

LA VISTA CITY COUNCIL MEETING AGENDA

July 7, 2015

7:00 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**

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 June 16, 2015 City Council Meeting**
3. **Pay Request from Thompson, Dreessen & Dorner, Inc. – Professional Services – Thompson Creek - \$6,981.06**
4. **Pay Request from Upstream Weeds – Thompson Creek Restoration Project - \$2,053.32**
5. **Pay Request from Felsburg Holt & Ullevig – Professional Services – Hell Creek Channel Improvements - \$352.50**
6. **Pay Request from TIJ Construction LLC – Sewer Shop Rehabilitation - \$5,030.10**
7. **Pay Request from Vierregger Electric Co. – 124th Circle and Harrison Street Signal Improvements - \$18,053.25**
8. **Pay Request from Anderson Excavating Co. – Thompson Creek Channel Rehabilitation Channel Reconstruction - \$63,000.00**
9. **Approval of Claims.**

- **Special Presentation – Nebraska Multisport Complex**
- **Reports from City Administrator and Department Heads**

B. Amend Sections 31.21, 133.01 and 92.15 of the La Vista Municipal Code

1. **Ordinance – Amend Section 31.21 City Treasurer**
2. **Ordinance – Amend Section 133.01 Stagnant Waters, Weeds, and Litter**
3. **Ordinance – Amend Section 92.15 Definition**

C. Resolution – Amend City Personnel Policy and Procedures Manual

D. Resolution – Authorization to Purchase Update for Library Materials Detection System

E. Resolution – Authorize Request for Proposals – Engineering Services – City Parking District Access Improvements

F. Resolution – 66th Street Rehabilitation – Interlocal Agreement

G. Resolution – Award Bid – Tennis Court Resurfacing

H. Executive Session – Contract Negotiations; Personnel

I. Possible Resolution – Personnel Decision

- **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 five minutes. We ask for your cooperation in order to provide for an organized meeting.

MINUTE RECORD

A-2

No. 729 — REDIEL & COMPANY, INC. OMAHA E1107788LD

LA VISTA CITY COUNCIL MEETING June 16, 2015

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on June 16, 2015. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resources Manager Garrod, Finance Director Miserez and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on June 3, 2015. 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.

PRESENTATION – CERTIFICATE OF APPRECIATION FROM NATIONAL GARDEN CLUB – BLUE STAR MEMORIAL

Linda Shaw presented a certificate of appreciation from the National Garden Club to the Mayor and Council for the Blue Star Memorial project.

SERVICE AWARD – ROB GEORGE – 10 YEARS

Mayor Kindig presented Rob George with a ten year service award.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JUNE 2, 2015 CITY COUNCIL
MEETING
3. APPROVAL OF THE MINUTES OF THE MAY 28, 2015 PLANNING
COMMISSION MEETING
4. PAY REQUEST – LOGAN SIMPSON - PROFESSIONAL SERVICES –
COMPREHENSIVE PLAN UPDATE - \$5,975.00
5. PAY REQUEST – FOCUS PRINTING & MAILING – PROFESSIONAL
SERVICES – THOMPSON CREEK RAIN BARREL PROGRAM - \$125.00
6. PAY REQUEST – FOCUS PRINTING & MAILING – PROFESSIONAL
SERVICES – THOMPSON CREEK WATERSHED PROJECT - \$125.00
7. PAY REQUEST – LOGAN SIMPSON - PROFESSIONAL SERVICES –
COMPREHENSIVE PLAN UPDATE - \$10,952.99
8. PAY REQUEST – ANDERSON EXCAVATING CO. – CONSTRUCTION
SERVICES – THOMPSON CREEK CHANNEL REHABILITATION GROUP B -
\$74,336.40
9. PAY REQUEST – DOUGLAS COUNTY TREASURER – PROFESSIONAL
SERVICES – HELL CREEK EMERGENCY MAINTENANCE - \$61,981.59
10. PAY REQUEST – DOUGLAS COUNTY TREASURER – PROFESSIONAL
SERVICES – HELL CREEK – HELL CREEK MITIGATION MONITORING -
\$3,050.00
11. PAY REQUEST – PAPILLION MISSOURI RIVER NATURAL RESOURCE
DISTRICT – WATERSHED FEES - \$189,825.48
12. APPROVE CHANGE IN START TIME OF THE JULY 21, 2015 CITY COUNCIL
MEETING FROM 7:00 P.M. TO 6:00 P.M.
13. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	\$56.00
AA WHEEL & TRUCK SUPPLY, maint	\$17.03
ABANTE MARKETING, apparel	\$68.00
ACCO UNLIMITED CORP, bld&grnds	\$1,877.20
ACTION BATTERIES, maint	\$122.95
AKSARBEN GARAGE DOOR, bld&grnds	\$85.00

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ALAMAR UNIFORMS, apparel	\$2,107.21
AMERICA'S FENCE STORE INC, services	\$84.72
ARAMARK UNIFORM, services	\$32.88
A-RELIEF SERVICES INC, services	\$1,632.00
ART FAC GRAPHICS LLC, maint.	\$884.00
ASPHALT & CONCRETE MATERIALS, maint.	\$629.20
BAKER & TAYLOR, books	\$146.92
BARCAL, R., travel	\$129.09
BCDM-BERINGER CIACCIO DENNELL, services	\$1,291.25
BEACON BUILDING, services	\$1,200.00
BEST BOOKS INC, books	\$348.34
BISHOP BUSINESS EQUIPMENT, services	\$1,604.46
BLACK HILLS ENERGY, utilities	\$2,723.81
BOB'S RADIATOR REPAIR, maint.	\$145.00
BRENTWOOD AUTO WASH, maint.	\$56.00
BRYAN ROCK PRODUCTS, bld&grnds	\$6,459.85
BUILDERS SUPPLY CO INC, maint.	\$10.24
BURTON PROSTHETICS INC, services	\$1,050.75
CARDMEMBER SERVICE, services	\$11,811.96
CATHERINE DEMES MAYDEW, services	\$2,518.75
CDW GOVERNMENT INC, services	\$4,302.18
CENTURY LINK, phones	\$154.68
CENTURY LINK BUSN SVCS, phones	\$56.64
CHRIS MADDEN, services	\$2,904.06
CITY OF OMAHA, services	\$36.87
COMSEARCH, services	\$400.00
CONSOLIDATED MANAGEMENT, travel	\$23.25
COSGRAVE COMPANY, bld&grnds	\$94.50
COX COMMUNICATIONS, services	\$143.00
DANKO EMERGENCY EQUIP., maint.	\$1,155.50
DEARBORN NATIONAL LIFE INS CO, services	\$20,266.03
DELL MARKETING L.P., services	\$7,462.27
DIAMOND VOGEL PAINTS, bld&grnds	\$217.85
EDGEWEAR SCREEN PRINTING, apparel	\$1,375.75
ENTERPRISE LOCKSMITHS INC, bld&grnds	\$20.00
EXCHANGE BANK, services	\$1,035.79
EXMARK MANUFACTURING, services	\$28,668.00
EXPRESS DISTRIBUTION LLC, supplies	\$198.38
FEDEX KINKO'S, services	\$8.18
FELSBURG HOLT & ULLEVIG, services	\$1,818.80
FILTER CARE, maint.	\$49.50
FOCUS PRINTING, services	\$75.00
GALE, books	\$163.43
GCR TIRES & SERVICE, maint.	\$155.08
GENUINE PARTS CO., maint.	\$700.77
GRAYBAR ELECTRIC CO., bld&grnds	\$621.36
HAMILTON COLOR LAB INC, services	\$634.38
HANEY SHOE STORE, apparel	\$150.00
HEARTLAND PAPER, supplies	\$84.00
HERTZ EQUIPMENT RENTAL, maint.	\$650.00
HOME DEPOT, bld&grnds	\$82.60
HUNTEL COMMUNICATIONS, services	\$140.00
HY-VEE INC. supplies	\$119.81
INFOGROUP, media	\$1,250.00
INGRAM LIBRARY SERVICES, books	\$1,840.83
GOSS, J., travel	\$6.70
KORNEY BOARD AIDS INC, services	\$58.90
KRIHA FLUID POWER CO., maint.	\$140.86
KRIZ-DAVIS CO., bld&grnds	\$36.49
LANDPORT SYSTEMS INC, services	\$125.00

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LAUGHLIN, KATHLEEN A, TRUSTEE, services	\$116.00
LEO A DALY CO., services	\$2,812.95
LEXIS NEXIS MATTHEW BENDER, books	\$51.44
LIFEGUARD STORE INC., supplies	\$225.05
LOGAN SIMPSON DESIGN INC, services	\$9,328.35
LOU'S SPORTING GOODS, supplies	\$148.80
LOWE'S, supplies	\$75.08
MENARDS-RALSTON, bld&grnds	\$292.44
METRO AREA TRANSIT, services	\$519.00
METRO LANDSCAPE, bld&grnds	\$1,890.00
METROPOLITAN COMM COLLEGE, services	\$11,636.20
MUD, utilities	\$1,972.90
MICHAEL TODD AND CO., maint.	\$69.00
MIDWEST TAPE, media	\$26.24
MIDWEST TURF & IRRIGATION, maint.	\$31.47
MSC INDUSTRIAL SUPPLY CO., maint.	\$64.28
NATIONAL LEAGUE OF CITIES, services	\$1,489.00
NE DEPT OF ROADS, maint.	\$2,618.17
NE LIQUOR CONTROL COMMISSION, services	\$40.00
NEBRASKA IOWA SUPPLY, maint.	\$6,778.69
NEBRASKA LAW ENFORCEMENT, services	\$200.00
NEBRASKA NOTARY ASSOC., services	\$100.00
NEWMAN TRAFFIC SIGNS INC., bld&grnds	\$196.15
NWEA-NE WATER ENVIRON ASSN, services	\$400.00
ODB COMPANY, maint.	\$160.41
OFFICE DEPOT INC, supplies	\$699.65
O'KEEFE ELEVATOR CO. INC., bld&grnds	\$88.00
OMAHA PUBLIC POWER DISTRICT, utilities	\$51,758.70
OMAHA PUBLIC POWER DISTRICT, services	\$205,595.36
OMAHA WINNELSON, bld&grnds	\$218.20
OMNI, maint.	\$627.42
O'REILLY AUTOMOTIVE, maint.	\$184.62
ORIENTAL TRADING CO., supplies	\$98.22
OXMOOR HOUSE, books	\$36.91
PAPILLION SANITATION, services	\$958.48
PAPILLION TIRE INC., maint.	\$83.59
PAPIO-MO RIVER NRD STORM WATER, services	\$5,000.00
PARAMOUNT LINEN & UNIFORM, services	\$328.06
PAYFLEX SYSTEMS, services	\$514.85
PAYLESS OFFICE PRODUCTS, supplies	\$149.95
PEPSI COLA CO., supplies	\$677.22
PERFORMANCE CHRYSLER JEEP, maint.	\$216.00
PLAINS EQUIPMENT GROUP, maint.	\$720.53
PREMIER-MIDWEST BEVERAGE CO, supplies	\$203.10
Q P ACE HARDWARE, bld&grnds	\$2,199.88
QUALITY AUTO REPAIR & TOWING, services	\$75.00
QUALITY BRANDS OF OMAHA, supplies	\$288.35
RDG PLANNING & DESIGN, services	\$2,279.04
REGAL AWARDS, services	\$456.95
REPUBLIC NATIONAL DISTR CO LLC, supplies	\$117.74
RETRIEVEX, services	\$117.10
ROTELLA'S ITALIAN BAKERY, supplies	\$111.74
SAM'S CLUB, supplies	\$3,587.82
SARPY COUNTY LANDFILL, services	\$62.44
SCHOLASTIC BOOK FAIRS, books	\$135.95
SHAMROCK CONCRETE CO., maint.	\$16.00
SIEBELS, J., travel	\$238.00
SIRCHIE FINGER PRINT LABS, services	\$152.72
SOLBERG, C., travel	\$520.80
SPRINT, phones	\$642.20

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STERLING DISTRIBUTING CO., supplies	\$42.26
STOLTENBERG NURSERIES, bld&grnds	\$300.00
SUBSURFACE SOLUTIONS, maint.	\$615.00
SUPERIOR SPA & POOL, maint.	\$50.99
SUTPHEN CORPORATION, maint.	\$196.40
TED'S MOWER SALES, maint.	\$110.32
THOMPSON DREESSEN & DORNER, services	\$909.23
TIELKE'S SANDWICHES, supplies	\$10.89
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED PARCEL, services	\$295.39
UNITED RENT-ALL, services	\$1,221.69
UTILITY EQUIPMENT CO., bld&grnds	\$150.47
VAN RU CREDIT CORPORATION, services	\$23.15
VERNON CO., services	\$1,616.32
WHITE CAP CONSTR SUPPLY, maint.	\$134.58
WICK'S STERLING TRUCKS INC, maint.	\$443.69

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten stated that Officer Miller is attending DARE officer training.

Director of Public Works Soucie reported on the Open House at the Public Works facility on Saturday June 6. Soucie gave updates on projects.

Finance Director Miserez informed Council of some changes on reporting of e-pays on the claims register.

Library Director Barcal reported that the library is a pilot sight for wounded warrior meetings.

