

**LA VISTA CITY COUNCIL MEETING AGENDA**

**November 21, 2023**

**6:00 p.m.**

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

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- **Service Award: Katie Spencer – 5 Years**
- **Appointment – Reappoint Mary Hewitt – Civil Service Commission – 5 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 November 7, 2023 City Council Meeting**
3. **Monthly Financial Report – September 2023**
4. **Monthly Financial Report – October 2023**
5. **Request for Payment – Design Workshop, Inc. – Professional Services – 84<sup>th</sup> Street Bridge – \$1,500.00**
6. **Request for Payment – JE Dunn Construction Co – Construction Services – Central Park Pavilion and Site Improvements – \$115,052.00**
7. **Request for Payment – HGM Associates Inc – Professional Services – East La Vista Sewer and Pavement Rehabilitation – Phase 2 Final Design – \$24,648.64**
8. **Request for Payment – HGM Associates Inc – Professional Services – East La Vista Sewer and Pavement Rehabilitation – Phase 2 Final Design – \$38,008.28**
9. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Central Park Improvements – \$3,552.50**
10. **Request for Payment – RDG Planning & Design – Professional Services – Placemaking Phase 1 – \$4,956.50**
11. **Request for Payment – Sampson Construction – Construction Services – Offstreet Parking District No. 2, Structure No. 2 – \$751,673.00**
12. **Approval of Claims**

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

**B. Resolution – Insurance Broker Agreement – Addendum One**

**C. Zoning Text Amendments – Sections 2.04 – Definitions: C, 2.07 – Definitions F: & 5.13 Light Industrial**

1. **Public Hearing**
2. **Ordinance**

**D. Expand the City’s Extraterritorial Jurisdiction (ETJ)**

1. **Public Hearing**
2. **Ordinance**

**E. Future Land Use Map Amendment (ETJ)**

1. **Public Hearing**
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**F. Zoning Map Amendment (ETJ)**

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**G. Resolution – Authorize 90 Day Extension to Record a Final Plat – Mayfair 2<sup>nd</sup> Addition Replat Eight**

**H. Resolution – Authorize Purchase – Flex Wing Rotary Cutter**

**I. Resolution – Authorize Purchase – Single Axle Dump Truck**

**J. Resolution – Authorize Purchase – Emergency Lighting for Police Motorcycles**

**K. Executive Session – Contract Negotiations; Personnel**

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

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



**CITY OF LA VISTA**  
**CERTIFICATE OF APPRECIATION**

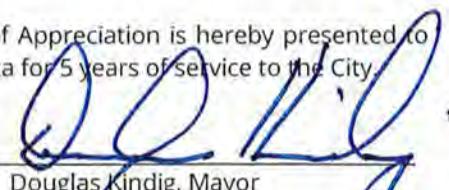
A CERTIFICATE OF APPRECIATION PRESENTED TO **KATIE SPENCER** OF THE **LA VISTA HUMAN RESOURCES DEPARTMENT**, FOR 5 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

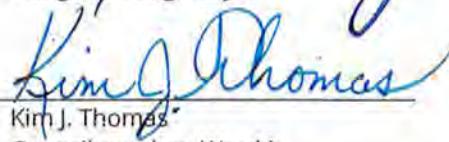
WHEREAS, **Katie Spencer** has served the City of La Vista since November 5, 2018; and

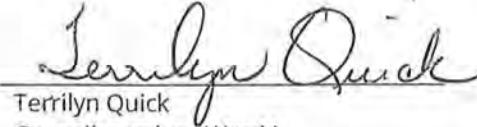
WHEREAS, **Katie Spencer's** input and contributions to the City of La Vista have contributed to the success of the City;

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Katie Spencer** on behalf of the City of La Vista for 5 years of service to the City.

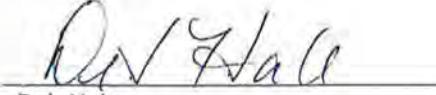
DATED THIS 21ST DAY OF NOVEMBER 2023.

  
Douglas Kindig, Mayor

  
Kim J. Thomas  
Councilmember, Ward I

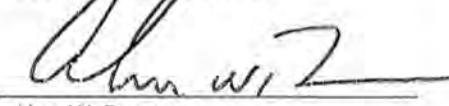
  
Terrilyn Quick  
Councilmember, Ward I

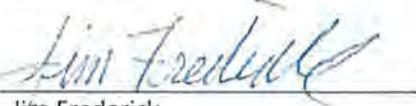
  
Ronald Sheehan  
Councilmember, Ward II

  
Deb Hale  
Councilmember, Ward III

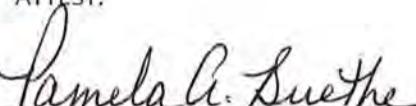
  
Kevin Wetuski  
Councilmember, Ward IV

  
Kelly R. Sell  
Councilmember, Ward II

  
Alan W. Ronan  
Councilmember, Ward III

  
Jim Frederick  
Councilmember, Ward IV

ATTEST:

  
Pamela A. Buethe, MMC  
City Clerk



## LA VISTA CITY COUNCIL MEETING AGENDA

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Harold "Andy" Anderson Council Chamber  
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# MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

**LA VISTA CITY COUNCIL  
MEETING  
November 7, 2023**

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on November 7, 2023. Present were Mayor Kindig and Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Sell and Hale. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Director of Administrative Services Pokorny, Finance Director Harris, Library Director Barcal, Police Captain Barcal, Recreation Director Buller, Human Resources Director Lowery, City Engineer Dowse, Director of Public Works Soucie and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on October 25, 2023. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

**PROCLAMATION – PAPILLION LA VISTA HIGH SCHOOL GIRL'S SOFTBALL  
TEAM**

Councilmember Quick and Councilmember Frederick presented the proclamation to the Papillion La Vista High School Girl's Softball Team.

**APPOINTMENT – CIVIL SERVICE COMMISSION – CANDY FREY – FILL  
VACANCY**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Candy Frey to the Civil Service Commission to fill a vacancy. Councilmember Quick motioned the approval, seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried.

**A. CONSENT AGENDA**

1. **APPROVAL OF THE AGENDA AS PRESENTED**
2. **APPROVAL OF THE MINUTES OF THE OCTOBER 17, 2023 CITY COUNCIL**
3. **REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL  
SERVICES – ON CALL SERVICES – \$7,535.00**
4. **REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL  
SERVICES – PLACEMAKING PHASE 1 – \$7,522.04**
5. **REQUEST FOR PAYMENT – JE DUNN CONSTRUCTION CO –  
CONSTRUCTION SERVICES – CENTRAL PARK PAVILION AND SITE  
IMPROVEMENTS – \$1,179,143.00**
6. **REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES –  
CITY PARK PAVILION TESTING – \$1,192.50**
7. **REQUEST FOR PAYMENT – LAMP RYNEARSON – PROFESSIONAL  
SERVICES – PAVEMENT ASSET MANAGEMENT – \$4,052.25**
8. **REQUEST FOR PAYMENT – LAMP RYNEARSON – PROFESSIONAL  
SERVICES – 2023 PAVEMENT ASSESSMENT – \$30,233.20**
9. **REQUEST FOR PAYMENT – TRAVELERS – ANNUAL PREMIUM –  
\$339,569.50**
10. **RESOLUTION – ELECTION OF DIRECTORS TO THE LA VISTA  
METROPOLITAN COMMUNITY COLLEGE BOARD OF DIRECTORS**
11. **APPROVAL OF CLAIMS**

3CMA MEMBERSHIP, services	800.00
AA WHEEL & TRUCK, maint.	14.49
ABM INDUSTRIES, INC, services	14,092.07
ACTIVE NETWORK LLC, services	179.83
AED ZONE, supplies	1,903.00
AKRS EQUIPMENT, maint.	128.84

# MINUTE RECORD

AMAZON, supplies	1,655.07
AMERICAN LEGAL PUBLISH CO, book	1,393.38
ARNOLD MOTOR SUPPLY, maint.	43.97
AT&T MOBILITY LLC, phones	98.38
AWARDS & MORE CO, supplies	86.62
BACON LETTUCE CREATIVE, services	3,800.00
BIBLIOTHECA LLC, books	6,791.73
BISHOP BUSINESS EQUIPMENT, supplies	2,523.62
BLUE TO GOLD LLC, services	9,900.00
BOK FINANCIAL, bonds	1,108,781.83
BRITE IDEAS DECORATING, supplies	5,233.00
BS&A SOFTWARE, services	28,068.00
CALENTINE, J., travel	227.94
CANCINO LEMUS, M., travel	175.50
CARAHSOFT TECH CORP, services	341.41
CASSEM, TIERNEY, ADAMS, GOTCH, services	3,480.00
CENTER POINT, books	284.04
CENTURY LINK/LUMEN, phones	757.33
CHRISTENHAM, JEFF, services	150.00
CINTAS CORP, services	115.32
CITY OF PAPILLION, services	37,558.49
CONCRETE SUPPLY INC, services	1,535.38
CONSOLIDATED MANAGEMENT, services	5.50
CONTINENTAL RESEARCH CORP, services	318.47
CONVERGINT TECHNOLOGIES, services	4,226.59
COX COMMUNICATIONS, services	467.15
CUMMINS SALES, services	721.66
D & K PRODUCTS, supplies	1,191.70
DANIELSON TECH SUPPLY, maint.	453.85
DAVIS & STANTON, services	355.00
DAWN KOWAL, refund	30.00
DELL MARKETING, supplies	2,201.51
DESIGN WORKSHOP, services	9,110.00
DIAMOND VOGEL PAINTS, supplies	566.99
DILLON BROS HARLEY DAVIDSON, services	578.96
DLR GROUP, services	5,250.00
DOG & PONY PRODUCTIONS, services	4,000.00
DXP ENTERPRISES INC, supplies	25.10
EYMAN PLUMBING INC, services	822.00
FASTENAL CO, supplies	874.99
FIKES COMMERCIAL, supplies	33.00
FIRST NAT'L BANK OF OMAHA, services	141.60
FUN EXPRESS LLC, supplies	1,605.91
GALE, books	269.15
GALLS LLC, supplies	46.05
GRAINGER, supplies	692.60
GRASS PAD INC, bldg&grnds	266.76
GREAT PLAINS UNIFORMS, apparel	210.00
GREATAMERICA FINANCIAL, services	1,584.31
GREGG YOUNG CHEVROLET INC, maint.	414.41
GROSS BELGIANS INC, services	1,400.00
GUARDIAN ALLIANCE TECHNOLOGIES, services	102.00
GUNN, B., travel	1,357.20
HALE, D., travel	407.00
HANEY SHOE STORE, apparel	595.99
HDR ENGINEERING INC, services	305.11
HENRIQUEZ, A., travel	78.87
HGM ASSOCIATES INC, services	85,782.00

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HITOUCHE BUSINESS, supplies	92.98
HOBBY LOBBY, supplies	90.36
HONEYMAN RENT-ALL, services	2,123.90
HOTSY EQUIPMENT CO, bldg&grnds	507.70
HY-VEE, services	90.00
INDUSTRIAL SALES, supplies	129.29
INGRAM LIBRARY SERVICES LLC, books	2,542.71
J & J SMALL ENGINE, services	571.27
LABRIE, DONALD P, services	150.00
LANGUAGE TESTING INT'L, services	63.00
LARSEN SUPPLY CO, supplies	507.57
LIBRA INDUSTRIES INC, supplies	371.00
LIBRARY IDEAS LLC, media	9.00
LOGAN CONTRACTORS SUPPLY, services	86.40
LOGO LOGIX EMBROIDERY, apparel	46.00
LOWE'S, supplies	825.90
MACQUEEN EQUIPMENT LLC, services	458.15
MARCO INC, services	147.87
MATHESON TRI-GAS INC, bldg&grnds	205.23
MCCARTHY, DANIEL, services	150.00
MENARDS, supplies	1,212.99
METRO COMM COLLEGE, services	24,870.11
MID-AMERICAN BENEFITS INC, services	16,848.22
MIDWEST TAPE, media	169.68
MITCHELL1, services	3,300.00
MSC INDUSTRIAL SUPPLY CO, supplies	2,199.75
MUD, utilities	21,439.74
NDEE SWIMMING POOLS, services	115.00
NE DEPT OF LABOR, services	3,947.85
NE DEPT OF REVENUE, taxes	80,186.33
NE IOWA DOOR SERVICES INC, supplies	22.00
NE LAW ENFORCEMENT, training	50.00
NE LIBRARY COMMISSION, services	1,229.50
NL & L CONCRETE, services	293,738.56
NMC GROUP INC, supplies	325.07
NPAS, INC, services	1,092.56
NSG LOGISTICS LLC, supplies	16,135.42
OFFICE DEPOT INC, services	1,489.41
OLSSON INC, services	3,463.50
OMAHA TACTICAL LLC, supplies	235.00
OMAHA WINNELSON, supplies	623.18
OMAHA WORLD-HERALD, services	139.40
OMNI ENGINEERING, services	202.35
ONE CALL CONCEPTS INC, services	515.60
OPPD, utilities	47,506.38
PAPILLION LA VISTA PUBLIC SCHOOLS, fees	11,572.50
PAPIO VALLEY NURSERY INC, bldg&grnds	117.00
PAYROLL MAXX, payroll & taxes	435,676.44
PER MAR SECURITY, services	198.30
PITNEY BOWES, services	429.99
POLLOCK, R., travel	220.16
PORT-A-JOHNS, services	705.00
POSITIVE CONCEPTS, supplies	466.00
PREDATOR CUSTOM TRAILER, bldg&grnds	1,215.61
PUBLIC RESTROOM CO, bldg&grnds	33,938.00
PUBLIC SECTOR SEARCH, services	16,000.00
QUICK, T., travel	407.00
RED EQUIPMENT LLC, supplies	147.02

# MINUTE RECORD

REGAL AWARDS INC, supplies	135.35
RESOURCE RENTAL, services	1,430.00
ROLLIE'S FLOORING, bldg&grnds	9,384.00
SAMPSON CONSTRUCTION, services	28,863.96
SARPY COUNTY SHERIFF, services	5,000.00
SARPY DOUGLAS LAW ACADEMY, services	32,587.24
SECURITY EQUIPMENT INC, services	2,340.51
SIGN IT, supplies	4,215.50
SUN VALLEY LANDSCAPING, bldg&grnds	28.00
THE COLONIAL PRESS, services	180.33
THE PENWORTHY CO, books	546.64
THE SCHEMMER ASSOCIATES INC, services	1,400.00
THOMPSON DREESSEN & DORNER INC, services	9,318.50
TRANS UNION RISK, services	75.00
TY'S OUTDOOR POWER, supplies	40.81
U.S. CELLULAR, phones	1,872.13
UNITED DISTRIBUTORS INC, services	107.59
UNMC, services	107.00
US POSTAL SERVICE, postage	3,401.67
VAN-WALL EQUIPMENT INC, supplies	16.08
VOIANCE LANGUAGE, services	53.91
WALMART, supplies	799.43
WASTE MANAGEMENT, services	290.91
WEMHOFF,A., travel	274.00
WESTLAKE HARDWARE, supplies	1,576.95
WIRELESS CCTV LLC, services	180.00
WOODHOUSE FORD, maint.	58.53

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Finance Director Harris provided an update on financial reports.

Human Resources Director Lowery provided an update on pay for performance graphs.

Assistant City Administrator Ramirez reported that the Boards and Commissions were invited to tour City Centre.

Recreation Director Buller reported on summer events.

Library Director Barcal reported on library programs.

Police Captain Kinsey reported that Lee Kerniskey was hired to fill the position of code enforcement officer.

## B. ZONING TEXT AMENDMENTS – SECTION 2.20 – DEFINITIONS: S, AND SECTION 5.10 C-1 SHOPPING CENTER COMMERCIAL DISTRICT

### 1. PUBLIC HEARING

At 6:25 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendments – Section 2.20 – Definitions: S, and Section 5.10 C-1 Shopping Center Commercial District. Associate City Planner Broderson gave an overview.

At 6:30 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick,

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Ronan, Sheehan, Thomas, Quick, Sell, and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried.

## 2. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1499 entitled: AN ORDINANCE TO AMEND SECTION 2.20 AND 5.10 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.20 AND 5.10 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1499. Councilmember Frederick seconded the motion. Upon roll call vote the following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Acting Mayor declared the ordinance adopted and the Acting Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## C. RESOLUTION – APPLICATION FOR REPLAT – LOTS 1 & 2 B&T ADDITION

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-133 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 880, 881, AND 1301 LA VISTA TO BE REPLATTED AS LOTS 1 AND 2 B&T ADDITION, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described property applied for approval of a replat for Lots 880, 881, and 1301 La Vista to be replatted as Lots 1 and 2 B&T Addition; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on October 19, 2023, the La Vista Planning Commission held a meeting and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 880, 881, and 1301 La Vista to be replatted as Lots 1 and 2 B&T Addition, a subdivision located in the northwest quarter of Section 14, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located west of the intersection of S. 78<sup>th</sup> Street and Park View Boulevard, be, and hereby is, approved.

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

## D. RESOLUTION – INTERLOCAL AGREEMENT – PAPILLION-LA VISTA SCHOOL DISTRICT – CITY PARK FIELD USAGE

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-134 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH THE PAPILLION-LA VISTA SCHOOL DISTRICT FOR FIELD USAGE AT CITY PARK.

# MINUTE RECORD

WHEREAS, the School District has a need for athletic fields for the girls high school softball program; and

WHEREAS, the City has fields available at City Park that would satisfy the School District's needs without interfering with City programs; and

WHEREAS, the School District would make significant permanent improvements to fields at City Park at no cost to the City; and

WHEREAS, these types of cooperative efforts between public entities are an efficient use of taxpayer resources; and

WHEREAS, an interlocal agreement between the City of La Vista and Sarpy County School District 27 for a period of twenty five years has been proposed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed interlocal agreement between Sarpy County School District 27 and the City of La Vista for field usage at City Park is hereby approved, and that the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of La Vista.

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

## **E. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – 84<sup>TH</sup> STREET REDEVELOPMENT – FINAL BRIDGE DESIGN, TRAILS & ROW**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-135 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DESIGN WORKSHOP TO PROVIDE ADDITIONAL SERVICES RELATED TO PROJECT NO. DPS-77(67) THE 84<sup>TH</sup> STREET TRAIL, GILES TO HARRISON, IN AN AMOUNT NOT TO EXCEED \$571,518.10.

WHEREAS, the City Council of the City of La Vista has determined that additional services related to Project No. DPS-77(67), the 84<sup>th</sup> Street Trail, Giles to Harrison are necessary; and

WHEREAS, the FY23/FY24 Biennial Budget includes 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 authorize the Mayor to execute a professional services agreement with Design Workshop to provide additional services related to Project No. DPS-77(67), the 84<sup>th</sup> Street Trail, Giles to Harrison in an amount not to exceed \$571,518.10.

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

## **F. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – LA VISTA MUNICIPAL SWIMMING POOL DEMOLITION**

Councilmember Quick introduced and moved for the adoption of Resolution No. 23-136 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THOMPSON, DRESSEN & DORNER FOR SERVICES RELATED TO DEMOLITION OF THE EXISTING LA VISTA MUNICIPAL SWIMMING POOL IN AN AMOUNT NOT TO EXCEED \$20,000.00.

# MINUTE RECORD

November 7, 2023

No. 729 — REDFIELD DIRECT E2106195KV

WHEREAS, the City Council of the City of La Vista has determined that services related to demolition of the existing La Vista Municipal Swimming Pool are necessary; and

WHEREAS, the FY23/FY24 Biennial Budget includes 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 authorize the Mayor to execute a professional services agreement with Thompson, Dressen & Dorner for services related to demolition of the existing La Vista Municipal Swimming Pool in an amount not to exceed \$20,000.00.

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

## **G. RESOLUTION – CHANGE ORDER NO. 1 – EAST LA VISTA SEWER & PAVEMENT REHABILITATION**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-137 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH NL&L CONCRETE, INC., OMAHA, NEBRASKA TO PROVIDE FOR THE ADDITION AND SUBTRACTION OF CERTAIN ITEMS OF WORK RESULTING IN AN INCREASED AMOUNT OF \$81,013.05, BRINGING THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$4,796,092.10.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined that the East La Vista Sewer & Pavement Rehabilitation project is necessary; and

WHEREAS, The FY23/FY24 Biennial Budget provides funding for this project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve change order No.1 to the contract with NL&L Concrete, Inc., Omaha, Nebraska to provide for the addition and subtraction of certain items of work resulting in an increased amount of \$81,013.05, bringing the total contract amount not to exceed \$4,796,092.10.

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

## **H. RESOLUTION – ADVERTISEMENT FOR BIDS – 73<sup>RD</sup> AVE CULVERT REHABILITATION**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-138 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CULVERT REHABILITATION, INCLUDING GROUTING OF VOIDS, INVERT REPAIR AND PLACEMENT OF CENTRIFUGALLY CAST CONCRETE PIPELINING MATERIAL WITHIN THE EXISTING CULVERT CROSSING OF THOMPSON CREEK AT 73RD AVENUE.

WHEREAS, the Mayor and Council have determined that the culvert rehabilitation is necessary; and

# MINUTE RECORD

WHEREAS, the FY23/FY24 Biennial Budget provides funding for this project; and  
WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors	November 15, 2023 and November 22, 2023
Open Bids	December 1, 2023 at 10:00am at City Hall
City Council Award Contract	December 19, 2023

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for culvert rehabilitation, including grouting of voids, invert repair and placement of centrifugally cast concrete pipelining material within the existing culvert crossing of Thompson Creek at 73rd Avenue.

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

## **I. RESOLUTION – AUTHORIZE PURCHASE – FURNITURE FOR GENERAL EDUCATION DEGREE PROGRAM – LIBRARY**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-139 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FURNITURE FOR THE GENERAL EDUCATION DEGREE PROGRAM FROM CORNHUSKER STATE INDUSTRIES, LINCOLN, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$6,743.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of furniture for the General Education Degree Program is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for this purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the city administrator secure Council approval prior to authorizing any 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 furniture for the General Education Degree Program from Cornhusker State Industries, Lincoln, Nebraska, in an amount not to exceed \$6,743.00.

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

## **J. RESOLUTION – AMEND CITY PERSONNEL POLICY AND PROCEDURES MANUAL**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-140 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AMENDING SECTION 3.9 (2) OF THE CITY PERSONNEL POLICY AND PROCEDURES MANUAL PERTAINING TO RESIDENCY AND TRAVEL TIME REQUIREMENTS.

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska, has determined that a need exists to make changes to the existing La Vista City Personnel Policy and Procedures Manual as adopted on December 20, 2005; and

WHEREAS, it is being proposed that Subsection 3.9 (2) in the manual pertaining to Residency and Travel Time be amended; and

# MINUTE RECORD

November 7, 2023

No. 729 — REDFIELD DIRECT E2106195KV

WHEREAS, it is the desire of the City Council to amend Section 3 of the Personnel Policy and Procedures Manual to incorporate the change to the above listed subsection.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the existing La Vista City Personnel Policy and Procedures Manual adopted on December 20, 2005, is hereby amended to reflect the proposed change to Subsection 3.9 (2) as submitted at the City Council meeting.

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

## **K. RESOLUTION – FIRST AMENDMENT – INTERLOCAL AGREEMENT – LAW ENFORCEMENT TRAINING ACADEMY**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-141 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT WITH BELLEVUE, DOUGLAS COUNTY, PAPILLION AND SARPY COUNTY, NEBRASKA, TO ADD THE METROPOLITAN COMMUNITY COLLEGE AS A PARTY AND SIGNATORY TO THE INTERLOCAL COOPERATION AGREEMENT, AND AS A MEMBER OF THE SDLEA.

WHEREAS, the cities of La Vista, Sarpy County, Nebraska; Bellevue, Sarpy County, Nebraska; Papillion, Sarpy County, Nebraska; and Sarpy County, Nebraska, and Douglas County, Nebraska wish to improve the joint Sarpy-Douglas Law Enforcement training academy (SDLEA) through with the addition of Metropolitan Community College (MCC); and,

NOW THEREFORE BE IT RESOLVED that the City Council of La Vista, Nebraska, hereby authorize the execution of the First Amendment Interlocal Cooperation Agreement with Bellevue, Douglas County, Papillion, and Sarpy County, Nebraska to add the Metropolitan Community College as a party and signatory to the Interlocal Cooperation Agreement, and as a member of the SDLEA.

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

Councilmember Thomas motioned to move Comments from the Floor up on the agenda ahead of item L. Executive Session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried.

## **COMMENTS FROM THE FLOOR**

John Locklair 9735 Giles Road addressed the Council regarding his CBD Store.

## **L. EXECUTIVE SESSION – PERSONNEL; CONTRACT NEGOTIATIONS**

At 6:55 p.m. Councilmember Quick made a motion to go into executive session for protection of an individual to discuss personnel matters and for the protection of the public interest for contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matters contained in the motion.

At 7:11 p.m. the Council came out of executive session. Councilmember Frederick made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried.

# MINUTE RECORD

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan commented on the Veterans Dinner.

Councilmember Frederick commented on the Fall Festival.

Councilmember Quick commented on Halloween Safe Night.

Councilmember Sell comments on the Pancake Feed.

