspection Fee below
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Re-inspection Fee	\$100.00
Vacant Property Registration Fee	\$250 Original Registration Fee \$500 First Renewal \$1,000 Second Renewal \$2,000 Third Renewal \$2,500 Fourth Renewal \$2,500 Fifth and Subsequent Renewals
Penalty Fee Refund Policy	3x Regular permit fee 75% will be refunded when the project is cancelled or not complete within one year. No refund will be given after one year. (Sewer Hook-up Fee is 100% refunded)
Certificate of Occupancy	\$ 50
Temporary Certificate of Occupancy	\$750
Pre-occupancy fee (Occupancy without C.O.)	\$750
Temporary Use Permit (includes tents, greenhouses, event structures)	\$ 50 plus \$10/day
Sign Permit	\$150/sign
Identification Sign, Incidental Sign	\$75/sign
Master Sign Plan (more than 1 sign)	\$150
Common Sign Plan	\$150
Temporary Sign Permit:	
Non-profit or tax exempt organization	\$0
All other temporary signs	\$ 30/year
Tower Development Permit	\$8,500 (min fee) (or actual fee incurred)
Co-locates – Towers	\$5,000 (min fee) (or actual fee incurred)
Tarp Permit (valid for 6 months)	\$ 30
Solar Panel Permit	\$ 30
Satellite Dish Permit	\$ 30
Wading/ Swimming Pools at residence	\$ 30
Dedicated Electrical circuit for pumps	\$ 30
Mechanical Permits	\$30 Base fee + See mechanical fee schedule
Plumbing Permits	\$30 Base fee + See plumbing fee schedule
Sewer Repair Permit	\$30
Backflow protector permit	\$ 30 (\$22 permit & \$8 backflow)
Underground Sprinklers	\$ 30 (\$22 issue fee & \$8 fixture)
Electrical Permits	\$30 Base Fee + See electrical fee
City Professional License (Plumbers; Mech. Contractors)	\$ 15 and a \$1,000,000
Liability, and a \$500,000 bodily injury insurance Certificate per each occurrence	
Also a \$5,000 Bond is required, naming the City as the recipient.	
Demolition of building	\$250 plus Insurance Certificate
Moving Permit (buildings 120 square feet or greater)	\$250 plus Insurance Certificate
Sheds and Fences	\$ 30.00
Sidewalks	\$ 30.00
Driveway Replacement	\$ 30.00
Driveway Approach w/o curb cut or grinding	\$ 30.00

With curb requiring cut plus the 4' apron on each side)	
Contractor (Contractor performs curb cut or grind)	\$ 30.00 plus \$1.00/ft.
City Charge (if City performs curb cuts)	\$50 + \$5/ft. (\$40 set up fee; \$10 permit fee)
City charge (if City performs curb grinds)	\$50 + \$6/ft. (\$40 set up fee; \$10 permit fee)
Utility Cut Permit	\$30.00

Appeal Fee Regarding Issuance or Denial of Curb Cut/Driveway	
Approach Construction Permit	\$250
Street Paving, Surfacing, Resurfacing, Repairing, Sealing or Resealing Permit	\$ 30.00/Yearly
Appeal Fee Regarding Issuance or Denial of Street Paving, Resurfacing, etc. Permit	\$250

RIGHT-OF-WAY PERMIT FEES

The following are one-time permit fees for structures occupying the public right-of-way:

Canopy or Awning	\$50 for the first 25 ft. + \$10 each additional foot
Balcony	\$75 each
Bicycle Rack	\$50
Light Fixture	\$75 for the first + \$10 each additional light fixture
Marquee	\$50 for the first 25 ft. + \$10 each additional ft.
Sidewalk Café	\$100
Sign	\$100 each (if less than 25 sq. ft.) \$300 each (if 25 sq. ft. or larger)
Windscreen	\$400 each
Planter	\$50
Combination of Awning/Canopy/Sign /Light	\$500
Skywalk	\$500
String Lights	\$150
Other structures as approved by the City Administrator	\$300

Provided, however, notwithstanding anything in this Ordinance to the contrary, all property, or parts thereof or improvements thereon, with respect to which legal title is or will be held by or for the benefit of the City of La Vista, La Vista Community Development Agency, City of La Vista Facilities Corporation, La Vista/Metropolitan Community College Condominium Owners Association, Inc., or any other entity directly or indirectly controlled by the City of La Vista as determined by the City Administrator, for a public purpose, and all owners of such property, parts, or improvements, shall be exempt from the Building and Use Fees and/or any other fees in this ordinance. The City of La Vista pursuant to a policy of the City Council also may provide for waiver of any or all such Building and Use Fees, or any other fees under this Ordinance that are payable to the City, with respect any political subdivisions that levy property taxes within the corporate limits of the City, or any entity controlled by any such political subdivision.

FIRE INSPECTION FEES

Plan Review Fees

Commercial Building	10% of building permit fee with a maximum of \$1,000
Fire Sprinkler Plan Review 1-20 devices	\$100

21-50 devices	\$200
51-100 devices	\$300
101-200 devices	\$400
201-500 devices	\$500
Over 500 devices	\$500 plus \$1.00 per device over 500
Fire Alarm Plan Review	\$50.00

Child Care Facilities:

0 – 8 Children	\$50.00
9 – 12 Children	\$55.00
13 or more children	\$60.00

Foster Care Homes:

Inspection	\$25.00
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Liquor Establishments:

Non-consumption establishments	\$60.00
Consumption establishments	\$85.00

Nursing Homes:

50 beds or less	\$55.00
51 to 100 beds	\$110.00
101 or more beds	\$160.00

Fire Alarm Inspection:

Four year license (Test)	\$100.00
NICET	\$25.00 per year NICET certification last
Annual test (witnessed)	\$30.00

Sprinkler Contractor Certificate:

Annual	\$100.00
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Fuels Division:

Above ground Hazardous Substance Storage Tanks (Title 158)	
Registration	\$25.00 per tank
Re-registration	\$25.00 per tank (Required whenever change is made to tank or contents)
Above ground Petroleum Storage Tanks (Title 153, Chapter 17)	
Inspection Fee	\$50.00 (Per installation regardless of the number of tanks)

Underground Storage Tanks (Title 159, Chapter 2)

Farm, residential and heating oil tanks (tanks with a capacity of 1100 gallons or less)	\$10.00 one-time registration fee
All other tanks	\$30.00 per tank, annually
Petroleum Release Remedial Action Fund	\$90.00 per tank, annually
Tank installation	\$60.00 per tank
Piping only installation	\$60.00

GRADING PERMIT FEES

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

TAX INCREMENT FINANCING (TIF) APPLICATION FEES

Application Fee	\$3,000
Administrative Fee	1.5% on TIF Principal up to \$2,000,000 1% on TIF Principal amount above \$2,000,000 thru \$4,000,000 No additional administrative fee for TIF Principal above \$4,000,000

Bond Related Fee	Actual Fees, Costs & Expenses Incurred by the City
<u>PACE PROGRAM</u>	
Application Fee	\$1,000
Administrative Fee	1% of loan amount maximum \$40,000 subject to 50% reduction if a TIF project
Annual Fee	\$500
<u>ZONING FEES</u>	
Comprehensive Plan Amendment	\$500
Zoning Map Amendment (rezoning)	\$500
Zoning Text Amendment	\$500
Zoning Verification Letter	\$50
Subdivision Text Amendment	\$500
Conditional Use Permit (1 acre or less)	\$300
Conditional Use Permit (more than 1 acre)	\$500
Conditional Use Permit Amendment	\$200
Flood Plain Development Permit	\$500
Administrative Plat – Lot Split, Lot Consolidation or Boundary Adjustment	\$750+ additional fee of \$250 for review of revised drawings
Preliminary Platting	\$1,000 +additional fee of \$250 for review of revised drawings
Final Platting	\$1000+additional fee of \$250 for review of revised drawings
Subdivision Agreement	\$500 (min. fee) or actual fee incurred
Revised Preliminary Plat	\$500+additional fee of \$250 for review of revised drawings
Replat	\$1500 +additional fee of \$250 for review of revised drawings
P.U.D.	\$1,000+additional fee of \$250 for review of revised drawings
P.U.D. Amendment	\$500 (min. fee) or actual fee incurred
Vacation of Plat and Right of Way Vacation	\$150
Variance, Appeals, Map Interpretation (B.O.A.)	\$250
Watershed Fees –apply to all new development or significant redevelopment as specified in Exhibit "G" to the interlocal agreement for the Papillion Creek Watershed Partnership: (fees are remitted to Papillion Creek Watershed Partnership)	
<u>OCCUPATION TAXES</u>	
Publication fees	\$Actual cost