B. APPLICATION FOR AMENDMENT OF THE FUTURE LAND USE MAP & REZONING -- LOT 2, MAYFAIR 2ND ADDITION REPLAT 5 (SW OF BRENTWOOD DRIVE & 97TH PLAZA)

1. PUBLIC HEARING

At 7:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Amendment of the Future Land Use Map & Rezoning -- Lot 2, Mayfair 2nd Addition Replat 5 (SW of Brentwood Drive & 97th Plaza).

At 7:13 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

2. RESOLUTION -- AMEND FUTURE LAND USE MAP

Councilmember Thomas introduced and moved for the adoption of Resolution No.15-074; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING THE FUTURE LAND USE MAP PORTION OF THE COMPREHENSIVE PLAN.

WHEREAS, after conducting a public hearing on June 16, 2016, regarding a proposal to amend the official Future Land Use Map from a commercial land use to a high density residential land use for Lot 2, Mayfair 2nd Addition Replat Five; and

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WHEREAS, the Planning Commission held a public hearing on May 28, 2015, and has recommended approval of the amendment to the Future Land Use Map of the Comprehensive Plan; and

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

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to prepare the necessary amendment to the Future Land Use Map of the Comprehensive Plan that includes an amendment from a "Commercial" to a "High Density Residential" land use category with the "Special Corridor" overlay designation for Lot 2, Mayfair 2nd Addition Replat Five.

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

3. ORDINANCE - APPROVE REZONING

Councilmember Quick introduced Ordinance No. 1249 entitled; 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.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1249 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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. APPLICATION FOR REZONING – LOT 1, STONYBROOK SOUTH REPLAT II (W OF 142ND & EDNA CIRCLE

1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Rezoning – Lot 1, Stonybrook South Replat II (W of 142nd & Edna Circle

At 7:16 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

2. ORDINANCE - APPROVE REZONING

Councilmember Thomas introduced Ordinance No. 1250 entitled; 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.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays:

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None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1250 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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.

D. CONDITIONAL USE PERMIT – INDUSTRIAL CONDOMINIUMS – LOTS 8 & 16, HARRISON HILLS (118TH & PEEL CIRCLE)

1. PUBLIC HEARING

At 7:17 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Conditional Use Permit – Industrial Condominiums – Lots 8 & 16, Harrison Hills (118th & Peel Circle). The applicants gave a presentation of the project.

At 7:26 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

2. RESOLUTION – APPROVE CONDITIONAL USE PERMIT

Councilmember Hale introduced and moved for the adoption of Resolution No.15-075; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR OMAHA MOTORING CLUB TO ALLOW FOR INDUSTRIAL CONDOMINIUMS ON LOTS 8 AND 16, HARRISON HILLS (TO BE REPLATTED AS LOT 1, HARRISON HILLS REPLAT 5).

WHEREAS, Omaha Motoring Club has applied for a conditional use permit to allow industrial condominiums on Lots 8 and 16, Harrison Hills (to be replatted as Lot 1, Harrison Hills Replat 5), located northeast of 118th Street and Peel Circle; and

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

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Omaha Motoring Club to allow industrial condominiums on Lots 8 and 16, Harrison Hills (to be replatted as Lot 1, Harrison Hills Replat 5), located in the NW ¼ of Section 17, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located northeast of 118th Street and Peel Circle be, and hereby is, approved subject to the resolution of the following items:

1. Legal review and approval of the proposed changes to the Conditional Use Permit; and
2. Approval and recording of the Administrative Plat prior to signing the Conditional Use Permit.

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

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E. ZONING TEXT AMENDMENTS – ANIMAL SPECIALTY SERVICES – KENNELS & PET STORES

1. PUBLIC HEARING

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Zoning Text Amendments – Animal Specialty Services – Kennels & Pet Stores.

At 7:27 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

2. ORDINANCE – AMEND SECTION 2.02

Councilmember Hale introduced Ordinance No. 1251 entitled; AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Frederick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1251 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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.

3. ORDINANCE – AMEND SECTION 5.05

Councilmember Quick introduced Ordinance No. 1252 entitled; AN ORDINANCE TO AMEND SECTION 5.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Crawford moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1252 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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.

4. ORDINANCE – AMEND SECTION 5.10

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Councilmember Quick introduced Ordinance No. 1253 entitled; AN ORDINANCE TO AMEND SECTION 5.10 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.10 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1253 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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.

5. ORDINANCE – AMEND SECTION 5.11

Councilmember Frederick introduced Ordinance No. 1254 entitled; AN ORDINANCE TO AMEND SECTION 5.11 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.11 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Hale moved for final passage of the ordinance which motion was seconded by Councilmember Frederick. The Mayor then stated the question, "Shall Ordinance No. 1254 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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.

F. RESOLUTION – APPROVE 30-DAY EXTENSION TO RECORD A FINAL PLAT – ANDOVER POINTE (SE OF 132ND & CHANDLER ROAD)

Councilmember Crawford introduced and moved for the adoption of Resolution No.15- 076; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, GRANTING APPROVAL OF A 30-DAY EXTENSION TO RECORD THE FINAL PLAT FOR LOT 1, ANDOVER POINTE, BEING A REPLATTING OF LOTS 1 AND 2, BELLA LA VISTA, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., 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 the Andover Pointe final plat; and

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

MINUTE RECORD

June 16, 2015

No. 729 -- REVELL & COMPANY, INC. OMAHA E1107788LD

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the 30-day extension to record the final plat for Lot 1, Andover Pointe, being a replatting of Lots 1 and 2, Bella La Vista, a subdivision located in the Southwest ¼ of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southeast of 132nd Street and Chandler Road be, and hereby is, approved.

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

G. RESOLUTION – APPROVE INTERLOCAL AGREEMENT REGARDING COMPRESSED NATURAL GAS GRANT FUNDING (TABLED FROM THE JUNE 2, 2015 MEETING)

Councilmember Quick introduced and moved for the adoption of Resolution No.15-077; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY AND THE CITY OF PAPIILLION TO ESTABLISH THE OBLIGATIONS OF THE PARTIES WITH REGARD TO GRANT FUNDING RECEIVED BY SARPY COUNTY FROM THE NEBRASKA ENVIRONMENTAL TRUST FOR RETROFITTING AND/OR PURCHASING VEHICLES CAPABLE OF USING COMPRESSED NATURAL GAS (CNG).

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, Sarpy County has received \$200,000 in grant funding which will be divided equally between Sarpy County, the City of Papillion and the City of La Vista, and;

WHEREAS, the funding will be used for converting existing vehicles to CNG or purchasing new vehicles that have already been converted to CNG, and;

WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the execution of an Interlocal Cooperation Agreement with Sarpy County and the City of Papillion to establish obligations of the parties with regard to grant funding received by Sarpy County from the Nebraska Environmental Trust for retrofitting and/or purchasing vehicles capable of using compressed natural gas (CNG) in form and content approved by the City Attorney.

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

H. RESOLUTION – APPROVE INTERLOCAL AGREEMENT REGARDING SALT SHED FACILITY AND FUELING ISLAND

Councilmember Quick introduced and moved for the adoption of Resolution No.15-078; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PAPIILLION GRANTING THE CITY OF LA VISTA A LICENSE TO USE AND OCCUPY THE SALT STORAGE FACILITY AND FUELING ISLAND LOCATED AT 9909 PORTAL ROAD.

MINUTE RECORD

June 16, 2015

No. 729 — FREDERICK & COMPANY, INC. OMAHA E1107788LD

- WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,
- WHEREAS, the City of Papillion is constructing a Public Works Facility across the street from the La Vista Public Works Facility, and;
- WHEREAS, the City of Papillion has approached the City of La Vista regarding a joint purchase of the salt storage facility and fueling island, and;
- WHEREAS, the City of La Vista Public works is in need of additional covered salt storage space and the current fueling system is insufficient and in need of upgrades, and;
- WHEREAS, the FY15 Capital Fund Budget provides funding for the proposed purchase, and;
- WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and
- WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.
- NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the execution of an Interlocal Cooperation Agreement with the City of Papillion granting the City of La Vista a license to use and occupy the salt storage facility and fueling island located at 9909 Portal Road in form and content approved by the City Attorney.

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

I. RESOLUTION – APPROVAL – THOMPSON CREEK DRAINAGEWAY PROJECT – INTERLOCAL AGREEMENT WITH PAPIO-MISSOURI RIVER NATURAL RESOURCE DISTRICT

Councilmember Crawford introduced and moved for the adoption of Resolution No.15-079: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT FOR THE UNDERTAKING OF EFFORTS REQUIRED TO REHABILITATE AND RESTORE THE THOMPSON CREEK CHANNEL BETWEEN 72ND STREET AND 78TH STREET.

- WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,
- WHEREAS, the City of La Vista desires to rehabilitate and restore the channel of Thompson Creek between 72nd Street and 78th Street and this area is located in the City of La Vista, and;
- WHEREAS, the Papio-Missouri River NRD is agreeing to provide \$712,000. Toward the design and construction elements of the Thompson Creek Watershed Restoration project, and;
- WHEREAS, the FY 15 and proposed FY 16 Capital Fund Budgets contain yearly allocations for the rehabilitation and restoration of Thompson Creek, and;

MINUTE RECORD

June 16, 2015

No. 729 — FREDERICK & COMPANY, INC. OMAHA E1107788LD

WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby approves and authorizes the execution of an Interlocal Cooperation with the Papio-Missouri River Natural Resources District for the undertaking of efforts required to rehabilitate and restore that Thompson Creek Channel between 72nd Street and 78th Street.

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

J. RESOLUTION – PAPIO-MISSOURI RIVER NRD HAZARD MITIGATION PLAN PARTICIPATION

Councilmember Hale introduced and moved for the adoption of Resolution No.15-080; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Multi-Hazard Mitigation Plan identifies the vulnerability of public bodies to natural hazards and the projects that can be implemented to reduce or eliminate vulnerability exposure, and

WHEREAS, FEMA now requires that a public entity must have a current Multi-Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters, and

WHEREAS, the Papio-Missouri River Natural Resource District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including all of Sarpy, Douglas, Washington, and Dakota Counties as well as parts of Burt and Thurston Counties and all associated local governmental entities,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves participation in the proposed Multi-Hazard Mitigation Planning process described above, and pledges to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

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

K. RESOLUTION – AUTHORIZATION TO PURCHASE - HEATING AND AIR CONDITIONING UNIT

Councilmember Hale introduced and moved for the adoption of Resolution No.15-081; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) NEW TEMPSTAR NATURAL GAS FURNACE AND AIR CONDITIONING UNIT FROM STANDARD HEATING AND AIR CONDITIONING, INC., LA VISTA, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$13,996.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a new gas furnace and air conditioning unit is necessary, and

WHEREAS, the FY15 Capital Fund budget provides funding for the purchase of said unit, and

MINUTE RECORD

June 16, 2015

No. 729 -- REFIELD & COMPANY, INC. OMAHA E1107788LD

WHEREAS, Standard Heating and Air Conditioning, La Vista NE was the most responsible bidder and

WHEREAS, Subsection (c) 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 one (1) new Tempstar Natural gas furnace and air conditioning unit from Standard Heating and Air Conditioning, Inc., La Vista, Nebraska and in an amount not to exceed \$13,996.

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

L. RESOLUTION – AUTHORIZE PURCHASE – SPECIAL TRANSIT SERVICE VEHICLE

Councilmember Quick introduced and moved for the adoption of Resolution No.15-082; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A SPECIAL TRANSIT SERVICE VEHICLE IN PARTNERSHIP WITH METROPOLITAN AREA TRANSIT (MAT) IN AN AMOUNT NOT TO EXCEED \$10,235.00.

WHEREAS, the City Council has previously participated in a partnership with the City of Ralston and Metropolitan Area Transit to provide transportation services to the elderly and handicapped residents of the cities; and

WHEREAS, a determination has been made that one of the vehicles in the existing fleet is in need of replacement; and

WHEREAS, the City of La Vista would be responsible for 15% of the cost of the new vehicle with the remaining cost being paid by federal funds through MAT, 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 establish the need to purchase a replacement special transit services vehicle in conjunction with Metropolitan Area Transit and authorize payment of the City's share of the cost in an amount not to exceed \$10,235.00.

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

M. STRATEGIC PLAN UPDATE

City Administrator Gunn went through the Strategic Plan and updated the Council on progress on items in the plan.

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

Councilmember Crawford made a motion to move Comments from the floor ahead of Item N Executive Session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

MINUTE RECORD

June 16, 2015

No. 729 — REELED & COMPANY, INC. QJANA E110778BLD

COMMENTS FROM THE FLOOR

There were no comments from the floor.

N. EXECUTIVE SESSION – NEGOTIATING GUIDANCE AND POTENTIAL REAL ESTATE PURCHASE; PERSONNEL

At 7:46 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for negotiating guidance and potential real estate purchase and for protection of an individual to discuss personnel. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:25 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reported on final items from the legislative session looking forward to the next session.