At 7:20 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell and Hale. Nays: None. Abstain: None. Absent: Wetuski. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, MMC  
City Clerk

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

A-3

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Total All Funds**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>OPERATING REVENUES</b>					
General Fund	\$ 24,324,606	\$ 1,809,342	\$ 22,998,109	\$ (1,326,498)	95%
Sewer Fund	4,908,972	411,570	5,168,965	259,993	105%
Debt Service Fund	18,862,129	432,117	16,221,604	(2,640,524)	86%
Capital Improvement Fund	352,305	8,080	68,773	(283,533)	20%
Lottery Fund	1,227,368	111,543	1,357,071	129,702	111%
Economic Development Program Fund	145,747	18,561	254,207	108,460	174%
Off Street Parking Fund	1,010	1,049	67,518	66,508	6685%
Redevelopment Fund	2,507,774	304,001	3,075,516	567,741	123%
Police Academy	214,640	42	206,825	(7,815)	96%
TIF 1A	389,569	—	383,812	(5,757)	99%
TIF 1B	491,954	—	484,683	(7,271)	99%
Sewer Reserve Fund	6,910	10,126	46,374	39,464	671%
Qualified Sinking Fund	2,740	1,953	14,229	11,489	519%
TIF 1C	48,302	—	47,588	(714)	99%
TIF 1D	21,672	—	21,351	(321)	99%
<b>Total Operating Revenues</b>	<b>53,505,699</b>	<b>3,108,384</b>	<b>50,416,625</b>	<b>(3,089,074)</b>	<b>94%</b>

**OPERATING EXPENDITURES**

General Fund	23,417,380	2,487,598	20,880,139	(2,537,241)	89%
Sewer Fund	4,472,406	706,250	4,056,947	(415,458)	91%
Debt Service Fund	3,060,191	28,824	2,843,218	(216,973)	93%
Capital Improvement Fund	—	—	—	—	—%
Lottery Fund	834,174	58,423	722,206	(111,968)	87%
Economic Development Program Fund	1,149,636	—	1,149,936	300	100%
Off Street Parking Fund	1,986,079	995,165	2,015,682	29,603	101%
Redevelopment Fund	2,966,664	1,142,410	2,763,128	(203,536)	93%
Police Academy	202,265	23,402	201,959	(306)	100%
TIF 1A	389,569	—	383,812	(5,757)	99%
TIF 1B	491,954	—	484,683	(7,271)	99%
Sewer Reserve Fund	—	—	—	—	—%
Qualified Sinking Fund	—	—	—	—	—%
TIF 1C	48,302	—	47,588	(714)	99%
TIF 1D	21,672	—	21,351	(321)	99%
<b>Total Operating Expenditures</b>	<b>39,040,290</b>	<b>5,442,072</b>	<b>35,570,649</b>	<b>(3,469,641)</b>	<b>91%</b>

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Total All Funds**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
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**OPERATING REVENUES NET  
OF EXPENDITURES**

General Fund	907,226	(678,255)	2,117,969	1,210,743	
Sewer Fund	436,566	(294,680)	1,112,018	675,451	
Debt Service Fund	15,801,938	403,293	13,378,387	(2,423,551)	
Capital Improvement Fund	352,305	8,080	68,773	(283,533)	
Lottery Fund	393,195	53,119	634,865	241,670	
Economic Development Program Fund	(1,003,889)	18,561	(895,729)	108,160	
Off Street Parking Fund	(1,985,069)	(994,117)	(1,948,164)	36,905	
Redevelopment Fund	(458,890)	(838,409)	312,387	771,277	
Police Academy	12,375	(23,360)	4,866	(7,509)	
TIF 1A	—	—	—	—	
TIF 1B	—	—	—	—	
Sewer Reserve Fund	6,910	10,126	46,374	39,464	
Qualified Sinking Fund	2,740	1,953	14,229	11,489	
TIF 1C	—	—	—	—	
TIF 1D	—	—	—	—	
<b>Operating Revenues Net of Expenditures</b>	<b>14,465,408</b>	<b>(2,333,688)</b>	<b>14,845,976</b>	<b>380,567</b>	

**OTHER FINANCING SOURCES & USES**

**TRANSFERS IN**

General Fund	523,100	223,100	521,769	(1,331)	100%
Sewer Fund	700	700	700	—	100%
Debt Service Fund	300,000	—	300,000	—	100%
Capital Improvement Fund	6,850,000	3,648,489	3,648,489	(3,201,511)	53%
Lottery Fund	—	—	—	—	—
Economic Development Program Fund	1,034,681	—	1,034,681	—	—
Off Street Parking Fund	2,682,624	2,682,624	2,682,624	—	100%
Redevelopment Fund	—	—	—	—	—
Police Academy	—	—	—	—	—
TIF 1A	—	—	—	—	—
TIF 1B	—	—	—	—	—
Sewer Reserve Fund	220,633	—	220,633	—	—
Qualified Sinking Fund	250,000	250,000	250,000	—	100%
TIF 1C	—	—	—	—	—
TIF 1D	—	—	—	—	—
<b>Total Transfers In</b>	<b>11,861,738</b>	<b>6,804,913</b>	<b>8,658,895</b>	<b>(3,202,843)</b>	<b>73%</b>

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Total All Funds**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>TRANSFERS OUT</b>					
General Fund	(2,330,536)	(995,855)	(2,330,536)	—	100%
Sewer Fund	(220,633)	—	(220,633)	—	—
Debt Service Fund	(8,286,769)	(5,321,418)	(5,321,418)	2,965,351	64%
Capital Improvement Fund	—	—	—	—	—
Lottery Fund	(723,800)	(487,640)	(487,640)	236,160	67%
Economic Development Program Fund	—	—	—	—	—
Off Street Parking Fund	(300,000)	—	(298,669)	1,331	—
Redevelopment Fund	—	—	—	—	—
Police Academy	—	—	—	—	—
TIF 1A	—	—	—	—	—
TIF 1B	—	—	—	—	—
Sewer Reserve Fund	—	—	—	—	—
Qualified Sinking Fund	—	—	—	—	—
TIF 1C	—	—	—	—	—
TIF 1D	—	—	—	—	—
<b>Total Transfers Out</b>	<b>(11,861,738)</b>	<b>(6,804,913)</b>	<b>(8,658,895)</b>	<b>3,202,843</b>	<b>73%</b>

**NET TRANSFERS**

General Fund	(1,807,436)	(772,755)	(1,808,767)	(1,331)	100%
Sewer Fund	(219,933)	700	(219,933)	—	100%
Debt Service Fund	(7,986,769)	(5,321,418)	(5,021,418)	2,965,351	63%
Capital Improvement Fund	6,850,000	3,648,489	3,648,489	(3,201,511)	53%
Lottery Fund	(723,800)	(487,640)	(487,640)	236,160	67%
Economic Development Program Fund	1,034,681	—	1,034,681	—	—
Off Street Parking Fund	2,382,624	2,682,624	2,383,955	1,331	100%
Redevelopment Fund	—	—	—	—	—
Police Academy	—	—	—	—	—
TIF 1A	—	—	—	—	—
TIF 1B	—	—	—	—	—
Sewer Reserve Fund	220,633	—	220,633	—	100%
Qualified Sinking Fund	250,000	250,000	250,000	—	100%
TIF 1C	—	—	—	—	—
TIF 1D	—	—	—	—	—
<b>Total Net Transfers</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Total All Funds**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
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**OTHER REVENUE: BOND PROCEEDS**

Sewer Fund	—	—	—	—	—
Capital Improvement Fund	—	—	—	—	—
Economic Development Program Fund	—	—	—	—	—
Off Street Parking Fund	—	—	—	—	—
Redevelopment Fund	—	—	—	—	—
<b>Total Bond Proceeds</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>

**OTHER EXPENDITURES: CIP**

Sewer Fund	2,720,000	379,521	815,220	(1,904,780)	30%
Capital Improvement Fund	7,874,305	219,132	2,920,953	(4,953,352)	37%
Off Street Parking Fund	9,354,000	57,686	7,669,351	(1,684,649)	82%
Redevelopment Fund	17,786,142	1,251,219	14,892,745	(2,893,397)	84%
<b>Total Capital Improvement</b>	<b>37,734,447</b>	<b>1,907,558</b>	<b>26,298,270</b>	<b>(11,436,177)</b>	<b>70%</b>

**OTHER EXPENDITURES: GRANTS**

Economic Development Program Fund	5,500,000	—	5,012,419	(487,581)	91%
<b>Total Grants</b>	<b>5,500,000</b>	<b>—</b>	<b>5,012,419</b>	<b>(487,581)</b>	<b>91%</b>

**NET FUND ACTIVITY**

General Fund	(900,210)	(1,451,010)	309,202	1,209,412
Sewer Fund	(2,503,367)	(673,501)	76,864	2,580,231
Debt Service Fund	7,815,169	(4,918,125)	8,356,969	541,800
Capital Improvement Fund	(672,000)	3,437,437	796,308	1,468,308
Lottery Fund	(330,605)	(434,520)	147,225	477,831
Economic Development Program Fund	(5,469,208)	18,561	(4,873,466)	595,741
Off Street Parking Fund	(8,956,445)	1,630,822	(7,233,560)	1,722,885
Redevelopment Fund	(18,245,032)	(2,089,628)	(14,580,358)	3,664,674
Police Academy	12,375	(23,360)	4,866	(7,509)
TIF 1A	—	—	—	—
TIF 1B	—	—	—	—
Sewer Reserve Fund	227,543	10,126	267,007	39,464
Qualified Sinking Fund	252,740	251,953	264,229	11,489
TIF 1C	—	—	—	—
TIF 1D	—	—	—	—
<b>Net Activity</b>	<b>(28,769,039)</b>	<b>(4,241,246)</b>	<b>(16,464,713)</b>	<b>12,304,326</b>

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**Total All Funds**

	<b>Ending Fund Balance As of</b>		
	<b>Budget</b> <b>9/30/2023</b>	<b>9/30/2023</b>	<b>Variance</b>
<b>FUND BALANCE</b>			
General Fund	14,796,731	16,682,700	1,885,969
Sewer Fund	1,050,539	3,627,123	2,576,584
Debt Service Fund	11,273,864	12,147,692	873,828
Capital Improvement Fund	2,166,423	3,839,160	1,672,737
Lottery Fund	4,607,532	4,818,986	211,454
Economic Development Program Fund	—	116,659	116,659
Off Street Parking Fund	583,255	1,709,849	1,126,594
Redevelopment Fund	3,907,240	8,098,624	4,191,384
Police Academy	142,152	138,555	(3,597)
TIF 1A	—	—	—
TIF 1B	—	—	—
Sewer Reserve Fund	2,195,066	2,234,538	39,472
Qualified Sinking Fund	781,626	793,286	11,660
TIF 1C	—	—	—
TIF 1D	\$ —	—	—
<b>Net Fund Balance</b>	<b>\$ 41,504,428</b>	<b>\$ —</b>	<b>\$ 54,207,170</b>
			<b>\$ 12,702,742</b>

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**General Fund**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>REVENUES</b>					
Property taxes	\$ 11,152,784	\$ 711,639	\$ 10,518,213	\$ (634,571)	94%
Sales and use taxes	4,917,452	522,899	5,269,081	351,629	107%
Motor vehicle taxes	516,364	38,856	511,988	(4,376)	99%
Payments in Lieu of taxes	202,989	—	177,932	(25,057)	88%
State revenue	2,103,008	176,882	2,154,497	51,489	102%
Occupation and franchise taxes	4,032,382	226,112	2,969,730	(1,062,652)	74%
Licenses and permits	524,122	(2,792)	363,469	(160,653)	69%
Interest income	26,300	61,132	381,025	354,725	1449%
Recreation Revenue	190,450	16,420	222,379	31,929	117%
Grant Income	245,910	18,067	116,036	(129,874)	47%
Other	312,128	14,262	210,814	(101,314)	68%
Garage fees	100,717	25,865	102,946	2,229	102%
<b>Total Revenues</b>	<b>24,324,606</b>	<b>1,809,342</b>	<b>22,998,109</b>	<b>(1,326,498)</b>	<b>95%</b>
<b>EXPENDITURES</b>					
Administrative Services	611,240	67,783	599,453	(11,787)	98%
Mayor and Council	234,488	19,742	186,069	(48,418)	79%
Boards & Commissions	7,154	204	4,374	(2,780)	61%
Building Maintenance	793,780	67,556	565,767	(228,012)	71%
Administration	745,600	79,010	702,359	(43,241)	94%
Police and Animal Control	6,460,467	737,654	6,077,117	(383,350)	94%
Fire	2,821,318	225,961	2,711,825	(109,493)	96%
Community Development	769,345	90,592	680,669	(88,676)	88%
Public Works	4,712,703	472,000	3,996,206	(716,497)	85%
Recreation	1,023,745	119,320	867,172	(156,573)	85%
Library	1,125,468	103,783	983,312	(142,156)	87%
Information Technology	549,126	12,980	505,452	(43,674)	92%
Human Resources	1,108,281	132,030	1,073,450	(34,830)	97%
Public Transportation	128,328	12,580	109,185	(19,143)	85%
Finance	647,835	59,451	637,253	(10,582)	98%
Communication	309,992	38,821	310,416	425	100%
Capital outlay	1,368,510	248,131	870,059	(498,451)	64%
<b>Total Expenditures</b>	<b>23,417,380</b>	<b>2,487,598</b>	<b>20,880,139</b>	<b>(2,537,241)</b>	<b>89%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>907,226</b>	<b>(678,255)</b>	<b>2,117,969</b>	<b>1,210,743</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**General Fund**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (Lottery)	523,100	223,100	521,769	(1,331)	100%
Operating transfers out (DSF, OSP, CIP)	(2,330,536)	(995,855)	(2,330,536)	—	100%
<b>Total other Financing Sources (Uses)</b>	<b>(1,807,436)</b>	<b>(772,755)</b>	<b>(1,808,767)</b>	<b>(1,331)</b>	<b>100%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (900,210)</b>	<b>\$ (1,451,010)</b>	<b>\$ 309,202</b>	<b>\$ 1,209,412</b>	

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Sewer Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
User fees	\$ 4,780,971	\$ 394,441	\$ 5,023,284	\$ 242,313	105%
Service charge and hook-up fees	125,110	2,132	36,488	(88,622)	29%
Miscellaneous	21	5	49	28	232%
<b>Total Revenues</b>	<b>4,906,102</b>	<b>396,577</b>	<b>5,059,820</b>	<b>153,718</b>	<b>103%</b>
<b>EXPENDITURES</b>					
Personnel Services	678,116	69,509	613,976	(64,140)	91%
Commodities	36,064	3,472	37,862	1,798	105%
Contract Services	3,414,165	632,675	3,099,138	(315,027)	91%
Maintenance	40,257	594	32,548	(7,709)	81%
Other	400	—	6,487	6,087	1622%
Storm Water	59,926	—	17,050	(42,876)	28%
Capital Outlay	243,478	—	249,885	6,407	103%
Debt service					
Principal	—	—	—	—	—%
Interest	—	—	—	—	—%
<b>Total Expenditures</b>	<b>4,472,406</b>	<b>706,250</b>	<b>4,056,947</b>	<b>(415,458)</b>	<b>91%</b>
<b>OPERATING INCOME (LOSS)</b>	<b>433,696</b>	<b>(309,672)</b>	<b>1,002,873</b>	<b>569,177</b>	
<b>NON-OPERATING REVENUE</b>					
Interest income	2,870	14,992	109,145	106,275	3803%
<b>INCOME (LOSS) BEFORE TRANSFERS</b>	<b>2,870</b>	<b>14,992</b>	<b>109,145</b>	<b>106,275</b>	<b>3803%</b>
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	700	700	700	—	100%
Operating transfers out	(220,633)	—	(220,633)	—	100%
Bond proceeds	—	—	—	—	—%
Capital Improvement	(2,720,000)	(379,521)	(815,220)	1,904,780	30%
<b>Total other Financing Sources (Uses)</b>	<b>(2,939,933)</b>	<b>(378,821)</b>	<b>(1,035,153)</b>	<b>1,904,780</b>	<b>35%</b>
<b>NET INCOME (LOSS)</b>	<b>\$ (2,503,367)</b>	<b>\$ (673,501)</b>	<b>\$ 76,864</b>	<b>\$ 2,580,231</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**Debt Service Fund**

	<b>Budget</b> (12 month)	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Property Taxes	\$ 898,223	\$ 57,013	\$ 845,070	\$ (53,153)	94%
Sales and use taxes	2,430,603	261,450	2,634,540	203,937	108%
Motor vehicle taxes	3,636	—	2,007	(1,629)	55%
Payments in Lieu of taxes	20,298	—	16,723	(3,575)	82%
Other (Assessments/Fire Reimbursement)	504,338	42,028	504,776	438	100%
Interest income	5,030	71,627	129,574	124,544	2576%
Bond Proceeds	15,000,000	—	12,088,914	(2,911,086)	81%
<b>Total Revenues</b>	<b>18,862,129</b>	<b>432,117</b>	<b>16,221,604</b>	<b>(2,640,524)</b>	<b>86%</b>
<b>EXPENDITURES</b>					
Administration	69,507	820	149,285	79,778	215%
Fire Contract Bond	218,051	18,025	216,300	(1,751)	99%
Debt service					
Principal	2,100,000	—	2,105,000	5,000	100%
Interest	672,633	9,979	372,633	(300,000)	55%
<b>Total Expenditures</b>	<b>3,060,191</b>	<b>28,824</b>	<b>2,843,218</b>	<b>(216,973)</b>	<b>93%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>15,801,938</b>	<b>403,293</b>	<b>13,378,387</b>	<b>(2,423,551)</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (GF Hwy Alloc)	300,000	—	300,000	—	100%
Operating transfers out (CIP, OSP)	(8,286,769)	(5,321,418)	(5,321,418)	2,965,351	64%
<b>Total other Financing Sources (Uses)</b>	<b>(7,986,769)</b>	<b>(5,321,418)</b>	<b>(5,021,418)</b>	<b>2,965,351</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ 7,815,169</b>	<b>\$ (4,918,125)</b>	<b>\$ 8,356,969</b>	<b>\$ 541,800</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**Capital Improvement Program Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Interest income	\$ 22,305	\$ 8,080	\$ 68,773	\$ 46,468	308%
Grant income	330,000	—	—	(330,000)	—%
Special assessment	—	—	—	—	—%
Other income	—	—	—	—	—%
<b>Total Revenues</b>	<b>352,305</b>	<b>8,080</b>	<b>68,773</b>	<b>(283,533)</b>	<b>20%</b>
<b>EXPENDITURES</b>					
Administration	—	—	—	—	—%
Other	—	—	—	—	—%
<b>Total Expenditures</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>352,305</b>	<b>8,080</b>	<b>68,773</b>	<b>(283,533)</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (GF, DSF, LF)	6,850,000	3,648,489	3,648,489	(3,201,511)	53%
Operating transfers out (DSF)	—	—	—	—	—%
Bond proceeds	—	—	—	—	—%
Capital outlay	(7,874,305)	(219,132)	(2,920,953)	4,953,352	37%
<b>Total other Financing Sources (Uses)</b>	<b>(1,024,305)</b>	<b>3,429,357</b>	<b>727,535</b>	<b>1,751,840</b>	<b>(71)%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (672,000)</b>	<b>\$ 3,437,437</b>	<b>\$ 796,308</b>	<b>\$ 1,468,308</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**Lottery Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Lottery Rev/Community Betterment	\$ 900,000	\$ 82,548	\$ 994,028	\$ 94,028	110%
Lottery Tax Form 51	313,043	26,360	321,003	7,959	103%
Interest income	14,325	2,635	41,440	27,115	289%
Miscellaneous / Other	—	—	600	600	—%
<b>Total Revenues</b>	<b>1,227,368</b>	<b>111,543</b>	<b>1,357,071</b>	<b>129,702</b>	<b>111%</b>
<b>EXPENDITURES</b>					
Professional Services	109,580	14,418	51,301	(58,279)	47%
Salute to Summer	—	—	—	—	—%
Community Events	361,550	13,342	321,141	(40,409)	89%
Events - Marketing	50,000	4,304	28,761	(21,239)	58%
Recreation Events	—	—	—	—	—%
Concert & Movie Nights	—	—	—	—	—%
State Taxes	313,043	26,360	321,003	7,959	103%
<b>Total Expenditures</b>	<b>834,174</b>	<b>58,423</b>	<b>722,206</b>	<b>(111,968)</b>	<b>87%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>393,195</b>	<b>53,119</b>	<b>634,865</b>	<b>241,670</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	—	—	—	—	—
Operating transfers out (GF, SF, DSF, CIP)	(723,800)	(487,640)	(487,640)	236,160	67%
<b>Total other Financing Sources (Uses)</b>	<b>(723,800)</b>	<b>(487,640)</b>	<b>(487,640)</b>	<b>236,160</b>	<b>67%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (330,605)</b>	<b>\$ (434,520)</b>	<b>\$ 147,225</b>	<b>\$ 477,831</b>	

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Economic Development Program Fund**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>REVENUES</b>					
Other Income (Grant Payments)	\$ 145,747	\$ 18,375	\$ 208,133	\$ 62,386	143%
Interest income	—	186	46,074	46,074	—%
<b>Total Revenues</b>	<b>145,747</b>	<b>18,561</b>	<b>254,207</b>	<b>108,460</b>	<b>174%</b>
<b>EXPENDITURES</b>					
Professional Services	—	—	—	—	—%
Financial / Legal Fees	500	—	800	300	160%
Debt service: (Warrants)					
Principal	1,050,000	—	1,050,000	—	100%
Interest	99,136	—	99,136	—	100%
<b>Total Expenditures</b>	<b>1,149,636</b>	<b>—</b>	<b>1,149,936</b>	<b>300</b>	<b>100%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(1,003,889)</b>	<b>18,561</b>	<b>(895,729)</b>	<b>108,160</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (GF, DSF)	1,034,681	—	1,034,681	—	100%
Operating transfers out	—	—	—	—	—%
Bond proceeds	—	—	—	—	—%
Community Development - Grant	(5,500,000)	—	(5,012,419)	487,581	91%
<b>Total other Financing Sources (Uses)</b>	<b>(4,465,319)</b>	<b>—</b>	<b>(3,977,738)</b>	<b>487,581</b>	<b>89%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (5,469,208)</b>	<b>\$ 18,561</b>	<b>\$ (4,873,466)</b>	<b>\$ 595,741</b>	

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Off Street Parking Fund**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>REVENUES</b>					
Garage fees	\$ —	\$ 883	\$ 12,766	\$ 12,766	—%
Interest income	1,010	166	54,752	53,742	5421%
<b>Total Revenues</b>	<b>1,010</b>	<b>1,049</b>	<b>67,518</b>	<b>66,508</b>	<b>6685%</b>
<b>EXPENDITURES</b>					
General & Administrative	1,480	250	700	(780)	47%
Professional Services	170,465	19,122	193,879	23,414	114%
Maintenance	16,155	13,272	22,918	6,763	142%
Commodities	11,210	—	11,417	207	102%
Debt service:					
Principal	1,210,000	690,000	1,210,000	—	100%
Interest	576,769	272,521	576,769	(1)	100%
<b>Total Expenditures</b>	<b>1,986,079</b>	<b>995,165</b>	<b>2,015,682</b>	<b>29,603</b>	<b>101%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(1,985,069)</b>	<b>(994,117)</b>	<b>(1,948,164)</b>	<b>36,905</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (GF, DSF, RDF)	2,682,624	2,682,624	2,682,624	—	100%
Operating transfers out	(300,000)	—	(298,669)	1,331	100%
Bond proceeds	—	—	—	—	—%
Capital Improvement	(9,354,000)	(57,686)	(7,669,351)	1,684,649	82%
<b>Total other Financing Sources (Uses)</b>	<b>(6,971,376)</b>	<b>2,624,938</b>	<b>(5,285,396)</b>	<b>1,685,980</b>	<b>76%</b>
<b>NET FUND ACTIVITY</b>	<b>\$ (8,956,445)</b>	<b>\$ 1,630,822</b>	<b>\$ (7,233,560)</b>	<b>\$ 1,722,885</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**Redevelopment Fund**

	<b>Budget</b> (12 month)	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Sales and use taxes	\$ 2,430,603	\$ 261,450	\$ 2,634,540	203,937	108%
Occupation and franchise taxes	57,586	5	206	(57,380)	—%
Interest income	19,585	42,546	440,769	421,184	2251%
<b>Total Revenues</b>	<b>2,507,774</b>	<b>304,001</b>	<b>3,075,516</b>	<b>567,741</b>	<b>123%</b>
<b>EXPENDITURES</b>					
Professional Services	285,000	28,685	81,515	(203,485)	29%
Financial / Legal Fees	1,750	400	1,700	(50)	97%
Debt service: (Warrants)				—	—%
Principal	1,350,000	640,000	1,350,000	—	100%
Interest	1,329,914	473,325	1,329,913	(1)	100%
<b>Total Expenditures</b>	<b>2,966,664</b>	<b>1,142,410</b>	<b>2,763,128</b>	<b>(203,536)</b>	<b>93%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>(458,890)</b>	<b>(838,409)</b>	<b>312,387</b>	<b>771,277</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	—	—	—	—	—%
Operating transfers out (OSP)	—	—	—	—	—%
Bond proceeds	—	—	—	—	—%
Capital Improvement	(17,786,142)	(1,251,219)	(14,892,745)	2,893,397	84%
<b>Total other Financing Sources (Uses)</b>	<b>(17,786,142)</b>	<b>(1,251,219)</b>	<b>(14,892,745)</b>	<b>2,893,397</b>	
<b>NET FUND ACTIVITY</b>	<b><u>\$(18,245,032)</u></b>	<b><u>\$ (2,089,628)</u></b>	<b><u>\$ (14,580,358)</u></b>	<b><u>\$ 3,664,674</u></b>	