Class A Liquor License Holder	\$200
Class B Liquor License Holder	\$200
Class C Liquor License Holder	\$600
Class D Liquor License Holder	\$400
Class I Liquor License Holder	\$500
Class L Liquor License Holder	\$500
Class Z Liquor License Holder	\$500
Class AB Liquor License Holder	\$400
Class AD Liquor License Holder	\$600
Class ADK Liquor License Holder	\$800
Class AK Liquor License Holder	\$400
Class ABK Liquor License Holder	\$600
Class BK Liquor License Holder	\$400
Class CK Liquor License Holder	\$800
Class DK Liquor License Holder	\$600
Class IB Liquor License Holder	\$700
Class IBK Liquor License Holder	\$900
Class ID Liquor License Holder	\$900
Class IDK Liquor License Holder	\$1100
Class IK Liquor License Holder	\$700
 Special Designated Permit – Liquor Control	 \$ 50/day except non-profits
Transfer of Liquor License from One Location to Another (These fees are in addition to the State Fee Requirement)	\$ 25
 Amusement Concessions (i.e. Carnivals) (This would include any vendors set up for special functions at the La Vista Sports Complex)	 \$ 10/concession/day
Auto dealers - new and used - \$250 plus \$.01 per sq. ft. of inside area, and \$.005 per sq. ft. of outside area used for display, sales or storage.	
Auto repair	\$100
Banks, small loan and finance companies	\$250 plus \$75/each detached facility.
Barber shops, beauty salons, tanning & nail salons	\$ 75 plus \$10 per operator over one.
Bowling Alleys or Billiard/Pool Halls	\$ 50/year + \$10/table or alley (Additional fees for Restaurants or Drinking Places if applicable)
Car washes	\$100 (includes all vacuum & supply vending machines)
Circus, Menagerie or Stage Show	\$ 50/day
Collecting agents, detective agents or agencies and bail bondsmen	\$ 75
Construction/Tradesmen	\$ 75 and a \$1,000,000
Liability, \$500,000 bodily injury insurance certificate	
Convenience stores	\$ 75 (Additional fees for Restaurants or Drinking Places if applicable)
Convenience store with car wash	\$120 (Includes all vacuum & supply vending machines)
Dry cleaning or laundry and tailoring	\$ 50
Funeral homes	\$150
Gaming Device Distributors	5% of gross receipts (non-profits exempt)
Games of Chance/Lotteries	5% of gross receipts (non-profits exempt)
Games of Chance/Lottery License Fee	\$ 50/1st location - \$10/ea additional
Gas Companies	5% of gross receipts
Hawkers/Peddlers	\$ 75/day or \$500/year

Home Occupations (not specified elsewhere)	
Home Occupation Permit Application Fee	\$30
Home Occupation 1 and Child Care Home	\$50
Home Occupation Conditional Use Permit – see Zoning Fees	

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

Mobile Food Vendors	\$100/year
Movie theatres	\$150/complex and \$75/viewing room (Additional fees for Restaurants or Drinking Places if applicable)
Music, Vending, & Pinball Machines Provider Fee of \$75.00 for business outside the City that provides machines for local businesses	\$ 20/year/machine +Service
Nurseries, greenhouses, landscaping businesses, and tree trimmers	\$ 75
Nursing homes, assisted living, hospitals and retirement homes	\$ 5 per bed
Pawnbrokers transaction evidenced by a pawnbroker card or ledger entry per Neb. Rev. Stat. Section 69-204. Minimum of \$30/year	\$ 1.00/pawnbroker
Professional services - engineers, architects, physicians, dentists, chiropractors, osteopaths, accountants, photographers, auctioneers, veterinarians, attorneys, real estate offices and insurance agents or brokers - \$75 plus \$10 per agent or professional over one (1)	
Recreation businesses - indoor and outdoor	\$100
Restaurants, Drinking Places, and drive-in eating establishments	\$ 50 (5 employees or less) \$100 (more than 5 employees) Effective 10/1/19 – Fee of 1.5% of gross receipts pursuant to Municipal Code Section 113.10

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

shall determine square footage for purposes of the Occupation Tax imposed hereunder based on the square footage of the entire main floor plus one-half (1/2) of the square footage of all such basement and additional floors.

0	999 sq. ft.	\$ 50
1,000	2,999 sq. ft.	\$ 65
3,000	4,999 sq. ft.	\$ 80
5,000	7,999 sq. ft.	\$ 120
8,000	9,999 sq. ft.	\$ 150
10,000	14,999 sq. ft.	\$ 200
15,000	24,999 sq. ft.	\$ 225
25,000	39,999 sq. ft.	\$ 300
40,000	59,999 sq. ft.	\$ 400
60,000	99,999 sq. ft.	\$ 500
100,000	and greater	\$ 750

Schools - trade schools, dance schools, music schools, nursery school or any type of school operated for profit	\$ 50
Service providers, such as persons, firms partnerships or corporations delivering any product, good or service whatsoever in nature within the City	\$ 75
Service stations selling oils, supplies, accessories for service at retail	\$ 75 + \$25.00 for attached car wash
Telephone Companies (includes land lines, wireless, cellular, and mobile)	5% of gross receipts
Telephone Surcharge - 911	\$1.00 per line per month
Tobacco License	\$ 15 (based on State Statute)
Tow Truck Companies	\$ 75
Late Fee (Up to 60 days)	\$ 35
Late Fee (60-90 days)	\$ 75
Late Fee (over 90 days)	Double Occupation tax or \$100, whichever is greater

CONVENIENCE FEES

Restaurant & Drinking Places Occupation Tax, Hotel Occupation Tax, and General Business Occupation Tax Payments through online portal Credit Cards, Debit Cards, & Digital Wallet	2.5% of transaction + \$0.30
E-Checks	\$1.50 for transactions \leq \$60,000

All Other Payments

Credit Cards	3% of transaction with \$2 minimum transaction
E-Checks	\$3 for transactions \leq \$10,000 \$10 for transactions $>$ \$10,000

OTHER FEES

Barricades	\$ 60/barricade
Deposit Fee (returnable)	\$ 5/barricade per day
Block Parties/Special Event	\$30 ea. (7 days maximum)
Construction Use	
Blasting Permit	\$1,000
Bucket Truck Rental w/operator	\$150 per hour

Charging Station Fees	
Standard Charge Station	\$2/hr. – First 6 hours \$0.33/min. after 6 hours
Rapid Charge Station	\$5/hr. – First 2 hours \$.033/min. after 2 hours
Community Garden Plot Rental	\$20 annually
Conflict Monitor Testing	\$200
Cat License Fee (per cat – limit 3)	\$ 5 each if spayed/neutered \$ 15 each if not spayed/neutered \$ 10 each (delinquent) if spayed/neutered \$ 30 each (delinquent) if not spayed/neutered
Senior Citizen Discount (Age 65+)	Free if spayed/neutered
Dog License Fee (per dog – limit 3)	\$ 5 each if spayed/neutered \$ 15 each if not spayed/neutered \$ 10 each (delinquent) if spayed/neutered \$ 30 each (delinquent) if not spayed/neutered
Senior Citizen Discount (Age 65+)	Free if spayed/neutered
Dog/Cat License Handling Fee (in addition to above fees)	\$5
Dog or Cat License Replacement if Lost	\$1
Dog or Cat Capture and Confinement Fee	\$10 + Boarding Costs
MAXIMUM OF 4 DOGS AND/OR CATS WITH NO MORE THAN 3 OF EITHER SPECIES	
Election Filing Fee	1% of Annual Position Salary
Fireworks Sales Permit (Non-Profits)	\$2,000
Handicap Parking Permit Application Fee State	\$ Currently Not Charging Per
Natural Gas Franchisee Rate Filing Fee (For rate changes not associated w/the cost of purchased gas.)	Per Agreement
Open Burning Permit	\$ 10
Parking Permit Fees:	
Monthly Parking – Covered Stall	\$50/Month per permit
Monthly Parking – Uncovered Stall	\$25/Month per permit
Off-Street Parking – 3 hours free (\$0), after which (Parking Day runs 6a.m. – 6a.m.)	\$1.00/hr. up to \$10/day
On-Street Parking – free (\$0) with three (3) hour limit	
Parking Ticket Fees	
If paid within 7 days of violation date	\$ 20 (\$5 + \$15 admin fee)
If paid after 7 days of violation date but within 30 days	\$ 25 (\$10 + \$15 admin fee)
If paid after 30 days of violation date	\$ 35 (\$20 + \$15 admin fee)
Pawnbroker Permit Fees:	
Initial	\$ 150
Annual Renewal	\$ 100