At 9:26 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk



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

A-3

INVOICE

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

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

CITY OF LA VISTA
JOHN KOTTMANN
8116 PARKVIEW BOULEVARD
LA VISTA, NE 68128

Invoice number 110065
Date 06/09/2015
Project 0171-408 THOMPSON CREEK PHASE 1

Professional Services from April 20, 2015 through May 24, 2015

P.O. #15-0092

Description		Current Billed
Task A-Project Start-up		0.00
Task B-Design Development		0.00
Task C-Construction Documentation		0.00
Task D-Phase 2 Grant Acquisition		0.00
Task E-Pre-Construction Monitoring		0.00
Construction Phase Services		6,981.06
Contract Administration	\$1,170.46	
Erosion Control Monitoring and Reporting Services	387.20	
Construction Observation	1,895.20	
Construction Staking.	3,528.20	
Additional Services - OPPD		0.00
Total		6,981.06

Invoice total 6,981.06

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
110065	06/09/2015	6,981.06	6,981.06				
Total		6,981.06	6,981.06	0.00	0.00	0.00	0.00

O.K. to pay
BANK 6-15-2015
05.71.0871.03 (NET)

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.

Consent Agenda 7/7/15 (pk)



A-4

INVOICE

Chris Madden
3942 North 66th St, Omaha, Ne., 68104-2551
402-881-6919
chris@upstreamweeds.com

DATE: MAY 19, 2015

INVOICE #: 0067 ⁷ ₈ ^{mak}


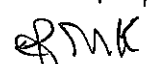
TO John Kottman, City Engineer
City of La Vista, Nebraska
Public Works Department
9900 Portal Road
La Vista, NE 68128

Project Name	Project Description	Project Dates	Project Status
La Vista BioBlitz '15	Thompson Creek Restoration Project/ City of La Vista	PubEn / EdOut / CitSc	4/13/15 - 5/17/15
Week of:	Description:	Hours:	Line Total
5/18/15 - 5/24/15			
UW Consultant Fees			
	Social Media & Online Prep/Presence/Promotion	3	\$75.00
	Partner Correspondence & Networking	3	\$75.00
	City of La Vista Acct. Management & Administration	4	\$100.00
	UNO Collaborative Prep & Consultation	2	\$50.00
	Planning & Coordination Meeting w/ External Partners	4	\$100.00
	Weekly Total	16	\$400.00
Kaplan Business Intern			
	Billing	1	\$13.33
	Weekly Total	1	\$13.33
5/25/15 - 5/31/15			
UW Consultant Fees			
	Partner Correspondence & Networking	10	\$250.00
	City of La Vista Acct. Management & Administration	9	\$225.00
	UNO Collaborative Prep & Consultation	3	\$75.00
	Weekly Total	22	\$550.00
Kaplan Business Intern			
	Billing	2	\$26.66

Weekly Total		2	\$26.66	✓
6/1/15 - 6/7/15				
UW Consultant Fees				
City of La Vista Acct. Management & Administration		1	\$25.00	✓
Partner Correspondence & Networking		9	\$225.00	✓
UNO Collaborative Prep & Consultation		4	\$100.00	✓
Outside Meeting		5	\$125.00	✓
Weekly Total		19	\$475.00	✓
Kaplan Business Intern				
Billing		1	\$13.33	✓
Weekly Total		1	\$13.33	✓
6/8/15 - 6/14/15				
UW Consultant Fees				
City of La Vista Acct. Management & Administration		10	\$250.00	✓
Partner Correspondence & Networking		3	\$75.00	✓
Outside Meeting		4	\$100.00	✓
Specific Blitz Activity Design/Build/Test		4	\$100.00	✓
Elem. School Prep/Correspondence/Consult		2	\$50.00	✓
Weekly Total		23	\$575.00	✓
External Services & Expenses			\$0.00	
Vendor & Professional Stipends			\$0.00	
Officer/Scientist/Educational Resource/Corporate Management/Equipment/Supplies and Materials			\$0.00	
Day of Event Expenses			\$0.00	
Busses HS Event (\$290 Pro Bono)			\$0.00	
Lunches HS Event (\$490.10 Pro Bono)			\$0.00	
Sub Total			\$2,053.32	✓
Total Due			\$2,053.32	✓

Please make all checks payable to Chris Madden

Thank you!

O.K. to pay 

6-23-2015

05.71.0871.01 (NET)

Consent Agenda 7/7/15

Invoice

A-5

**FELSBURG
HOLT &
ULLEVIG***connecting and enhancing communities***Mail Payments to:**
PO Box 911704
Denver, CO 80291-1704
303.721.1440 • 303.721.0832 fax

June 12, 2015

Project No: 113112-02

Invoice No: 14384

Mr. John Kottmann, PE
City Engineer
City of La Vista
8116 Park View Blvd
La Vista, NE 68128Project 113112-02 Hell Creek Channel Improvements Phase II TO2
Supplemental Agreement No. 1
CIP Project No. PWST-15-009**Professional Services for the Period: May 01, 2015 to May 31, 2015****Professional Personnel**

	Hours	Rate	Amount
Engineer V			
Lampe, David	1.00	150.00	150.00
Engineer I			
Knapp, Laura	1.00	90.00	90.00
Thomas, Stacey	1.25	90.00	112.50
Labor	3.25		352.50
Total Labor			352.50
TOTAL AMOUNT DUE			\$352.50

Billed-To-Date Summary

	Current	Prior	Total
Labor	352.50	27,422.50	27,775.00
Subconsultant	0.00	13,816.07	13,816.07
In-House	0.00	62.28	62.28
Totals	352.50	41,300.85	41,653.35

Project Manager David Lampe

O.K. to pay
JMK
6/23/2015
05.71.0891.03

Consent Agenda 7/7/15

TO OWNER: City of LaVista
8116 Park View Blvd
LaVista, NE 68128
ATTN: John Kottmann

FROM CONTRACTOR: TIJ Construction LLC
2130 23rd Ave - Suite B
Council Bluffs, IA 51501

PROJECT: LaVista Sewer Shop
8116 Park View Blvd
LaVista, NE 68128

VIA ARCHITECT: City of LaVista
8116 Park View Blvd
LaVista, NE 68128

APPLICATION NO: 1

PERIOD TO: 06/05/15

PROJECT: LaVista Sewer Shop Rehab

CONTRACT DATE: 6/5/2015

CONTRACT FOR: Sewer Shop Rehab

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. TOTAL CONSTRUCTION AMT	\$	108,004.00
2. Net change by Change Orders	\$	0.00
3. Net Change in Contingency Amt (Initial: \$460,118)	\$	0.00
4. PROJECT SUM TO DATE (Line 1 + 2 + 3)	\$	108,004.00
5. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	5,589.00
6. RETAINAGE:		
a. 10.00% % of Completed Work	\$	279.45
(Column D + E on G703)		
b. 0.00% % of Stored Material	\$	0.00
(Column F on G703)		
Total Retainage (Lines 6a + 6b or Total in Column I of G703)	\$	279.45
7. TOTAL EARNED LESS RETAINAGE	\$	5,309.55
(Line 5 Less Line 6 Total)		
8. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 7 from prior Certificate)	\$	0.00
9. CURRENT PAYMENT DUE	\$	5,309.55
10. BALANCE TO FINISH, INCLUDING RETAINAGE	\$	102,694.45
(Line 4 less Line 7)		

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

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

CONTRACTOR: TIJ Construction LLC

By: Jim Bevil Date: 6-5-15

State of: Iowa County of: Pottawattamie

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\$ 5,030.10

(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: John M. Kottmann Project Design Date: 6/24/2015

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.

O.K. to pay \$5,030.10
JMK 6-24-2015
05.71.0882.03

Consent Agenda 7/7/15

A-6

A-7

TD2 File No. 171-410.32
June 26, 2015

FINAL PAYMENT RECOMMENDATION ON CONTRACT FOR
124th CIRCLE AND HARRISON STREET SIGNAL IMPROVEMENTS

Owner: The City of La Vista, Nebraska
8116 Park View Blvd.
La Vista, NE 68128

Contractor: Vierregger Electric Co.
4349 South 139th Street
Omaha, NE 68137

REVISED CONTRACT AMOUNT INCLUDING CHANGE ORDER NO. 1: \$149,187.73

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATIONS: \$129,124.56

Item	Description	Approx. Quantities	Unit Price	Amount
1	Traffic Control, complete	1 L.S.	\$ 1,120.00 / L.S.	\$ 1,120.00
2	Construct 5" Concrete Sidewalk, in place	33 S.F.	\$ 28.00 / S.F.	\$ 924.00
3	Traffic Signal Controller & Cabinet, Type 2070 (8-phase, 4-ped), in place	1 EA.	\$17,066.00 / EA.	\$ 17,066.00
4	Combination Signal Mast Arm & Street Light Pole, Type CMP-50-12-40, in place	1 EA.	\$ 7,822.00 / EA.	\$ 7,822.00
5	Combination Signal Mast Arm & Street Light Pole, Type CMP-45-12-40, in place	1 EA.	\$ 8,124.00 / EA.	\$ 8,124.00
6	Combination Signal Mast Arm & Street Light Pole, Type CMP-30-12-40, in place	1 EA.	\$10,096.00 / EA.	\$ 10,096.00
7	Combination Signal Mast Arm & Street Light Pole, Type CMP-25-12-40, in place	1 EA.	\$10,416.00 / EA.	\$ 10,416.00
8	Provide & Install Traffic Signal, Type TS-1, with T31 Face, Backplate and MA-5 Mtg., in place	10 EA.	\$ 702.00 / EA.	\$ 7,020.00
9	Provide & Install Traffic Signal, Type TS-1A, with T31 Face and B-4 Alt. Mtg., in place	4 EA.	\$ 580.00 / EA.	\$ 2,320.00
10	Construct Pedestal Pole, Type PP-4	1 EA.	\$ 1,165.00 / EA.	\$ 1,165.00
11	Construct Pedestal Pole, Type PP-10	2 EA.	\$ 1,238.00 / EA.	\$ 2,476.00
12	Provide & Install Countdown Pedestrian Signal, Type PS-1 W/ T23 Face & B-4 Alt. Mtg., in place	8 EA.	\$ 570.00 / EA.	\$ 4,560.00
13	Provide & Install Pedestrian Push Button, Type PPB, in place	8 EA.	\$ 318.00 / EA.	\$ 2,544.00
14	Radar Detection System, in place	1 L.S.	\$25,295.00 / L.S.	\$ 25,295.00
15	Vehicle Priority Control System (OPTICOM-Model 722), in place	2 EA.	\$ 3,323.00 / EA.	\$ 6,646.00
16	Service Cable, in place	618 L.F.	\$ 3.17 / L.F.	\$ 1,959.06

FINAL PAYMENT RECOMMENDATION

June 26, 2015

Page Two

Item	Description	Approx. Quantities		Unit Price	Amount
17	Service Entrance Cable, in place	63 L.F.	\$	2.12 / L.F.	\$ 133.56
18	16/C #14 AWG. Traffic Signal Cable, in place	427 L.F.	\$	3.91 / L.F.	\$ 1,669.57
19	7/C #14 AWG. Pedestrian Signal Cable, in place	138 L.F.	\$	2.28 / L.F.	\$ 314.64
20	3/C #14 AWG. Street Lighting Cable, in place	343 L.F.	\$	4.00 / L.F.	\$ 1,372.00
21	PC #14 PPB Lead-In Cable, in place	966 L.F.	\$	1.08 / L.F.	\$ 1,043.28
22	GC #8 Bare Copper Grounding Conductor Cable, in place	372 L.F.	\$	1.11 / L.F.	\$ 412.92
23	2" Conduit (PVC or HDPE) - Trenched, in place	137 L.F.	\$	5.22 / L.F.	\$ 715.14
24	3" Conduit (PVC or HDPE) - Trenched, in place	79 L.F.	\$	8.02 / L.F.	\$ 633.58
25	2" Conduit (PVC or HDPE) - Bored, in place	265 L.F.	\$	10.84 / L.F.	\$ 2,872.60
26	3" Conduit (PVC or HDPE) - Bored, in place	503 L.F.	\$	12.46 / L.F.	\$ 6,267.38
27	Service Disconnect Pedestal, in place	1 EA.	\$	3,611.00 / EA.	\$ 3,611.00
28	Install 200W Street Light Luminares	4 EA.	\$	172.00 / EA.	\$ 688.00
29	Provide & Install Type A, R3-5-1 30"x36" "LT ONLY" Sign	1 EA.	\$	376.00 / EA.	\$ 376.00
30	Provide & Install Type A, R3-5-2 30"x36" "RT ONLY" Sign	2 EA.	\$	376.00 / EA.	\$ 752.00
31	Provide & Install Type A, R3-6-1 30"x36" "LT OPT." Sign	1 EA.	\$	376.00 / EA.	\$ 376.00
32	Provide & Install Type A, 18" Street Name Sign	6 EA.	\$	493.00 / EA.	\$ 2,958.00
33	Provide & Install Type A, 30" Street Name Sign	0 EA.	\$	771.00 / EA.	\$ -0-
34	Seeding - Type "Super Turf 2", in place	0.16 A.C.	\$	3,360.00 / A.C.	\$ 537.60
35	Temporary Erosion Control Blanket (N.A.G. S75 or approved equal), in place	752 S.Y.	\$	2.24 / S.Y.	\$ 1,684.48
36	Provide & Install Branch Fiber Optic Cable	2 EA.	\$	1,689.00 / EA.	\$ 3,378.00
37	Provide & Install Pull Box, Type PB-10	2 EA.	\$	2,329.00 / EA.	\$ 4,658.00
38	Modify Existing Controller Cabinet, Type TC 170/332	1 EA.	\$	1,572.00 / EA.	\$ 1,572.00
SUBTOTAL					\$145,578.81

ADDITIONS PER CHARGE ORDER NO. 1

1.1	Provide and Install Pull Box, Type PB-6	2	EA.	\$ 550.00	/	EA.	\$ 1,100.00
1.2	Street Name Sign Revisions	1	L.S.	\$ 499.00	/	L.S.	\$ 499.00

TOTAL ADDITIONS PER CHARGE ORDER NO. 1 **\$ 1,599.00**

TOTAL **\$147,177.81**

LESS PREVIOUS PAYMENT RECOMMENDATIONS **\$129,124.56**

AMOUNT DUE CONTRACTOR **\$ 18,053.25**

We recommend that payment in the amount of \$18,053.25 be made to Vierregger Electric Co.