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Police Academy Fund**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of budget Used</b>
<b>REVENUES</b>					
Academy income	\$ 214,500	\$ —	\$ 205,945	\$ (8,555)	96%
Interest income	140	42	881	741	629%
Other income	—	—	—	—	—%
<b>Total Revenues</b>	<b>214,640</b>	<b>42</b>	<b>206,825</b>	<b>(7,815)</b>	<b>96%</b>
<b>EXPENDITURES</b>					
Personnel Services	184,165	20,253	178,850	(5,314)	97%
Commodities	2,150	1,350	3,161	1,011	147%
Contract Services	10,450	761	8,516	(1,934)	81%
Other Charges	5,500	1,039	11,431	5,931	208%
<b>Total Expenditures</b>	<b>202,265</b>	<b>23,402</b>	<b>201,959</b>	<b>(306)</b>	<b>100%</b>
<b>REVENUES NET OF EXPENDITURES</b>	<b>12,375</b>	<b>(23,360)</b>	<b>4,866</b>	<b>(7,509)</b>	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in (GF)	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ 12,375</b>	<b>\$ (23,360)</b>	<b>\$ 4,866</b>	<b>\$ (7,509)</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**TIF 1A Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Property Tax	\$ 389,569	\$ —	\$ 383,812	(5,757)	99%
<b>Total Revenues</b>	<b>389,569</b>	<b>—</b>	<b>383,812</b>	<b>(5,757)</b>	<b>99%</b>
<b>EXPENDITURES</b>					
TIF Distributed Funds	385,673	—	379,974	(5,699)	99%
Contract Services	3,896	—	3,838	(58)	99%
<b>Total Expenditures</b>	<b>389,569</b>	<b>—</b>	<b>383,812</b>	<b>(5,757)</b>	<b>99%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
	—	—	—	—	—
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>NET FUND ACTIVITY</b>					
	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**TIF 1B Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Property Tax	\$ 491,954	\$ —	\$ 484,683	(7,271)	99%
<b>Total Revenues</b>	<b>491,954</b>	<b>—</b>	<b>484,683</b>	<b>(7,271)</b>	<b>99%</b>
<b>EXPENDITURES</b>					
TIF Distributed Funds	487,034	—	479,836	(7,198)	99%
Contract Services	4,920	—	4,847	(73)	99%
<b>Total Expenditures</b>	<b>491,954</b>	<b>—</b>	<b>484,683</b>	<b>(7,271)</b>	<b>99%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
	—	—	—	—	—%
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>NET FUND ACTIVITY</b>					
	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**Sewer Reserve Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Interest income	\$ 6,910	\$ 10,126	\$ 46,374	39,464	671%
<b>Total Revenues</b>	<b>6,910</b>	<b>10,126</b>	<b>46,374</b>	<b>39,464</b>	<b>671%</b>
<b>EXPENDITURES</b>					
Other	—	—	—	—	—%
<b>Total Expenditures</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
	6,910	10,126	46,374	39,464	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	220,633	—	220,633	—	100%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>220,633</b>	<b>—</b>	<b>220,633</b>	<b>—</b>	
<b>NET FUND ACTIVITY</b>	<b>\$ 227,543</b>	<b>\$ 10,126</b>	<b>\$ 267,007</b>	<b>\$ 39,464</b>	

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

**For the Twelfth Month Ending September 30, 2023**

**100% of the Fiscal Year 2023**

**Qualified Sinking Fund**

	<b>Budget (12 month)</b>	<b>Twelfth MTD Actual</b>	<b>YTD Actual</b>	<b>Over(under) Budget</b>	<b>% of Budget Used</b>
<b>REVENUES</b>					
Interest income	\$ 2,740	\$ 1,953	\$ 14,229	11,489	519%
<b>Total Revenues</b>	<b>2,740</b>	<b>1,953</b>	<b>14,229</b>	<b>11,489</b>	<b>519%</b>
<b>EXPENDITURES</b>					
Other	—	—	—	—	—%
<b>Total Expenditures</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
	2,740	1,953	14,229	11,489	
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	250,000	250,000	250,000	—	100%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>250,000</b>	<b>250,000</b>	<b>250,000</b>	<b>—</b>	
<b>NET FUND ACTIVITY</b>					
	<b>\$ 252,740</b>	<b>\$ 251,953</b>	<b>\$ 264,229</b>	<b>\$ 11,489</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**TIF 1C Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>Twelfth MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Property Tax	\$ 48,302	\$ —	\$ 47,588	(714)	99%
<b>Total Revenues</b>	<b>48,302</b>	<b>—</b>	<b>47,588</b>	<b>(714)</b>	<b>99%</b>
<b>EXPENDITURES</b>					
TIF Distributed Funds	47,819	—	47,112	(707)	99%
Contract Services	483	—	476	(7)	99%
<b>Total Expenditures</b>	<b>48,302</b>	<b>—</b>	<b>47,588</b>	<b>(714)</b>	<b>99%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
	—	—	—	—	—
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>NET FUND ACTIVITY</b>					
	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	

**CITY OF LA VISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
**For the Twelfth Month Ending September 30, 2023**  
**100% of the Fiscal Year 2023**

**TIF 1D Fund**

	<b>Budget</b> <b>(12 month)</b>	<b>MTD</b> <b>Actual</b>	<b>YTD</b> <b>Actual</b>	<b>Over(under)</b> <b>Budget</b>	<b>% of Budget</b> <b>Used</b>
<b>REVENUES</b>					
Property Tax	\$ 21,672	\$ —	\$ 21,351	(321)	99%
<b>Total Revenues</b>	<b>21,672</b>	<b>—</b>	<b>21,351</b>	<b>(321)</b>	<b>99%</b>
<b>EXPENDITURES</b>					
TIF Distributed Funds	21,455	—	21,138	(317)	99%
Contract Services	217	—	214	(3)	98%
<b>Total Expenditures</b>	<b>21,672</b>	<b>—</b>	<b>21,351</b>	<b>(321)</b>	<b>99%</b>
<b>REVENUES NET OF EXPENDITURES</b>					
	—	—	—	—	—%
<b>OTHER FINANCING SOURCES (USES)</b>					
Operating transfers in	—	—	—	—	—%
Operating transfers out	—	—	—	—	—%
<b>Total other Financing Sources (Uses)</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>
<b>NET FUND ACTIVITY</b>	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	<b>\$ —</b>	



City of La Vista Nebraska  
Month Ended October 31, 2023

## Fund Balance

	FY24 Budget	FY24 YTD Actual	Variance
General Fund	12,645,616	16,292,888	3,647,272
Debt Service Fund	4,058,222	12,541,581	8,483,359
Capital Improvement Fund	-	3,817,462	3,817,462
Lottery Fund	4,437,181	4,821,510	384,329
Redevelopment Fund	12,699,294	8,429,477	(4,269,817)
Total Nonmajor Funds <sup>1</sup>	1,165,667	1,790,057	624,390
Sewer Fund	4,066,148	5,826,192	1,760,044
<b>Ending Fund Balance</b>	<b>39,072,128</b>	<b>53,519,167</b>	<b>14,447,039</b>

## Key Trends

- Carry over of \$9.5M in capital projects will result in fund balances being higher than originally budgeted.

<sup>1</sup>Nonmajor Funds (EDF, OSP, PAF, QSF, TIF)



City of La Vista Nebraska  
Month Ended October 31, 2023

### Monthly Statement of Revenue and Expenditure

October 2023

	General Fund	Debt Service Fund	Capital Improvement Fund	Lottery Fund	Redevelopment Fund	Total Nonmajor Funds <sup>1</sup>	Total Governmental Funds	Sewer Fund	Total Proprietary Fund
<b>Revenue</b>									
Property Tax	62,086	4,968	-	-	-	-	67,055	-	-
Sales and use taxes	575,253	287,626	-	-	287,626	-	1,150,506	-	-
Other Taxes <sup>2</sup>	79,891	250	-	-	-	-	80,141	-	-
Licenses and Permits	34,589	-	-	-	-	-	34,589	-	-
Intergovernmental Revenues <sup>3</sup>	209,608	-	-	-	-	162,587	372,195	-	-
Charges for Services	10,902	-	-	-	-	-	10,902	-	-
Grant income	5,795	-	-	-	-	-	5,795	-	-
Lottery Proceeds	-	-	-	47,571	-	-	47,571	-	-
Interest Income	55,300	72,292	8,536	2,613	40,169	3,320	182,231	29,103	29,103
Sewer Fees	-	-	-	-	-	-	-	2,218	2,218
Other Revenues <sup>4</sup>	26,232	32,827	-	-	-	-	59,059	-	-
Bonds	-	-	-	-	-	-	-	-	-
<b>Total Revenues</b>	<b>1,059,655</b>	<b>397,964</b>	<b>8,536</b>	<b>50,185</b>	<b>327,795</b>	<b>165,907</b>	<b>2,010,042</b>	<b>31,321</b>	<b>31,321</b>
<b>Expenditures</b>									
CIP/Capital Outlay	-	-	30,233	-	-	-	30,233	-	-
Debt Service: Principal Expense	-	-	-	-	-	1,060,000	1,060,000	-	-
Debt Service: Interest Expense	-	-	-	-	-	48,382	48,382	-	-
Debt Service: Bond Issue Expense	-	-	-	-	-	400	400	-	-
General Government Expenses	343,213	14,532	-	-	-	10,175	367,920	-	-
Public Works	162,210	-	-	-	-	-	162,210	-	-
Public Safety	714,799	-	-	-	-	15,244	730,043	-	-
Culture and Recreation	186,796	-	-	-	-	-	186,796	-	-
Public Library	86,381	-	-	-	-	-	86,381	-	-
Community Betterment	-	-	-	47,654	-	-	47,654	-	-
Community Development	54,699	-	-	-	-	-	54,699	-	-
Sewer	-	-	-	-	-	-	-	66,934	66,934
<b>Total Expenditures</b>	<b>1,548,098</b>	<b>14,532</b>	<b>30,233</b>	<b>47,654</b>	<b>-</b>	<b>1,134,200</b>	<b>2,774,718</b>	<b>66,934</b>	<b>66,934</b>
<b>Transfer In</b>	-	-	-	-	-	-	-	-	-
<b>Transfer Out</b>	-	-	-	-	-	-	-	-	-
<b>Change in Net Position</b>	<b>(488,444)</b>	<b>383,432</b>	<b>(21,697)</b>	<b>2,531</b>	<b>327,795</b>	<b>(968,293)</b>	<b>(764,675)</b>	<b>(35,613)</b>	<b>(35,613)</b>

### Key Trends

#### Revenue

- Sales Tax 5.7% over budget
- Intergovernmental Revenues - \$162K in police academy annual Agency Contributions billed in Oct
- Interest Income \$115K over budget for the year after just one month
- Lottery Revenue is for first half of Oct and is slightly higher than budget
- Oct Sewer billing does not post until Nov.

#### Expenditures

- Oct Semi Annual Bond and Interest payments \$1.1M
- Monthly Fire contract payment of \$223K is included in this number
- Culture and Recreation includes: Rec Dept, Senior Program, Library, Parks, Sports Complex and The Link

<sup>1</sup>Nonmajor Funds (EDF, OSP, PAF, QSF, TIF)

<sup>2</sup>Other tax - OCC, Hotel, Rest

<sup>3</sup>Intergovernmental Rev - rev for state, county, other municipality

<sup>4</sup>Other rev - parking, library, other misc.



City of La Vista NE  
Monthly Treasurer Report  
October FY24

Types	Institution	Balance	Interest Rate	Interest Earned	Accrued Interest	Maturity Date
CD	American National Bank	\$ 1,527,101	4.2%		\$ 5,281	1/17/2024
	Dayspring Bank	\$ 4,036,036	0.6%		\$ 2,018	1/24/2024
	<b>Total CD's</b>	<b>\$ 5,563,137</b>				
Money Market	Access Bank	\$ 2,760,125	2.8%	\$ 5,585		
	Dayspring Bank	\$ 12,985,755	4.9%	\$ 52,251		
	NPAIT	\$ 30,087,747	5.4%	\$ 141,576		
	Nebraska Class	\$ 2,277,426	5.6%	\$ 10,758		
	NFIT	\$ -				
	<b>Total Money Market</b>	<b>\$ 48,111,053</b>				
Checking	Access Bank	\$ 893,477	1.0%	\$ 631		
Savings	Access Bank	\$ 395,279	1.0%	\$ 533		
<b>Total Portfolio</b>		<b>\$ 54,962,946</b>		<b>\$ 211,334</b>	<b>\$ 7,299</b>	

**Key Trends**

- NPAIT Balance includes \$11.5M in bond proceeds rec in August
- Unrestricted cash of \$14,114,534
- Restricted Funds for Redevelopment projects, Sewer, Lottery, CIP projects, Police Academy
- FY24 interest income is \$115K over budget for the year after just one month

Design Workshop, Inc.  
Landscape Architecture  
Planning  
Urban Design

Approved for payment  
BF 11/3/23  
16.71.0917.000-STRT23005

November 03, 2023  
Invoice No: 0075991

Meg Harris  
City of La Vista  
8116 Parkview Blvd.  
La Vista, NE 68128

Current Invoice Total \$1,500.00

Project 006605.00 La Vista - 84th Street Bridge

Professional Services from October 1, 2023 to October 31, 2023

Task 001 1.1 Preliminary Design

Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Design Workshop	18,400.00	100.00	18,400.00	18,400.00	0.00
Consultant	1,500.00	0.00	0.00	0.00	0.00
Reimbursable Expenses	2,000.00	5.45	109.00	109.00	0.00
Total Fee	21,900.00		18,509.00	18,509.00	0.00
		Total Fee			0.00
			Total this Task		0.00

Task 002 1.2 Final Design

Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Design Workshop	27,600.00	67.1739	18,540.00	18,540.00	0.00
Consultant	3,000.00	52.9583	1,588.75	1,588.75	0.00
Reimbursable Expenses	2,000.00	0.437	8.74	8.74	0.00
Total Fee	32,600.00		20,137.49	20,137.49	0.00
		Total Fee			0.00
			Total this Task		0.00

Task 003 2.0 Civil and Structural

Fee

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Schemmer	152,270.00	59.516	90,625.00	89,125.00	1,500.00
Reimbursable Expenses	2,000.00	0.00	0.00	0.00	0.00
Total Fee	154,270.00		90,625.00	89,125.00	1,500.00
		Total Fee			1,500.00

**DESIGNWORKSHOP**

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Raleigh  
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303-623-5186

Project	006605.00	La Vista - 84th Street Bridge	Invoice	0075991
			<b>Total this Task</b>	<b>\$1,500.00</b>
			<b>Total this Invoice</b>	<b><u>\$1,500.00</u></b>

Please include invoice number on remittance to:

1390 Lawrence Street, Suite 100, Denver, CO 80204

## DESIGNWORKSHOP

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Raleigh  
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303-623-5186

## APPLICATION AND CERTIFICATE FOR PAYMENT

Page: 1 of 3

TO OWNER: CITY OF LA VISTA NE  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128

PROJECT: Central Park Pavilion and Site Improvements  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128

APPLICATION NO.: 17

Distribution to:

PERIOD TO: 31-Oct-2023

 OWNER

PROJECT NOS.: 21046300

 ARCHITECT

INVOICE NO.: 21046300017

 CONTRACTOR

CONTRACT DATE: 10-May-2022

FROM CONTRACTOR: J.E. Dunn Construction Company  
1001 Locust St  
Kansas City, MO 64106

ARCHITECT: Bruce Niedermeyer  
301 GRAND AVE  
DES MOINES, IA 50309

CONTRACT FOR: Central Park Pavilion and Site Improvements

## APPLICATION AND CERTIFICATE FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation sheet is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 15,955,803  
2. Net change by change orders ..... \$ 685,971  
3. CONTRACT SUM TO DATE (Line 1 +/- 2) ..... \$ 16,641,774  
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 16,591,565

(Column G on G703)

## 5. RETAINAGE:

(Total retainage Column I of G703) ..... \$ 747,117

## 6. TOTAL EARNED LESS RETAINAGE ..... \$ 15,844,448

(Line 4 less Line 5 Total)

## 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate) ..... \$ 15,729,396

## 8. CURRENT PAYMENT DUE ..... \$ 115,052

## 9. BALANCE TO FINISH, INCLUDING RETAINAGE

(Line 3 less Line 6) ..... \$ 797,326

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

WARNING: DO NOT CHANGE ESTABLISHED PAYMENT INSTRUCTIONS FOR PAYMENTS TO J.E. DUNN CONSTRUCTION COMPANY. J.E. Dunn Construction Company does not change its bank routing or account numbers. Do not accept or rely upon emails or correspondence requesting changes to J.E. Dunn Construction Company's established payment instructions. Any change to J.E. Dunn Construction Company's payment instructions can only be made by a fully executed Change Order to the Agreement between Owner and J.E. Dunn Construction Company.

Contractor: J.E. Dunn Construction Company

By:

State of:

County of:

Subscribed and sworn to before

me this

Notary Public:

My Commission expires:

Date: 11/7/23

7<sup>th</sup> day of November 2023

Elizabeth A. Hammond

12/21/2025

## ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED.....\$ 115,052.00

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

← PA THIS  
Amount

ARCHITECT: Bruce Niedermeyer

By:

Date 11/15/2023

Current Total: 0 0

Net Change by Change Orders 685,971

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATE FOR PAYMENT THE AMERICAN  
INSTITUTE OF ARCHITECTS 1735 NEW YORK AVENUE NW WASHINGTON DC 20006

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

OK TO PAY  
PM D 11/16/23  
16.71.0917000 - PART 16001

J.E. Dunn Construction Company

CONTINUATION SHEET

AIA DOCUMENT G703

Page: 2

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

APPLICATION NUMBER: 17

APPLICATION DATE: 07-Nov-2023

INVOICE NO.:

PERIOD TO: 31-Oct-2023

21046300017

PROJECT NO: 21046300

A ITEM NO.	B DESCRIPTION OF WORK	C			D		F MATERIAL PRESENTLY STORED	G TOTAL COMPLETED AND STORED TO DATE	H BALANCE TO FINISH	I RETAINAGE
		ORIGINAL	CHANGE ORDERS	CURRENT	FROM PREVIOUS APPLICATION	THIS PERIOD				
01	PRECONSTRUCTION	14,300	0	14,300	14,300	0	0	14,300	100	0
		14,300	0	14,300	14,300	0	0	14,300	100	0
02	GENERAL CONDITIONS	1,045,767	-178,326	867,440	867,440	0	0	867,440	100	0
		1,045,767	-178,326	867,440	867,440	0	0	867,440	100	0
03	PERMITS, BONDS, & INSURANCE	308,977	154,935	463,912	463,912	0	0	463,912	100	0
		308,977	154,935	463,912	463,912	0	0	463,912	100	0
04	DIRECT COSTS									
02330	Earthwork	337,026	102,911	439,937	522,971	0	0	522,971	119	-83,034
02455	Pipe Piles	0	156,050	156,050	156,050	0	0	156,050	100	0
02500	Site Utilities	679,094	160,027	839,121	841,837	0	0	841,837	100	-2,718
02790	Athletic Surfacing	96,311	-61,959	34,352	23,000	11,352	0	34,352	100	0
02810	Lawn Sprinklers	62,140	151,909	214,049	211,415	0	0	211,415	99	2,634
02815	Fountain Allowance	336,300	-336,300	0	0	0	0	0	0	0
02823	Retaining Wall	339,000	6,000	345,000	345,000	0	0	345,000	100	0
02900	Landscaping	135,400	77,453	212,853	210,950	0	0	210,950	99	1,903
03330	CIP Concrete	4,002,844	1,340,856	5,343,700	5,256,728	0	0	5,256,728	98	86,972
04210	Masonry	859,200	54,844	914,044	914,044	0	0	914,044	100	0
05100	Structural Steel	616,500	29,438	645,938	641,638	4,300	0	645,938	100	0
05700	Railings	677,665	-677,665	0	0	0	0	0	0	0
06199	Rough Carpentry	159,565	-159,565	0	0	0	0	0	0	0
06299	Finish Carpentry	37,037	-30,528	6,509	6,509	0	0	6,509	100	0
07100	Waterproofing	74,384	214,911	289,295	227,683	0	0	227,683	79	51,612
07410	Roofing	181,000	153,599	334,593	318,736	0	0	318,736	95	15,863
074104	Metal Wall Panels	215,148	-60,188	154,960	154,960	0	0	154,960	100	0
07460	Siding	27,096	-27,096	0	0	0	0	0	0	0
07900	Joint Sealants	19,051	-19,051	0	0	0	0	0	0	0
08110	Doors & Hardware	115,922	-10,322	105,600	105,600	0	0	105,600	100	0
08330	Coiling Doors	25,718	-8,710	17,008	17,008	0	0	17,008	100	0
08400	Glazing	135,180	52,090	187,270	184,570	0	0	184,570	99	2,700
09250	Framing & Drywall	96,421	83,853	180,274	180,274	0	0	180,274	100	0
09300	Flooring	83,180	-52,499	30,681	26,311	4,310	0	30,681	100	-1
09900	Painting	98,705	-38,774	59,931	59,525	0	0	59,525	99	406
10199	Specialties	27,636	62,762	90,398	90,398	0	0	90,398	100	9,040

Any overruns are not specifically approved with this review and need to be resolved prior to a final payment application. Any additional costs will need to be fully resolved with Change Order 02.

J.E. Dunn Construction Company

CONTINUATION SHEET

AIA DOCUMENT G703

Page: 3

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

APPLICATION NUMBER: 17

APPLICATION DATE: 07-Nov-2023

INVOICE NO.:

PERIOD TO: 31-Oct-2023

21046300017

PROJECT NO: 21046300

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE			D E WORK COMPLETED (D+E)		F MATERIAL PRESENTLY STORED	G TOTAL COMPLETED AND STORED TO DATE	H BALANCE TO FINISH	I PER- CENT (G/C) TO DATE	
		ORIGINAL	CHANGE ORDERS	CURRENT	FROM PREVIOUS APPLICATION	THIS PERIOD					
10800	Site Furnishings	447,280	-148,113	299,167	187,727	98,790	0	286,517	96	12,650	22,864
11600	Food Service Equipment	504,142	-89,449	414,693	423,237	0	0	423,237	102	-8,544	42,324
12510	Boardwalk	390,947	-390,947	0	0	0	0	0	0	0	0
15400	Plumbing & HVAC	1,228,350	492,056	1,720,406	1,715,353	936	0	1,716,289	100	4,117	85,768
16000	Electrical	1,549,371	344,414	1,893,785	1,881,129	0	0	1,881,129	99	12,656	72,021
35000	Escalation Allowance	192,065	-192,065	0	0	0	0	0	0	0	0
	DIRECT COSTS Total:	13,749,678	1,179,944	14,929,622	14,702,654	119,748	0	14,822,402	99	107,219	745,340
05	CONTINGENCY	447,515	-459,189	-11,674	16,484	2,354	0	18,838	-161	-30,511	1,777
	CONTINGENCY Total:	447,515	-459,189	-11,674	16,484	2,354	0	18,838	-161	-30,511	1,777
06	FEE	389,566	16,731	406,297	401,620	3,053	0	404,672	100	1,625	0
	FEE Total:	389,566	16,731	406,297	401,620	3,053	0	404,672	100	1,625	0
400001	Outstanding City Directed Changes	0	-28,123	-28,123	0	0	0	0	-0	-28,123	0
21046300	Central Park Pavilion and Site Improvements	0	-28,123	-28,123	0	0	0	0	-0	-28,123	0
	Outstanding City Directed Changes Total:	0	-28,123	-28,123	0	0	0	0	-0	-28,123	0
	Total:	15,955,803	685,971	16,641,774	16,466,411	125,154	0	16,591,565	100	50,209	747,117
	Project Total:	15,955,803	685,971	16,641,774	16,466,411	125,154	0	16,591,565	100	50,209	747,117

AIA DOCUMENT G703 - APPLICATION AND CERTIFICATE FOR PAYMENT

THE AMERICAN INSTITUTE OF ARCHITECTS 1735 NEW YORK AVENUE NW WASHINGTON DC 20006



450 Regency Pkwy  
Suite 120  
Omaha, NE 68114  
(712) 323-0530

**City of LaVista**  
Attn: Mr. Patrick Dowse, P.E.  
9900 Portal Road  
LaVista, NE 68128

## INVOICE

Invoice Number: 702619-24  
Date: October 11, 2023  
Client Code: 7220  
P.O. Number: 20-008340

Progress billing for engineering services for the East LaVista Sewer and Pavement Rehabilitation - Phase 2 Final Design, per agreement dated June 4, 2019 & Amendments..