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

PUBLIC RECORDS

Request for Records	\$15.00/Half Hour + Copy Costs* (May be subject to deposit)
Audio Tapes	\$5.00 per tape
Video Tapes or CD/DVD	\$10.00 per tape/CD
*Copy costs shall be established by the Finance Director	
Unified Development Ordinance	\$100
Comprehensive Plan	\$ 50
Zoning Map	\$5 11"x17" \$10 12"x36" \$30 36"x120"
Zoning Ordinance w/Map	\$ 30
Subdivision Regulations	\$ 30
Future Land Use Map	\$5 11"x17" \$10 12"x36" \$30 36"x120"
Ward Map	\$ 2
Fire Report	\$ 5
Police Report	\$ 5
Police Photos (5x7)	\$ 5/ea. for 1-15 \$ 3/ea. for additional
Police Photos (8x10)	\$10/ea. for 1-15 \$ 5/ea. for additional
Police Photos (Digital)	\$10/ea. CD
Criminal history	\$10

FALSE AND NUISANCE ALARMS

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

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

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

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

RESPONSE TO LARGE HAZARDOUS MATERIALS INCIDENTS

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

Response Vehicles: One-hour minimum charge. All charges will be made to the closest 1/4 hour. Mileage will be charged at \$8.00 per mile per vehicle.

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

Equipment Charges:

Jaws of Life	\$250
Power Saw	\$75
Hydraulic jack/chisels	\$75
Cribbing Blocks	\$10
Winches	\$10

Air Bags	\$50
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High Lift Jack	\$20
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Supplies: The actual City cost of the supplies plus 25% shall be charged for all supplies including but not limited to safety flares, Class A foam, Class B foam, absorbent pads, absorbent material, salvage covers, and floor dry.

RESCUE SQUAD FEES

Basic Life Support Emergency	\$650
Basic Life Support Non-Emergency	\$450
Advanced Life Support Emergency 1	\$750
Advanced Life Support Emergency 2	\$950
Advanced Life Support Non-Emergency	\$550
Mileage - per loaded mile	\$ 15

LIBRARY FEES

Membership (Non-Resident Family)	6 month	\$ 35.00
	1 year	\$ 60.00
	1 month	\$ 7.00
Fax		\$2.00 up to 5 pages
Fines		
Books		\$.05/day
Audio Books/Board Games/CDs		\$.10/day
DVDs/		\$ 1.00/day

Playaway device	\$ 1.00/day
Board Game not returned to Circulation Desk	\$5.00
Damaged & Lost items	\$5.00 processing fee + actual cost
Color Copies	\$.50
Copies	\$.10
PLA filament	\$.10/gram
Inter-Library Loan	\$3.00/transaction
Lamination – 18" Machine	\$2.00 per foot
Lamination – 40" Machine	\$6.00 per foot
Children's Mini-Camp	-\$15.00
Seasonal/Special Workshops	\$15.00

RECREATION FEES

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

	<u>Resident</u>	<u>Non-Resident</u>	<u>Business Groups</u>
Facility Rental			
Gym (1/2 Gym)	\$ 38/Hour	\$ 75/Hour	\$ 75/Hour
Gym (Full)	\$ 75/Hour	\$150/Hour	\$150/Hour
Gym/Stage (Rental)	\$400/Day	\$500/Day	\$500/Day
Whole Community Center	\$600/Day	\$800/Day	\$800/Day
Game Room	\$ 22/Hour	\$ 44/Hour	\$ 44/Hour
Meeting Rooms (Rental)	\$ 12/Hour/Room	\$ 22/Hour/Room	\$ 27/Hour
Kitchen (Rental)	\$ 19/Hour	\$ 27/Hour	\$ 33/Hour
Racquetball Court	\$ 7/Hour	\$ 14/Hour	\$ 14/Hour
Stage (Rental)	\$ 12/Hour	\$ 22/Hour	\$ 27/Hour
Facility Usage			
<u>Resident</u>		<u>Non-Resident</u>	
Daily Visit (19 and up)	\$ 3.00	\$ 4.00	
Daily Visit (Seniors 55+)	\$ -0-	\$ 2.00	
Fitness Room (19 and up)			
Membership Card	\$27.00/month		
(Exercise Room, Gym, Racquetball/Wallyball Courts)			
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit	
Gym (19 and up)			
(Mon - Fri 8:00 -5:00 pm)	\$3.00	\$ 4.00/Visit	
Resident Punch Card	\$50.00		
(20 punches)			
Non-resident Punch Card		\$35.00	
(10 punches)			
Senior (Resident)	\$-0-		
Non-resident Sr. Punch Card		\$20.00	
(10 punches)			

Variety of programs as determined by the Recreation Director
Fees determined by cost of program
Classes

<u>Contractor</u>	<u>City</u>
75%	25%

Contract Instructor Does Registration and Collects Fees

Fields:

Tournament Fees	\$ 30/Team/Tournament
Tournament Field Fees	\$ 40/Field/Day
Field Rentals (Resident and Non Resident)	\$ 40 / 2 Hours
Gate/Admission Fee	10% of Gross

Parks

<u>Open Green Space</u>	<u>\$100/Event</u>	
	<u>Resident</u>	<u>Non Resident</u>
Model Airplane Flying		
Field Pass	\$30*	\$40*
	* includes \$10 club membership 1 – year license	
Park Shelters	\$15/3 hours	\$25/3 hours
Swimming Pool	<u>Resident</u>	<u>Non-Resident</u>
Youth Daily	\$ 2	\$ 4
Adult Daily	\$ 3	\$ 4
Resident Tag	\$ 2	
Family Season Pass	\$105	\$165
Youth Season Pass	\$ 65	\$ 95
Adult Season Pass	\$ 75	\$105
30-Day Pass	\$ 55	\$ 85
Season Pass (Day Care)	\$275	\$275
Swim Lessons	\$ 30	\$ 55
*Swimming Pool memberships and specials prices shall be established by the Finance Director		
Youth Recreation Programs	<u>Resident</u>	<u>Non-Resident</u>
Coed T-Ball Ages 5-6	\$ 45/55	\$60/70
Softball/Baseball Ages 7-8	\$ 50/60	\$65/75
Softball/Baseball Ages 9-10	\$ 65/75	\$85/95
Softball/Baseball Ages 11-12	\$ 75/85	\$105/115
Softball/Baseball Ages 13-14	\$ 85/95	\$105/115
Softball/Baseball Age 15-18	\$110/120	\$140/150
Basketball Clinic	\$ 17/27	\$22/32
Basketball Grades 3-8	\$ 55/65	\$65/75
Soccer Academy	\$ 33/43	\$53/63
Flag Football	\$ 33/43	\$53/63
Volleyball	\$ 55/65	\$65/75
3 yr. old Soccer Clinic	\$17/27	\$22/33
Programs		
Adult Volleyball– Spring	\$ 55	\$ 55
Adult Spring Softball – Single	\$215	\$215
Adult Spring Softball – Double	\$420	\$420
Adult Volleyball – Fall/Winter	\$110	\$110
Adult Fall Softball – Single	\$120	\$120
Adult Fall Softball – Double	\$235	\$235
Senior Spring Softball	\$15 per game per team	
Senior Fall Softball	\$17 per game per team	

Special Services Van Fees

Zone 1 Trip within city limits (La Vista & Ralston)	\$1.00 one way
Includes trips to grocery stores and senior center	
Zone 2 Trip outside city limits	\$3.00 one way
Zone 3 Trip outside city limits	\$10.00 one way
Bus pass (each punch is worth \$1.00)	\$30.00

Section 2. Sewer Fee Schedule.

§3-103 Municipal Sewer Department; Rates.