Respectfully submitted,



Charles E. Riggs, P.E.
Contract Engineer
THOMPSON, DREESSEN & DORNER, INC.

O.K. to pay ———
05.71.0879.03
JMK
6/26/2015

CER/tjp

cc: Vierregger Electric Co.

Consent Agenda 7/17/15

A-8

TD2 File No. 171-408.91
June 29, 2015

**PAYMENT RECOMMENDATION NO. 3 ON CONTRACT FOR THOMPSON CREEK CHANNEL
REHABILITATION GROUP B – CHANNEL RECONSTRUCTION**

Owner: The City of La Vista, Nebraska
8116 Park View Blvd.
La Vista, Nebraska 68128

Contractor: Anderson Excavating Co.
1920 Dorcas Street
Omaha, NE 68108

ORIGINAL CONTRACT AMOUNT: \$1,332,728.50

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATIONS: \$102,596.40

Item	Description	Approx. Quantities		Unit Price		Amount
Demolition and Grading:						
1	Clearing and Grubbing	0.8	L.S.	\$42,000.00	/ L.S.	\$ 33,600.00
2	Stockpile and Redistribute Topsoil (6,500 C.Y. Moved Twice), Established Quantity	4,000	C.Y.	\$ 10.00	/ C.Y.	\$ 40,000.00
3	Common Earthwork, In Place, Established Quantity	2,000	C.Y.	\$ 6.00	/ C.Y.	\$ 12,000.00
4	Haul Excess Soil to NRD Levee Site	0	C.Y.	\$ 8.00	/ C.Y.	\$ 0.00
5	Haul Excess Soil Off Site and Dispose	0	C.Y.	\$ 9.00	/ C.Y.	\$ 0.00
6	Remove and Dispose Existing Headwall Structure and Railing	0	EA.	\$ 3,000.00	/ EA.	\$ 0.00
7	Remove Existing Gabion Baskets and Salvage Stone On Site	0	C.Y.	\$ 15.00	/ C.Y.	\$ 0.00
8	Remove and Dispose 24" - 30" Storm Sewer	0	L.F.	\$ 30.00	L.F.	\$ 0.00
9	Remove and Dispose 48" Storm Sewer	0	L.F.	\$ 45.00	/ L.F.	\$ 0.00
10	Remove and Dispose P.C.C. Pavement	0	S.Y.	\$ 4.50	/ S.Y.	\$ 0.00
11	Remove and Dispose 4' Tall Chain Link Fence	0	L.F.	\$ 5.00	/ L.F.	\$ 0.00
12	Remove, Salvage and Relocate 4' Tall Chain Link Fence	0	L.F.	\$ 12.00	/ L.F.	\$ 0.00
13	Remove and Salvage Playground Equipment	1	EA.	\$ 8,000.00	/ EA.	\$ 8,000.00
14	Remove and Dispose Sand Volleyball Court and Equipment	0	EA.	\$ 2,000.00	/ EA.	\$ 0.00
Infrastructure Installation:						
15	30" Storm Sewer Plug, In Place	0	EA.	\$ 800.00	/ EA.	\$ 0.00
16	Flowable Fill In Abandoned Storm Sewer, In Place	0	C.Y.	\$ 240.00	/ C.Y.	\$ 0.00
17	Construct 5' x 5' Junction Box w/ Weir, In Place	0	EA.	\$11,000.00	/ EA.	\$ 0.00

18	Construct 54" I.D. Storm Sewer Manhole, In Place	0	V.F.	\$ 750.00	/	V.F.	\$ 0.00
19	Construct 54" I.D. Flat Top Storm Sewer Manhole, In Place	0	V.F.	\$ 800.00	/	V.F.	\$ 0.00
20	Construct 60" I.D. Flat Top Storm Sewer Manhole, In Place	0	V.F.	\$ 850.00	/	V.F.	\$ 0.00
21	Standard Manhole Ring and Cover, In Place	0	EA.	\$ 500.00	/	EA.	\$ 0.00
22	Construct 24" - 30" Concrete Collar, In Place	0	EA.	\$ 1,600.00	/	EA.	\$ 0.00
23	Construct 24" HDPE Storm Sewer w/ Bedding, In Place	0	L.F.	\$ 175.00	/	L.F.	\$ 0.00
24	Construct 30" HDPE Storm Sewer w/ Bedding, In Place	0	L.F.	\$ 125.00	/	L.F.	\$ 0.00
25	Construct 30" RCP Storm Sewer, Class III, W/ Bedding, In Place	0	L.F.	\$ 200.00	/	L.F.	\$ 0.00
26	Construct 42" HDPE Storm Sewer w/ Bedding, In Place	0	L.F.	\$ 225.00	/	L.F.	\$ 0.00
27	Construct Type II Curb Inlet, In Place	0	EA.	\$ 7,500.00	/	EA.	\$ 0.00
28	Construct Type III Curb Inlet, In Place	0	EA.	\$ 7,500.00	/	EA.	\$ 0.00
29	Construct Edgewood Boulevard Culvert Dissipation Structure	0	EA.	\$20,000.00	/	EA.	\$ 0.00
30	Storm Sewer Anchor System, In Place	0	EA.	\$ 1,000.00	/	EA.	\$ 0.00
31	Construct SAFL Baffle System, In Place	0	EA.	\$ 1,800.00	/	EA.	\$ 0.00
32	Type "B" Riprap w/ Geotextile Fabric, In Place	56	TONS	\$ 36.00	/	TONS	\$ 2,016.00
33	Construct 4" P.C.C. Sidewalk Pavement, In Place	0	S.Y.	\$ 5.00	/	S.Y.	\$ 0.00
34	Construct 6" P.C.C. Driveway Pavement, In Place	0	S.Y.	\$ 6.00	/	S.Y.	\$ 0.00
35	Construct 7" P.C.C. Pavement, In Place	0	S.Y.	\$ 12.00	/	S.Y.	\$ 0.00
Special Treatments:							
36	Geo-Wrapped Soil Lifts, In Place	0	S.F.	\$ 25.00	/	S.F.	\$ 0.00
37	Creek Toe Stone Revetment and Bedding, In Place	0	L.F.	\$ 35.00	/	L.F.	\$ 0.00
38	Wetland Soil Amendment, In Place	0	C.Y.	\$ 10.00	/	C.Y.	\$ 0.00
39	Cross-Vane Grade Control Structure, In Place	0	EA.	\$ 5,000.00	/	EA.	\$ 0.00
40	Gabion Baskets W/ Recycled Stone, In Place	0	C.Y.	\$ 105.00	/	C.Y.	\$ 0.00
41	Tensor Bionet C125BN (Or Approved Equal, In Place	0	S.Y.	\$ 2.75	/	S.Y.	\$ 0.00
42	Tensor Bionet SC150BN (Or Approved Equal), In Place	0	S.Y.	\$ 2.00	/	S.Y.	\$ 0.00
Erosion Control:							
43	Maintain and Remove Stabilized Construction Entrance	0	EA.	\$ 1,500.00	/	EA.	\$ 0.00
44	Maintain and Remove Inlet Filters	0	EA.	\$ 125.00	/	EA.	\$ 0.00
45	Maintain Fabric Silt Fence, In Place	0	L.F.	\$ 2.50	/	L.F.	\$ 0.00
46	Remove and Dispose Fabric Silt Fence	0	L.F.	\$ 1.00	/	L.F.	\$ 0.00
47	Water Management, Complete	0.09	L.S.	\$98,400.00	/	L.S.	\$ 9,000.00

48	United Seed Super Turf 2 Permanent Seed w/ Straw Mulch	0	AC.	\$ 3,000.00	/	AC.	\$ 0.00
49	Maintain and Remove Orange Safety Fence	0	L.F.	\$ 1.00	/	L.F.	\$ 0.00
Planting:							
50	Stream Bank Seeding, In Place	0	AC.	\$ 3,500.00	/	AC.	\$ 0.00
51	Low Prairie Seeding, In Place	0	AC.	\$ 2,800.00	/	AC.	\$ 0.00
52	Upland Prairie Seeding, In Place	0	AC.	\$ 2,000.00	/	AC.	\$ 0.00
53	Wet Meadow Seeding, In Place	0	AC.	\$ 3,000.00	/	AC.	\$ 0.00
54	Access Path Seeding, In Place	0	AC.	\$20,000.00	/	AC.	\$ 0.00
55	Willow Live Stakes, In Place	0	EA.	\$ 20.00	/	EA.	\$ 0.00
56	Install 1-1/2" Caliper trees, In Place	0	EA.	\$ 450.00	/	EA.	\$ 0.00
57	Install Six Feet Tall Conifer Trees, In Place	0	EA.	\$ 450.00	/	EA.	\$ 0.00
58	Deep Cell Plugs, In Place	0	EA.	\$ 10.00	/	EA.	\$ 0.00
59	Year One Maintenance For Project Area	0	L.S.	\$15,000.00	/	L.S.	\$ 0.00
60	Year Two Maintenance For Project Area	0	L.S.	\$10,000.00	/	L.S.	\$ 0.00
61	Year Three Maintenance For Project Area	0	L.S.	\$ 8,000.00	/	L.S.	\$ 0.00
Parkland Amenities:							
62	Reinstall Salvaged Playground Equipment at Triangle Park	1	EA.	\$72,500.00	/	EA.	\$ 72,500.00
63	Construct Volleyball Court, In Place	0	EA.	\$14,000.00	/	EA.	\$ 0.00
64	Install New 42" Tall Galvanized Chain Link Fence, In Place	0	L.F.	\$ 12.00	/	L.F.	\$ 0.00
65	Install Six Feet Tall, White PVC Privacy Fence, In Place	0	L.F.	\$ 20.00	/	L.F.	\$ 0.00
Hourly Rates:							
66	Labor	0	HRS	\$ 40.00	/	HRS	\$ 0.00
67	CAT 257B (Or Equivalent) W/ Operator	0	HRS	\$ 95.00	/	HRS	\$ 0.00
68	CAT 225 (Or Equivalent) W/ Operator	16	HRS	\$ 150.00	/	HRS	\$ 2,400.00
69	CAT D7 (Or Equivalent) W/ Operator	16	HRS	\$ 140.00	/	HRS	\$ 2,240.00
70	CAT 977 (Or Equivalent) W/ Operator	16	HRS	\$ 140.00	/	HRS	\$ 2,240.00
71	Side Dump Truck (Or Equivalent) W/ Operator	0	HRS	\$ 110.00	/	HRS	\$ 0.00
TOTAL							\$183,996.00
LESS 10% RETAINED							\$ 18,339.60
LESS PREVIOUS PAYMENT							
RECOMMENDATIONS							\$102,596.40
AMOUNT DUE CONTRACTOR							\$ 63,000.00

We recommend that payment in the amount of \$63,000.00 be made to Anderson Excavating Co.

Respectfully submitted,


Charles E. Riggs, P.E.

Contract Engineer
THOMPSON, DREESSEN & DORNER, INC.

O.K. to pay
JMK 6-29-2015

05.71.0871.03 (NET)

CER/tjp
cc: Anderson Excavating Co.