Construction Observation, Administration & Testing Through: September 30, 2023

	Hours	Rate	Current Period	Billed To Date
<b>001: Phase I Investigation (LS \$53,340)</b>		90% Complete		<b>\$48,006.00</b>
<b>002: Trekk (\$90,420) (Hrly)</b>				<b>\$89,172.71</b>
<b>003: Thiele Geotech (\$18,675) (Hrly)</b>				<b>\$19,200.00</b>
<b>004: Emspace &amp; Lovgren (\$9,775) (Hrly)</b>				<b>\$11,809.67</b>
<b>005: Amendment 1 HGM (LS \$923)</b>		100% Complete		<b>\$923.00</b>
<b>006: Amendment 1 TREKK (\$4,000) (Hrly)</b>				<b>\$4,000.00</b>
<b>007: Phase 2 Final Design (Hrly)</b>				<b>\$201,345.71</b>
<b>008: Phase 2 Final Design TREKK (Hrly)</b>				<b>\$64,665.61</b>
<b>009: Phase 2 Final Design Emspace (Hrly)</b>				<b>\$10,763.73</b>
<b>010: Midwest Right of Way (\$58,725) (Hrly)</b>				<b>\$20,205.00</b>
<b>011: Construction Admin (Hrly)</b>				
Design Engineer	81.00	136.32	\$11,041.92	
Design Engineer	69.00	140.00	\$9,660.00	
Engineer Technician	9.00	116.80	\$1,051.20	
Senior Project Engineer	1.50	223.68	\$335.52	
			<b>\$22,088.64</b>	<b>\$255,437.90</b>

Hours

Rate

Current Period

Billed To Date

## 012: Const. Testing - Thiele Geotech (\$93,873) (Hrly)

Thiele Geotech, Inc.

\$2,560.00

\$2,560.00

\$14,095.00

Total Amount Billed	\$739,624.33
Less Previous Invoices	\$714,975.69
<b>Invoice Total</b>	<b>\$24,648.64</b>

## Outstanding Invoices

Invoice		0 - 30	31 - 60	61-90	Over 90	Balance
702619-22	8/23/2023		\$39,817.28			\$39,817.28
702619-23	9/28/2023	\$45,964.72				\$45,964.72
		<b>\$45,964.72</b>	<b>\$39,817.28</b>			<b>\$85,782.00</b>

CHICKPAN  
 PMD 11/16/23  
 Q2.91C917CEC-9EUR17C01  
 (48)9EUR2 = \$11,831.35  
 (51)91REFT = \$11,817.29



450 Regency Pkwy  
Suite 120  
Omaha, NE 68114  
(712) 323-0530

**City of LaVista**  
Attn: Mr. Patrick Dowse, P.E.  
9900 Portal Road  
LaVista, NE 68128

## INVOICE

Invoice Number: 702619-25  
Date: November 10, 2023  
Client Code: 7220  
P.O. Number: 20-008340

Progress billing for engineering services for the East LaVista Sewer and Pavement Rehabilitation - Phase 2 Final Design, per agreement dated June 4, 2019 & Amendments..

**Construction Observation, Administration & Testing Through: October 31, 2023**

	Hours	Rate	Current Period	Billed To Date
<b>001: Phase I Investigation (LS \$53,340)</b>		90% Complete		<b>\$48,006.00</b>
<b>002: Trekk (\$90,420) (Hrly)</b>				<b>\$89,172.71</b>
<b>003: Thiele Geotech (\$18,675) (Hrly)</b>				<b>\$19,200.00</b>
<b>004: Emspace &amp; Lovgren (\$9,775) (Hrly)</b>				<b>\$11,809.67</b>
<b>005: Amendment 1 HGM (LS \$923)</b>		100% Complete		<b>\$923.00</b>
<b>006: Amendment 1 TREKK (\$4,000) (Hrly)</b>				<b>\$4,000.00</b>
<b>007: Phase 2 Final Design (Hrly)</b>				<b>\$201,345.71</b>
<b>008: Phase 2 Final Design TREKK (Hrly)</b>				<b>\$64,665.61</b>
<b>009: Phase 2 Final Design Emspace (Hrly)</b>				<b>\$10,763.73</b>
<b>010: Midwest Right of Way (\$58,725) (Hrly)</b>				<b>\$20,205.00</b>
<b>011: Construction Admin (Hrly)</b>				
Design Engineer	141.50	136.32	\$19,289.28	
Design Engineer	99.75	140.00	\$13,965.00	
Engineer Technician	13.75	116.80	\$1,606.00	
			<hr/>	
			\$34,860.28	\$290,298.18

Hours Rate Current Period Billed To Date

## 012: Const. Testing - Thiele Geotech (\$93,873) (Hrly)

Thiele Geotech, Inc.	\$3,148.00	
	<u>\$3,148.00</u>	<u>\$17,243.00</u>

Total Amount Billed	\$777,632.61
Less Previous Invoices	<u>\$739,624.33</u>
<b>Invoice Total</b>	<b><u>\$38,008.28</u></b>

## Outstanding Invoices

Invoice		0 - 30	31 - 60	61-90	Over 90	Balance
702619-24	10/11/2023	\$24,648.64				\$24,648.64
		<u>\$24,648.64</u>				<u>\$24,648.64</u>

Ch10 Pay  
 PMO 11/16/23  
 02.710917000-5EUR13e1  
 (48.7)5EUR13 = \$18,243.97  
 (52.7)5GREET = \$19,764.31



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

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., Unit 312; Sioux Falls, SD 57108  
Office: 605/951-0886

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

Invoice number 160129  
Date 11/02/2023  
Project 0171-422 CENTRAL PARK  
IMPROVEMENTS

Professional Services from September 18, 2023 through October 29, 2023

Description	Current Billed
<b>Task A3.0 - Central Park Road Construction Plans</b>	3,120.00
<b>Task A3.1 - Central Park Road Construction Observation</b>	432.50
	<b>Total</b> 3,552.50
	Invoice total <b>3,552.50</b>

**Aging Summary**

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
160129	11/02/2023	3,552.50	3,552.50				
	Total	3,552.50	3,552.50	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.

CHTOPA-1  
PMD 11/16/23

09.31.0917.000-51RT24006



**Remit To:**  
**RDG Planning & Design**  
**301 Grand Avenue**  
**Des Moines, Iowa 50309**  
**Questions: [invoicing@rdgusa.com](mailto:invoicing@rdgusa.com)**

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

October 31, 2023  
 Project No: R3003.066.01  
 Invoice No: 55580

Project R3003.066.01 City of La Vista - Placemaking Ph1 SD-CA

**Professional Services through October 31, 2023**

**Fee**

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Schematic Design	149,000.00	100.00	149,000.00	149,000.00	0.00
Design Development	180,000.00	100.00	180,000.00	180,000.00	0.00
Construction Documents	275,330.00	100.00	275,330.00	275,330.00	0.00
Bidding/Negotiation	44,000.00	100.00	44,000.00	44,000.00	0.00
Contract Administration	244,000.00	97.00	236,680.00	231,800.00	4,880.00
Total Fee	892,330.00		885,010.00	880,130.00	4,880.00
			<b>Total Fee</b>		<b>4,880.00</b>

**Reimbursable Expenses**

Printing	20.20
Travel	36.00
Travel Food	20.30
<b>Total Reimbursables</b>	<b>76.50</b>
	<b>76.50</b>

**Billing Limits**

	Current	Prior	To-Date
Expenses	76.50	1,804.63	1,881.13
Limit			8,600.00
Remaining			6,718.87
<b>Total this Invoice</b>			<b>\$4,956.50</b>

**Outstanding Invoices**

Number	Date	Balance
55319	9/30/2023	7,522.04
<b>Total</b>		<b>7,522.04</b>

*Rita Ramirez*  
 11-16-23

16.71.0917.000 PARK 18001



## APPLICATION AND CERTIFICATION FOR PAYMENT

## AIA DOCUMENT G702

PAGE ONE OF

PAGES

TO OWNER: City of LaVista  
8116 Park View Blvd.  
LaVista, NE 68128

FROM CONTRACTOR:  
Sampson Construction Co., Inc.  
5825 South 14th Street  
Lincoln, NE 68512

CONTRACT FOR: General

PROJECT: LaVista Parking Garage 2  
LaVista, Nebraska

VIA ARCHITECT: Matthew Gulsvig @ DLR Group  
mgulsvig@dlrgroup.com  
jtegels@dlrgroup.com  
dpenga@dlrgroup.com  
ichase@dlrgroup.com

APPLICATION NO: 23

PERIOD TO: 10/31/2023

PROJECT NOS: 21108

CONTRACT DATE: September 22, 2021

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

## CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM	\$ 12,514,000.00
2. Net change by Change Orders	\$ (7,271.04)
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$ 12,506,728.96
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 12,506,728.96
5. RETAINAGE:	
a. % of (Column D + E on G703)	\$ _____
b. % of Stored Material (Column F on G703)	\$ _____
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$ 0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$ 12,506,728.96
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 11,755,055.96
8. CURRENT PAYMENT DUE	\$ 751,673.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 0.00

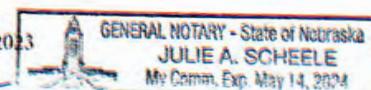
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$63,411.44	\$70,682.48
Total approved this Month		
<b>TOTALS</b>	<b>\$63,411.44</b>	<b>\$70,682.48</b>
NET CHANGES by Change Order	(\$7,271.04)	

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

CONTRACTOR: Sampson Construction Co., Inc.

By: Justin Shupel Date: 10/30/23

State of: Nebraska County of: Lancaster  
Subscribed and sworn to before me this 31st day of October 2023  
Notary Public: Julie A. Scheele  
My Commission expires: 5-14-2024



## ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED ..... \$ 751,673.00

LJT

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

By: Matthew Gulsvig, AIA Date: 11/6/2023

Digital signature of Matthew Gulsvig, AIA  
DPC-C-US, F-mail:mgulsvig@dlrgroup.com, O-DLR Group,  
O-DLR Architect, CN-Matthew Gulsvig, AIA  
Date: 2023-11-06 10:41:31-0600

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

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292

OK TO PAY  
PMD 11/16/23  
15.71.0917.000-CMA18002

# CONTINUATION SHEET

## AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 23

APPLICATION DATE: 10/31/2023

PERIOD TO: 10/31/2023

ARCHITECT'S PROJECT NO: 21108

### LAVISTA PARKING GARAGE 2

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD				
1	REINFORCING STEEL	701,000	701,000			701,000	100%	
2	POST TENSION CABLE	197,000	197,000			197,000	100%	
3	FOOTINGS & Poured WALLS	1,239,000	1,239,000			1,239,000	100%	
4	CAST IN PLACE COLUMNS	233,000	233,000			233,000	100%	
5	SLAB AND BEAM FORMWORK	1,426,000	1,426,000			1,426,000	100%	
6	CONCRETE SLABS	1,761,000	1,761,000			1,761,000	100%	
7	STRUCTURAL PRECAST	1,522,000	1,522,000			1,522,000	100%	
8	MASONRY	39,000	39,000			39,000	100%	
9	STEEL MATERIAL	349,000	349,000			349,000	100%	
10	STEEL & PRECAST ERECTION	199,000	199,000			199,000	100%	
11	ROUGH CARPENTRY	6,000	6,000			6,000	100%	
12	SPRAY FOAM INSULATION	6,000	6,000			6,000	100%	
13	TRAFFIC COATING	8,000	8,000			8,000	100%	
14	WATERPROOFING	94,455	94,455			94,455	100%	
15	WATER REPELLANTS	2,000	2,000			2,000	100%	
16	ROOFING & FLASHING	62,000	62,000			62,000	100%	
17	METAL WALL PANELS	941,000	941,000			941,000	100%	
18	JOINT SEALANTS	153,232	153,232			153,232	100%	
19	PREFORMED JOINT SEALS	7,545	7,545			7,545	100%	
20	FIRESTOPPING	6,000	6,000			6,000	100%	
21	HOLLOW METAL FRAMES/DOORS/HARDWARE	44,000	44,000			44,000	100%	
22	ALUMINUM & GLAZING	305,000	305,000			305,000	100%	
23	METAL STUDS & DRYWALL	108,000	108,000			108,000	100%	
24	TILE & RESILIENT FLOORING	4,000	4,000			4,000	100%	
25	PAINT	230,000	230,000			230,000	100%	
26	SEALED CONCRETE	3,768	3,768			3,768	100%	
27	MISC. SPECIALTIES	5,000	5,000			5,000	100%	
28	SIGNAGE	108,000	108,000			108,000	100%	
29	PARKING ACCESS/REVENUE CONTROL SYSTEM	102,000	102,000			102,000	100%	
30	ELEVATOR	265,000	265,000			265,000	100%	
31	FIRE SPRINKLER	47,000	47,000			47,000	100%	

# CONTINUATION SHEET

## AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 23

APPLICATION DATE: 10/31/2023

PERIOD TO: 10/31/2023

ARCHITECT'S PROJECT NO: 21108

### LAVISTA PARKING GARAGE 2

ITEM NO	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G+C)	BALANCE TO FINISH (C-G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
32	PLUMBING & HVAC	352,000	352,000			352,000	100%		
33	ELECTRICAL	861,000	861,000			861,000	100%		
34	EXCAVATION & SITE DEMO	276,000	276,000			276,000	100%		
35	AUGER CAST PILING	323,000	323,000			323,000	100%		
36	PAVING & SIDEWALKS	100,000	100,000			100,000	100%		
37	PAVEMENT MARKING	14,000	14,000			14,000	100%		
38	LANDSCAPING & IRRIGATION	19,000	19,000			19,000	100%		
39	SEGMENTAL RETAINING WALL	45,000	45,000			45,000	100%		
40	UTILITIES	280,000	280,000			280,000	100%		
41	PERFORMANCE & PAYMENT BOND	63,000	63,000			63,000	100%		
42	BUILDERS RISK INSURANCE	7,000	7,000			7,000	100%		
43	OWNER CHANGE ORDER #2	(43,725)	-43,725			(43,725)	100%		
44	OWNER CHANGE ORDER #3	63,411	63,411			63,411	100%		
45	OWNER CHANGE ORDER #4	(26,958)	-26,958			(26,958)	100%		
<b>GRAND TOTALS</b>		<b>12,506,728</b>	<b>12,506,728</b>			<b>12,506,728</b>	<b>100%</b>		<b>0</b>

Check #	Check Date	Vendor Name	Amount	Voided
2787(E)	10/31/2023	CENTURY LINK/LUMEN	162.72	N
2788(E)	10/31/2023	AMERICAN HERITAGE LIFE INSURANCE CO	1,396.91	N
2789(E)	10/31/2023	DEARBORN NATIONAL LIFE INSURANCE CO	1,240.00	N
2790(E)	10/31/2023	DEARBORN NATIONAL LIFE INSURANCE CO	6,657.80	N
2791(E)	10/31/2023	LINCOLN NATIONAL LIFE INS CO	6,940.84	N
2792(E)	10/31/2023	MEDICA INSURANCE COMPANY	133,799.97	N
2793(E)	10/31/2023	METLIFE	1,148.98	N
2794(E)	10/31/2023	MID-AMERICAN BENEFITS INC	686.00	N
2795(E)	10/31/2023	MID-AMERICAN BENEFITS INC	7,240.27	N
140872	11/08/2023	JE DUNN CONSTRUCTION COMPANY	1,179,143.00	N
140873	11/08/2023	KRIS SCHWARZ	150.00	N
140874	11/08/2023	LAMP RYNEARSON & ASSOCIATES	34,285.45	N
140875	11/08/2023	OLSSON, INC.	1,192.50	N
140876	11/08/2023	RDG PLANNING & DESIGN	15,057.04	N
140877	11/08/2023	SARPY COUNTY FISCAL ADMINSTRTN	9,129.90	N
140878	11/08/2023	TRAVELERS	316,629.50	N
2796(E)	11/09/2023	US BANK NATIONAL ASSOCIATION	44,822.84	N
19(S)	11/21/2023	MOTOROLA SOLUTIONS INC	0.00	N
2806(E)	11/21/2023	ACTIVE NETWORK LLC	142.45	N
2807(E)	11/21/2023	BLACK HILLS ENERGY	2,964.47	N
2808(E)	11/21/2023	CENTURY LINK/LUMEN	80.97	N
2809(E)	11/21/2023	COX COMMUNICATIONS, INC.	143.65	N
2810(E)	11/21/2023	ESSENTIAL SCREENS	255.78	N
2811(E)	11/21/2023	GREAT PLAINS COMMUNICATION	1,083.09	N
2812(E)	11/21/2023	MARCO INCORPORATED	147.87	N
2813(E)	11/21/2023	MID-AMERICAN BENEFITS INC	3,233.30	N
2814(E)	11/21/2023	NE DEPT OF REVENUE-FORM 94	25.00	N
2815(E)	11/21/2023	PAYROLL MAXX	439,440.20	N
2816(E)	11/21/2023	PITNEY BOWES-EFT POSTAGE	1,750.00	N
2817(A)	11/21/2023	ABM INDUSTRIES, INC	16,643.70	N
2818(A)	11/21/2023	CITY OF OMAHA	306,221.60	N
2819(A)	11/21/2023	CITY OF PAPILLION - MFO	237,694.00	N
140879	11/21/2023	1-800 RADIATOR	4,268.00	N
140880	11/21/2023	ALEGENT CREIGHTON HEALTH	1,390.23	N
140881	11/21/2023	AMAZON CAPITAL SERVICES, INC.	475.64	N
140882	11/21/2023	ASPEN EQUIPMENT COMPANY	1,245.95	N
140883	11/21/2023	AT&T MOBILITY LLC	98.38	N
140884	11/21/2023	BERENS-TATE CONSULTING GROUP, INC.	3,000.00	N
140885	11/21/2023	BERGANKDV LLC	637.50	N
140886	11/21/2023	BIBLIOTHECA LLC	38.56	N
140887	11/21/2023	BIG RED LOCKSMITHS	21.00	N
140888	11/21/2023	BISHOP BUSINESS EQUIPMENT	1,373.86	N
140889	11/21/2023	BRIAN MATHEW	68.97	N
140890	11/21/2023	BRITE IDEAS DECORATING	1,601.50	N
140891	11/21/2023	CENTER POINT, INC.	236.10	N
140892	11/21/2023	CENTURY LINK/LUMEN	2.46	N
140893	11/21/2023	CHARGEPOINT INC	18,112.00	N

Check #	Check Date	Vendor Name	Amount	Voided
140894	11/21/2023	CINTAS CORPORATION NO. 2	625.34	N
140895	11/21/2023	COMP CHOICE INC	495.00	N
140896	11/21/2023	CONCRETE SUPPLY, INC.	1,743.13	N
140897	11/21/2023	CONSOLIDATED MANAGEMENT CO	5.50	N
140898	11/21/2023	CONVERGINT TECHNOLOGIES LLC	410.53	N
140899	11/21/2023	COX COMMUNICATIONS, INC.	3.38	N
140900	11/21/2023	CULLIGAN OF OMAHA	23.60	N
140901	11/21/2023	CUMMINS SALES AND SERVICE	4,567.79	N
140902	11/21/2023	D & K PRODUCTS	7,232.50	N
140903	11/21/2023	DEMCO INCORPORATED	96.27	N
140904	11/21/2023	DULTMEIER SALES LLC	1,344.00	N
140905	11/21/2023	EYMAN PLUMBING INC	188.40	N
140906	11/21/2023	FASTENAL COMPANY	586.81	N
140907	11/21/2023	FITZGERALD SCHORR BARMETTLER	33,260.65	N
140908	11/21/2023	GALLS LLC	344.31	N
140909	11/21/2023	GATEWAY COLLISION CENTER LLC	1,000.00	N
140910	11/21/2023	GENUINE PARTS COMPANY-OMAHA	352.59	N
140911	11/21/2023	GRASS PAD INC	125.72	N
140912	11/21/2023	GREAT PLAINS UNIFORMS	273.48	N
140913	11/21/2023	GROSSENBACHER BROTHERS INC	885.00	N
140914	11/21/2023	HAMPTON INN-KEARNEY	809.70	N
140915	11/21/2023	HOBBY LOBBY STORES INC	32.13	N
140916	11/21/2023	HY-VEE INC	78.61	N
140917	11/21/2023	HY-VEE INC	215.64	N
140918	11/21/2023	HY-VEE INC	215.64	N
140919	11/21/2023	HY-VEE INC	215.64	N
140920	11/21/2023	HY-VEE INC	240.64	N
140921	11/21/2023	HY-VEE INC	240.64	N
140922	11/21/2023	INDUSTRIAL SALES COMPANY INC	1,981.15	N
140923	11/21/2023	INGRAM LIBRARY SERVICES LLC	447.17	N
140924	11/21/2023	J&M DISPLAYS, INC	5,000.00	N
140925	11/21/2023	KANOPI, INC.	140.00	N
140926	11/21/2023	KIMBALL MIDWEST	121.68	N
140927	11/21/2023	KRIHA FLUID POWER CO INC	355.03	N
140928	11/21/2023	LABRIE, DONALD P	300.00	N
140929	11/21/2023	LERNER PUBLISHING GROUP	1,282.57	N
140930	11/21/2023	LIBRARY IDEAS LLC	3,785.00	N
140931	11/21/2023	MATHESON TRI-GAS INC	265.60	N
140932	11/21/2023	MENARDS-RALSTON	343.45	N
140933	11/21/2023	METRO AREA TRANSIT	2,460.00	N
140934	11/21/2023	MICROFILM IMAGING SYSTEMS, INC.	180.00	N
140935	11/21/2023	MIDWEST TAPE	66.98	N
140936	11/21/2023	MSC INDUSTRIAL SUPPLY CO	649.56	N
140937	11/21/2023	MUNICIPAL PIPE TOOL CO LLC	208.89	N
140938	11/21/2023	NEBRASKA IOWA DOOR SERVICES, INC.	192.00	N
140939	11/21/2023	NEBRASKA LAW ENFORCEMENT	25.00	N
140940	11/21/2023	NMC GROUP INC	3,479.15	N

User: mgustafson

DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
140941	11/21/2023	NSG LOGISTICS, LLC	2,035.13	N
140942	11/21/2023	O'REILLY AUTO PARTS	2,719.58	N
140943	11/21/2023	OFFICE DEPOT INC	611.33	N
140944	11/21/2023	OMAHA WINNELSON SUPPLY	49.20	N
140945	11/21/2023	OMNI ENGINEERING	635.25	N
140946	11/21/2023	PAPILLION SANITATION	2,817.12	N
140947	11/21/2023	PAPILLION TIRE INCORPORATED	1,927.64	N
140948	11/21/2023	PETTY CASH	364.13	N
140949	11/21/2023	PORT-A-JOHNS	320.00	N
140950	11/21/2023	RAINBOW GLASS & SUPPLY INC	105.00	N
140951	11/21/2023	RIVER CITY RECYCLING	252.00	N
140952	11/21/2023	ROSARIO CANIGILA	10,270.00	N
140953	11/21/2023	RTG BUILDING SERVICES INC	6,765.00	N
140954	11/21/2023	SAPP BROS, INC.	1,055.46	N
140955	11/21/2023	SARPY COUNTY COURTHOUSE	4,496.00	N
140956	11/21/2023	SCHWARTZ, DEREK	108.27	N
140957	11/21/2023	SIGN IT	777.50	N
140958	11/21/2023	SITE ONE LANDSCAPE SUPPLY LLC	2,894.60	N
140959	11/21/2023	SOUTHERN UNIFORM AND TACTICAL, INC.	195.75	N
140960	11/21/2023	SUBURBAN NEWSPAPERS INC	851.45	N
140961	11/21/2023	SUN VALLEY LANDSCAPING	1,734.10	N
140962	11/21/2023	TED'S MOWER SALES & SERVICE INC	947.96	N
140963	11/21/2023	THE ASTRO THEATER	916.64	N
140964	11/21/2023	THE COLONIAL PRESS, INC	7,070.95	N
140965	11/21/2023	THE PANCAKE MAN	1,306.80	N
140966	11/21/2023	THOMAS & THOMAS COURT REPORTERS	273.00	N
140967	11/21/2023	THREE RIVERS LIBRARY SYSTEM	5.00	N
140968	11/21/2023	TORNADO WASH LLC	217.00	N
140969	11/21/2023	UNITE PRIVATE NETWORKS LLC	4,950.00	N
140970	11/21/2023	UNITED PARCEL SERVICE	12.56	N
140971	11/21/2023	USI EDUCATION & GOVERNMENT SALES	89.27	N
140972	11/21/2023	VAN-WALL EQUIPMENT INC	233.91	N
140973	11/21/2023	VERIZON CONNECT FLEET USA	1,216.00	N
140974	11/21/2023	VERIZON WIRELESS	18.02	N
140975	11/21/2023	VERIZON WIRELESS	365.83	N
140976	11/21/2023	VIERREGGER ELECTRIC COMPANY	1,792.00	N
140977	11/21/2023	WASTE MANAGEMENT NEBRASKA	125.00	N
140978	11/21/2023	WELDON PARTS INC	512.59	N
140979	11/21/2023	WHITE CAP LP	649.37	N

133 CHECKS PRINTED

TOTAL CLAIM AMOUNT:

\$2,940,662.23

0

## COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
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APPROVED BY COUNCIL MEMBERS ON: 11/21/2023

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COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INSURANCE BROKER AGREEMENT - ADDENDUM ONE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared approving Addendum One to the agreement with FNIC (The Harry A. Koch Co.) to extend the term for insurance agency/broker services for property, casualty, liability, and workers compensation insurance coverages to September 30, 2024.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget provides funding for these services.