- A. Levy of Sewer Service Charges. The following sewer service charges shall be levied against the user of premises, property or structures of every kind, nature and description, which has water service from any supply source and are located within the wastewater service area of the City of La Vista.
- B. Computation of Sewer Service Charges. For the months of December, January, February and March, the monthly charge for residential sewer services will be computed on the actual water used for these months. The monthly charge for residential sewer service in the months of April, May, June, July, August, September, October and November will be computed on the average water usage of the four (4) preceding winter months of December, January, February and March or for such portion of said consumption, whichever is the lesser. At the option of the City of La Vista, water used from private wells shall be either metered or estimated for billing purposes.
- C. Amount of Sewer Service Charges. The total sewer service charge for each sewer service user will be the sum of three (3) charges: (1) customer charge, (2) flow charge, and (3) abnormal charge.
 - 1. The customer charge is as follows
 - a. For sewer service users classified as Residential, the same being sewer service to a single family dwelling, or a duplex, apartment, or other multi-family dwelling (e.g. apartments) wherein each dwelling unit has a separate water meter that is read and charged for water and sewer use by the Metropolitan Utilities District - -\$12.72 per month.
 - b. For sewer service users classified as Residential-Multi-Family, the same being sewer service to Multi-Family dwellings (e.g. apartments) wherein there is only a separate water meter to each building or complex that is read and charged for water and sewer use by the Metropolitan Utilities District - \$13.64 per month.
 - c. For sewer service users classified as General Commercial: Customers who normally use less than 100,000 cubic feet of water per month and who are not Residential users or Residential-Multi-Family users - \$13.64 per month. For sewer service users in this category that require manual billing, add \$10.00 for a total of \$23.64. The manual billing of the customer charge will come from the City of La Vista instead of the Metropolitan Utilities District.
 - 2. The flow charge for all sewer service users shall be \$4.16 per hundred cubic feet (ccf).
 - 3. If users have abnormal strength sewage as determined by the terms of the Wastewater Service Agreement between the City of La Vista and the City of Omaha, then additional charges will be billed to the user at the applicable rates as determined by said Agreement.
 - 4. If users other than those classified herein are connected to the wastewater collection system, the Customer Charges, the Flow Charges and Other Charges will be determined by the City Council in accordance with rules and regulations of the EPA and the Agreement between the City of La Vista and the City of Omaha.

Section 3. Sewer/Drainage Connection Fee Schedule. A fee shall be paid to the City Treasurer as set forth in this section for each structure or tract to be connected to the sewer system of the City. No connection permit or building permit shall be issued until the following connection fees have been paid.

Single Family Dwelling	\$1,364	\$1,432
Duplex	\$1,364/unit	\$1,432/unit
Multiple Family	\$ 1,064/unit	\$1,117/unit
Commercial/Industrial	\$7,407/acre of land as platted	\$7,777/acre of land as platted

The fee for commercial (including industrial) shall be computed on the number of acres within each platted lot or tract, irrespective of the number of structures to be constructed thereon.

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

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

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

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

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

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

Section 6. Repeal of Ordinance No.1424. Ordinance No. 1424 as originally approved on September 7, 2021 and all ordinances in conflict herewith are hereby repealed.

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

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

(1) Pawnbroker occupation taxes of Section 1 shall be effective April 1, 2003. Pawnbroker occupations taxes shall be payable on a monthly basis no later than the last day of the calendar month immediately following the month in which the subject pawnbroker transactions occur. For example, the occupation tax on pawnbroker transactions for the month of April 2003 shall be due and payable on or before May 31, 2003.

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

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

(4) The remaining provisions of this Ordinance other than those specified in Sections 8(1), 8(2) and 8(3) shall take effect upon publication, unless a different effective date is otherwise expressly provided in this Ordinance.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 1, 2022 AGENDA

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT – RDG PLANNING & DESIGN LAND USE STUDY/MARKET ANALYSIS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRUCE FOUNTAIN, AICP COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared to approve an agreement with RDG Planning and Design to provide a Land Use Plan Update and Market Analysis in an amount not to exceed \$40,000.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for this project.

RECOMMENDATION

Approval.

BACKGROUND

On November 16, 2021, the City Council approved Resolution No. 21-133 authorizing the advertisement of a request for proposals for the preparation of a Land Use Plan and Market Analysis. The advertisement was published and mailed to various consulting firms on November 22, 2021 and proposals were due by December 17, 2021. The City received three proposals ranging in price from \$40,000 to \$96,558. Of those, two firms were selected as a short list and were interviewed by a 4-person internal review committee on January 11, 2022.

The committee has recommended the selection of the firm RDG Planning-Design from Omaha in partnership with Gruen Gruen & Associates who will provide market analysis expertise. On February 1, 2022, the City Council approved this selection and authorized the City Administrator to negotiate a contract in an amount not to exceed \$40,000. The contract and scope have been finalized and the attached resolution authorizes the Mayor to sign it on behalf of the City.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AGREEMENT WITH RDG PLANNING AND DESIGN OF OMAHA, NEBRASKA TO PROVIDE A LAND USE PLAN AND MARKET ANALYSIS IN AN AMOUNT NOT TO EXCEED \$40,000.

WHEREAS, the Mayor and City Council of the City of La Vista have determined that the contracting of a consultant for the preparation of a new Land Use Plan and Market Analysis is necessary; and

WHEREAS, on February 1, 2022 the City Council of the City of La Vista approved the selection of RDG Planning and Design and the negotiation of a contract for the preparation of a new Land Use Plan and Market Analysis subject to any modifications the City Administrator or her designee determined necessary to provide a Land Use Plan and Market Analysis; and

WHEREAS, a detailed scope of work and terms of an agreement for such Land Use Plan and Market Analysis has been determined; and

WHEREAS, the FY21/FY22 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 secures Council approval prior to authorizing any purchase over \$5,000.00;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby approve an agreement with RDG Planning and Design of Omaha, Nebraska to provide a Land Use Plan and Market Analysis in an amount not to exceed \$40,000.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2022.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, MMC
City Clerk

Attachment A: Scope of Services

Our approach can be broken down into three core elements:

- **Where are we now?**
- **Where do we want to go?**
- **How do we get there?**

TASK 1: PROJECT MANAGEMENT

Project kick-off meeting and tour. A kick-off meeting will be held involving the RDG team and city staff. The purpose of this meeting is to discuss the project scope and schedule, clarify expectations, and answer any questions that arise. The RDG team would like to tour the city with city staff to hear directly about projects, potential areas of focus, and important issues at the onset of the planning process. Depending on COVID levels this can be done as a virtual tour.

City Staff Resource Committee. RDG will meet monthly with the City Staff Resource Committee to review progress, findings, and recommendations.

Project management meetings. The RDG team will schedule regular meetings with the city's project manager and others from the city as necessary. These meetings help ensure the team stays on track with the scope, schedule, and budget. The meetings will allow the team to plan upcoming events, ensure data collection, and review output from meetings and content development. These meetings will occur biweekly by telephone or video-conference.

RDG will prepare content for website posts and newsletter material.

TASK 2: DISCOVERY

FOUNDATIONAL DOCUMENT REVIEW

We will review current Comprehensive Plan sections, special area plans, PUDs, previous hospitality and sales tax studies, and all metro transportation plans that impact to La Vista.

MARKET ASSESSMENT

Building on the document review, RDG and GG+A will review and analyze available data relevant to the city, including:

- Rents and occupancy rates for retail, office, industrial, and residential space by location within the city
- Employment trends and forecasts and business establishment data by economic sector within the region
- Existing and potential business sectors
- Income characteristics
- Housing activity and potential demand
- Housing affordability



Attachment A: Scope of Services

STAKEHOLDER DISCUSSIONS

We recommend one- on one- interviews with knowledgeable individuals from a wide variety of sectors

- **Developers, brokers, property owners, businesses and economic development and planning professionals to:** (a) identify the land use, development, and tenanting trends for the city, (b) assess the relative strengths and weaknesses; and (c) identify the scale, type, and sources of potential demand opportunities for retail, office, industrial, and housing land uses.
- **City representatives, members of the business community, property owners, developers, and real estate brokers to identify:** (a) relevant trade areas, (b) locations and characteristics of competing supply options, (c) existing inventory and proposed or planned additions to supply, (d) the make-up, geographic origin, and motivations of existing space users, (e) data and insights on comparative advantages and disadvantages for retail, office, industrial, and residential uses in the city, and (f) the kinds of land uses or real estate product types and features likely to appeal to or penetrate into the identified demands.
- **Residential developers, leasing and sales agents to identify:** (a) occupancy levels, (b) rents or sales prices, (c) character and location of existing or pending supply of housing units within the market area, (d) demographic make-up and geographic origins of likely renters and buyers, (e) overall sense of the advantages and disadvantages of the city for different housing types

In addition to the stakeholder interviews RDG and GG+A will prepare an online survey to capture input from additional stakeholders.

EXISTING PHYSICAL CONDITIONS

Natural Resources & Environmental Constraints

Just as the plan must be based on market reality, the plan must also recognize the environmental constraints and assets of natural resources. We will fill in any gaps needed with a resource opportunity and constraint map to include:

- Topography/Slopes
- Waterbody and Stream Corridor Inventory
- Wetlands Inventory
- Drainage System and Structures
- Flooding Boundaries
- Flood Problem Areas
- National Register listed or eligible sites and properties

Land Use Inventory & Urban Design

Based on an inventory of redevelopment sites and land use data the city already has available, we will assemble this information into a format that fits within the layout of the final document.