Consent Agenda 7/7/15

A-9

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL

1 Bank of Nebraska (600-873)									
Thru 46388		Payroll Checks							
46397									
Thru 46398		Gap in Checks							
118165									
118166	6/17/2015	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	116.00	**MANUAL**				
118167	6/17/2015	4867	VAN RU CREDIT CORPORATION	29.16	**MANUAL**				
118168	6/17/2015	3415	FOCUS PRINTING	250.00	**MANUAL**				
118169	6/17/2015	2705	ANDERSON EXCAVATING COMPANY	74,336.40	**MANUAL**				
118170	6/17/2015	355	DOUGLAS COUNTY ENGINEER	65,031.59	**MANUAL**				
118171	6/17/2015	190	LOGAN SIMPSON DESIGN INC	10,952.99	**MANUAL**				
118172	6/17/2015	4616	PAPIO-MO RIVER NRD STORM WATER	189,825.48	**MANUAL**				
118173	6/22/2015	1270	PREMIER-MIDWEST BEVERAGE CO	203.10	**MANUAL**				
118174	6/22/2015	1194	QUALITY BRANDS OF OMAHA	423.35	**MANUAL**				
118175	6/22/2015	2930	REPUBLIC NATIONAL DISTR CO LLC	135.00	**MANUAL**				
118176	6/26/2015	82	NICHOLAS A JEANETTE JR	75.00	**MANUAL**				
118177	7/01/2015	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	116.00	**MANUAL**				
118178	7/01/2015	4867	VAN RU CREDIT CORPORATION	45.39	**MANUAL**				
118179	7/07/2015	804	3E-ELECTRICAL ENGINEERING	257.45					
118180	7/07/2015	4624	911 CUSTOM LLC	25,056.46					
118181	7/07/2015	4354	A-RELIEF SERVICES INC	330.00					
118182	7/07/2015	2892	AA WHEEL & TRUCK SUPPLY INC	90.49					
118183	7/07/2015	3983	ABE'S PORTABLES INC	380.00					
118184	7/07/2015	4332	ACCO UNLIMITED CORP	396.20					
118185	7/07/2015	886	ACCURATE TESTING INC	874.50					
118186	7/07/2015	762	ACTION BATTERIES UNLTD INC	155.15					
118187	7/07/2015	4309	ACTION SIGNS INCORPORATED	704.00					
118188	7/07/2015	435	AFL, LLC	55,204.00					
118189	7/07/2015	268	AKSARBEN HEATING/ARS	175.50					
118190	7/07/2015	571	ALAMAR UNIFORMS	.00	**CLEARED** **VOIDED**				
118191	7/07/2015	571	ALAMAR UNIFORMS	2,018.58					
118192	7/07/2015	11	ALL FLAGS ETC	486.57					
118193	7/07/2015	1678	ASPEN EQUIPMENT COMPANY	3,354.42					
118194	7/07/2015	188	ASPHALT & CONCRETE MATERIALS	513.12					
118195	7/07/2015	3754	AUSTIN PETERS GROUP INC	1,450.00					
118196	7/07/2015	201	BAKER & TAYLOR BOOKS	64.49					
118197	7/07/2015	849	BARONE SECURITY SYSTEMS	120.00					
118198	7/07/2015	929	BEACON BUILDING SERVICES	5,812.00					
118199	7/07/2015	793	BENNETT REFRIGERATION	388.46					
118200	7/07/2015	4781	BISHOP BUSINESS EQUIPMENT	54.62					
118201	7/07/2015	286	BLAKE PLUMBING INC	326.99					
118202	7/07/2015	220	BLUE CROSS BLUE SHIELD	803.02					
118203	7/07/2015	289	BLUE KNIGHTS INTL LEMC	50.00					
118204	7/07/2015	4732	BMI	335.00					
118205	7/07/2015	271	BOATMAN MARKING INC	147.92					
118206	7/07/2015	56	BOB'S RADIATOR REPAIR CO INC	297.00					
118207	7/07/2015	3579	JAMIE BROWN	261.00					
118208	7/07/2015	36	BRYAN HILL ENTERTAINMENT	325.00					

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
118209	7/07/2015	2285 CENTER POINT PUBLISHING	340.32			
118210	7/07/2015	152 CITY OF OMAHA	147,805.80			
118211	7/07/2015	3815 CIVICPLUS	14,123.03			
118212	7/07/2015	4929 CNA SURETY	1,855.00			
118213	7/07/2015	3126 COCA-COLA BOTTLING COMPANY	729.56			
118214	7/07/2015	3176 COMP CHOICE INC	.00	**CLEARED**	**VOIDED**	
118215	7/07/2015	3176 COMP CHOICE INC	.00	**CLEARED**	**VOIDED**	
118216	7/07/2015	3176 COMP CHOICE INC	2,594.90			
118217	7/07/2015	4615 CONSOLIDATED MANAGEMENT	59.25			
118218	7/07/2015	836 CORNHUSKER INTL TRUCKS INC	17.87			
118219	7/07/2015	2158 COX COMMUNICATIONS	160.00			
118220	7/07/2015	23 CUMMINS CENTRAL POWER LLC	579.13			
118221	7/07/2015	3136 D & D COMMUNICATIONS	540.00			
118222	7/07/2015	4863 D & K PRODUCTS	1,330.05			
118223	7/07/2015	4981 DATASHIELD CORPORATION	21.25			
118224	7/07/2015	3132 DEARBORN NATIONAL LIFE INS CO	1,085.00			
118225	7/07/2015	2149 DOUGLAS COUNTY SHERIFF'S OFC	450.00			
118226	7/07/2015	364 DULTMEIER SALES & SERVICE	27.48			
118227	7/07/2015	3334 EDGEWEAR SCREEN PRINTING	253.50			
118228	7/07/2015	4570 EMBLEMS INC	295.00			
118229	7/07/2015	3789 ESRI INC	3,350.00			
118230	7/07/2015	2388 EXCHANGE BANK	1,035.79			
118231	7/07/2015	246 EXPRESS DISTRIBUTION LLC	240.84			
118232	7/07/2015	142 FITZGERALD SCHORR BARMETTLER	.00	**CLEARED**	**VOIDED**	
118233	7/07/2015	142 FITZGERALD SCHORR BARMETTLER	28,643.50			
118234	7/07/2015	3415 FOCUS PRINTING	.00	**CLEARED**	**VOIDED**	
118235	7/07/2015	3415 FOCUS PRINTING	.00	**CLEARED**	**VOIDED**	
118236	7/07/2015	3415 FOCUS PRINTING	.00	**CLEARED**	**VOIDED**	
118237	7/07/2015	3415 FOCUS PRINTING	9,324.90			
118238	7/07/2015	1344 GALE	238.40			
118239	7/07/2015	53 GCR TIRES & SERVICE	529.56			
118240	7/07/2015	3656 GENERAL FIRE & SAFETY EQUIP CO	68.00			
118241	7/07/2015	164 GRAINGER	7.63			
118242	7/07/2015	285 GRAYBAR ELECTRIC COMPANY INC	277.56			
118243	7/07/2015	4830 GT DISTRIBUTORS INC - AUSTIN	1,362.00			
118244	7/07/2015	1044 H & H CHEVROLET LLC	157.63			
118245	7/07/2015	426 HANEY SHOE STORE	269.98			
118246	7/07/2015	3681 HEARTLAND TIRES AND TREADS	1,224.00			
118247	7/07/2015	2407 HEIMES CORPORATION	574.04			
118248	7/07/2015	797 HOBBY LOBBY STORES INC	14.97			
118249	7/07/2015	3549 HOLSTEIN'S HARLEY DAVIDSON	525.32			
118250	7/07/2015	2323 INGRAM LIBRARY SERVICES	235.19			
118251	7/07/2015	162 INLAND TRUCK PARTS	64.88			
118252	7/07/2015	1896 J Q OFFICE EQUIPMENT INC	95.37			
118253	7/07/2015	3687 KIMBALL MIDWEST	.00	**CLEARED**	**VOIDED**	
118254	7/07/2015	3687 KIMBALL MIDWEST	379.22			
118255	7/07/2015	1054 KLINKER, MARK A	200.00			
118256	7/07/2015	2394 KRIHA FLUID POWER CO INC	479.22			
118257	7/07/2015	1061 KUSTOM SIGNALS INCORPORATED	187.68			
118258	7/07/2015	2057 LA VISTA COMMUNITY FOUNDATION	50.00			
118259	7/07/2015	4425 LANDPORT SYSTEMS INC	125.00			
118260	7/07/2015	4784 LIBRARY IDEAS LLC	4.50			
118261	7/07/2015	263 LOVELAND GRASS PAD	599.20			

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
118262	7/07/2015	3833 LUEDERS LOCK & KEY INC	129.00			
118263	7/07/2015	877 MATHESON TRI-GAS INC	605.96			
118264	7/07/2015	193 CATHERINE DEMES MAYDEW	2,405.00			
118265	7/07/2015	94 MCCANN PLUMBING SERVICE INC	31.00			
118266	7/07/2015	284 MAGIE MCCOMBS	600.00			
118267	7/07/2015	4943 MENARDS-RALSTON	186.37			
118268	7/07/2015	153 METRO AREA TRANSIT	385.00			
118269	7/07/2015	2497 MID AMERICA PAY PHONES	150.00			
118270	7/07/2015	1050 MILLER PRESS	80.00			
118271	7/07/2015	4085 MNJ TECHNOLOGIES	5,920.00			
118272	7/07/2015	2382 MONARCH OIL INC	175.00			
118273	7/07/2015	918 MPH INDUSTRIES INCORPORATED	788.00			
118274	7/07/2015	1028 NATIONAL EVERYTHING WHOLESALE	529.09			
118275	7/07/2015	3352 NE DEPT OF LABOR-WORKFORCE DEV	140.00			
118276	7/07/2015	4703 NEBRASKA ENVIRONMENTAL PRODS	220.53			
118277	7/07/2015	370 NEBRASKA LAW ENFORCEMENT	200.00			
118278	7/07/2015	653 NEUMAN EQUIPMENT COMPANY	127.32			
118279	7/07/2015	233 NEWCOM WIRELESS SERVICES LLC	213.00			
118280	7/07/2015	4859 NO FRILLS/BAG N' SAVE	56.99			
118281	7/07/2015	1808 OCLC INC	117.99			
118282	7/07/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118283	7/07/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118284	7/07/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118285	7/07/2015	1014 OFFICE DEPOT INC	605.52			
118286	7/07/2015	195 OMAHA PUBLIC POWER DISTRICT	2,640.08			
118287	7/07/2015	319 OMAHA WINNELSON	238.92			
118288	7/07/2015	46 OMAHA WORLD-HERALD	5,968.86			
118289	7/07/2015	4815 ONE CALL CONCEPTS INC	356.85			
118290	7/07/2015	165 PALFLEET TRUCK EQUIP CO LLC	1,600.82			
118291	7/07/2015	3039 PAPILLION SANITATION	170.80			
118292	7/07/2015	976 PAPILLION TIRE INCORPORATED	808.50			
118293	7/07/2015	2686 PARAMOUNT LINEN & UNIFORM	.00	**CLEARED**	**VOIDED**	
118294	7/07/2015	2686 PARAMOUNT LINEN & UNIFORM	486.99			
118295	7/07/2015	4654 PAYFLEX SYSTEMS USA INC	250.00			
118296	7/07/2015	709 PEPSI COLA COMPANY	440.20			
118297	7/07/2015	3058 PERFORMANCE CHRYSLER JEEP	111.32			
118298	7/07/2015	4037 PERFORMANCE FORD	176.32			
118299	7/07/2015	1821 PETTY CASH-PAM BUETHE	233.40			
118300	7/07/2015	74 PITNEY BOWES INC-PA	.00	**CLEARED**	**VOIDED**	
118301	7/07/2015	74 PITNEY BOWES INC-PA	.00	**CLEARED**	**VOIDED**	
118302	7/07/2015	74 PITNEY BOWES INC-PA	308.53			
118303	7/07/2015	1784 PLAINS EQUIPMENT GROUP	1,378.03			
118304	7/07/2015	4562 JOE PUTJENTER	1,500.00			
118305	7/07/2015	3090 REGAL AWARDS OF DISTINCTION	28.00			
118306	7/07/2015	3774 RETRIEVEX	117.10			
118307	7/07/2015	1783 RON TURLEY ASSOCIATES INC	1,200.00			
118308	7/07/2015	487 SAPP BROS PETROLEUM INC	12,625.43			
118309	7/07/2015	2240 SARPY COUNTY COURTHOUSE	4,083.17			
118310	7/07/2015	2740 SARPY COUNTY FISCAL ADMINSTRN	7,488.00			
118311	7/07/2015	150 SARPY COUNTY TREASURER	9,012.50			
118312	7/07/2015	1652 SCHOLASTIC BOOK FAIRS	544.28			
118313	7/07/2015	4045 SHRM-SOCIETY FOR HUMAN	190.00			
118314	7/07/2015	738 SIGN IT	4,460.60			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
118315	7/07/2015	3838	SPRINT	119.97			
118316	7/07/2015	3069	STATE STEEL OF OMAHA	143.33			
118317	7/07/2015	4335	STOLTENBERG NURSERIES	174.00			
118318	7/07/2015	3795	SUN COUNTRY DISTRIBUTING LTD	17.23			
118319	7/07/2015	807	SUPERIOR SPA & POOL	114.45			
118320	7/07/2015	332	SUSPENSION SHOP INCORPORATED	117.72			
118321	7/07/2015	4539	SWANK MOTION PICTURES INC	576.00			
118322	7/07/2015	290	T J OSBORN CONSTRUCTION INC	5,465.00			
118323	7/07/2015	264	TED'S MOWER SALES & SERVICE	3.10			
118324	7/07/2015	2795	THIELE GEOTECH INC	100.00			
118325	7/07/2015	961	TIELKE'S SANDWICHES	187.25			
118326	7/07/2015	547	TODCO BARRICADE COMPANY	345.00			
118327	7/07/2015	1479	TRUCK CENTER COMPANIES	53.88			
118328	7/07/2015	1122	TURF CARS LTD	299.92			
118329	7/07/2015	176	TURFWERKS	204.86			
118330	7/07/2015	2426	UNITED PARCEL SERVICE	12.33			
118331	7/07/2015	4480	VAL VERDE ANIMAL HOSPITAL INC	32.00			
118332	7/07/2015	766	VIERREGGER ELECTRIC COMPANY	1,010.25			
118333	7/07/2015	1174	WAL-MART COMMUNITY BRC	.00	**CLEARED**	**VOIDED**	
118334	7/07/2015	1174	WAL-MART COMMUNITY BRC	1,837.83			
118335	7/07/2015	258	WATKINS CONCRETE BLOCK CO INC	480.00			
118336	7/07/2015	3150	WHITE CAP CONSTR SUPPLY/HDS	64.31			
118337	7/07/2015	968	WICK'S STERLING TRUCKS INC	1,736.76			
118338	7/07/2015	492	WINGATE BY WYNHAM	89.95			
118339	7/07/2015	295	ZEE MEDICAL SERVICE INC	549.55			
Payroll Checks							
1951901							
Thru 2006901							
1260179	6/17/2015	301	CITY OF PAPILLION	134,335.00			**E-PAY**
1260180	6/17/2015	301	CITY OF PAPILLION	61,301.00			**E-PAY**
1260181	6/17/2015	1256	FIRST NATIONAL BANK FREMONT	44,992.50			**E-PAY**
1260182	6/17/2015	1256	FIRST NATIONAL BANK FREMONT	66,138.75			**E-PAY**
1260183	6/17/2015	1256	FIRST NATIONAL BANK FREMONT	71,591.25			**E-PAY**
1260184	6/17/2015	1256	FIRST NATIONAL BANK FREMONT	74,655.00			**E-PAY**
1260199	6/19/2015	5017	EFTPS (Federal Payroll Taxes)	74,335.76			**E-PAY**
1260200	6/19/2015	5018	STATE TAX WITHHOLDING	10,867.43			**E-PAY**
1260201	6/19/2015	5019	ICMA PAYROLL	34,836.56			**E-PAY**
1260202	6/19/2015	5020	NE CHILD SUPPORT CENTER	966.08			**E-PAY**
1260203	6/19/2015	5023	LFOP DUES	1,300.00			**E-PAY**
1260204	6/19/2015	5024	POLICE INSURANCE	261.89			**E-PAY**
1260205	6/19/2015	5025	529 CSP (College Savings Plan)	50.00			**E-PAY**
1260206	7/03/2015	5017	EFTPS (Federal Payroll Taxes)	72,365.01			**E-PAY**
1260207	7/03/2015	5018	STATE TAX WITHHOLDING	10,562.73			**E-PAY**
1260208	7/03/2015	5019	ICMA PAYROLL	33,548.71			**E-PAY**
1260209	7/03/2015	5020	NE CHILD SUPPORT CENTER	966.08			**E-PAY**
1260210	7/03/2015	5023	LFOP DUES	1,300.00			**E-PAY**
1260211	7/03/2015	5024	POLICE INSURANCE	261.89			**E-PAY**
1260212	7/03/2015	5025	529 CSP (College Savings Plan)	50.00			**E-PAY**