**RECOMMENDATION**

Approval.

**BACKGROUND**

In March 2014 the cities of Hastings, Holdrege, Papillion and La Vista created an Insurance Service Group (ISG) through an interlocal agreement authorizing the cities to work collectively to manage insurance coverages for said cities with the goal to improve product quality and cost efficiency of insurance coverage for all parties.

In April 2019 ISG issued a RFP and interviewed the top three proposals for insurance agency/broker services on behalf of the cities in ISG. ISG selected The Harry A. Koch Company as the new broker.

In June of 2019 the Council approved a one-year agreement with The Harry A. Koch Company for insurance agency/broker services with the option to renew annually.

The agreement provides for an annual broker fee to be paid to FNIC, which is split pro rata among the Cities in the ISG which are party to the Agreement. La Vista's pro rata share has been \$26,903. Although the City of Holdrege has withdrawn from the group, there has been no increase in the City's share.

Addendum One will extend the agreement with FNIC to September 30, 2024.

The Harry A. Koch Company has been part of First Insurance Group LLC, a subsidiary of the Lauritzen Corporation for many years. They successfully operated as seventeen decentralized, individual agencies throughout Nebraska, Iowa, South Dakota and Illinois. However, as they worked together and shared resources, they saw they could better serve their customers by unifying their organization and brand, thus the name changed to FNIC.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING ADDENDUM ONE TO THE AGREEMENT WITH FIRST INSURANCE GROUP LLC DBA FNIC (FORMERLY THE HARRY A. KOCH COMPANY) TO EXTEND THE EXPIRATION DATE OF THE INSURANCE BROKER SERVICES AGREEMENT THROUGH SEPTEMBER 30, 2024.

WHEREAS, The City of La Vista and First Insurance Group LLC dba FNIC (formerly The Harry A. Koch Company) entered into an Agreement dated June 5, 2019 ("Agreement"); and

WHEREAS, the term of the Agreement was for October 1, 2019 through September 30, 2020; and

WHEREAS, The City of La Vista and First Insurance Group LLC dba FNIC (formerly The Harry A. Koch Company) wish to execute Addendum One to extend the expiration date of the Agreement to September 30, 2024

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves Addendum One to the agreement with First Insurance Group LLC dba FNIC (formerly The Harry A. Koch Company) to extend the expiration date of the Agreement to September 30, 2024 and authorizes the Mayor to execute said addendum.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, MMC  
City Clerk

**ADDENDUM ONE TO  
AGREEMENT FOR INSURANCE AGENCY/BROKER SERVICES**

This Addendum One ("Addendum One") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between the City of La Vista, Nebraska (hereinafter referred to as "City") and First Insurance Group LLC d/b/a FNIC (formerly The Harry A. Koch Company, hereinafter referred to as "Broker").

WHEREAS, City and Broker entered into an Agreement dated June 5, 2019 ("Agreement"), which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the term of the Agreement was for October 1, 2019, through September 30, 2020; and

WHEREAS, City and Broker modified the initial term to begin on or about July 12, 2019; and

WHEREAS, City and Broker wish to enter into Addendum One in order to extend the term of the Agreement to September 30, 2022, as allowed by Article 1 of the attached Agreement, and to ratify the Agreement to be effective from July 12, 2019 through the present. All other terms and conditions of the Agreement shall remain in full force and effect.

NOW THEREFORE, in consideration of the promises contained herein, the parties hereto agree to extend the term of the Agreement to September 30, 2024, and to ratify the Agreement to be effective from July 12, 2019 through the present.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.

**City:**

CITY OF LA VISTA, NEBRASKA,  
A Nebraska Municipal Corporation

---

Douglas Kindig, Mayor

Attest:

Pamela A. Buethe, CMC  
City Clerk

(S E A L)

**BROKER:**

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

Its:

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ )  
 ) ss

On \_\_\_\_\_, 2023, before me, Notary, personally appeared \_\_\_\_\_ personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity on behalf of First Insurance Group LLC d/b/a FNIC and that by his/her signature on the instrument executed the instrument.

WITNESS my hand and official seal.

## Notary Public

**AGREEMENT FOR  
INSURANCE AGENCY / BROKER SERVICES**

THIS AGREEMENT (hereinafter referred to as "Agreement") is made and entered into this 5th day of May June <sup>19</sup>, 2019 by and between the City of La Vista, Nebraska, a Nebraska municipal corporation (hereinafter referred to as "La Vista") and The Harry A. Koch Company (hereinafter referred to as "Broker") (collectively, hereinafter referred to as the "Parties").

**WITNESSETH:**

WHEREAS, insurance agency broker services are necessary to gain access to property, workers' compensation, and liability insurers; and

WHEREAS, La Vista, the City of Papillion, Nebraska (hereinafter referred to as "Papillion"), the City of Holdrege, Nebraska (hereinafter referred to as "Holdrege"), and the City of Hastings, Nebraska (hereinafter referred to as "Hastings"), (collectively, hereinafter referred to as the "Cities of Nebraska") issued a Request for Proposals for Insurance Agency/Broker Services dated April 19, 2019 ("RFP") attached to this Agreement as **Attachment A**, which describes the Cities of Nebraska's desired scope of work for an insurance broker, as specifically stated in the Scope of Work Section 2-1 ("Services") of the RFP; and

WHEREAS, Broker submitted a Proposal dated May 8, 2019 ("Proposal") attached to this Agreement as **Attachment B**, in response to the Cities of Nebraska's RFP; and

WHEREAS, Broker represents that it is capable and prepared to provide such Services.

NOW THEREFORE, in consideration of the foregoing recitals and the terms and conditions hereinafter set forth, the Parties hereto agree as follows:

**ARTICLE 1 - TERM**

The term of this Agreement shall commence October 1, 2019 and extend through September 30, 2020 unless otherwise terminated as provided in this Agreement. This Agreement may be extended by mutual agreement of the Parties for up to four (4) additional one (1) year terms by executing an Addendum at least twenty-one (21) days prior to expiration of this or any subsequent term.

**ARTICLE 2 – AGREEMENT ADMINISTRATION**

The Agreement shall be administered by Broker on behalf of City. Broker shall report directly to the City Administrator or his/her designee.

### **ARTICLE 3 - SERVICE TO BE PERFORMED BY BROKER**

Broker shall perform the Services, as specifically stated in the RFP, and in accordance with provisions of Broker's Proposal, which shall be considered to be approved by City through the award of this Agreement to Broker, such that the insurance coverage for City shall become effective October 1, 2019. Not in limitation of the foregoing sentence, if any provision of Broker's Proposal is contrary to any part of the RFP and not expressly approved by City in this Agreement, said provision shall be deemed rejected by City and not part of this Agreement.

### **ARTICLE 4 – BROKER'S FEES AND PREMIUM PAYMENTS**

City, in consideration of Broker's performance in accordance with this Agreement and the provision of Services outlined in the RFP, agrees to pay Broker a fee of \$26,903, which is City's pro rata share of the total flat annual brokerage fee of \$140,000 as set forth in the Proposal, for all services performed during the initial term of this Agreement. Broker shall bill City for its Services and duties herein quarterly in four (4) equal installments coinciding with City's fiscal year for budget purposes and City shall pay within thirty (30) days of receipt of each quarterly billing. The first bill for Broker's fee and any additional expenses, if any, shall be due no earlier than October 15<sup>th</sup> of any term as set forth in Article 1. If City should extend the Agreement for an additional term or terms as provided herein, the fee to Broker for terms 2 through 5 shall be the same as for the initial term. Invoicing and payment shall be handled in the same manner for all terms.

Broker shall issue a single invoice to City for the total of City's annual insurance premiums, unless otherwise agreed by the Parties. It is understood endorsement and audit invoices may occur from time to time and will be outside of the annual insurance premiums. Payments for the insurance premiums shall be considered to be separate from Broker's fees. All insurance premium invoices shall be billed no later than forty-five (45) days prior to the due date to allow adequate time for City's payment. Thereafter, upon receipt of City's payment, made payable to Broker, Broker shall promptly pay the applicable insurance premium to guarantee that all premium payments remain current with the insurance carrier. Broker shall provide City with a receipt of payment within fifteen (15) days of such payment. The first bill for the insurance premiums shall be due no earlier than October 15<sup>th</sup> of any coverage year.

### **ARTICLE 5 - INDEMNIFICATION**

Broker shall, in addition to any other obligation, indemnify City and to the fullest extent permitted by law, protect, defend, indemnify and hold harmless City, their agents, elected officials and employees, and each of them, from and against all claims, actions, liabilities, and costs (including without limitation attorney's fees and litigation costs) either in whole or in part arising out of or resulting from any negligent act or omission of Broker, any sub-consultant, or anyone directly or indirectly employed by Broker or for whose acts any of them may be liable in the performance of the Services and the provisions of this Agreement. Any cost or expenses, including attorney's fees, incurred by City to enforce this Agreement shall be borne by Broker.

Upon completion of the Services, obligations and duties provided for in this Agreement, or in the event of termination of this Agreement for any reason, the terms and conditions of this Article shall survive indefinitely.

## **ARTICLE 6 - INDEPENDENT CONTRACTOR**

Broker undertakes performance of the Services and duties as provided herein as an independent contractor and shall be wholly responsible for the methods of performance. Broker is not and shall not be considered an employee of City. Broker is responsible for all federal, state and local taxes, if any, relating to its compensation hereunder.

## **ARTICLE 7 - COMPLIANCE WITH LAWS**

In performance of the Services and duties herein, Broker shall comply with all applicable regulatory requirements, federal, state, and local laws, rules, regulations, orders, codes, criteria and standards.

## **ARTICLE 8 – BROKER’S INSURANCE**

During the performance of this Agreement and thereafter for a period at least equal to the longest applicable statute of limitations period under Nebraska law, Broker at its sole cost shall maintain its own insurance policies, as listed below, and provide City with certificates of insurance confirming the required protection on standard Acord forms prior to commencing work under this Agreement. Any insurance policy required herein that is cancelled or non-renewed shall be replaced with no gap in protection coverage and a current certificate of insurance shall be provided to City. Broker shall provide written notice to City at least thirty (30) days prior to material modification or cancellation of any policy listed on the certificates and Broker shall provide for uninterrupted coverage in accordance with this Agreement by obtaining equal or greater additional or replacement coverage or coverages. The following insurance coverages shall be written by an insurance company or companies authorized to do business in the State of Nebraska.

1. Workers' Compensation Insurance: Broker shall procure and maintain Workers' Compensation Insurance covering all of Broker's employees with limits meeting all applicable state and federal laws. This coverage shall include Employer's Liability in the minimum amount of \$500,000 each occurrence. Broker agrees to require any sub-consultant or subcontractors, if any, to maintain the workers' compensation insurance coverage provided herein.
2. Commercial General Liability: Broker shall procure and maintain Commercial General Liability Insurance. This coverage shall be on an "Occurrence" basis. This policy shall provide coverage for death, personal injury or property damage that could arise directly or indirectly from the performance of this Agreement. The minimum limits of coverage shall be \$1,000,000 per occurrence and \$2,000,000 in the general aggregate.

3. Business Automobile Liability: Broker shall procure and maintain Business Automobile Liability Insurance. The minimum limits of coverage shall be \$500,000 for any one accident or loss, combined single limit for bodily injury and property damage. This coverage shall include all owned, hired and non-owned autos.

4. Professional Liability: Broker shall procure and maintain Professional Liability Insurance. This insurance shall provide coverage against such liability resulting from this Agreement, including errors and omissions. The minimum limits of coverage shall be \$1,000,000 per occurrence. Any deductibles shall be the responsibility of the insured.

Any deductible amounts shall be the responsibility of Broker.

In the event that Broker's sub-consultants do not have insurance, or do not meet the insurance limits, Broker shall indemnify and hold City harmless for any claim in excess of the sub consultant's insurance coverage, arising out of negligent acts, errors or omissions, or intentional acts of the sub consultants.

#### **ARTICLE 9 - CITY'S RESPONSIBILITIES**

City shall work diligently to provide Broker with all necessary information needed by Broker to perform the duties of this Agreement.

#### **ARTICLE 10 - TERMINATION OF AGREEMENT**

City, notwithstanding anything in this Agreement or any renewal or extension of this Agreement to the contrary, reserves the right to terminate this Agreement with or without cause by providing thirty (30) days written notice of such termination to Broker. Fees payable to Broker under this Agreement shall be calculated on a pro-rata basis for the number of days to the termination date, with any applicable reimbursement remitted to City on or before the termination date. There is no obligation by City to provide written notice to Broker for the non-renewal of the Agreement or any extension hereof.

#### **ARTICLE 11 - NONDISCLOSURE OF PROPRIETARY INFORMATION**

Broker shall consider all information provided by City and all reports, studies, calculations, and other documentation resulting from Broker's performance of the Services and provisions of this Agreement to be proprietary unless such information is available from public sources. Broker shall not publish or disclose proprietary information for any purpose other than the performance of the Services without the prior written authorization of City or in response to legal process.

#### **ARTICLE 12 - INTEGRATION AND MODIFICATION**

This Agreement is adopted by the Parties as a complete and exclusive statement of the terms of the Agreement between the Parties. This Agreement supersedes all prior

agreements, contracts, proposals, representations, negotiations, letters or other communications between the Parties pertaining to the Services, whether written or oral.

The Agreement may not be modified unless such modifications are evidenced in writing signed by both the Parties.

The following documents are made an integral part of this Agreement and incorporated herein by this reference:

- A. RFP for Broker Services dated April 19, 2019, attached as Attachment A.
- B. Proposal of The Harry A. Koch Company dated May 8, 2019 attached as Attachment B.

### **ARTICLE 13 – ADDITIONAL COMPENSATION**

City acknowledges that Broker may also be eligible to receive certain commissions and incentive compensation including contingency payments and bonuses as a result of being City's insurance broker (collectively, "Additional Compensations"). The Additional Compensations shall solely come from insurance companies, other intermediaries or other third parties and City shall not have any responsibility therefore. Except as otherwise provided in Article 14 of this Agreement, City consents and agrees to Broker's ability to receive such Additional Compensations, provided that all Additional Compensations directly attributable to City are fully disclosed by Broker on an annual basis at least thirty (30) days before the beginning of any term or renewal term to which the Additional Compensations relate.

### **ARTICLE 14 - COMMISSIONS**

Broker shall use its best efforts to make all insurance placements on behalf of City on a net of commission basis. In the event any insurance carrier will not comply with this request, or it is not in City's best interest, any such commissions shall be disclosed to City and deducted from Broker's fees billed to City. City acknowledges and agrees that any contemplated commission deduction, premium credit request or return of commission to a carrier or City shall be done to accomplish and maintain the total agreed-upon compensation to Broker and is not an inducement to purchase or renew coverage through Broker.

### **ARTICLE 15 - COOPERATION**

Broker shall be required to work in harmony with other consultants relative to providing information requested in a timely manner and in the specified form.

### **ARTICLE 16 – PERSONNEL / PRIMARY BROKER**

Part of the consideration for this Agreement is the understanding that Jeff Scanlan shall be the broker primarily responsible for the services provided to City. Designation of Jeff Scanlan as the primary broker for City may be changed only with the prior written approval

of City of which shall not be unreasonably withheld. The departure of Jeff Scanlan from Broker may be considered a substantial failure by Broker to perform in accordance with the terms of this Agreement and may constitute cause for City's immediate termination of this Agreement. This Agreement is not exclusive and this provision does not preclude City from utilizing the services of any other broker or consultant for risk management or insurance service or advice during the term of this Agreement.

## ARTICLE 17 – AUDIT

City shall be entitled to audit the books and records of Broker or any sub-consultant to the extent such book and records relate to the performance of this Agreement or any sub-contract to this Agreement.

Such books and records shall be maintained by Broker for a period of three (3) years from the date of the final payment under this Agreement and by sub-consultant for a period of three (3) years from the date of the final payment under the sub-contract unless a shorter period is otherwise authorized in writing.

## ARTICLE 18 – MISCELLANEOUS

1. **Governing Law and Venue.** This Agreement is entered into, under and pursuant to, and is to be construed and enforceable solely in accordance with the laws of the State of Nebraska.

2. **Severability.** Should any provision of this Agreement be determined to be void, invalid, unenforceable or illegal for any reason, such provision shall be null and void and severed from the Agreement. In such case, the other provisions shall be unaffected and shall continue to be valid and enforceable.

3. **Assignment.** Except as provided herein, the Parties hereto agree not to assign, sublet or transfer their interest in this Agreement without the written consent of the other and such consent shall not be unreasonably withheld. The Parties further agree that this Agreement binds the Parties, their successors, trustees, assignees and legal representatives.

4. **Titles and Subheadings.** Title and subheadings as used herein are provided only as a matter of convenience and shall have no legal bearing on the interpretation of any provision of this Agreement. Some terms are capitalized throughout this Agreement but the use of or failure to use capitals shall have no legal bearing on the interpretation of such terms.

5. **Notice.** Any notice, demand, communication, or request required or permitted hereunder shall be in writing and delivered in person or sent by certified mail, postage prepaid as follows:

**As to CITY:**

City of La Vista  
c/o City Administrator  
8116 Park View Boulevard  
La Vista, NE 68128  
(402) 331-4343

**As to BROKER:**

The Harry A. Koch Company  
c/o Jeff Scanlon  
14010 FNB Parkway, Suite 300  
Omaha, Nebraska 68154  
(402) 861-7136

Notices shall be effective when received at the address specified above. Changes in the respective addresses to which such notice may be directed may be made from time to time by any Party by written notice to the other Party. Facsimile is acceptable notice effective when received, however, facsimiles received (i.e. printed) after 5:00 p.m. or on weekends or holidays, shall be deemed received on the next business day. The original of the notice also must be mailed as required herein.

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of Broker and City.

**6. Binding Authority.** Broker represents and warrants that the undersigned has authority to execute this Agreement and bind Broker to all terms and conditions therein.

[End of Agreement]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in duplicate the day and year first above written.

City:

CITY OF LA VISTA, NEBRASKA,  
A Nebraska Municipal Corporation

Attest:

Pamela A. Buethe  
Pam Buethe, City Clerk



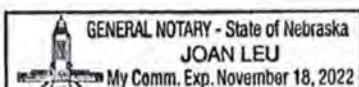
BROKER:

By: David G. Jesse  
Its: Chief Operating Officer

STATE OF NEBRASKA )  
COUNTY OF Douglas )  
                          )ss

On May 30, 2019 before me, Notary, personally appeared David G. Jesse personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity on behalf of The Harry A. Koch Company and that by his/her signature on the instrument executed the instrument.

WITNESS my hand and official seal.



Joan Leu  
Notary Public

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ZONING TEXT AMENDMENTS – SECTIONS 2.04 – DEFINITIONS: C, 2.07 DEFINITIONS F; & 5.13 LIGHT INDUSTRIAL	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSOCIATE CITY PLANNER

**SYNOPSIS**

A public hearing has been scheduled and an ordinance prepared to amend Sections 2.04, 2.07, and 5.13 of the Zoning Ordinance to allow for the operation of commercial kitchens in the I-1 Light Industrial Zoning District under specific circumstances.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

There has been a rising need both locally and nationally for commercial kitchens in industrial areas that are not related to restaurants where customers visit and consume food on-site. This use type, commonly referred to as “catering kitchens” or “ghost kitchens” are not currently permitted to operate in the I-1 Light Industrial zoning district through the city’s zoning ordinance. Catering kitchens in industrial areas in other communities are used for:

- Caterers who prepare the food and deliver it to be consumed off-site
- Food truck vendors who need a commercial kitchen to prepare food prior to driving the food truck to an event or sales location
- Artisan manufacturers of food products for small-scale food distribution to grocery stores or farmers markets
- “Virtual restaurants” where food is only sold through the delivery model (made in the commercial kitchen, then delivered directly to the customer’s home through delivery drivers or services like Grubhub or UberEATS.)

The proposed zoning text amendments would introduce catering kitchens as an outright permitted use in the I-1 Light Industrial Zoning District. This use may include a small retail component but shall not provide seating areas to allow for the consumption of food or food products on-site.

The Planning Commission held a public hearing on November 2, 2023 and voted unanimously to recommend approval of the Zoning Text Amendments.

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

AN ORDINANCE TO AMEND SECTIONS 2.04, 2.07 AND 5.13 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 2.04, 2.07 AND 5.13 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Amendment of Section 2.04. Section 2.04 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 2.04 - Definitions: C**

**CAMPGROUND** shall mean a parcel of land intended for the temporary occupancy of tents, campers, and recreational vehicles and which primary purpose is recreational, having open areas that are natural in character.

**CAR WASH** shall mean a building or structure or an area of land with machine or hand operated facilities for the cleaning, washing, polishing, or waxing of motor vehicles, not including semi-trailer tractors, buses, and commercial fleets.

**CARPORT** shall mean a permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

**CATERING KITCHEN** also known as ghost kitchen or dark kitchen shall mean a commercial kitchen that is used to prepare food for consumption off-site. This may include commercial kitchen facilities for caterers, food trucks, small or artisan manufacturers of food products, or establishments that prepare ready-to-eat food only to be obtained through delivery services. Catering Kitchens may include a limited retail component for the sale of food products but shall not operate as a restaurant or include space(s) for the consumption of food on-site.

**CELLAR** shall mean a building space having more than one-half (1/2) of its height below the average adjoining grade lines.

**CEMETERY** shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, and mausoleums.

**CHANGEABLE COPY** shall refer to a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without, altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance. (Ordinance No. 1083, 2-17-09)

**CHANNEL** shall mean the geographical area within either the natural or artificial banks of a watercourse or drainway.

**CHARITABLE ORGANIZATION or CLUB** shall mean a public or semi-public institutional use of a philanthropic, charitable, benevolent, religious, or eleemosynary character, but not including sheltering or caring of animals. (Ordinance No. 1083, 2-17-09)

**CHILD CARE CENTER** shall mean an establishment other than a public or parochial school, which provides day care, play groups, nursery schools or education for thirteen (13) or more children under age 13, at any one time, from families other than that of the provider. In addition to these regulations, Child Care Centers shall meet all requirements of the State of Nebraska.

**CHILD CARE HOME** shall mean an operation in the provider's place of residence which serves at least four (4), but not more than eight (8) children at any one time, from families other than that of the provider. A Family Child Care Home I provider may be approved to serve no more than two (2) additional school-age children during non-school hours. A Family Child Care Home II operation may be either in the provider's own place of residence or a site other than the residence, serving twelve (12) or fewer children at any one time. In addition to these regulations, Child Care Homes shall meet all requirements of the State of Nebraska.

**CITY** shall mean the City of La Vista.

**CODE** shall mean the Municipal Code of the City of La Vista.

**COFFEE KIOSK** shall mean a retail food business in a freestanding building that sells coffee, or other beverages, and remade bakery goods from a drive-through window or walk-up window. (*Ordinance No. 1053, 1-15-08*).

**COLLEGE AND UNIVERSITY** shall mean an educational institution offering advanced instruction in any academic field beyond the secondary level, including trade schools or business colleges. (*Ordinance No. 1168, 3-6-12*)

**COMMISSION** shall mean the La Vista Planning Commission.

**COMMERCIAL MESSAGE** shall mean any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. (*Ordinance No. 1083, 2-17-09*)

**COMMON AREA OR PROPERTY** shall mean a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners of the individual building sites in a Planned Development or condominium development.

**COMMUNICATION SERVICES** shall mean establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded are facilities classified as major utility services or wireless communication towers. Typical uses include television studios, communication service centers, internet service offices, or film and sound recording facilities. (*Ordinance No. 1083, 2-17-09*)

**COMPATIBILITY** shall mean harmony in the appearance of two or more external design features in the same vicinity.

**COMPATIBLE USES** shall mean a land use which is congruous with, tolerant of, and has no adverse effects on existing neighboring uses. Incompatibility may be affected by pedestrian or vehicular traffic generation, volume of goods handled and environmental elements such as noise, dust, odor, air pollution, glare, lighting, debris generated, contamination of surface or ground water, aesthetics, vibration, electrical interference, and radiation.

**COMPREHENSIVE PLAN** shall mean the Comprehensive Plan of La Vista, Nebraska as adopted by the City Council, setting forth policies for the present and foreseeable future community welfare as a whole and meeting the purposes and requirements set forth in Section 19-903, R.R.S. 1943, as the same may, from time-to-time, be amended.

**CONCRETE BATCH PLANT** shall mean an industrial facility used for the production of concrete, used in building or construction, and includes facilities for the administration or management of the business. (*Ordinance No. 1329, 9-18-18*)

**CONDITIONAL USE** shall mean a use where allowed by the district regulations, that would not be appropriate generally throughout the zoning district without restrictions, but which, if controlled as to number, size, area, location, relation to the neighborhood or other minimal protective characteristics would not be detrimental to the public health, safety, and general welfare.