Attachment A: Scope of Services

Transportation

The metro area transportation plan will be reviewed along with the most recent traffic counts. As leading experts in multi-modal transportation we can expand on this aspect if desired by the city.

Public Facilities & Infrastructure

Community services and infrastructure both form and adapt to land use directions and policy. We will interview facility managers to identify priorities and confirm any current analysis.

OPPORTUNITIES & ISSUES

Using the data collected in the above tasks, RDG will assemble an opportunity map for review by the Resource Committee.

CITY SUPPORT

- Bi-weekly project management meetings with the RDG team
- Coordination of meeting locations
- Any required public notices
- Assistance in collecting any city or county held data and existing studies

Task 3: Future Market Conditions

ESTIMATE POTENTIAL DEMAND FOR COMMERCIAL SPACE

We will prepare estimates of potential current and future demand or expenditure potential for commercial space within the city based on analysis of the demography and income make-up and expenditure patterns of households, within the identified market area defined as the result of the task outlined above. We will estimate the square feet of retail space the identified current and forecast demand can support, given research-based assumptions of average sales per square foot of retail space.

SUPPLY AND DEMAND ASSESSMENT

We will estimate the relationship between estimated existing and forecast supply and demand conditions in order to: (a) describe the relative intensity of competition for consumer expenditures, (b) assess whether potential unmet retail demand exists, and (c) to reach judgments on the nature and extent of near-term and longer-term opportunities for development of retail space and attraction of additional retailers and restaurants in the City.

DEMAND FOR OFFICE

These forecasts will focus on the kinds of industrial and business sectors likely to be attracted to or expand within the market area. This analysis will help structure our field research and interviews so as to contact the best sources and get the most useful type of practicable information about potential demands for office and industrial space uses and the advantages of the market area for such uses.



Attachment A: Scope of Services

To assess the competition for forecast sources of demand, we will identify and analyze the existing and potential competing supply locations or projects. In addition to field inspections, we will contact real estate brokers and developers active in the region to identify major projects and to obtain data and insights on the advantages and disadvantages of potential locations for industrial or office uses compared to the competing supply options. These interviews will also be directed to obtaining information on obtainable rents, vacancy rates and land use trends and market dynamics.

Demand for office space in particular correlates to employment growth. Based on the employment forecast for the relevant market, we may use GG+A's Spacewalk™ model to derive estimates of demand for office space and industrial space. This analysis will be synthesized with the results of the interviews to reach judgments about the scale and type of office and industrial demand likely obtainable in LaVista. The estimates of office and building space demand will be converted into estimates of required land for office and industrial uses.

RESIDENTIAL DEMAND

We will analyze population and household formation and other key demographic indicators, such as the presence and absence of children and age-related factors to estimate the potential demand for housing in La Vista. Demand projections will be broken down by owner/renter but also price points based on existing income levels.

LAND USE DEMAND REPORT

The principal outputs of the market analysis will include a synthesis of the market and economic research and forecast demand for retail, office, industrial, and residential uses in the city. We will synthesize the results of the interviews, field work, and secondary analysis to reach judgments about and prepare a report that summarizes:

- The types of retail, office, industrial, and residential land uses for which market demands exist and the geographic areas from which consumers and users can be drawn and the competing locations for such demand targets
- The relative advantages and disadvantages that city may already offer or could cultivate to attract the identified demands and recommendations on marketing the strengths or locational advantages to attract and retain beneficial development that meets the goals and objective of the comprehensive plan
- The potential demand for retail, office, and industrial building space and associated land requirements and number of housing units over time
- Locations or subareas in which demands or development could be captured and distributed

CITY SUPPORT

- Reviewing prepared material within 30 days of receipt



Attachment A: Scope of Services

Task 4: Land Use Plan

Using the data and input collected in Tasks 2 and 3 and the values identified in the Comprehensive Plan, we will work with the Resource Committee to review and validate the guiding principles. This process will include:

Using the market assessment, existing Future Land Use Plan, and guiding principles a more detailed land use plan with site specific concepts will be developed. This will be done in a collaborative manner including:

- **Resource Committee Workshop.** We will hold a workshop with the resource committee to confirm:
 - » Development and redevelopment areas
 - » Changes in direction from the existing Future Land Use Plan
 - » Areas for more detailed plan concepts

The final Future Land Use Plan will indicate both the city-wide plan and the site specific concept for the deployment of residential, commercial, additional industrial/employment uses, and mixed-use space. This will include connectivity for undeveloped and redevelopment areas.

In addition to the future land use plan, more detailed guiding concepts may be developed for two specific sites. If these concepts are necessary the sites will be identified through the planning process.

Decision Making Framework

The final land use maps will be accompanied by a Decision-Making Framework that identifies each land use and outlines the uses, form, and compatibility of use in each area. This is an essential tool for staff, planning commission, and city council in the day-to-day decision making process.

CITY SUPPORT

- Coordination of meeting locations
- Any required public notices
- Reviewing draft sections
- Assistance with facilitating workshop events

TASK 5: Final Plan & Presentation

REGULATORY REVIEW

Traditionally, we review current building codes and zoning and subdivision ordinances and identify segments that are inconsistent with the development principles of the land use plan. .

- **Regulations Memorandum.** A memo will be prepared which outlines our review of the development regulations and any recommended revisions. Model language may also be included that staff can use or tailor to La Vista. This memo has been instrumental in informing past clients if their code needs minor adjustments or substantial changes.



Attachment A: Scope of Services

PRESENTATIONS

We will work in partnership with staff to develop presentation material for the council and planning commission. Intermediate presentations to these bodies may be conducted by RDG depending on timing, while the presentation of the final plans should be a joint presentation of RDG and staff.

- **City Council & Planning Commission Briefings.** We will present the final land use plan to the Planning Commission and City Council in individual briefings or workshops. This will be an opportunity for both decision making bodies to ask detailed questions and work through potential scenarios ahead

PUBLICATION

We believe a plan must be attractive and user-friendly to be implemented to its full potential. The plan document will be user-friendly and graphic-focused with maps, graphs, photos, and renderings used to illustrate main points.

CITY SUPPORT

- Reviewing draft section within 30 days of receipt
- Collecting and reviewing draft comments from Resource Committee members
- Review and confirm any revisions following the Open House
- Prepare and distribute any required public notices



Attachment A: Schedule



March	April	May	June	July	Aug.	Sept.	Oct.	Nov.
Community Engagement								
Kick-off Meeting with Staff	Stakeholder Interviews & Online Survey		Committee Design Workshop 1 Community Design Workshop 2		Council or PC Briefing			
Discovery								
					Opportunities Report & Map			
Future Market								
					Land Use Demand Report			
Land Use Plan								
					Land Use Report & Map			
Review & Approval								
						Final Plan		
						Zoning Review		
Committee Meetings								
1 Kick-off	2 Community Profile	3 Market Assesment	4 Land Use Workshop	5 Draft Plan Review	6 Council & PC Briefing			

Attachment B: Hourly Rate Schedule

	Haase	Shukert	Cowell	Niedermyer	McLaughlin	Gruen/Jeans	Ratchford	TOTALS
Hourly Rates	230	250	115	130	95	275	175	
Task 1: Project Management	12				8			20
Task 1: Fee Estimate	\$2,760				\$760			\$3,520
Task 2: Discovery	14				20	22	44	100
Task 2: Fee Estimate	\$3,220				\$1,900	\$5,913	\$7,700	\$18,733
Task 3: Future Market Conditions	7				8	14	22	51
Task 3: Fee Estimate	\$1,610				\$760	\$3,850	\$3,850	\$10,070
Task 4: Land Use Plan	7	8		8	12			35
Task 4: Fee Estimate	\$1,610	\$2,000	\$-	\$1,040	\$1,140			\$5,790
Task 5: Final Plan & Presentation	2		10		4			15.5
Task 5: Fee Estimate	\$460		\$1,093		\$380			\$1,933
TOTAL								\$40,045



**AGREEMENT FOR CONSULTING SERVICES BETWEEN
CITY OF LA VISTA, NE AND RDG PLANNING & DESIGN, INC.**

This Agreement is entered into this _____ day of _____, 2022, by and between the City of La Vista, NE hereinafter referred to as the "CITY" and RDG Planning & Design, Inc. 1302 Howard Street, Omaha, Nebraska 68102, hereinafter referred to as the "Consultant."