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
BANK TOTAL				1,443,007.72			
OUTSTANDING				1,443,007.72			
CLEARED				.00			
VOIDED				.00			
FUND		TOTAL		OUTSTANDING	CLEARED	VOIDED	
01	GENERAL FUND	617,795.36		617,795.36	.00	.00	
02	SEWER FUND	365,151.67		365,151.67	.00	.00	
04	BOND(S) DEBT SERVICE FUND	207,595.50		207,595.50	.00	.00	
05	CONSTRUCTION	154,143.52		154,143.52	.00	.00	
08	LOTTERY FUND	10,084.22		10,084.22	.00	.00	
09	GOLF COURSE FUND	12,805.00		12,805.00	.00	.00	
15	OFF-STREET PARKING	75,432.45		75,432.45	.00	.00	
REPORT TOTAL				1,443,007.72			
OUTSTANDING				1,443,007.72			
CLEARED				.00			
VOIDED				.00			
+ Gross Payroll 06/19/15				401,260.45			
- ACH Payments 06/19/15				122,617.72			
+ Gross Payroll 07/03/15				393,805.88			
- ACH Payments 07/03/15				<u>119,054.42</u>			
GRAND TOTAL				<u>\$1,996,401.91</u>			

APPROVED BY COUNCIL MEMBERS 07/07/15_____
COUNCIL MEMBER_____
COUNCIL MEMBER_____
COUNCIL MEMBER_____
COUNCIL MEMBER_____
COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2015 AGENDA**

Subject:	Type:	Submitted By:
AMEND SECTIONS 31.21, 133.01 AND 92.15 OF THE LA VISTA MUNICIPAL CODE	RESOLUTION ◆ ORDINANCES RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

Ordinances have been prepared to amend Sections 31.21, 133.01 and 92.15 of the La Vista Municipal Code.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

The changes to Sections 31.21 and 133.01 are a result of American Legal Publishing Corporation incorporating the legislative changes from the 2013/14 legislative session into our Code including some minor language changes.

The changes to Section 92.15 are to insure that the erosion control facilities and plantings approved by the City will not constitute nuisances.

These changes have been reviewed by the City Attorney and City Clerk.

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 31.21 REGARDING CITY TREASURER DUTIES; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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

SECTION 1. Municipal Code Section 31.21 is hereby amended to read as follows:

§ 31.21 CITY TREASURER.

(A) (1) The City Treasurer shall receive all money belonging to the city and shall keep books and accounts in such a manner as the Mayor and City Council shall prescribe. The Treasurer shall keep a daily cash book, which shall be footed and balanced daily, and such books and accounts shall always be subject to inspection of the Mayor, members of the City Council, and such other persons as they may designate. (Neb. RS 16-717)

(2) The Treasurer shall keep all money in his or her hands belonging to the city separate and distinct from the Treasurer's own money. The Treasurer is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his or her custody and keeping for his or her own use and benefit or that of any other person whomsoever. Any violation of this provision shall subject the Treasurer to immediate removal from office by the City Council, and it may declare such office vacant. The Mayor shall appoint a successor who shall be confirmed by the City Council to hold office for the remainder of the term. (Neb. RS 16-719)

(3) The Treasurer shall be required to give bond or evidence of equivalent insurance of not less than \$25,000, or he or she may be required to give bond in double the sum of money estimated by the City Council at any time to be in his or her hands belonging to the ~~city-City, and school district, and he or she~~ The Treasurer shall be the custodian of all money belonging to the corporation. The City Council shall pay the actual premium of the bond or insurance coverage of such Treasurer. The Treasurer shall keep a separate account of each fund or appropriation and the debts and credits belonging thereto. He or she shall give every person paying money into the treasury a receipt therefor, specifying date of payment and on what account paid. He or she shall also file copies of such receipts, except tax receipts, with his or her monthly reports, and he or she shall at the end of every month, and as often as may be requested, render an account to the City Council, under oath, showing the state of the treasury at the date of such account, the amount of money remaining in each fund and the amount paid therefrom, and the balance of money in the treasury. ~~He or she~~ The Treasurer shall also accompany such account with a statement of all receipts and disbursements, together with all warrants redeemed and paid by him or her, which warrants, with all vouchers held by him or her, shall be filed with his or her account in the Clerk's office. He or she shall produce and show all funds shown by such report to be on hand, or satisfy the Council or its committee that he or she has such funds in his or her custody or under his or her control. If the Treasurer fails to render his or her account within 20 days after the end of the month, or by a later date established by the Council, the Mayor with the consent of the Council may consider this failure as cause to remove the Treasurer from office. The Treasurer shall keep a record of all outstanding bonds against the City, showing the number and amount of each bond, for and to whom the bonds were issued, and the date upon which any bond is purchased, paid, or canceled. The treasurer shall accompany the annual statement submitted pursuant to Neb. RS 19-1101 with a description of the bonds issued and sold in that year and the terms of sale, with every item of expense thereof. The Treasurer may employ and appoint a delinquent tax collector, who shall be allowed a percentage upon his or her collections to be fixed by the Council not to exceed the fees allowed by law to the County Treasurer for like services, ~~and u~~ Upon taxes collected by such delinquent tax collector, the City-Treasurer shall receive no fees. The City-Treasurer shall prepare all paving and curbing tax special assessment lists and shall collect all paving and curbing tax special assessments. (Neb. RS 16-318) ('79 Code, § 1-309) Statutory reference: Treasurer's statutory duties, Neb. RS 16-717 through 16-722

(B) The Treasurer shall make duplicate receipts for all sums paid into the Treasury, which receipts shall:

- (1) Specify the date of payment and what account paid;
- (2) Show the source from which such funds are derived; and

(3) By distinct lines and columns, show the amount received to the credit of each separate fund, and whether same was paid in cash, in warrants, or otherwise, one of which duplicates the Treasurer shall deliver to the person making such payment and the other he or her shall retain in his or her office and file such copy (except tax receipts) with his or her monthly reports. (Neb. RS 77-2209) ('79 Code, § 1-310)

(C) The Treasurer shall daily, as moneys are received, foot the several columns of his or her cashbook and of his or her register, and carry the amounts forward, and at the close of each year, in case the amount of money received by the Treasurer is insufficient to pay the warrants registered, he or she shall close the account for that year in such register and shall carry forward the excess. Any Treasurer who shall fail regularly to enter upon his or her cashbook the amounts so received and receipted for, or who shall fail to keep his or her cashbook footed from day to day for the space of three days, shall forfeit for each offense the sum of \$100 to be recovered in a civil action on his or her official bond by any person holding a warrant drawn on such Treasurer, one-half to the person bringing such action and one-half to the school fund of the county in which the action is brought. The cashbook, register and retained receipts of the Treasurer shall at all times be open to the inspection of any person in whose name any warrants are registered and unpaid.
(Neb. RS 77-2210 through 77-2212) ('79 Code, § 1-311)

(D) ~~It shall be the duty of the~~ The Treasurer ~~to shall~~ prepare and publish annually, within 60 days following the close of the city fiscal year, a statement of the receipts and expenditures ~~by of~~ funds of the city for the preceding fiscal year. The statement shall also include the information required by subsection (3) of Neb. RS 16-318. Not more than the legal rate shall be charged and paid for such publication. Such publication shall be made in one legal newspaper of general circulation in the city. Any Treasurer failing or neglecting to prepare and publish such statement of receipts and expenditures shall be deemed guilty of a misdemeanor and shall upon conviction pay a fine not to exceed \$25 and be liable in addition to removal from office for such failure or neglect.
(Neb. RS 19-1101, 19-1103, 19-1104) (79 Code, § 1-312)

(E) (1) The Treasurer shall keep a warrant register which register shall show in columns arranged for that purpose, the number, date and amount of each warrant presented and registered, the particular fund upon which the same is drawn, the date of presentation, the name and address of the person in whose name the same is registered, the date of payment, the amount of interest and the total amount paid thereon, with the date when notice to the person in whose name such warrant is registered is mailed.
(Neb. RS 77-2202)

(2) On presentation of a warrant for payment to the Treasurer when there are not sufficient moneys on hand to the credit of the proper fund to pay the same, it shall be the duty of the Treasurer to enter such warrant in his or her warrant register for payment in the order of its presentation, and he or she shall endorse on the warrant the words "registered for payment" with the date of registration and shall sign such endorsement, whereupon the warrant shall draw interest at the rate fixed by the Mayor and City Council, which rate shall be endorsed on the warrant, until notice of payment shall be given the registered owner.
(Neb. RS 45-106 and 77-2203)

(3) The Treasurer shall neither directly or indirectly contract for or purchase any city warrant at any discount whatever upon the sum due on such warrant or order, and if he or she shall so contract for or purchase any such order or warrant, he or she shall not be allowed in settlement the amount of such order or warrant, or any part thereof, and shall also forfeit the whole amount due on such order or warrant.
(Neb. RS 77-1741) (79 Code, § 1-313) (Am. Ord. 1026, passed 5-1-07; Am. Ord. 1076, passed 10-21-08)

Cross-reference:

Finance Director to perform duties of the City Treasurer, see § 31.01 of this code of ordinances

SECTION 2. Repeal of Conflicting Ordinances. Section 31.21as originally enacted, and all ordinances and parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof, are hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council 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 4. Effective Date. This Ordinance shall be in force and take effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 133.01 REGARDING NUISANCES DEFINITIONS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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

SECTION 1. Municipal Code Section 133.01 is hereby amended to read as follows:

§ 133.01 STAGNANT WATERS, WEEDS, AND LITTER.

(A) Lots or pieces of ground within the city or within the city's extraterritorial zoning jurisdiction shall be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon.

(B) The owner or occupant of any lot or piece of ground within the city shall keep the lot or piece of ground and the adjoining streets and alleys free of any excessive growth of 12 inches or more in height of weeds, grasses, or worthless vegetation. "Excessive growth" for purposes of this Section 133.01 shall include without limitation, 12 inches or more in height of weeds, grasses, or worthless vegetation.

(C) The throwing, depositing, or accumulation of litter on any lot or piece of ground within the city is prohibited, except that grass, leaves, and worthless vegetation may be used as a ground mulch or in a compost pile.

(D) It is hereby declared to be a nuisance to permit or maintain any excessive growth of 12 inches or more in height of weeds, grasses, or worthless vegetation on any lot or piece of ground within the city or on the adjoining streets or alleys or to litter or cause litter to be deposited or remain thereon except in proper receptacles.

(E) Any owner or occupant of a lot or piece of ground shall, upon conviction of violating this section, be guilty of an offense as provided by Nebraska Statutes.

(F) (1) The city shall, during the month of April of each year, publish or cause to be published in one or more newspapers of general circulation within the city a general notice setting forth the requirements of this section.