**CONDITIONAL USE PERMIT** shall mean a permit issued by the Planning Commission and City Council that authorizes the recipient to make conditional use of property in accordance with the provisions of Article 6 and any additional conditions placed upon or required by said permit.

**CONDOMINIUM** shall mean a structure or structures proposed for construction comprising a project in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated residential space and/or spaces and accompanying facilities.

**CONGREGATE HOUSING** shall mean a residential facility for four or more persons fifty-five (55) years or over, their spouses, or surviving spouses, providing living and sleeping facilities including meal preparation, dining areas, laundry services, room cleaning and common recreational, social, and service facilities for the exclusive use of all residents including resident

staff personnel who occupy a room or unit in the residential facility. (Also see Housing for the elderly)

**CONSERVATION** shall mean the protection and care that prevent destruction or deterioration of historical or otherwise significant structures, buildings or natural resources.

**CONSERVATION AREA** shall mean environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance or character, except in overriding public interest, including but not limited to: wetlands, floodways, flood plains, drainage ways, river or stream banks, and areas of significant biological productivity or uniqueness.

**CONSERVATION EASEMENT** shall mean an easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition and retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses.

**CONSTRUCTION** shall mean *on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facility, or addition thereto, including all related activities, but not restricted to, clearing of land, earth moving, blasting and landscaping.* (Ordinance No. 1083, 2-17-09)

**CONTIGUOUS** shall mean the same as "Abut".

**CONTINUING CARE RETIREMENT COMMUNITY** shall offer services and housing packages that allow access to senior independent living, assisted living, and nursing care facilities. Seniors who are independent may live in a single-family home, apartment or condominium within the Continuing Care Retirement Community. When members of the community begin to need help with activities of daily living (e.g. bathing, dressing, eating, etc.), they may be transferred to an assisted living or nursing care facility on the same site.

**CONVENIENCE STORE** shall mean a one-story, retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket.") It is dependent on and is designed to attract and accommodate large volumes of stop-and-go traffic. *Fuel sales shall be limited to automobiles, pick-up trucks, boats, recreational vehicles, motorcycles, and small motorized equipment.* (Ordinance No. 1083, 2-17-09)

SECTION 2. Amendment of Section 2.07. Section 2.07 of the Ordinance No. 848 is hereby amended to read as follows:

#### **Section 2.07 - Definitions: F**

**FACADE** shall mean the exterior wall of a building exposed to public view from the building's exterior.

**FACTORY** shall mean a structure or plant within which something is made or manufactured from raw or partly wrought materials into forms suitable for use.

**FAMILY** shall mean a person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities: (1) any number of people related by blood, marriage, adoption, guardianship, or duly-authorized custodial relationship; (2) up to four unrelated people and any related children; and (3) a group care home.

*Family does not include any society, club, fraternity, sorority, association, lodge, organization, group of students, or other individuals where the common living arrangement is temporary or seasonal. Also, the term does not include any group of individuals who are in a group living arrangement as a result of criminal offenses.* (Ordinance No. 1083, 2-17-09)

**FARM** an area containing at least twenty (20) acres or more which is used for growing of the usual farm products such as vegetables, fruit, and grain; storing of such products; and/or raising farm animals. The term farming includes the operating of such area for two or more of the above uses with the necessary accessory uses for treating or storing the produce and the feeding of livestock as hereinafter prescribed provided such accessory uses do not include the feeding of garbage or offal to swine or other animals. (Ordinance No. 1083, 2-17-09)

**FEEDLOT** shall mean a lot, yard, corral or other area in which livestock are confined, primarily for the purpose of feeding and growth prior to slaughter. The term does not include areas which are used for raising crops or other vegetation or upon which livestock are allowed to graze.

**FENCE, OPEN** shall mean a fence, including gates, which has fifty percent (50%) or more of the surface area in open spaces which affords direct views through the fence. (*Ordinance No. 1083, 2-17-09*)

**FENCE, SEASONAL** shall mean a temporary fence constructed of plastic or wood lathe erected and maintained from October through April to prevent snow drifting. (*Ordinance No. 871, 10-15-02*)

**FENCE, SOLID** shall mean any fence which does not qualify as an open fence.

**FESTIVAL** shall mean the sale of ethnic specialty, regional, and gourmet foods, art and crafts, live musical entertainment, in an outdoor setting. (*Ordinance No. 1083, 2-17-09*)

**FLAG** shall mean any fabric containing distinctive colors, patterns, or symbols, used as a symbol of a national, state, or local governmental entity that is attached to a pole structure on one vertical side only; a flag shall not bear any non-governmental logo or represent any commercial interest or use. (*Ordinance No. 1334, 11-20-18*)

**FLOOD** (see Section 5.18.25 of this Ordinance)

**FLOOD PLAIN** (see Section 5.18.25 of this Ordinance)

**FLOODWAY** (see Section 5.18.25 of this Ordinance)

**FLOOR AREA** whenever the term "floor area" is used in this Regulation as a basis for requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, said floor area applies not only to the ground floor area but also to any additional stories of said structure. All horizontal dimensions shall be taken from the exterior faces of walls.

**FOOD SALES** shall mean establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, candy shops, and catering kitchens.

**FOOD SALES (LIMITED)** shall mean food sales establishments occupying 10,000 square feet or less of space.

**FOOD SALES (GENERAL)** shall mean food sales establishments occupying more than 10,000 square feet of space. Typically a supermarket.

**FRONTAGE** shall mean that portion of a parcel of property which abuts a dedicated public street or highway.

SECTION 3. Amendment of Section 5.13. Section 5.13 of the Ordinance No. 848 is hereby amended to read as follows:

### **Section 5.13 I-1 Light Industrial.**

5.13.01 **Intent:** *It is the intent of the Light Industrial District Regulations to provide for limited industrial uses and services, including some retail businesses, wholesaling, and storage activities; to preserve land for the expansion of basic economic activities; to avoid incompatible land uses, to serve these areas with adequate transportation facilities, and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

#### **5.13.02 Permitted Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.02.01 Light Manufacturing
- 5.13.02.02 Automotive services, except repair, towing and wrecking
- 5.13.02.03 Business services
- 5.13.02.04 Facilities for building construction contractors
- 5.13.02.05 Landscape and horticultural services
- 5.13.02.06 Medical and dental laboratories
- 5.13.02.07 Assembly of electrical and electronic appliances
- 5.13.02.08 Miscellaneous repair services, not including automotive

- 5.13.02.09 Printing, publishing, and allied industries
- 5.13.02.10 Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste
- 5.13.02.11 General warehousing
- 5.13.02.12 Testing laboratories
- 5.13.02.13 Publicly owned and operated facilities (**Ordinance No. 950, 3-1-05**)
- 5.13.02.14 Special and vocational training facilities (**Ordinance No. 950, 3-1-05**)
- 5.13.02.15 Wholesale trade of goods
- 5.13.02.16 Microbreweries and microdistilleries without on-site sales (**Ordinance No. 1292, 9-6-16**)
- 5.13.02.17 Artist Studio Space (**Ordinance No. 1433, 12-7-21**)
- 5.13.02.18 Catering kitchens

**5.13.03 Permitted Conditional Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.03.01 Animal specialty services with or without overnight boarding of animals and outdoor exercise areas
- 5.13.03.02 Heavy equipment rental
- 5.13.03.03 Household furniture, furnishings, and equipment store
- 5.13.03.04 Hardware, lawn and garden supply store
- 5.13.03.05 Lumber and other building materials dealer
- 5.13.03.06 Outdoor display of merchandise
- 5.13.03.07 Radio, television and communication towers and transmitters, as per Section 7.11
- 5.13.03.08 Utility substations, terminal facilities, and reservoirs
- 5.13.03.09 Farm-implement sales and service
- 5.13.03.10 Cabinetry millwork
- 5.13.03.11 Gasoline service stations
- 5.13.03.12 Automotive repair services
- 5.13.03.13 Sale of recreational vehicles, including boats and jet skis
- 5.13.03.14 Indoor recreational facility (**Ordinance No. 918, 10-6-03**)
- 5.13.03.15 Veterinary Services, not including livestock
- 5.13.03.16 Self-service storage facility (**Ordinance No. 1069, 8-19-08**)
- 5.13.03.17 Industrial Condominiums (**Ordinance No. 1246, 4-21-15**)
- 5.13.03.18 Microbreweries and microdistilleries with on-site sales (**Ordinance No. 1292, 9-6-16**)
- 5.13.03.19 Ground-Mounted Solar Energy Conversion Systems outside of the rear yard, as provided for in Section 7.15. (**Ordinance No. 1389, 3-3-2020**)

**5.13.04 Permitted Accessory Uses**

- 5.13.04.01 Buildings and uses customarily incidental to the permitted uses
- 5.13.04.02 Parking as permitted in Section 7.05 through 7.09
- 5.13.04.03 Signs allowed in Section 7.01 through 7.04
- 5.13.04.04 Temporary buildings and uses incidental to construction work that will be removed upon completion or abandonment of the construction work
- 5.13.04.05 Landscaping as required by Section 7.17
- 5.13.04.06 Solar Energy Conversion Systems as provided for in Section 7.15. (**Ordinance No. 1389, 3-3-2020**)

**5.13.05 Height and Lot Requirements:**

- 5.13.05.01 The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Widt h <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Coverage	Lot
Permitted Uses	10,000	100	35 <sup>1</sup>	30'	25'	45'	65%	
Permitted Conditional Uses	10,000	100	35 <sup>1</sup>	30'	25'	45'	65%	
Accessory Buildings	-	-	70'	10'	10'	25'	20%	

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> **Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)**

**5.13.06 Use Limitations:**

- 5.13.06.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within thirty (30) feet of such

district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. (**Ordinance No. 1053, 1-15-08**)

5.13.06.02 No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.

5.13.06.03 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

5.13.06.04 *No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling.* (**Ordinance No. 1053, 1-15-08**)

**5.13.07 Performance Standards:**

See Section 7.16 of the Supplemental Regulations.

SECTION 4. Repeal of Sections 2.04, 2.07, and 5.13 as Previously Enacted. Sections 2.04, 2.07, and 5.13 of Ordinance No. 848 as previously enacted are hereby repealed.

SECTION 5. 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 6. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 7. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, MMC  
City Clerk

**Catering Kitchens  
Zoning Text Amendments  
Redlined Version**

## **Section 2.04 - Definitions: C**

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**CONDITIONAL USE** shall mean a use where allowed by the district regulations, that would not be appropriate generally throughout the zoning district without restrictions, but which, if controlled as to number, size, area, location, relation to the neighborhood or other minimal protective characteristics would not be detrimental to the public health, safety, and general welfare.

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**CONGREGATE HOUSING** shall mean a residential facility for four or more persons fifty-five (55) years or over, their spouses, or surviving spouses, providing living and sleeping facilities including meal preparation, dining areas, laundry services, room cleaning and common recreational, social, and service facilities for the exclusive use of all residents including resident staff personnel who occupy a room or unit in the residential facility. (Also see Housing for the elderly)

**CONSERVATION** shall mean the protection and care that prevent destruction or deterioration of historical or otherwise significant structures, buildings or natural resources.

**CONSERVATION AREA** shall mean environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance or character, except in overriding public interest, including but not limited to: wetlands, floodways, flood plains, drainage ways, river or stream banks, and areas of significant biological productivity or uniqueness.

**CONSERVATION EASEMENT** shall mean an easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition and retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses.

**CONSTRUCTION** shall mean *on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facility, or addition thereto, including all related activities, but not restricted to, clearing of land, earth moving, blasting and landscaping.* (*Ordinance No. 1083, 2-17-09*)

**CONTIGUOUS** shall mean the same as "Abut".

**CONTINUING CARE RETIREMENT COMMUNITY** shall offer services and housing packages that allow access to senior independent living, assisted living, and nursing care facilities. Seniors who are independent may live in a single-family home, apartment or condominium within the Continuing Care Retirement Community. When members of the community begin to need help with activities of daily living (e.g. bathing, dressing, eating, etc.), they may be transferred to an assisted living or nursing care facility on the same site.

**CONVENIENCE STORE** shall mean a one-story, retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket.") It is dependent on, and is designed to attract and accommodate large volumes of stop-and-go traffic. *Fuel sales shall be limited to automobiles, pick-up trucks, boats, recreational vehicles, motorcycles, and small motorized equipment.* (*Ordinance No. 1083, 2-17-09*)

## **Section 2.07 - Definitions: F**

**FACADE** shall mean the exterior wall of a building exposed to public view from the building's exterior.

**FACTORY** shall mean a structure or plant within which something is made or manufactured from raw or partly wrought materials into forms suitable for use.

**FAMILY** shall mean *a person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities: (1) any number of people related by blood, marriage, adoption, guardianship, or duly-authorized custodial relationship; (2) up to four unrelated people and any related children; and (3) a group care home.*

*Family does not include any society, club, fraternity, sorority, association, lodge, organization, group of students, or other individuals where the common living arrangement is temporary or seasonal. Also, the term does not include any group of individuals who are in a group living arrangement as a result of criminal offenses. (Ordinance No. 1083, 2-17-09)*

**FARM** an area containing at least twenty (20) acres or more which is used for growing of the usual farm products such as vegetables, fruit, and grain; *storing of such products; and/or* raising farm animals. The term farming includes the operating of such area for two or more of the above uses with the necessary accessory uses for treating or storing the produce and the feeding of livestock as hereinafter prescribed provided such accessory uses do not include the feeding of garbage or offal to swine or other animals. (*Ordinance No. 1083, 2-17-09*)

**FEEDLOT** shall mean a lot, yard, corral or other area in which livestock are confined, primarily for the purpose of feeding and growth prior to slaughter. The term does not include areas which are used for raising crops or other vegetation or upon which livestock are allowed to graze.

**FENCE, OPEN** shall mean a fence, including gates, which has fifty percent (50%) or more of the surface area in open spaces which affords direct views through the fence. (*Ordinance No. 1083, 2-17-09*)

**FENCE, SEASONAL** shall mean a temporary fence constructed of plastic or wood lathe erected and maintained from October through April to prevent snow drifting. (*Ordinance No. 871, 10-15-02*)

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**FLOOD** (see Section 5.18.25 of this Ordinance)

**FLOOD PLAIN** (see Section 5.18.25 of this Ordinance)

**FLOODWAY** (see Section 5.18.25 of this Ordinance)

**FLOOR AREA** whenever the term "floor area" is used in this Regulation as a basis for requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, said floor area applies not only to the ground floor area but also to any additional stories of said structure. All horizontal dimensions shall be taken from the exterior faces of walls.

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**FOOD SALES (LIMITED)** shall mean food sales establishments occupying 10,000 square feet or less of space.

**FOOD SALES (GENERAL)** shall mean food sales establishments occupying more than 10,000 square feet of space. Typically a supermarket.

**FRONTAGE** shall mean that portion of a parcel of property which abuts a dedicated public street or highway.

## **Section 5.13 I-1 Light Industrial.**

**5.13.01 Intent:** *It is the intent of the Light Industrial District Regulations to provide for limited industrial uses and services, including some retail businesses, wholesaling, and storage activities; to preserve land for the expansion of basic economic activities; to avoid incompatible land uses, to serve these areas with adequate transportation facilities, and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

**5.13.02 Permitted Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.02.01 Light Manufacturing
- 5.13.02.02 Automotive services, except repair, towing and wrecking
- 5.13.02.03 Business services
- 5.13.02.04 Facilities for building construction contractors
- 5.13.02.05 Landscape and horticultural services
- 5.13.02.06 Medical and dental laboratories
- 5.13.02.07 Assembly of electrical and electronic appliances
- 5.13.02.08 Miscellaneous repair services, not including automotive
- 5.13.02.09 Printing, publishing, and allied industries
- 5.13.02.10 Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste
- 5.13.02.11 General warehousing
- 5.13.02.12 Testing laboratories
- 5.13.02.13 Publicly owned and operated facilities (Ordinance No. 950, 3-1-05)
- 5.13.02.14 Special and vocational training facilities (Ordinance No. 950, 3-1-05)
- 5.13.02.15 Wholesale trade of goods
- 5.13.02.16 Microbreweries and microdistilleries without on-site sales (Ordinance No. 1292, 9-6-16)
- 5.13.02.17 Artist Studio Space(Ordinance No. 1433, 12-7-21)**
- 5.13.02.175.13.02.18 Catering kitchens**

**5.13.03 Permitted Conditional Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.03.01 Animal specialty services with or without overnight boarding of animals and outdoor exercise areas
- 5.13.03.02 Heavy equipment rental
- 5.13.03.03 Household furniture, furnishings, and equipment store
- 5.13.03.04 Hardware, lawn and garden supply store
- 5.13.03.05 Lumber and other building materials dealer
- 5.13.03.06 Outdoor display of merchandise
- 5.13.03.07 Radio, television and communication towers and transmitters, as per Section 7.11
- 5.13.03.08 Utility substations, terminal facilities, and reservoirs
- 5.13.03.09 Farm-implement sales and service
- 5.13.03.10 Cabinetry millwork
- 5.13.03.11 Gasoline service stations
- 5.13.03.12 Automotive repair services
- 5.13.03.13 Sale of recreational vehicles, including boats and jet skis
- 5.13.03.14 Indoor recreational facility (Ordinance No. 918, 10-6-03)
- 5.13.03.15 Veterinary Services, not including livestock
- 5.13.03.16 Self-service storage facility (Ordinance No. 1069, 8-19-08)
- 5.13.03.17 Industrial Condominiums (Ordinance No. 1246, 4-21-15)
- 5.13.03.18 Microbreweries and microdistilleries with on-site sales (Ordinance No. 1292, 9-6-16)
- 5.13.03.19 Ground-Mounted Solar Energy Conversion Systems outside of the rear yard, as provided for in Section 7.15. (Ordinance No. 1389, 3-3-2020)

**5.13.04 Permitted Accessory Uses**

- 5.13.04.01 Buildings and uses customarily incidental to the permitted uses
- 5.13.04.02 Parking as permitted in Section 7.05 through 7.09
- 5.13.04.03 Signs allowed in Section 7.01 through 7.04

5.13.04.04      Temporary buildings and uses incidental to construction work that will be removed upon completion or abandonment of the construction work

5.13.04.05      Landscaping as required by Section 7.17

5.13.04.06      Solar Energy Conversion Systems as provided for in Section 7.15. (*Ordinance No. 1389, 3-3-2020*)

#### **5.13.05 Height and Lot Requirements:**

5.13.05.01      The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Width <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Accessory Buildings	-	-	70'	10'	10'	25'	20%

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> *Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)*

#### **5.13.06 Use Limitations:**

5.13.06.01      When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty* (30) feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. (*Ordinance No. 1053, 1-15-08*)

5.13.06.02      No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.

5.13.06.03      Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

5.13.06.04      *No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)*

#### **5.13.07 Performance Standards:**

See Section 7.16 of the Supplemental Regulations.

**Catering Kitchens Zoning  
Text Amendments  
Clean Version**

## **Section 2.04 - Definitions: C**

**CAMPGROUND** shall mean a parcel of land intended for the temporary occupancy of tents, campers, and recreational vehicles and which primary purpose is recreational, having open areas that are natural in character.

**CAR WASH** shall mean a building or structure or an area of land with machine or hand operated facilities for the cleaning, washing, polishing, or waxing of motor vehicles, not including semi-trailer tractors, buses, and commercial fleets.

**CARPORT** shall mean a permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

**CATERING KITCHEN** also known as ghost kitchen or dark kitchen shall mean a commercial kitchen that is used to prepare food for consumption off-site. This may include commercial kitchen facilities for caterers, food trucks, small or artisan manufacturers of food products, or establishments that prepare ready-to-eat food only to be obtained through delivery services. Catering Kitchens may include a limited retail component for the sale of food products, but shall not operate as a restaurant or include space(s) for the consumption of food on-site.

**CELLAR** shall mean a building space having more than one-half (1/2) of its height below the average adjoining grade lines.

**CEMETERY** shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, and mausoleums.

**CHANGEABLE COPY** shall refer to a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without, altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance. (*Ordinance No. 1083, 2-17-09*)

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- 5.13.03.05 Lumber and other building materials dealer
- 5.13.03.06 Outdoor display of merchandise
- 5.13.03.07 Radio, television and communication towers and transmitters, as per Section 7.11
- 5.13.03.08 Utility substations, terminal facilities, and reservoirs
- 5.13.03.09 Farm-implement sales and service
- 5.13.03.10 Cabinetry millwork
- 5.13.03.11 Gasoline service stations
- 5.13.03.12 Automotive repair services
- 5.13.03.13 Sale of recreational vehicles, including boats and jet skis
- 5.13.03.14 Indoor recreational facility (*Ordinance No. 918, 10-6-03*)
- 5.13.03.15 Veterinary Services, not including livestock
- 5.13.03.16 Self-service storage facility (*Ordinance No. 1069, 8-19-08*)
- 5.13.03.17 Industrial Condominiums (*Ordinance No. 1246, 4-21-15*)
- 5.13.03.18 Microbreweries and microdistilleries with on-site sales (*Ordinance No. 1292, 9-6-16*)
- 5.13.03.19 Ground-Mounted Solar Energy Conversion Systems outside of the rear yard, as provided for in Section 7.15. (*Ordinance No. 1389, 3-3-2020*)

**5.13.04 Permitted Accessory Uses**

- 5.13.04.01 Buildings and uses customarily incidental to the permitted uses
- 5.13.04.02 Parking as permitted in Section 7.05 through 7.09
- 5.13.04.03 Signs allowed in Section 7.01 through 7.04

5.13.04.04      Temporary buildings and uses incidental to construction work that will be removed upon completion or abandonment of the construction work

5.13.04.05      Landscaping as required by Section 7.17

5.13.04.06      Solar Energy Conversion Systems as provided for in Section 7.15. (*Ordinance No. 1389, 3-3-2020*)

#### **5.13.05 Height and Lot Requirements:**

5.13.05.01      The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Width <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Accessory Buildings	-	-	70'	10'	10'	25'	20%

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> *Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)*

#### **5.13.06 Use Limitations:**

5.13.06.01      When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. (*Ordinance No. 1053, 1-15-08*)

5.13.06.02      No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.

5.13.06.03      Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

5.13.06.04      *No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)*

#### **5.13.07 Performance Standards:**

See Section 7.16 of the Supplemental Regulations.

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
EXPAND THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ)	◆ RESOLUTION ◆ ORDINANCE ◆ RECEIVE/FILE	CHRIS SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and an ordinance has been prepared to expand the City's Extraterritorial Jurisdiction.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The City's current Extraterritorial Jurisdiction (ETJ) map cuts through the southern part of Tax Lot 19 (14-14-11). This alignment of the ETJ through the area hampers development as the property lies within two separate jurisdictions (the City and the County). Staff has proposed expanding of the ETJ to cover the entirety of the southern part Tax Lot 19 (14-14-11) to ensure that development of the entire lot is conducted under the City's jurisdiction as it will eventually be annexed. The extension of the ETJ limits is within the 2-mile boundary authorized by State Statutes.

On October 19, 2023, the Planning Commission recommended the expansion of the ETJ by a vote of 6-0 with 1 abstention.

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

AN ORDINANCE TO EXTEND AND REVISE BOUNDARIES OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA VISTA NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. That attached hereto as Exhibit A and incorporated herein by this reference is a map showing parcels proposed to be added to the extraterritorial jurisdiction of the City of La Vista pursuant to Nebraska Statutes, including Neb. Rev. Stat. Sections 16-901 and 16-902.

Section 2. That attached hereto as Exhibit B and incorporated herein is a map of all parcels, including parcels in Exhibit A, over which extraterritorial jurisdiction has been or with adoption of this Ordinance shall be ceded to the City, and which map upon adoption of this Ordinance shall represent the extraterritorial jurisdiction of the City of La Vista pursuant to Nebraska Statutes, including Neb. Rev. Stat. Sections 16-901 and 16-902. This document shall replace the previous extraterritorial jurisdiction map approved by the City of La Vista.