WHEREAS, the City has identified the need to prepare a land use and market analyses as a major city priority; and

WHEREAS, the City is committed to a planning process that provides public and business involvement in the development of the plan; and

WHEREAS, the Consultant has indicated a willingness to provide professional planning services to the City in the preparation of this plan.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

Section One. Scope of Services

The Consultant agrees to provide in a complete and professional manner the work elements set forth in Attachment A: Scope of Services & Schedule, attached hereto and incorporated into this Agreement. The Consultant will subcontract portions of this scope to Gruen Gruen + Associates.

Section Two. Additional Services

2.1. If, during the progress or upon completion of the work outlined in the Scope of Services in this Agreement, it is desirable or necessary to cause the Consultant to perform additional services other than those outlined in the Scope of Services, an hourly schedule and reimbursable expense schedule may apply, or a fee may be negotiated.

2.2. Additional tasks may be added to this agreement by written amendment(s) at such time City is prepared to proceed with each Task.

Section Three. Time of Performance

The time period for completion of the project is seven (7) months after issuance of a Notice to Proceed, as indicated on Attachment A: Scope of Services and Schedule. The projected time period does not include final approval process or delays caused by City or factors outside the Consultant's control.

Section Four. Responsibilities of City

4.1. Access to Work. The City shall make efforts to arrange access to and make provisions for the Consultant to enter upon public and private lands as required for the Consultant to perform such work as inventories, field surveys, and inspections in the development of the plan.

4.2. Records, Files, and Previous Planning Efforts. The City shall make records and files relevant to the plan available to the Consultant as needed and furnish all reasonable assistance in the use of such records and files. In addition, the City shall make previous City reports and market studies available to the Consultant, along with any other City studies and work that provide information pertinent to the completion of the plan.

4.3. Mapping. The City will assist in gathering available electronic maps in a form usable by the Consultant, including recent plats.

4.4. Consideration of Consultant's Work. The City shall give thorough consideration to all reports, drawings, and other documents presented for review by the Consultant and shall inform the Consultant of all decisions and comments within 30 days to avoid undue delays.

4.5. Meetings. The City shall provide logistical support for all meetings, including arranging for meeting places and notification of participants and citizens. The City shall further hold all required public hearings, serve all required notices, and fulfill all legal requirements associated with the project. The Consultant agrees to attend meetings as identified on Attachment A: Scope of Services and Schedule.

4.6. The City Representative. The City's representative, Bruce Fountain, Community Development Director, or such other person as designated by the City, shall be responsible for the city's portion of the project management.

Section Five. Compensation and Method of Payment

5.1. Total compensation pursuant to the services specified in this Agreement, except as provided in Section 2.1, shall be in the sum of \$40,000.

5.2. Payment for services shall be made monthly based on hours performed each month Hourly rate schedule will be based on Attachment B.

5.3. All traveling and printing/duplication cost are included in the above fee. The Consultant will provide digital copies of committee presentations, draft plan chapters, final plan report, and any other data, reports, maps, documentation, or information specified in Attachment A that is non-proprietary. One hard copy of the final plan will be provided.

Section Six. Ownership of Materials

6.1. The City shall control all media releases or other publicity related to the completion of this project.

6.2. No report, map, or other document produced in whole or part under this agreement shall be the subject of a copyright application by the Consultants.

6.3. In addition to the one hard copy of the final plan referenced in Section 5.3., the Consultant agrees to provide the City with a digital copy of the document, including maps, and agrees that the City may make additional copies of the document or maps as needed. This plan and all end products of this plan belong to the City of La Vista, to be used at their discretion.

Section Seven. Assignment

The Consultant agrees that they are prohibited from assigning an interest in this agreement or delegating the performance of any of its duties hereunder without the written consent of the City.

Section Eight. Entire Agreement; Amendments

This Agreement, including Attachments A and B of which are incorporated into this Agreement by reference, shall constitute the complete and integrated agreement and understanding of the parties. In the event of any ambiguity, inconsistency or conflict of, between, or among any terms or conditions of this Agreement regarding Contractor performance, the interpretation, term, or condition that provides the better quality, greater quantity, or higher level of performance shall control. Either party to this Agreement may request an amendment or modification. Such amendment will not take effect unless incorporated into this Agreement by written amendment executed by both parties.

Section Nine. Nondiscrimination

In the execution of this Agreement, the Consultant shall comply with fair labor standards and shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, national origin, age, marital status, or receipt of public assistance with respect to the employee's or applicant's hire, tenure, terms, conditions, or privileges of employment.

Section Ten. Residency Verification.

Pursuant to Neb. Rev. Stat. § 4-114 et seq., Consultant shall use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska, and will require written agreement to this paragraph of each subcontractor physically performing services under this Agreement within Nebraska.

Section Eleven. Termination

This agreement may be terminated by either party upon ten (10) days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the other. In the event of such termination, by Consultant, solely due to the fault of the City, Consultant shall be paid for services and expenses actually performed and incurred in accordance with this Agreement to the date of such termination.

The City may terminate this Agreement for the City's convenience and without cause upon giving the Consultant not less than ten (10) days written notice. Upon termination for convenience, the City shall pay Consultant its fees earned to the date of the notice of termination.

Upon termination and payment of any required fees pursuant to this Section 10, Consultant shall deliver to City deliverables under this Agreement in whatever stage of completion then existing.

Section Twelve. Independent Contractor

In relationship to the City of La Vista, the status of the Consultant under and by virtue of this Agreement is that of independent contractor.

City of La Vista, NE

By:

Douglas Kindig, Mayor

RDG Planning & Design, Inc.

By:

Amy A. Haase, Principal

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 1, 2022 AGENDA**

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT – ◆ RESOLUTION GRADE CONTROL IMPROVEMENTS AMENDMENT NO. 1	ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve Amendment No. 1 with City Ventures for the grade control improvements for City Centre Lot 14 to include the deletions and additions of items of work resulting in an increase of \$2,045 for a total not to exceed amount of \$114,278.28.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for this project increase.

RECOMMENDATION

Approval

BACKGROUND

On February 2, 2021, the City Council approved the Lot 14 Grade Control Improvements agreement for the construction of certain retaining wall and drainage improvements that were undertaken by City Centre, LLC and its affiliate, City Centre I, LLC. Throughout the construction project there were both additions and deletions of work which resulted in an overall cost increase of \$13,440, to which the City's portion increased by \$2,045. This amendment brought the total project cost to \$277,452 of which La Vista's total portion is \$114,278.28.

A copy of the amendment, including the applicable cost share, is attached.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT WITH CITY VENTURES FOR GRADE CONTROL IMPROVEMENTS FOR LOT 14 IN AN INCREASED AMOUNT OF \$2,045 FOR A TOTAL NOT TO EXCEED AMOUNT of \$114,278.28.

WHEREAS, the City Council of the City of La Vista has determined that grade control improvements are necessary; and

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of amendment no. 1 to a professional services agreement with City Ventures for grade control improvements for Lot 14 in an increased amount of \$2,045 for a total not to exceed amount of \$114,278.28.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

**AMENDMENT NO.1 –
IMPROVEMENT AND EASEMENT AGREEMENT
Grade Control Improvements**

THIS AMENDMENT NO. 1 ("AMENDMENT") is made and entered into this 24th day of February, 2022, by and among La Vista City Centre, LLC (hereinafter referred to as "City Centre"), City Centre 1, LLC, a Nebraska limited liability company, (hereinafter referred to as "City Centre 1") (City Centre and City Centre 1 together are hereinafter referred to as "Redeveloper"), and the CITY OF LA VISTA, NEBRASKA (hereinafter referred to as "City").

WHEREAS, an IMPROVEMENT AND EASEMENT AGREEMENT Grade Control Improvements dated February 2, 2021 ("Agreement") was made and entered into by and among City Centre, City Centre 1 and City to specify the relative responsibilities of the parties in connection with certain grade control improvements constructed by City Centre 1 in the vicinity of the northeast boundary of Lot 14, La Vista City Centre ("Grade Control Improvements") and serving said lot and a dual purpose fire lane and pedestrian walkway constructed by City on adjacent City property; and

WHEREAS, the parties desire to amend the Agreement for certain additions and deletions to the work and related costs.