(2) In addition to the above general notice, notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service, first class mail or certified mail. If notice is given by first-class mail, such notice shall be conspicuously marked as to its importance. Within five days after receipt of such notice, the owner or occupant of the lot or piece of ground may request a hearing with the city to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the city clerk. A hearing on the appeal shall be held within fourteen days after the filing of the appeal and shall be conducted by the City Administrator or any other appointed officer of the City from time to time designated by the City Administrator. The hearing officer shall render a decision of the appeal within five business days after the conclusion of the hearing. If the appeal fails, the city may have such work done. Within five days after receipt of such notice, if the owner or occupant of the lot or piece of ground does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the city may have such work done. The costs and expenses of any such work shall be paid by the owner. If unpaid for two months after such work is done, the city may either:

(a) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefitted in the same manner as other special taxes for improvements are levied and assessed; or

(b) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(3) At all times thereafter until new growth of the following year, the city shall have the right, without providing further notice to such owner, agent, occupant, tenant or

person in possession, charge or control of such lot or ground, to continue cutting and/or removing from such lot or ground all litter or excessive growth of weeds or grass or worthless vegetation which has reached a height of 12 inches or more.

(G) For purposes of this section:

(1) LITTER includes, but is not limited to:

- (a) Trash, rubbish, refuse, garbage, paper, rags, and ashes;
- (b) Wood, plaster, cement, brick, or stone building rubble;
- (c) Grass, leaves, and worthless vegetation;
- (d) Offal and dead animals; and

(e) Any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk; and

(2) WEEDS includes, but is not limited to, bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus* sp.) (tourn), hemp plant (*Cannabis sativa*), and ragweed (*Ambrosiaceae*).

('79 Code, § 6-328) (Ord. 147, passed - -; Am. Ord. 450, passed 9-15-87; Am. Ord. 547, passed 6-16-92; Am. Ord. 938, passed 8-17-04) Penalty, see § 10.99

Statutory reference:

Municipal authority; notice and hearing requirements, see Neb. RS 16-230
Additional authority to regulate nuisances, see Neb. RS 18-1720

SECTION 2. Repeal of Conflicting Ordinances. Section 31.21as originally enacted, and all ordinances and parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof, are hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council 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 4. Effective Date. This Ordinance shall be in force and take effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buehe, CMC
City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 92.15 (B) (14) REGARDING NUISANCES DEFINITIONS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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

SECTION 1. Municipal Code Section 92.15 is hereby amended to read as follows:

§ 92.15 DEFINITION.

(A) General definition. A nuisance consists in doing any unlawful act, omitting to perform a duty or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

- (1) Injures or endangers the comfort, repose, health or safety of others;
- (2) Offends decency;
- (3) Is offensive to the senses;

(4) Unlawfully interferes with, obstructs, tends to obstruct or renders dangerous for passage any stream, public park, parkway, square, street or highway in the city;

(5) In any way renders other persons insecure in life or the use of property; or

(6) Essentially interferes with the comfortable enjoyment of life and property or tends to depreciate the value of the property of others.
(79 Code, § 4-301)

(B) Specific definition. The maintaining, using, placing, depositing, leaving or permitting of any of the following specific acts, omissions, places, conditions and things are hereby declared to be nuisances:

(1) Any odorous, putrid, unsound or unwholesome grain, meat, hides, skins, feathers, vegetable matter or the whole or any part of any dead animal, fish or fowl;

(2) Privies, vaults, cesspools, dumps, pits or like places which are not securely protected from flies or rats, or which are foul or malodorous;

(3) Filthy, littered or trash-covered cellars, houseyards, barnyards, stable-yards, factory- yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings or premises;

(4) Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinance of the city;

(5) Liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish or any waste vegetable or animal matter in any quantity, provided that nothing herein contained shall prevent the temporary retention of waste in receptacles in a manner provided by the health officer of the city, nor the dumping of nonputrefying waste in a place and manner approved by the health officer;

(6) Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a- brac, broken stone or cement, broken crockery, broken glass, broken plaster and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles;

(7) Trash, litter, rags, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, old automobiles or parts

thereof, or any other waste materials when any of the articles or materials create a condition or harborage in which flies, rats, or rodents may breed or multiply, or which may be a fire danger or which are so unsightly as to depreciate property values in the vicinity thereof;

(8) Any unsafe or unsightly building, billboard or other structure, any old, abandoned or partially destroyed building or structure or any building or structure commenced and left unfinished, which buildings, billboards or other structures are either a fire hazard, a menace to the public health or safety or are so unsightly as to depreciate the value of property in the vicinity thereof;

(9) All places used or maintained as junk yards, dumping grounds or for the wrecking and dissembling of automobiles, trucks, tractors or machinery of any kind, or for the storing or leaving of worn-out, wrecked or abandoned automobiles, trucks, tractors or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others, or which are so unsightly as to tend to depreciate property values in the vicinity thereof;

(10) Stagnant water permitted or maintained on any lot or piece of ground. Stagnant water is defined as water which stands upon premises in such a manner, and over such a period of time, that it is likely to become a breeding place for mosquitoes;

(11) Stockyards, granaries, mills, pig pens, cattle pens, chicken pens or any other place, building or enclosure in which animals or fowls of any kind are confined or on which are stored tankage or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when the places in which the animals are confined, or the premises on which the vegetable or animal matter is located are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom to the annoyance of inhabitants of the city or are maintained and kept in such a manner as to be injurious to the public health; or

(12) All other things specifically designated as nuisances elsewhere in this code or applicable state law.

(13) Storage, accumulation, keeping, placing or allowing to remain of trash, garbage, scrap and wrecked, worn-out, broken or inoperative or partially destroyed or disassembled person or real property of any kind, including any motor vehicles, tractors, trailers, machinery and equipment.

(14) Any lots or pieces of ground within the city or within two miles of the corporate limits of the city that have (or have on adjoining streets or alleys) any ~~weeds or plant~~ growth in excess of 12 inches ~~of weeds, grasses or other worthless vegetation or any other nuisance thereon pursuant to any other provisions of this Code or applicable law, excluding~~. ~~Weeds shall be defined as all grasses, annual plants and vegetation other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens~~ city approved plantings, structures, devices or facilities for purposes of weed or erosion control, neighborhood enhancement and/or wildlife promotion or, including but not limited to native plantings used for aesthetic and/or wildlife promotion, to attract and aid wildlife, to improve storm water quality, detention, in city approved storm water management or control facilities, or cultivated expressly for the purpose of weed or erosion control. Without limiting the foregoing provisions of this subsection (14), it shall be the duty of any person owning, leasing, occupying, or controlling any lot or pieces of ground in the jurisdiction to prevent the growth of noxious weeds ~~or other worthless vegetation thereon, including without limitation, such as~~ cockleburrs, thistles, ragweed, burdock, and wild lettuce thereon.

(79 Code, § 4-301.01) (Ord. 646, passed 5-7-96) (Ord. 1212, passed 2-2-14)

Statutory reference:

Authority to regulate and abate nuisances, see Neb. RS 18-1720

SECTION 2. Repeal of Conflicting Ordinances. Section 31.21as originally enacted, and all ordinances and parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof, are hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council 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 4. Effective Date. This Ordinance shall be in force and take effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2015**

Subject:	Type:	Submitted By:
AMEND CITY PERSONNEL POLICY AND PROCEDURES MANUAL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	KEVIN POKORNY DIRECTOR OF ADMINISTRATIVE SERVICES

SYNOPSIS

A resolution has been prepared to amend Section 9 of the City Personnel Policy and Procedures Manual.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

Section 9 of the Personnel Policy and Procedures Manual addresses Disciplinary Action. Revisions to this section include updating a job title from "Human Resources Assistant" to "Human Resources Manager", deleting obsolete references to members of the former volunteer fire department, revising and restating certain of the disciplinary offenses listed in Section 9.1 and amending Section 9.8 to include in the City's rules and regulations the Nebraska Revised Statute §13-3005 statutory rights of police officers in disciplinary proceedings.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AMENDING SECTION IX OF THE CITY PERSONNEL POLICY AND PROCEDURES MANUAL REGARDING DISCIPLINARY ACTIONS AND PROCEEDINGS.

WHEREAS, the Mayor and Council of the City of La Vista, Nebraska, have determined that a need exists to revise and update Section IX of the City Personnel Policy and Procedures Manual; and

WHEREAS, the needed revisions and updating include updating a job title from "Human Resources Assistant" to "Human Resources Manager," deleting obsolete references to members of the former volunteer fire department, revising and restating certain of the disciplinary offenses listed in section 9.1, and amending Section 9.8 to include in the City's rules and regulations the Nebraska Revised Statute § 13-3005 statutory rights of police officers in disciplinary proceedings; and

WHEREAS, it is the desire of the City Council to amend and so revise and update Section IX of the City Personnel Policy and Procedures Manual.

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

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

PERSONNEL RULES AND REGULATIONS

SECTION IX: DISCIPLINARY ACTION

ADOPTED: RESOLUTION NO. 96-012

READOPTED: RESOLUTION NO. 05-159

DATE: FEBRUARY 6, 1996

DATE: DECEMBER 20, 2005

AMENDED: RESOLUTION NO. 00-152

AMENDED: RESOLUTION NO. XX-XXX

DATE: DECEMBER 19, 2000

DATE:

AMENDED: RESOLUTION NO. 02-099

DATE: OCTOBER 1, 2002

- 9.1 **Disciplinary Action:** Employment ~~and Volunteer Fire Department membership~~ with the City shall be in accordance with policies and rules established by the City Council and City Administrator. Employee compliance ~~and compliance by MVFD~~ with such policies and rules is a condition of City employment. ~~and appointment to membership in the Volunteer Fire Department.~~ Employees ~~and MVFD~~ shall be oriented to applicable policies and rules by their supervisors or department heads. Failure to comply with the policies and rules and the directives of supervisors or department heads may result in disciplinary action.

The City Administrator may delegate to a Department Head and/or the Human Resources ~~Assistant Manager~~ any of the City Administrator's authorities or responsibilities under the disciplinary procedures or under this Section IX, as the City Administrator may consider appropriate.

Acts or omissions which may result in disciplinary action include, but are not limited to:

- (1) Excessive, unexplained or unexcused absenteeism; Excessive tardiness; Failure to work during scheduled work time.
- (2) Discourteous treatment of the public or work associates, including abusive language.
- (3) Failure to report a work-related accident, injury or illness.
- (4) Receipt of two or more moving violations or involvement as the at fault vehicle, as determined by the City Administrator, in two or more traffic accidents within a twelve month time frame with a City-owned vehicle.
- (5) Falsifying employment or employment application information.
- (6) Releasing confidential information ~~or providing information known to be false.~~
- (7) Criminal behavior, including theft.
- (8) Drunkenness, or possession or use of alcohol or controlled substances (other than prescription medications as directed by a licensed physician) while on duty, or being under the influence thereof while on duty.

PERSONNEL RULES AND REGULATIONS

- (9) Failure to pass a drug and/or alcohol test or refusal to consent to such test as detailed in the City of La Vista Drug Testing Policy ~~and~~ attached to this Manual or as required for safety sensitive personnel by State and Federal regulations.
- (10) Carelessness or negligence in the performance of duties, including safety rule violations, or inattention to work responsibilities, or failure to perform assigned work or duties satisfactorily.
- (11) Harassing, threatening or seeking to intimidate or bully fellow employees, ~~, MVFD~~ or members of the public. Except where legally justified (such as in legally justified cases of self-defense or defense of others), the City will not tolerate any behavior toward fellow employees, ~~, MVFD~~ or members of the public that threatens physical or bodily harm or injury, harmful or offensive bodily contact or damage to public or private property.
- (12) Refusal or failure to perform work as assigned, or other insubordination.
- (13) Abuse or unauthorized use, or conversion to personal use, of City property, equipment or facilities.
- (14) Fighting.
- (15) ~~Falsification of information on a time report.~~ Providing information known to be false; knowingly engaging in any other act of falsification, false reporting, dishonesty or misrepresentation while on duty or in connection with any job-related matter or any matter related to City business or City operations.
- (16) Unlawful discrimination on the basis of race, color, religion, sex, age, national origin, disability, ~~or~~ marital status, or other classification protected by federal, state, or local law or regulation.
- (17) Public conduct which materially interferes with the employee's ability to effectively perform assigned duties, or which has a detrimental effect on the City's image or operations.
- (18) Possessing at any time while on City property or within a City building or facility, or possessing at any time while on duty for the City at any location, any firearm or other weapon on the person of an employee ~~or MVFD~~ (or in any package, container or vehicle that is in possession or custody of the employee). "Weapon" shall include but not be limited to any knife with a blade longer than three inches that is not the property of the City. [This prohibition on possession of weapons shall not apply to a City police officer to the extent he or she is required or ordered to carry firearms or other weapons as part of the duties and responsibilities of his or her employment by the City, or to a City employee to the extent he or she is granted permission by his or her Department Head to possess a specific item while on duty. Example: The Department Head may grant a maintenance worker permission to carry in plain view a sheath knife having a blade longer than 3 inches in length for use in performing the maintenance worker's job duties.]
- (19) Violation of or failure to observe any of the requirements or provisions of this Personnel Manual.

PERSONNEL RULES AND REGULATIONS

- (20) Any other act or failure to act which is deemed to show the employee to be an unsuitable or unfit person to be employed in the public service.