Section 3. That the Planning Commission of the City of La Vista on October 19, 2023, after notice and public hearing, recommended approval of the extended extraterritorial jurisdiction as represented by the map in Exhibit B to read as follows:

EXTRA TERRITORIAL JURISDICTION FOR THE CITY OF LAVISTA

BEGINNING AT THE NORTHEAST CORNER OF SECTION 14, T14N, R11E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA:

THENCE WESTERLY ON THE NORTH LINE OF SAID SECTION 14, ALSO THE COMMON LINE OF DOUGLAS COUNTY, AND SARPY COUNTY, TO THE NORTHERLY EXTENSION OF THE CENTERLINE OF 145<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE CENTERLINE OF SAID 145<sup>TH</sup> STREET, AND IT'S NORTHERLY EXTENSION, TO THE INTERSECTION OF THE CENTERLINE OF ECHO HILLS DRIVE;

THENCE WESTERLY ON THE CENTERLINE OF ECHO HILLS DRIVE TO THE INTERSECTION OF THE CENTERLINE OF 146<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE CENTERLINE OF 146<sup>TH</sup> STREET AND IT'S SOUTHERLY EXTENSION, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE WESTERLY ON THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 2, CHALCO INDUSTRIAL PARK SOUTH, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE SOUTHERLY ON THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 2, AND ON THE EAST LINE OF SAID LOT 2 AND ITS SOUTHERLY EXTENSION TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BURLINGTON NORTHERN RAILROAD;

THENCE NORTHWESTERLY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN RAILROAD TO THE MOST EASTERLY CORNER OF TAX LOT 2A2 IN THE NW 1/4 OF SAID SECTION 14;

THENCE WESTERLY ON THE SOUTH LINE OF SAID TAX LOT 2A2 TO THE NORTHERLY EXTENSION OF THE WEST LINE OF CHALCO POINTE 1<sup>ST</sup> ADDITION, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE SOUTH ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID CHALCO POINTE 1<sup>ST</sup> ADDITION TO THE NORTHWEST CORNER OF OUTLOT 1, SAID CHALCO POINTE 1<sup>ST</sup> ADDITION;

THENCE SOUTHEASTERLY ON THE NORTHERLY LINE OF SAID OUTLOT 1 TO THE NORTHWEST CORNER OF LOT 1B, ROCK CREEK ADDITION, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 1B, TO THE NORTHEAST CORNER THEREOF, AND THE NORTHWEST CORNER OF TAX LOT 10, IN THE SOUTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTHERLY ON THE WEST LINE OF SAID TAX LOT 10 AND IT'S SOUTHERLY EXTENSION TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 23, T14N, R11E, SAID POINT ALSO BEING THE NORTHERLY EXTENSION OF THE WEST LINE OF TAX LOT 4, IN SAID NORTHEAST QUARTER;

THENCE SOUTHERLY ON THE WEST LINE OF SAID TAX LOT 4, TO THE SOUTH LINE OF SAID NORTHEAST QUARTER;

THENCE EASTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE CENTERLINE OF 147<sup>TH</sup> STREET;

THENCE NORTHERLY ON THE CENTER LINE OF 147<sup>TH</sup> STREET TO THE CENTERLINE OF MEADOWS BOULEVARD;

THENCE EASTERLY ON THE CENTERLINE OF MEADOWS BOULEVARD TO THE EAST LINE OF SAID NORTHEAST QUARTER;

THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHEAST QUARTER TO THE SOUTHEAST CORNER THEREOF;

THENCE EASTERLY ON THE SOUTH LINE OF THE NORTHWEST QUARTER, AND THE NORTHEAST QUARTER OF SAID SECTION 24, TO THE SOUTHWEST CORNER OF THE NORTHWEST CORNER OF SECTION 19, T14N, R12E, IN SAID SARPY COUNTY;

THENCE EASTERLY ON THE SOUTH LINE OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SAID SECTION 19, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 20, T14N, R12E, IN SAID SARPY COUNTY;

THENCE EASTERLY ON THE SOUTH LINE OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SAID SECTION 20, TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTHERLY ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 TO THE WESTERLY LINE OF PORTAL ROAD;

THENCE NORTHERLY ON THE WESTERLY LINE OF PORTAL ROAD TO THE SOUTH LINE OF GILES ROAD;

THENCE EASTERLY ON THE SOUTH LINE OF GILES ROAD TO THE WEST LINE OF 107<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE WEST LINE OF 107<sup>TH</sup> STREET AND IT'S SOUTHERLY EXTENSION TO THE SOUTHERLY LINE OF PORTAL ROAD;

THENCE EASTERLY ON THE SOUTHERLY LINE OF PORTAL ROAD TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF 96<sup>TH</sup> STREET;

THENCE NORTHERLY ON THE EAST LINE OF 96<sup>TH</sup> STREET AND IT'S SOUTHERLY EXTENSION TO THE INTERSECTION OF THE EAST LINE OF 96<sup>TH</sup> STREET AND IT'S NORTHERLY EXTENSION AND THE NORTH LINE OF SECTION 22, T14N, R12E, IN SAID SARPY COUNTY;

THENCE EASTERLY ON THE NORTH LINE OF SECTIONS 22, 23, AND 24, T14N, R12E, TO THE NORTHEAST CORNER OF SAID SECTION 24, THE SOUTHWEST CORNER OF SECTION 18, T14N, R13E, IN SAID SARPY COUNTY;

THENCE EASTERLY ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, TO THE SOUTHEAST CORNER OF TAX LOT 10, IN SAID SOUTHWEST QUARTER;

THENCE NORTHERLY ON THE EAST LINE OF SAID TAX LOT 10 TO THE SOUTHEASTERLY MOST CORNER OF TAX LOT 9 IN SAID SOUTHWEST QUARTER;

THENCE NORTHERLY ON THE EASTERLY LINE OF SAID TAX LOT 9, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18, THE SOUTH LINE OF TAX LOT 7B, IN SAID NORTHWEST QUARTER;

THENCE EASTERLY ON THE SOUTH LINE OF TAX LOT 7B, TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTHERLY ON THE EASTERLY LINE OF SAID TAX LOT 7B TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 13, T14N, R12E, IN SAID SARPY COUNTY;

THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHEAST QUARTER TO A POINT ON THE EAST LINE OF TAX LOT 16, IN SAID NORTHEAST QUARTER;

THENCE NORTHWESTERLY ON THE EASTERLY LINE OF SAID TAX LOT 16 AND IT'S NORTHWESTERLY EXTENSION TO THE NORTH LINE OF SAID SECTION 13, THE COMMON LINE OF DOUGLAS COUNTY AND SARPY COUNTY;

THENCE WESTERLY ON THE NORTH LINE OF SECTIONS 13, 14, 15, 16, 17 AND 18, T14N, R12E IN SAID SARPY COUNTY, THE COMMON LINE OF DOUGLAS COUNTY AND SARPY COUNTY, TO THE NORTHEAST CORNER OF SECTION 13, T14N, R11E;

THENCE WESTERLY ON THE NORTH LINE OF SECTIONS 13 AND 14, T14N, R11E IN SAID SARPY COUNTY, THE COMMON LINE OF DOUGLAS COUNTY AND SARPY COUNTY, TO THE POINT OF BEGINNING.

Section 4. That the City Council after notice and public hearing find and determine that the actions described above and depicted in Exhibits A and B are in the best interests of the City.

Section 5. That extension of the extraterritorial jurisdiction of the City over the parcels shown in Exhibit A is hereby approved; and revised boundaries of the extraterritorial jurisdiction of the City pursuant to Nebraska Statutes, including Neb. Rev. Stat. Sections 16-901 and 16-902 as described above and depicted in Exhibit B are hereby approved and shall be incorporated into the Official Zoning Map of the City of La Vista.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall be in full force and effect upon the date of passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

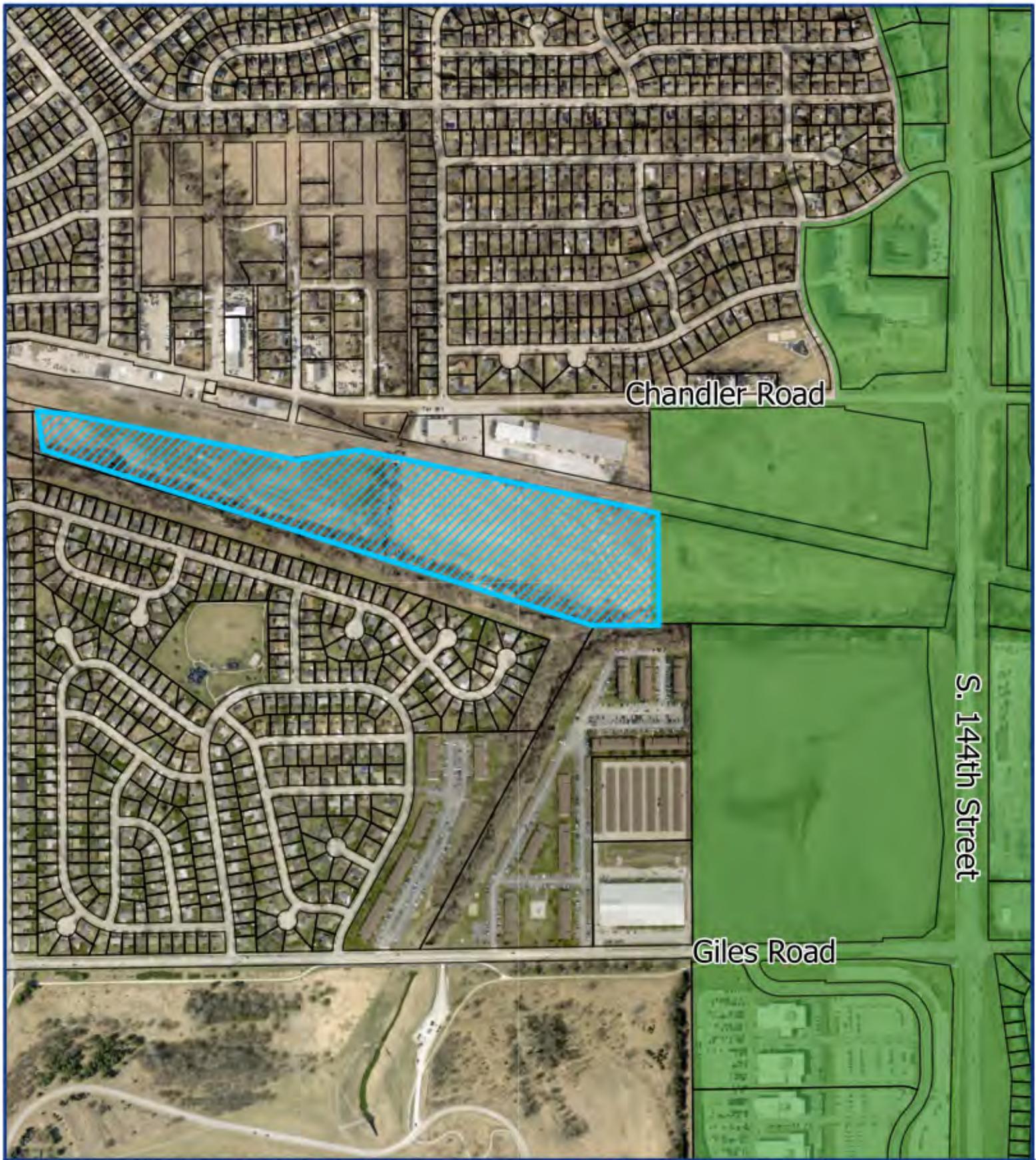
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Douglas Kindig, Mayor

ATTEST:

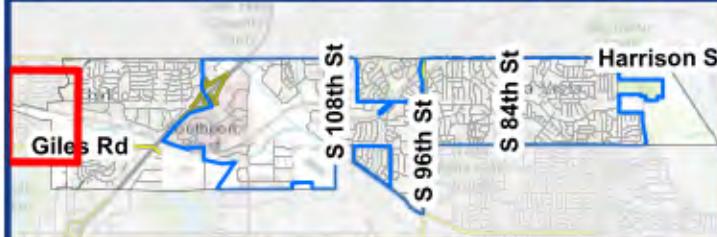
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Pamela A. Buethe, MMC  
City Clerk



**Exhibit A**

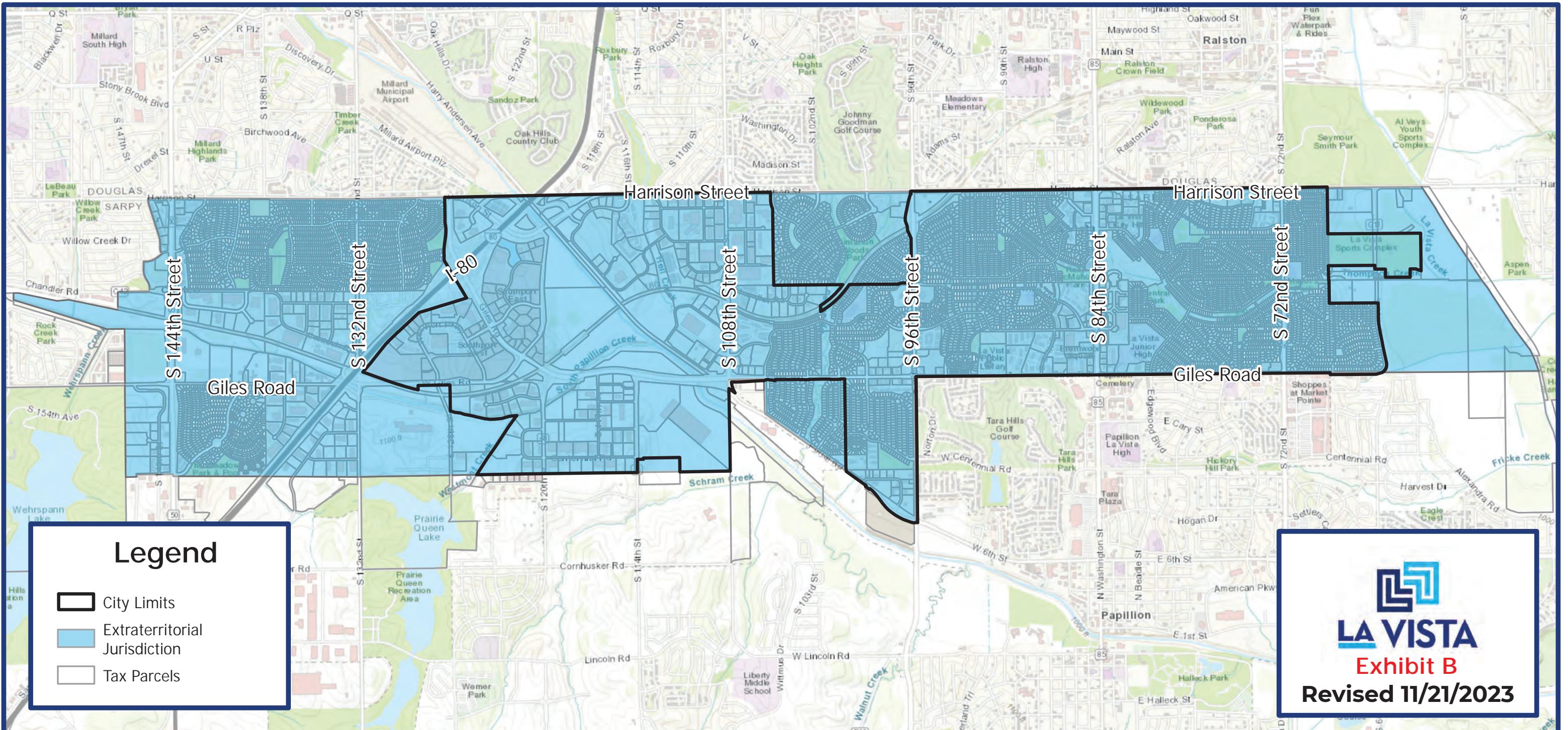
## Vicinity Map - Extraterritorial Jurisdiction Extension



### Legend

- Current ETJ Boundary
- Proposed Addition to ETJ





# City of La Vista Extraterritorial Jurisdiction Map

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
FUTURE LAND USE MAP AMENDMENT	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and an ordinance prepared to amend the Future Land Use Map within La Vista's Comprehensive Plan.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Following the expansion of the City's Extraterritorial Jurisdiction (ETJ), the official Future Land Use Map of La Vista's Comprehensive Plan must be amended to include those areas incorporated into the ETJ.

Sarpy County's Future Land Use map identifies this area as Industrial. Staff's initial recommendation was to expand with a similar designation, however, based on discussions at the October 19, 2023 Planning Commission meeting and additional internal analysis, staff changed their initial recommendation to designate as Business Park instead of Industrial. The Business Park designation in the City's Future Land Use Map allows for the zoning districts of C-3 Highway Commercial/Office Park and I-1 Light Industrial.

Additionally, staff is recommending the extension of the Parks and Open Space use along the southern edge of the subject area. The proposed Parks and Open Space use is an extension of the use from the east side of 144th Street and follows the floodway boundary depicted in the updated FEMA Flood Map.

On November 2, 2023, the Planning Commission recommended an amendment to the Future Land Use Map within La Vista's Comprehensive Plan by an 8-0 vote.

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

AN ORDINANCE TO AMEND SECTIONS 1 AND 2 OF ORDINANCE NO. 1404 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 TO UPDATE THE COMPREHENSIVE DEVELOPMENT PLAN AND RELATED FUTURE LAND USE MAP; TO REPEAL SECTIONS 1 AND 2 OF ORDINANCE NO. 1404 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 AND ANY OTHER CONFLICTING ORDINANCES AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AS FOLLOWS:

WHEREAS, Ordinance No. 1404 dated December 15, 2020 amended the La Vista Comprehensive Plan, Updated December 2018, as codified in Municipal Code Sections 151.01 and 151.02; and

WHEREAS, the Mayor and City Council desire to amend Ordinance No. 1404 and the La Vista Comprehensive Plan (“La Vista Comprehensive Plan, Updated 2018, as amended November 21, 2023”).

NOW THEREFORE, the following are approved:

SECTION 1. Amendment of Sections 1 and 2 of Ordinance No. 1404 codified in Municipal Code Sections 151.01 and 151.02. Sections 1 and 2 of Ordinance No. 1404 codified in Municipal Code Sections 151.01 and 151.02 are hereby amended, repealed and replaced in their entirety with the following:

**§ 151.01 COMPREHENSIVE PLAN ADOPTED.** In order to accommodate anticipated long-range future growth, the City of La Vista Comprehensive Plan, Updated December 2018, as amended November 21, 2023, and including and incorporating therein, without limitation, the Redevelopment Plan for the 84th Street Redevelopment Area, Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area, and Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area, as Appendices D, E-1 and E-2, respectively, and further including and incorporating therein, without limitation, all other Appendices A, B, C, F, and G, as presented and on file with the City Clerk and as may from time to time be amended, is adopted as and shall constitute the comprehensive development plan of the City of La Vista and general plan for development of the City as a whole. Three copies of the adopted plan and any amendments thereto shall be kept with enacting or amending ordinances on file with the City Clerk and available for inspection by any member of the public during office hours.

**§ 151.02 ADOPTION OF OFFICIAL LA VISTA COMPREHENSIVE PLAN UPDATE.** The City of La Vista Comprehensive Plan, Updated December 2018, as amended November 21, 2023, received and recommended by the La Vista Planning Commission, and including and incorporating therein, without limitation, Redevelopment Plan for the 84th Street Redevelopment Area, Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area and Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area, as Appendices D, E-1 and E-2, respectively, and further including and incorporating therein, without

Ordinance No.

limitation, all other Appendices A, B, C, F, and G, as presented and on file with the City Clerk and as may from time to time be amended, is hereby adopted and shall constitute the official governing comprehensive development plan of the City, general plan for development of the city as a whole, and the successor and replacement of the City of La Vista Comprehensive Plan, Updated December 2018, as amended December 15, 2020, or any other previously adopted comprehensive development plan or amendment thereto."

**SECTION 2. Recitals.** Recitals at the beginning of this Ordinance and all documents, exhibits and appendices referenced in this Ordinance are incorporated into this Ordinance by such reference as if fully set forth herein.

**SECTION 3. Repeal.** Sections 1 and 2 of Ordinance No. 1404 codified in Municipal Code Sections 151.01 and 151.02, and all other ordinances and any parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof are hereby repealed.

**SECTION 4. 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, sentence 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 5. Effective Date.** This ordinance shall be in full force and effect from and after passage, approval and publication in book or pamphlet form or otherwise in accordance with applicable law.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

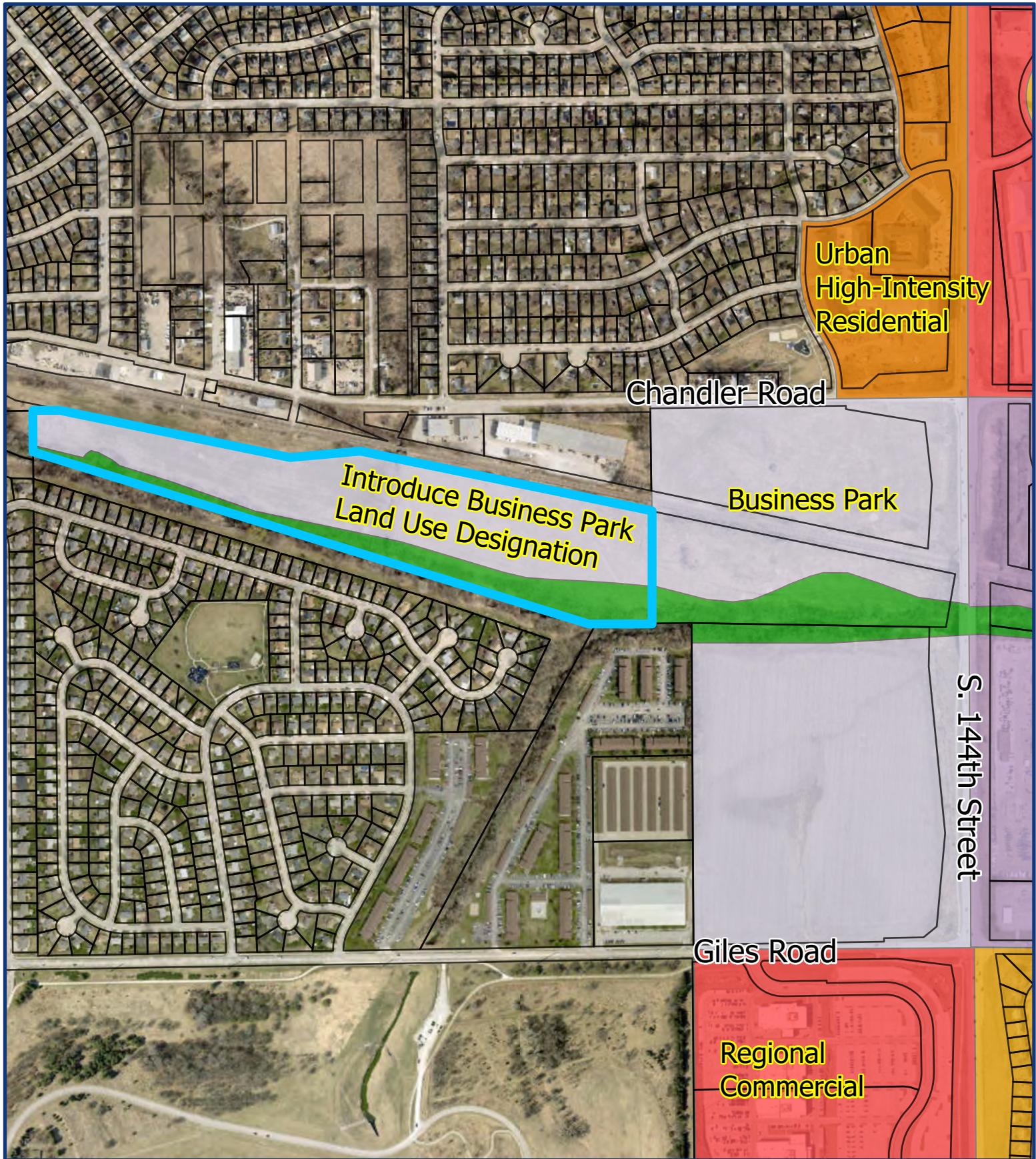
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Douglas Kindig, Mayor

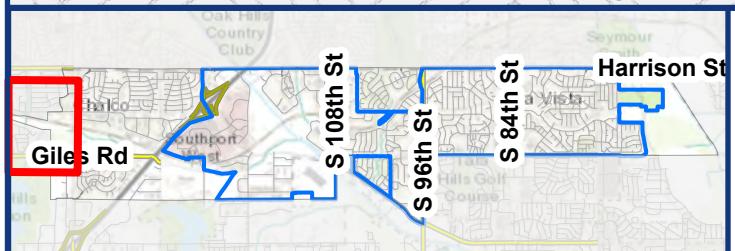
ATTEST:

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Pamela A. Buethe, MMC  
City Clerk



## Vicinity Map: Future Land Use Map Amendment

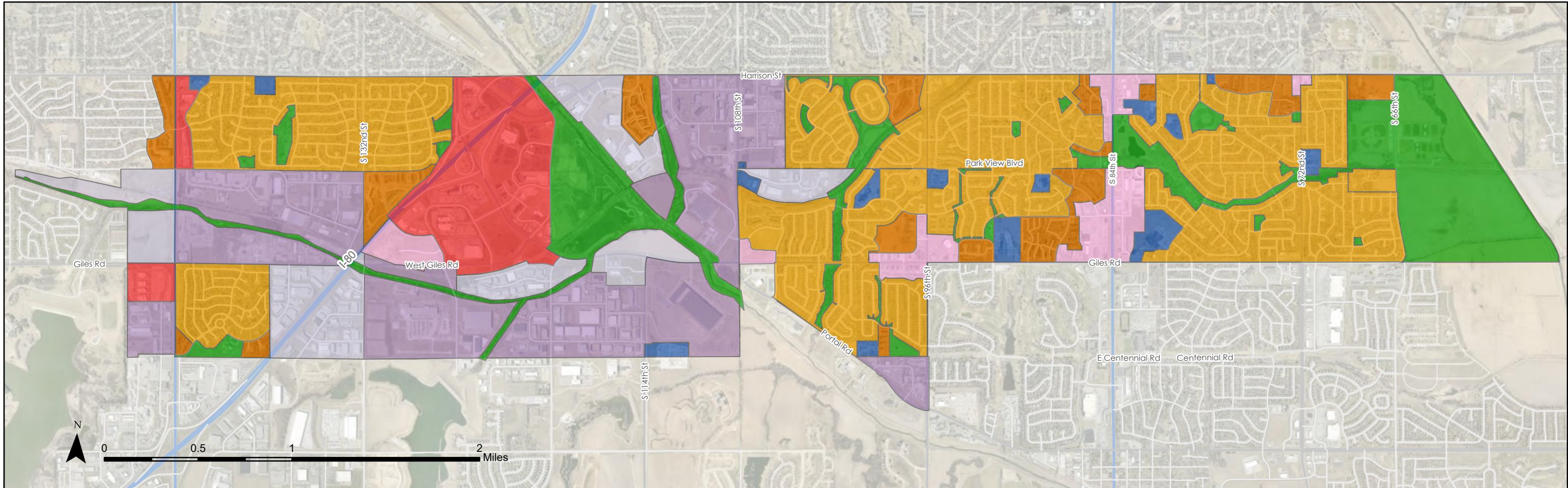


## Legend

-  Property Lines
-  Amendment Boundary/  
Impacted Area



# Future Land Use Map



## LEGEND

Business Park	Regional Commercial
Industrial	Urban High Intensity Residential
Park & Open Space	Urban Medium Intensity Residential
Public	Urban Commercial

Amended: \_\_\_\_\_

THIS MAP WAS PREPARED USING INFORMATION FROM RECORD DRAWINGS SUPPLIED BY APPLICABLE CITY, COUNTY, STATE, FEDERAL, OR PUBLIC OR PRIVATE ENTITIES. THE ACCURACY OF THIS MAP CAN NOT BE GUARANTEED. THIS IS NOT A SCALED PLAT.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ZONING MAP AMENDMENT	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and an ordinance prepared to amend the City of La Vista Zoning Map.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Following the expansion of the City's Extraterritorial Jurisdiction (ETJ) and the amendment to the official Future Land Use Map, the official Zoning Map must be amended to include those areas incorporated into the ETJ through expansion.