NOW, THEREFORE, the Agreement is amended as follows:

I. Section 2. Section 2 of the Agreement is deleted and replaced in its entirety by the following.

"2. Payment of Costs. Upon completion of the Grade Control Improvements, City shall pay City Centre 1 an amount equal to the sum of the following amounts: The share of each line item of cost allocable to the City as set forth in Exhibit "C", attached to and incorporated by reference into this Amendment, that is actually incurred, not to exceed the dollar amount of the City share for such line item in Exhibit "C", subject to the final costs, allocations, and adjustments specified in such Exhibit "C" under the title of "Amendment No. 1" ("Applicable Share"). City Centre 1 shall pay all costs in excess of the Applicable Share. The City's obligation to pay the Applicable Share shall be subject to City receipt of the Certificate of Compliance satisfactory to City Engineer."

II. Exhibit "C". Exhibit "C" of the Agreement is deleted and replaced in its entirety by revised Exhibit "C" attached and incorporated by reference in to this Amendment.

III. Other.

A. Incorporation of Recitals. Recitals at the beginning of this Amendment are incorporated into this Amendment by reference.

B. Effect of Amendment. All provisions of the Agreement shall be deemed amended

consistent with the revisions of this Amendment. Except as modified by this Amendment, all provisions of the Agreement shall continue in full force and effect as originally agreed by this parties.

C. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same Amendment.

IN WITNESS WHEREOF, each of the undersigned has executed this Amendment as of the day and year indicated.

[Remainder of page intentionally left blank; signatures to follow]

COUNTERPART SIGNATURE PAGE

CITY OF LA VISTA, NEBRASKA,

Mayor _____ Date _____

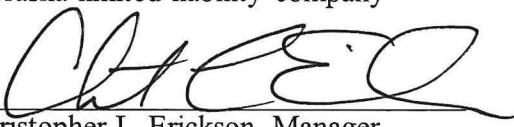
ATTEST:

City Clerk _____ Date _____

COUNTERPART SIGNATURE PAGE

LA VISTA CITY CENTRE, LLC,
a Nebraska limited liability company

By:



Christopher L. Erickson, Manager

Date: 02/24/22

COUNTERPART SIGNATURE PAGE

CITY CENTRE 1, LLC,
a Nebraska limited liability company

By:



Christopher L. Erickson, Manager

Date: 02/24/22

EXHIBIT C
APPLICABLE SHARE

(Attached)

EXHIBIT "C"

ORIGINAL AGREEMENT

#	Civil Work Description	Total Cost of Work	City+Ventures	City of La Vista
1A	EARTHWORK	\$30,000.00	\$15,000.00	\$15,000.00
1B	FLEXMAT & SOME CLASS B RIPRAP INSTALLED	\$16,750.00	\$8,375.00	\$8,375.00
1C	INLET STRCUTURES AND PIPING - 30" RCP and 42" last 24'	\$49,000.00	\$24,500.00	\$24,500.00
2	LANDSCAPING - SEED/EROSION CONTROL	\$4,000.00	\$2,000.00	\$2,000.00
3	SPRINKLERS	\$2,000.00	\$1,000.00	\$1,000.00
4	RETAINING WALL	\$106,436.00	\$67,056.00	\$39,380.00
5	SURVEYING	\$4,000.00	\$2,000.00	\$2,000.00
6	SPECIAL INSPECTIONS - OLSSON	\$4,000.00	\$2,000.00	\$2,000.00
7	SILT FENCE AND EROSION CONTROL	\$2,000.00	\$1,000.00	\$1,000.00
8	SHORING FOR TRANSFORMER	\$2,500.00	\$1,250.00	\$1,250.00
9	FENCING	\$6,500.00	\$6,500.00	\$0.00
10	ADDITIONAL 6' SWITCHBACK SIDEWALK	\$4,000.00	\$2,000.00	\$2,000.00
11	MISCELLANEOUS FINISH GRADING AND OCI LABOR	\$2,000.00	\$1,000.00	\$1,000.00
12	STAINING OF WALL TO MATCH PREVIOUS WALLS ONSITE	\$3,675.00	\$2,315.25	\$1,359.75
13	INSTALL ANTI GRAFFITI COATING TO WALL	\$3,150.00	\$1,984.50	\$1,165.50
14	SUBTOTAL	\$240,011.00	\$137,980.75	\$102,030.25
15	OCI OVERHEAD - 5%	\$12,000.55	\$6,899.04	\$5,101.51
16	OCI PROFIT - 5%	\$12,000.55	\$6,899.04	\$5,101.51

AGREEMENT TOTAL	\$264,012.10	\$151,778.83	\$112,233.28
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AMENDMENT NO.1

#	Civil Work Description	Total Cost of Work	City+Ventures	City of La Vista
X1	MANHOLE BARREL EXTENSIONS	\$4,500.00	\$2,250.00	\$2,250.00
X2	STORM SEWER PIPE BEDDING	\$4,700.00	\$2,350.00	\$2,350.00
X3	DEDUCT ITEM 10 (ADDITIONAL 6' SWITCHBACK SIDEWALK)	-\$4,000.00	-\$2,000.00	-\$2,000.00
X4	ADDITIONAL FLEXAMAT AT STEEP SLOPES	\$8,500.00	\$8,500.00	\$0.00
X5	DEDUCT ITEM 8 (SHORING FOR TRANSFORMER)	-\$2,500.00	-\$1,250.00	-\$1,250.00
X6	SUBTOTAL	\$11,200.00	\$9,850.00	\$1,350.00
X7	INDIRECT 10% (OCI LABOR)	\$1,120.00	\$985.00	\$135.00
X8	SUBTOTAL	\$12,320.00	\$10,835.00	\$1,485.00
X9	OCI OVERHEAD AND PROFIT	\$1,120.00	\$560.00	\$560.00
	AMENDMENT NO. 1 TOTAL	\$13,440.00	\$11,395.00	\$2,045.00

REVISED TOTAL	\$277,452.10	\$163,173.83	\$114,278.28
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CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 1, 2022 AGENDA

Subject:	Type:	Submitted By:
AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT – STATE CONTRACT AWARD, DELL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RYAN SOUTH INFORMATION TECHNOLOGY MANAGER

SYNOPSIS

A resolution has been prepared to authorize the purchase of thirty-one (31) Dell computers for various City departments on the State Contract Bid in an amount not to exceed \$58,667.49.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval.

BACKGROUND

The I.T. Department, in conjunction with Sarpy I.S. and the I.T. Committee, annually reviews the City's computer inventory. Decisions to replace computers are based on age, warranty, function, and growth. First, we look at the age of the computer and its warranty. Aging computers are put on a scheduled replacement to ensure they provide optimal performance for staff and the public. Second, we review the function and usage of a computer. If a machine is in a low usage location, we may decide to postpone replacement until the following year. There are also times when moving outgoing computers to a low usage location is more practical than purchasing a new machine. Finally, as there are additional computer needs for various positions and departments, the decision is made to add additional computers to the City's inventory.

Based on the above factors, we request authorization to purchase thirty-one (31) Dell computers for the following departments: City Clerk (2); Communications (2); Community Development (3); IT (1); Library (3); Police (10); Public Works (7); Recreation (3)

A copy of the quotes are available in the office of the City Clerk.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF THIRTY ONE (31) DELL COMPUTERS ON THE STATE CONTRACT BID FROM DELL IN AN AMOUNT NOT TO EXCEED \$58,667.49.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of thirty-one (31) computers for various City departments is necessary; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of thirty one (31) Dell Computers on the state contract bid from Dell in an amount not to exceed \$58,667.49.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2022.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

**City of La Vista
FY22 Computer Order**

Department	Location	Inv. #	Current Computer	New Computer	Qty.	Cost
City Clerk	Clerk's Office	552	Dell AIO	Dell 2-in-1	1	\$2,559.51
City Clerk	Front Office	557	Dell AIO	Dell AIO	1	\$1,697.00
					2	\$4,256.51
Communications	Annex	556	Dell Tower PC	Dell Micro PC	1	\$1,169.72
Communications	Comm. Office	589	Dell Precision Tower	Dell Precision Tower	1	\$3,040.30
					2	\$4,210.02
Community Development	CD Office	575	Dell AIO	Dell AIO	1	\$1,697.00
Community Development	CD Office	576	Dell AIO	Dell AIO	1	\$1,697.00
Community Development	CD Office	577	Dell AIO	Dell Tower	1	\$1,734.96
					3	\$5,128.96
IT	IT Office	582	Dell Tower PC	Dell AIO	1	\$1,697.00
					1	\$1,697.00
Library	Library	578	Dell AIO	Dell AIO	1	\$1,697.00
Library	Library	579	Dell AIO	Dell AIO	1	\$1,697.00
Library	Library	580	Dell AIO	Dell AIO	1	\$1,697.00
					3	\$5,091.00
Police	PD	553	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	554	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	555	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	560	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	561	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	562	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	565	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	583	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	587	Dell AIO	Dell AIO	1	\$1,729.24
Police	PD	588	Dell AIO	Dell AIO	1	\$1,729.24
					10	\$17,292.40
Public Works	Annex	563	Dell AIO	Dell AIO	1	\$1,697.00
Public Works	PW Hupp Dr.	564	Dell AIO	Dell 2-in-1	1	\$2,559.51
Public Works	PW Main	569	Dell AIO	Dell AIO	1	\$1,697.00
Public Works	PW Main	570	Dell AIO	Dell 2-in-1	1	\$2,559.51
Public Works	PW Main	571	Dell AIO	Dell AIO	1	\$1,697.00
Public Works	PW Main	566	Dell Laptop	Dell 2-in-1	1	\$2,559.51
Public Works	PW Main	474	Dell Tower PC	Dell Micro PC	1	\$1,169.72
					7	\$13,939.25
Recreation	Rec. Office	572	Dell AIO	Dell AIO	1	\$1,697.00
Recreation	Rec. Office	573	Dell AIO	Dell AIO	1	\$1,697.00
Recreation	Rec. Office	574	Dell AIO	Dell 2-in-1	1	\$2,559.51
					3	\$5,953.51
<hr/>						
Computer/Device	Total Qty.	Device Cost	Total Cost			
Dell 7490 AIO w/ DVD/CD stand	10	\$1,729.24	\$17,292.40			
Dell 7490 AIO	12	\$1,697.00	\$20,364.00			
Dell 9520 2-in-1	5	\$2,559.51	\$12,797.55			
Dell 5090 Micro PC	2	\$1,169.72	\$2,339.44			
Dell 7090 Tower	1	\$1,734.96	\$1,734.96			
Dell 5820 Precision Tower	1	\$3,040.30	\$3,040.30			
Computer Total			\$57,568.65			
Dell Monitor w/Hub & Speaker	3	\$366.28	\$1,098.84			
FY22 Computer Order Total			\$58,667.49			

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 1, 2022 AGENDA

Subject:	Type:	Submitted By:
AWARD OF CONTRACT – 2022 UBAS STREET MAINTENANCE PROJECT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared to award a contract to McAnany Construction Inc., 15320 Midland Drive, Shawnee, KS, 66217, for the installation of Ultra-Thin Bonded Asphalt System (UBAS) on select residential streets in an amount not to exceed \$258,500.

FISCAL IMPACT

The FY21/FY22 Biennial Budget provides funding for the proposed project.

RECOMMENDATION

Approval

BACKGROUND

A project is included in the 2022 Street Maintenance program to use a product known as Ultra-Thin Bonded Asphalt System (UBAS). McAnany Construction Inc is the only company in the Midwest performing this work for residential street applications. In 2020, the City of Papillion solicited bids for UBAS and McAnany Construction was the only bidder. The contract Papillion has with McAnany has extensions of the contract for ten-years, allowing for negotiated and agreed upon increase/decrease in pay items based on national inflation averages. McAnany Construction Inc has agreed to allow the City of La Vista to piggyback off the contract prices set with the City of Papillion for the 2022 construction season.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO MCANANY CONSTRUCTION INC, SHAWNEE, KS FOR THE 2022 ULTRA-THIN BONDED ASPHALT SYSTEM (UBAS) STREET MAINTENANCE PROJECT IN AN AMOUNT NOT TO EXCEED \$258,500.

WHEREAS, the City Council of the City of La Vista has determined street maintenance is necessary; and

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

WHEREAS, McAnany Construction Inc, Shawnee KS is the only company in the Midwest performing this work for residential street applications, 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 a contract to McAnany Construction Inc, Shawnee KS for the 2022 Ultra-Thin Bonded Asphalt System (UBAS) Street Maintenance, in an amount not to exceed \$258,500.

PASSED AND APPROVED THIS 1ST DAY OF MARCH 2022

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk

CONTRACT

THIS AGREEMENT made and executed in quadruplicate, this 15th day of February 2022, by and between the City of La Vista, hereinafter referred to as "Owner" and McAnany Construction Inc., hereinafter referred to as "Contractor".

WITNESSETH:

In consideration of the following mutual agreements and covenants to be kept by each party, the Contractor agrees to furnish all tools, equipment, labor, materials, transportation and permits required to construct the 2022 UBAS Street Maintenance Project in accordance with the aforesaid plans and specifications for the following unit prices:

	Description	Approx. Quantities	Unit Price		Amount	
Base Bid						
1	Mobilization	1	LS	\$25,000	/	LS \$25,000
2	Macrotecture	25,000	SY	\$1.97	/	SY \$49,250
3	UBAS	25,000	SY	\$7.25	/	SY \$181,250
4	Traffic Control	1	LS	\$3,000	/	LS \$3,000.00
				Total Base Bid		\$258,500

Contractor shall also furnish all bonds and insurance certificates and pay all permit fees and any other charges levied or required by any governmental authority exercising control over this project.

On or about the first and third Wednesday of each month, the Owner will pay the Contractor **ninety (90) percent** of the value of the work completed as of the end of the preceding payment period, as certified by the Engineer. The balance will be paid upon final completion of the work and formal acceptance by the Owner and Engineer.

Contractor must furnish a **one-hundred (100) percent** Contract Performance Bond and a **one-hundred (100) percent** Labor and Material Payment Bond (including **two (2) year** Maintenance Guarantee) in accordance with the General Conditions of the Contract. Contractor must also furnish a Certificate of Insurance for Worker's Compensation and Public Liability Insurance and Auto Insurance in the manner and with minimum limits as set forth in the General Conditions of the Contract.

Contract is let subject to the following conditions:

Contractor agrees that the work shall be completed within a mutually acceptable sequence and schedule as determine by the City Engineer. As time is of the essence, for each **calendar** day that any work shall remain uncompleted after the above specified completion date, the Contractor shall pay to the Owner the sum of **five hundred dollars (\$500)** per **calendar** day, not as a penalty, but as predetermined and agreed liquidated damages.

This contract for the 2022 UBAS Street Maintenance services between City of La Vista Public Works and the Contractor may be extended on an annual basis for up to ten (10) years if mutually agreed to in writing by both the Contractor, and owner, City of La Vista Public Works. Each annual extension will allow for a negotiated and agreed upon increase/decrease in pay items based on national inflation average, increase in labor rates, equipment costs and fluctuation in material pricing. Extension will be agreed upon no later than January 31st of the next calendar year to allow for pricing to be secured.

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows above and beyond the bid procurement documents (Plans and Specification):

- (1) A fully dedicated crew will be provided to the City of La Vista and will work 4 to 5 days per week to complete all work identified by the City Engineer until the contracted amount of Base Bid items have been completed.
- (2) The Contractor's crew shall consist of at least five (5) staff and management personnel.
- (3) Traffic control will be provided to a level identified by the City Engineer which is considered safe and acceptable to everyone without argument or change order request.
- (4) Notice to neighbors affected by driveway restrictions will be solely a Contractor responsibility to coordinate and confirm with the City Engineer.
- (5) Compliance with Regulations: The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (6) Nondiscrimination: The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (7) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (8) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of La Vista, NDOT or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of La Vista, NDOT or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.

(9) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City of La Vista shall impose such contract sanctions as it, NDOT or the FHWA may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination or suspension of the contract, in whole or in part.

(10) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

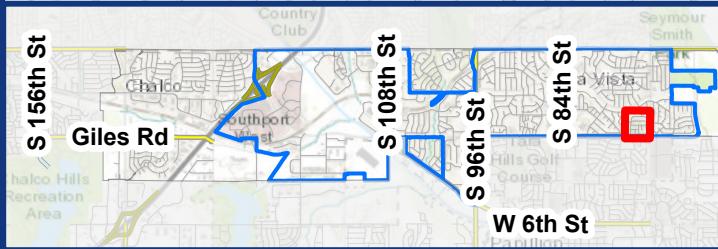
The contractor shall take such action with respect to any subcontract or procurement as the City of La Vista, NDOT or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of La Vista to enter into such litigation to protect the interests of the City of La Vista and, in addition, the contractor may request the State of Nebraska or the United States to enter into such litigation to protect the interests of the United States.

EXECUTED THE DAY AND YEAR FIRST ABOVE WRITTEN.

OWNER_____ CONTRACTOR_____
ATTEST_____ ATTEST_____



GILES CORNER UBAS IMPROVEMENT MAP



Legend

— UBAS Street Improvement Area



LA VISTA