The zoning of this property as I-1 would be considered a "downzoning" from Sarpy County's current zoning designation of IGM General Manufacturing District. The list of allowed uses within the I-1 District, as a whole, is more restrictive than the current IGM District. This will reduce the potential impact on neighboring properties.

Copies of Sections 5.13 (I-1 Light Industrial) and 5.14 (I-2 Heavy Industrial) of the La Vista Zoning Ordinance, along with the IGM General Manufacturing District, have been included in your packet for review.

On November 2, 2023, the Planning Commission recommended an amendment to the official Zoning Map of the City of La Vista.

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

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

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

**Section 1. Approval of Map Amendment.** On November 2, 2023, the La Vista Planning Commission conducted public hearings on the matter of assigning a zoning classification to a portion of Tax Lot 19 lying South of the railroad right-of-way in the South ½ of 14-14-11; and on the matter of adjusting the geographic area of the Gateway Corridor Overlay District, all as identified on the revised Official Zoning Map proposed and presented with this Ordinance. On November 21, 2023, the City Council held a public hearing on said proposed amendments to the Official Zoning Map and found and determined that said proposed changes are advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices, including published notice, were duly given pursuant to Section 3.02.01 of the Zoning Ordinance. The City Council hereby approves said proposed amendments to the Official Zoning Map as set forth in Section 2 of this ordinance.

**Section 2. Amendment of the Official Zoning Map.** Pursuant to applicable law, including Article 3 of the Zoning Ordinance, the portion of Tax Lot 19 laying south of the railroad right-of-way in the South ½ of 14-14-11 shall be assigned a zoning classification and the geographic area of the Gateway Corridor Overlay District shall be adjusted as shown on the attached Exhibit "A".

The amended version of the Official Zoning Map of the City of La Vista presented as Exhibit "B" is hereby adopted and shall be signed by the Mayor, attested to by the City Clerk and shall bear the seal of the City under the following words:

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

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

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

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

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Douglas Kindig, Mayor

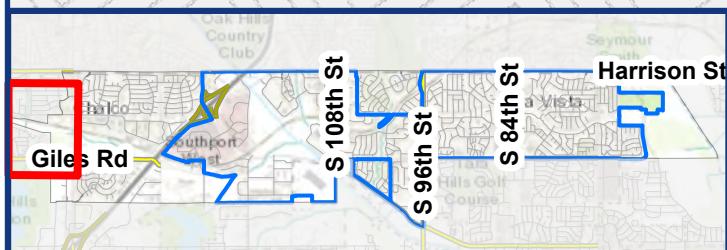
ATTEST:

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Pamela A. Buethe, MMC  
City Clerk



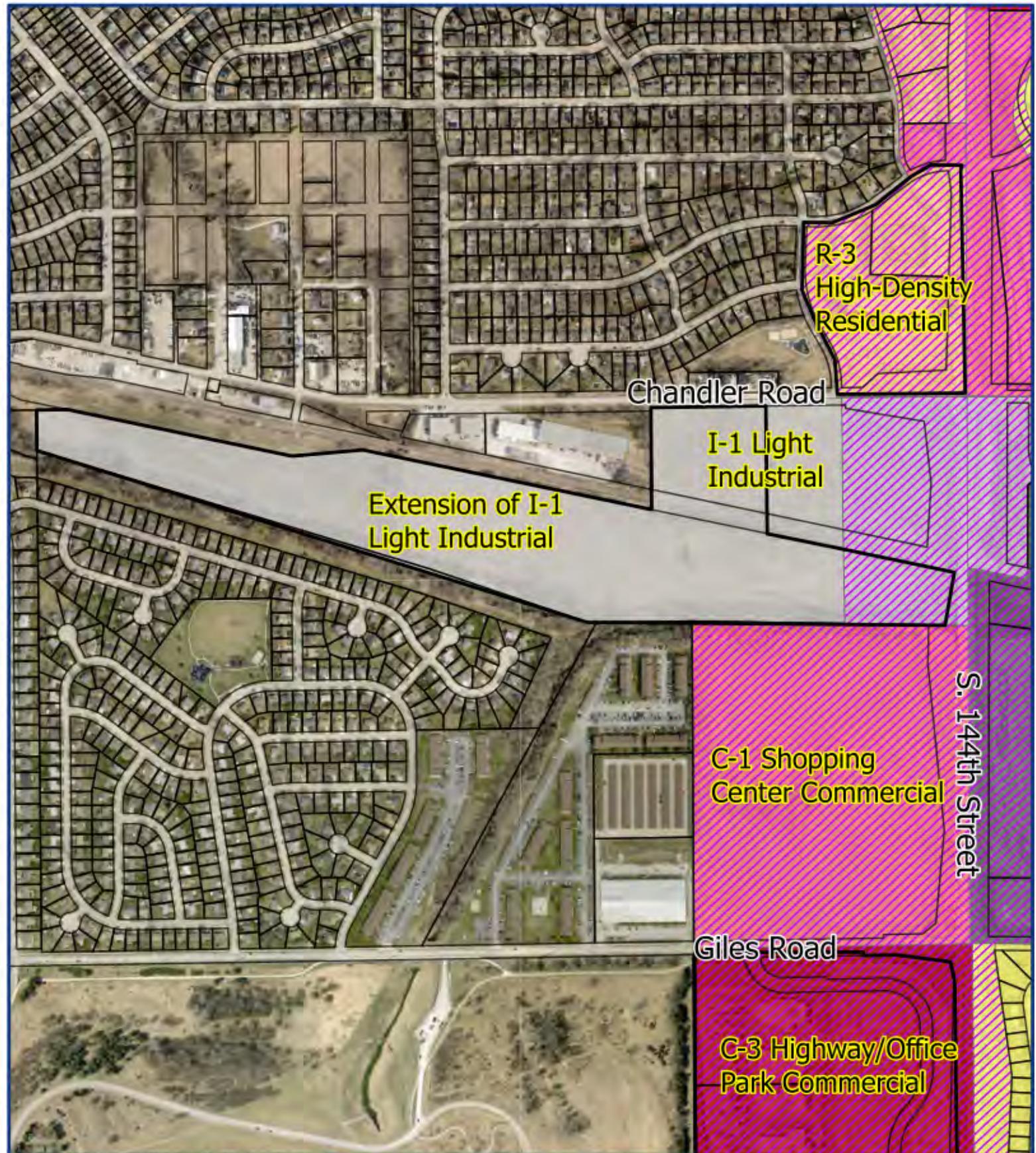
**Vicinity Map: Existing Zoning**



### Legend

- Jurisdiction line between Sarpy County and La Vista
- Gateway Corridor Overlay District (GWC)





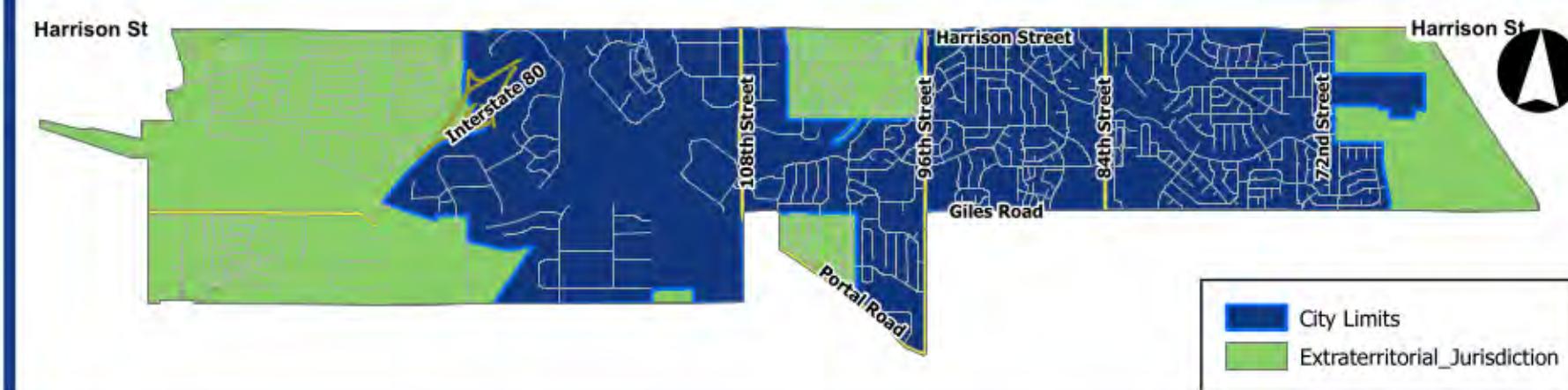
**Exhibit A**

**Vicinity Map: Proposed Zoning Related to ETJ Extension**

**Legend**

- Gateway\_Corridor (pink diagonal lines)
- PUD (white box)





10/26/2023  
Drawn By: CB



**City of La Vista  
Official Zoning Map  
Adopted December 18, 2018  
Updated November 21, 2023  
Ordinance Number \_\_\_\_\_**

**Exhibit B**

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
90 DAY EXTENSION TO RECORD A FINAL PLAT – MAYFAIR 2 <sup>ND</sup> ADDITION REPLAT EIGHT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A request has been made to grant a 90-day extension to Hubbell Development Services to file the final plat for the Mayfair 2<sup>nd</sup> Addition Replat Eight subdivision, generally located northwest of 96<sup>th</sup> Street and Giles Road.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On July 5, 2023, City Council approved of the final plat for the proposed Sagebrook mixed residential development. The property owner, Hubbell Development Services (HRC Sagebrook Multifamily, LLC), is in the process of obtaining a performance bond for the required public improvements associated with the development. Because the subdivision agreement requires the performance bond to be submitted prior to the City releasing the final plat for recording at the Register of Deeds office and the fact that the developer is still working to secure the performance bond, it is necessary to allow an extension to the City's 90 day filing deadline requirement.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, GRANTING APPROVAL OF A 90-DAY EXTENSION TO RECORD THE FINAL PLAT FOR LOT 1 MAYFAIR 2<sup>ND</sup> ADDITION REPLAT EIGHT, BEING A REPLATTING OF LOTS 1, 2, AND 2, MAYFAIR 2<sup>ND</sup> ADDITION REPLAT SEVEN AND LOT 2 MAYFAIR 2<sup>ND</sup> ADDITION REPLAT THREE, A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above-described piece of property have submitted a letter requesting an extension to the filing deadline for Lot 1 Mayfair 2<sup>nd</sup> Addition Replat Eight final plat; and

WHEREAS, the City Planner has reviewed the request and recommends approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the 90-day extension to record the final plat for Lot 1 Mayfair 2<sup>nd</sup> Addition Replat Eight being a replatting of Lot 2 Mayfair 2<sup>nd</sup> Addition Replat Three, together with Lots 1, 2, and 3 Mayfair 2<sup>nd</sup> Addition Replat Seven, a subdivision located in the southeast quarter of the southeast quarter of Section 16, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northeast of the intersection of S 99<sup>th</sup> Street and Hillcrest Plaza, be, and hereby is, approved, subject to execution of the corresponding Subdivision Agreement presented at this Council meeting.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, MMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE PURCHASE – FLEX WING ROTARY CUTTER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JASON ALLEN PARK SUPERINTENDENT

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) John Deere FC15R Flex Wing Rotary Cutter from AKRS Equipment Solutions, Gretna, Nebraska in an amount not to exceed \$21,832.36.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The Public Works Capital Equipment Purchasing Team has recommended the purchase of a John Deere FC15R Flex Wing Rotary Cutter. This unit is the mower we pull behind our big John Deere tractor to mow the City's right of way and large open spaces in the parks. We are trading in the 15-year-old John Deere HX15 Batwing mower to reduce expensive repairs that need to be done this winter before mowing begins next spring.

The proposed purchase will be made through the NE NASPO Ground Maint Equip 15347 OC (PG26CG22) contract.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF ONE (1) JOHN DEERE FLEX WING ROTARY CUTTER FROM AKRS EQUIPMENT SOLUTIONS, GRETNNA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$21,832.36.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a one (1) Flex Wing Rotary Cutter is necessary; and

WHEREAS, the FY23/FY24 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 approve the purchase of a one (1) John Deere Flex Wing Rotary Cutter from AKRS Equipment Solutions, Gretna, Nebraska in an amount not to exceed \$21,832.36.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, MMC  
City Clerk



**JOHN DEERE**



**AKRS**  
EQUIPMENT

**ALL PURCHASE ORDERS MUST BE MADE OUT  
TO (VENDOR):**  
Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580  
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT  
TO DELIVERING DEALER:**  
AKRS Equipment Solutions  
15151 South Highway 31  
Gretna, NE 68028  
402-332-4967  
JDGretna@akrs.com

### Quote Summary

**Prepared For:**

CITY OF LAVISTA  
8116 PARK VIEW BLVD  
LA VISTA, NE 68128  
Business: 402-331-8927  
SBOWERS@CITYOFLAVISTA.ORG

**Delivering Dealer:**  
**AKRS Equipment Solutions**  
Eret Ty  
15151 South Highway 31  
Gretna, NE 68028  
Phone: 402-332-4967  
teret@akrs.com

Due to limited product availability, pricing and condition of the equipment being purchased and any trade-in value(s) are subject to change. AKRS is committed to communicating any changes to this sale. If applicable, you, as the purchaser, can choose to accept the revised pricing/condition or cancel your purchase with AKRS at that time.

**Quote ID:** 29857459  
**Created On:** 25 October 2023  
**Last Modified On:** 25 October 2023  
**Expiration Date:** 27 November 2023

**Equipment Summary**

	<b>Suggested List</b>	<b>Selling Price</b>	<b>Qty</b>	<b>Extended</b>
JOHN DEERE FC15R Flex Wing	\$ 39,911.00	\$ 30,332.36	X	1 = \$ 30,332.36
Rotary Cutter				

**Contract:** NE NASPO Ground Maint Equip 15347 OC (PG 26 CG 22)

**Price Effective Date:** October 24, 2023

**Equipment Total**

**\$ 30,332.36**

**Trade In Summary**

	<b>Qty</b>	<b>Each</b>	<b>Extended</b>
2007 JOHN DEERE HX15 - W0HX15F012999	1	\$ 8,500.00	\$ 8,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 8,500.00

**Trade In Total**

**\$ 8,500.00**

\* Includes Fees and Non-contract items

**Quote Summary**

Equipment Total	\$ 30,332.36
Trade In	\$ (8,500.00)
SubTotal	<b>\$ 21,832.36</b>
Est. Service	\$ 0.00
Agreement Tax	
Total	<b>\$ 21,832.36</b>

**Salesperson : X** \_\_\_\_\_

**Accepted By : X** \_\_\_\_\_



**JOHN DEERE**



**AKRS**  
EQUIPMENT

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**ALL PURCHASE ORDERS MUST BE MADE OUT  
TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580  
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT  
TO DELIVERING DEALER:**

AKRS Equipment Solutions  
15151 South Highway 31  
Gretna, NE 68028  
402-332-4967  
JDGretna@akrs.com

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Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 21,832.36</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE PURCHASE – SINGLE AXLE DUMP TRUCK	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of one (1) 2025 Western Star 47X Single Axle Dump Truck from Truck Center Companies, Omaha, Nebraska in an amount not to exceed \$302,000.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The proposed purchase of the single axle dump truck will be used mainly in snow removal operations on the City's arterial street network. The truck will also be used in the summertime during concrete removal and replacement on City owned infrastructure.

The proposed vehicle will be purchased through the State of Nebraska Contract # 15648 OC.

Delivery is anticipated to take place in early FY25.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF ONE (1) 2025 WESTERN STAR 47X SINGLE AXLE DUMP TRUCK FROM TRUCK CENTER COMPANIES, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$302,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a one (1) Single Axle Dump Truck is necessary; and

WHEREAS, the FY23/FY24 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 approve the purchase of a one (1) 2025 Western Star 47X Single Axle Dump Truck from Truck Center Companies, Omaha, Nebraska in an amount not to exceed \$302,000.00.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Pamela A. Buethe, MMC  
City Clerk

Prepared for:  
Robert Taylor  
NEBRASKA STATE OF AND  
POLITICAL SUB DIVISIONS  
1526 K ST STE 130  
LINCOLN, NE 68508  
Phone: 402-471-2089

Prepared by:  
Terry Novotny  
Truck Center Companies  
14321 CORNHUSKER RD  
OMAHA, NE 68138  
Phone:

## QUOTATION

### WESTERN STAR 47X

SET BACK AXLE - TRUCK  
CUM L9 370 HP @ 2100 RPM, 2100 GOV RPM, 1250 LB-  
FT @ 1200 RPM  
ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH  
PTO PROVISION  
RS-23-160 23,000# R-SERIES SINGLE REAR AXLE  
AIRLINER 23,000# REAR SUSPENSION WITH CHAIN  
CLEARANCE  
DETROIT DA-F-14.7-3 14,700# FF1 71.5 KPI/3.74 DROP  
SINGLE FRONT AXLE

14,600# FLAT LEAF FRONT SUSPENSION  
111.6 INCH BBC CONVENTIONAL ALUMINUM CAB  
4125MM (162 INCH) WHEELBASE  
11.0MM X 85.0MM X 287.0MM STEEL FRAME  
(0.43X3.35X11.30 INCH) 120 KSI  
950MM (37 INCH) REAR FRAME OVERHANG  
ITEM TO EVALUATE AND INSTALL FRAME RAIL  
REINFORCEMENT AS NEEDED FOR FRONT  
FRAME MOUNTED EQUIPMENT

	TOTAL # OF UNITS (1)	PER UNIT	TOTAL
VEHICLE PRICE	\$ 118,173	\$ 118,173	118,173
EXTENDED WARRANTY	\$ 0	\$ 0	0
DEALER INSTALLED OPTIONS	\$ 183,236	\$ 183,236	183,236
CUSTOMER PRICE BEFORE TAX	\$ 301,409	\$ 301,409	301,409

### TAXES AND FEES

FEDERAL EXCISE TAX (FET)	\$ (191)	\$ (191)
TAXES AND FEES	\$ 0	\$ 0
OTHER CHARGES	\$ 0	\$ 0

### TRADE-IN

TRADE-IN ALLOWANCE	\$ (0)	\$ (0)
BALANCE DUE	\$ (LOCAL CURRENCY)	\$ 301,218

### COMMENTS:

Projected delivery on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ provided the order is received before \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

### APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Customer: X \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Daimler Truck Financial**

Financing that works for you.

See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at [Information@dtfoffers.com](mailto:Information@dtfoffers.com).

Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at [www.daimler-truckfinancial.com](http://www.daimler-truckfinancial.com).

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 21, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE PURCHASE – EMERGENCY LIGHTING FOR POLICE MOTORCYCLES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	TODD ARMBRUST POLICE CAPTAIN

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of emergency lighting and signaling equipment for two (2) police motorcycles from Jones Automotive, Omaha, Nebraska in an amount not to exceed \$10,200.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The requested emergency lighting is essential in performing the numerous functions asked of the motors unit to include traffic enforcement, traffic control, escorts and community-oriented policing projects. These updated lights will greatly increase safety of the motor officer by increasing visibility of the motors themselves. The current lighting on the motors has reached the end of its service life and needs to be replaced.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF EMERGENCY LIGHTING AND SIGNALING EQUIPMENT FOR TWO (2) POLICE MOTORCYCLES FROM JONES AUTOMOTIVE, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$10,200.00.

WHEREAS, the City Council of the City of La Vista has determined the purchase of emergency lighting and signaling equipment for two (2) police motorcycles is necessary, and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the proposed purchase., and

WHEREAS, Jones Automotive is a sole source vendor and will extend that price to the City of La Vista, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires 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 emergency lighting and signaling equipment for two (2) police motorcycles from Jones Automotive, Omaha, Nebraska in an amount not to exceed \$10,200.00.

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER 2023.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, MMC  
City Clerk

# JONES AUTOMOTIVE

1223 S 20TH ST  
OMAHA, NE 68108-3404  
402-345-8383 M-F 7AM-4PM

## \*\*\*\*\* Quote / Estimate \*\*\*\*\*

Quote #: 3824

Sold To:

LA VISTA POLICE DEPT.  
7701 S. 96TH ST.  
LA VISTA NE 68128  
Business Phone: 402-331-1353

Date: 10/26/23

Quote Sale: 67

Contact Number:

Unit #:

Vehicle:

License:

Mileage: 0

Vin#:

Description	Product Code	QTY	Parts	Labor	FET	Tax	Ext. Price	Total
<b>WINDSHIELD LIGHTS - WHELEN -</b>								
M08DT WINDSHIELD LIGHTS MTLIJ DUO RED/BLUE LIGHTHEADS	PNOSTK PNOSTK	1.00 5.00	804.86 0.00	0.00 0.00	0.00 0.00	0.00 0.00	804.86 0.00	804.86
<hr/>								
<b>FRONT FORKS - WHELEN -</b>								
IONHD3FM BRACKET I2SMJ ION SURFACE MOUNT	PNOSTK PNOSTK	2.00 2.00	26.57 167.14	0.00 0.00	0.00 0.00	0.00 0.00	53.14 334.28	387.42
<hr/>								
<b>SPOTLIGHT REPLACEMENTS - WHELEN -</b>								
4" EXTD SYNC SUPER-LED R/B/C P32HD1 ANTI ROTATION RING	WH2EJ00ZCR PNOSTK	2.00 2.00	204.86 5.14	0.00 0.00	0.00 0.00	0.00 0.00	409.72 10.28	420.00
<hr/>								
<b>CRASH BAR LIGHT - WHELEN -</b>								
FABRICATION IONSMJ ION SURFACE MOUNT	FAB PNOSTK	1.00 1.00	50.00 144.00	0.00 0.00	0.00 0.00	0.00 0.00	50.00 144.00	194.00
<hr/>								
<b>TOUR PACK LIGHTS - WHELEN -</b>								
M7DJ M SERIES DUO R/B	PNOSTK	3.00	255.43	0.00	0.00	0.00	766.29	766.29
<hr/>								
<b>UNDER PACK LIGHTS - HEMPEL / WHELEN -</b>								
UNDER TOUR BACK MOUNT TLM12J MINI ION R/B	HEMNOSTK PNOSTK	1.00 4.00	400.00 127.71	0.00 0.00	0.00 0.00	0.00 0.00	400.00 510.84	910.84
<hr/>								
<b>LABOR -</b>								
LABOR	HO2000E	11.00	0.00	130.00	0.00	0.00	1,430.00	1,430.00
<hr/>								
<b>MISCELLANEOUS -</b>								
MISCELLANEOUS SUPPLIES INBOUND SHIPPING AND HANDLING	MISC FRT1	1.00 1.00	40.00 50.00	0.00 0.00	0.00 0.00	0.00 0.00	40.00 50.00	90.00
<hr/>								

If this bid for product and installation is accepted and your vehicle is delivered, we will do our best to expedite the installation process. However, the timely installation of the product will be contingent on our workload at that time.

Freight charge may vary and will be billed accordingly.

A convenience fee of 3 to 4% of the total payment amount will be charged if you pay by credit card.

Quote Notes:	QUOTE FOR LED LIGHT UPGRADES ON 2 MOTORCYCLES.	Parts:	3,573.41
		Labor:	1,430.00
	QUOTE MADE FOR ONE 2017 HARLEY DAVIDSON ELECTRA-GLIDE	Shop Supplies	0.00
		Subtotal:	5,003.41
		Sales Tax:	0.00
		<b>Total:</b>	<b>\$5,003.41</b>

Quote expires: 12/25/23