Any permanent, regular employee of the City of La Vista may be reprimanded, suspended with or without pay, transferred to another position in the same class, demoted and/or terminated for any of the above reasons, or for any reason which the City Administrator deems to be adequate or proper under the circumstances and sufficient to warrant such action. All other employees are terminable at the discretion of the City Administrator.

~~Any MVFD may be reprimanded, suspended, demoted or terminated for any of the above reasons or for any other reason which the City Administrator deems to be adequate or proper under the circumstances and sufficient to warrant such action.~~

- 9.2 **Procedures:** Prior to suspending without pay, demoting, or dismissing a permanent, regular employee, or imposing any other disciplinary action involving a reduction or forfeiture of pay or benefits, the City Administrator shall give the employee:

- (1) Written notice of the charges against the employee or of the reason(s) for which the City Administrator is considering disciplinary action;
- (2) A general explanation of the evidence or information the City Administrator has regarding the matter; and
- (3) An opportunity for the employee to meet with the City Administrator to explain the employee's view of the situation and other pertinent information which the employee may wish to present (such as: the employee's version of the facts; information regarding mitigating circumstances or misunderstandings of fact; the employee's view of the appropriateness of disciplinary action or of the sanction(s) being considered by the City Administrator; and/or any other information the employee reasonably wishes to present).

~~Prior to suspending a MVFD for a period greater than 90 days, demoting or dismissing a MVFD, the City Administrator shall give the MVFD:~~

- ~~(1) Written notice of the charges against the MVFD or of the other reason(s) for which the City Administrator is considering disciplinary action;~~
- ~~(2) A general explanation of the evidence or information the City Administrator has regarding the matter; and~~
- ~~(3) An opportunity for the MVFD to meet with the City Administrator to explain the member's view of the situation and other pertinent information which the member may wish to present (such as: the member's version of the facts; information regarding mitigating circumstances or misunderstandings of fact; the member's view of the appropriateness of disciplinary action or of the sanction(s) being considered by the City Administrator; and/or any other information the member reasonably wishes to present).~~

9.3 **Reprimand:** A department head may reprimand any employee ~~or MVFD~~ under his/her supervision for such reason as the department head deems adequate and sufficient to warrant such action. Such reprimand shall be in writing and addressed to the employee ~~or MVFD~~. A signed copy shall be delivered to the City Administrator for inclusion in the employee's ~~or MVFD's~~ personnel file. Reprimands may not be appealed to the Personnel Board. However, the employee ~~or MVFD~~ may file a letter of response to the reprimand which shall be attached to the reprimand in the file. After one (1) year from the date of the reprimand, the department head may, with the approval of the City Administrator, remove the reprimand from the personnel file. In addition, an employee receiving a written reprimand may, after one (1) year from the date of the reprimand, submit a written request to the City Clerk asking the Personnel Board to review the reprimand and/or response and to determine whether the reprimand shall be removed from the personnel file. The Personnel Board, after reviewing the matter, may order that the reprimand be removed from the employee's personnel file if the Personnel Board determines in its discretion that it would no longer be appropriate to retain such reprimand as part of the employee's service record.

9.4 **Suspension:** The City Administrator may suspend an employee with or without pay for such reason as the City Administrator deems adequate and sufficient to warrant such action. In the case of a permanent, regular employee, the procedures in Section 9.2 shall apply. The total of such suspension(s) without pay shall not exceed thirty (30) calendar days in any twelve (12) consecutive month period. No single suspension without pay shall be for more than thirty (30) calendar days. The City Administrator shall notify the employee no later than one (1) day before a suspension without pay is to be effective. Such notice shall include the reasons for the suspension without pay and the duration of the suspension. Within ten (10) calendar days of the notice of suspension without pay, any non-exempt regular permanent employee who is suspended without pay may appeal in writing to the Personnel Board for a hearing.

~~The Fire Chief may suspend a MVFD for a period of less than ninety (90) calendar days for such reason as the Fire Chief deems adequate and sufficient to warrant such action. The City Administrator may suspend a MVFD for a period of ninety (90) or more days for such reason as the City Administrator deems adequate. The total of such suspension(s) shall not exceed one hundred and eighty (180) calendar days in any twelve (12) consecutive month period. No single suspension shall be for more than ninety (90) calendar days.~~

9.5 **Demotion:** The City Administrator may demote an employee ~~or MVFD~~ for such reason as the City Administrator deems adequate. In the case of a permanent, regular employee, the procedures of Section 9.2 shall apply. A written statement of the reasons for any such action shall be furnished to the employee ~~or MVFD~~ and a copy filed in the employee's personnel file. No demotion shall be made as a disciplinary action unless the employee to be demoted is eligible for employment in the lower class. Demotion shall not be made if it would require any regular full-time employee in the lower class to be laid off by reason of the action. Within ten (10) calendar days after receiving written notice of demotion, any non-exempt regular permanent employee may appeal, in writing, to the Personnel Board for a hearing.

9.6 **Dismissal/Discharge:** The City Administrator may dismiss/discharge any employee ~~or MVFD~~ of the City for such cause as the City Administrator deems adequate and sufficient to warrant such action. In the case of a permanent, regular employee ~~or MVFD~~, the procedures of Section 9.2 shall apply. At least fourteen (14) calendar days before the effective date of dismissal/discharge, a written statement of the reason(s) for the dismissal/discharge shall be delivered to the employee ~~or MVFD~~ concerned. If the City Administrator, because of the reason(s) for the dismissal/discharge, desires to make an immediate separation of the employee ~~or MVFD~~, the City Administrator may impose a suspension with or without pay of the employee ~~or a suspension of the MVFD~~, pending the effective date of dismissal/discharge. By so doing, such action shall automatically result in permanent separation at the end of the period of suspension. Suspension pending dismissal/discharge shall not be subject to the limitations provided in Section 9.4 of these rules. Within ten (10) calendar days of the receipt of the notice of dismissal/discharge, any non-exempt regular permanent employee ~~or MVFD~~ so dismissed/discharged shall have the right to appeal in writing to the Personnel Board and shall be granted a hearing.

9.7 **Final Arbiter:** The Personnel Board shall be the final internal arbiter of employee ~~and MVFD~~ appeals.

9.8 **Civil Service:**

(1) Employees covered by the Civil Service Act (Neb. Rev. Stat. sections 19-1825 et seq.) Civil Service employees may be removed, demoted, suspended without pay, reprimanded or otherwise disciplined under the applicable Civil Service Rules.

(2) As specified in Nebraska Revised Statute section 13-3005, in any proceeding involving the potential removal, suspension with or without pay, demotion or discharge of any sworn full-time officer of the City of La Vista Police Department, having the power of arrest and for whom law enforcement is a full-time career, including the Chief of Police (but not including any officer during his or her probationary period and not including clerical, custodial, or maintenance personnel):

(a) The officer shall be given notice and a copy of the written accusation;

(b) The officer shall have the right to have an attorney or representative retained by the officer present with the officer at all hearings or proceedings regarding the written accusation;

(c) The officer shall have the right to be heard and present evidence, or to have the officer's attorney or representative retained by the officer be heard and present evidence;

(d) The officer shall have the right, as shall the individual imposing the disciplinary action, or their respective attorneys or representatives, to record all hearings or proceedings regarding the written accusation; and

(e) If removal, suspension with or without pay, demotion or discharge is imposed on the officer by the City Administrator, the officer shall have the right to an appeal as provided in the Civil Service Act (Nebraska Revised Statute sections 19-1825 et seq.), La Vista

PERSONNEL RULES AND REGULATIONS

Municipal Code section 37.13, and Article V of the Rules and Regulations of the Civil Service Commission of the City of La Vista.

- (3) Nothing in this section shall be construed to prevent the preemptory suspension or immediate removal from duty of an officer by the City Administrator, pending the hearing authorized by this section, in cases of gross misconduct, neglect of duty, or disobedience of orders.

Nebraska Revised Statute § 13-3005.

13-3005. City of first class and county sheriff; adopt rules and regulations governing peace officer removal, suspension, or demotion.

(1) Except as otherwise provided in a collective-bargaining agreement, Chapter 19, article 18, or Chapter 23, article 17, any city of the first class and all county sheriffs shall adopt rules and regulations governing the removal, suspension with or without pay, or demotion of any peace officer, including the chief of police. Such rules and regulations shall include: (a) Provisions for giving notice and a copy of the written accusation to the peace officer; (b) the peace officer's right to have an attorney or representative retained by the peace officer present with him or her at all hearings or proceedings regarding the written accusation; (c) the right of the peace officer or his or her attorney or representative retained by the peace officer to be heard and present evidence; (d) the right of the peace officer as well as the individual imposing the action or their respective attorneys or representatives to record all hearings or proceedings regarding the written accusation; and (e) a procedure for making application for an appeal. Nothing in this section shall be construed to prevent the preemptory suspension or immediate removal from duty of an officer by the appropriate authority, pending the hearing authorized by this section, in cases of gross misconduct, neglect of duty, or disobedience of orders.

(2) This section does not apply to a peace officer during his or her probationary period.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2015 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZATION TO PURCHASE UPDATE FOR LIBRARY MATERIALS DETECTION SYSTEM	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ROSE BARCAL LIBRARY DIRECTOR

SYNOPSIS

A resolution has been prepared approving the purchase and installation of an update to the Library's detection system from 3M in an amount not to exceed \$34,296.00.

FISCAL IMPACT

The FY 15 Capital Fund Budget provides funding for this project.

RECOMMENDATION

Approval.

BACKGROUND

The detection system ensures that materials have been properly checked out and discourages people from leaving the library with materials by use of an audible indicator in the detection gates. The current library detection system was installed when the building was constructed in 1999. Recommended update for this system is 11-13 years. Due to the age of the system (16 years) we are experiencing false detections of items on a daily basis. Due to the fact that parts for the current system are no longer manufactured, it is recommended the system be updated.

3M has been a responsive company in dealing with the aged system's maintenance and their expertise in the detection system field is nationwide. They have gone above and beyond in keeping our current system functioning. The new system includes the three 3M bookcheck units located at the Circulation Desk as well as new detection gates. The existing security tape in all of the library materials will still function with this update so replacement of security strips in the 60,000+ library books, magazines, DVDs, etc. is not necessary.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND INSTALLATION OF AN UPDATE TO THE LIBRARY'S DETECTION SYSTEM FROM 3M IN AN AMOUNT NOT TO EXCEED \$34,296.

WHEREAS, the City Council of the City of La Vista has determined that the purchase and installation of an update to the library's detection system is necessary, and

WHEREAS, the FY15 Capital Fund budget provides funding for the purchase of said update, and

WHEREAS, 3M has expertise in the detection system field nationwide and has been responsive dealing with the aged system's maintenance, and

WHEREAS, the update will work with the existing security tape in all library materials eliminating the need to replace strips in 60,000+ library sources, and

WHEREAS, Subsection (c) 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 and installation of an update to the library's detection system from 3M in an amount not to exceed \$34,296.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2015 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZE REQUEST FOR PROPOSALS – ENGINEERING SERVICES-CITY PARKING DISTRICT ACCESS IMPROVEMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing a Request for Proposals for engineering services necessary to perform preparation of plans and specifications and construction phase services for a public street to improve connectivity to the City Parking Lot with related drainage and intersection improvements. Proposals will be solicited from three engineering firms that have knowledge of the Southport West infrastructure.

FISCAL IMPACT

Funding for the engineering services and subsequent construction will come from bonds supported by highway allocation funds and sales tax revenue, if required.

RECOMMENDATION

Approval

BACKGROUND

The initial phase of City Parking Lot construction anticipated that there would be additional connections made to the south. Recent development activity and prospects for more activity make this an appropriate time to make additional improvements that will increase the ability to connect the new development traffic to the City Parking Lot, both vehicular and pedestrian. This may include improvements to the intersection of Westport Parkway and Southport Parkway. In addition, drainage improvements are needed to serve storm water runoff from Southport West including the runoff from the City Parking Lot.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS

WHEREAS, the Mayor and Council have determined that requesting proposals for engineering services for the City Parking District access improvements is necessary, and

WHEREAS, the FY 15 Debt Service Fund provides funding for this service; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the request for proposals for engineering services for the City Parking District access improvements.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

REQUEST FOR PROPOSALS

FOR PROFESSIONAL ENGINEERING SERVICES

CITY PARKING DISTRICT ACCESS IMPROVEMENTS

CITY OF LA VISTA, NEBRASKA

PROJECT DESCRIPTION

The City of La Vista is requesting proposals for professional engineering services to prepare conceptual plans, opinions of construction costs, preliminary design, final design and construction phase services for a public road to improve access to the City Parking District and related improvements such as storm water drainage enhancements and traffic signal/intersection modifications. Attached is Exhibit "A" that identifies the proposed location of the public road and Exhibit "B" showing the extent to which drainage improvements are proposed for analysis.

SCOPE OF SERVICES

- Perform topographic survey of the proposed public road location, and perform topographic surveys of storm water drainage facilities and drainageways. This should include locating property lines.
- Obtain subsurface soils investigation and provide geotechnical recommendations related to construction of the proposed public road.
- Identify jurisdictional waters of the United States in the anticipated work areas, identify impacts to jurisdictional waters and prepare permit applications to the Corps of Engineers as may be necessary to obtain permits for drainageway improvements.
- Review all available reports, plans, maps and studies that the City has available for the project area and incorporate relevant information from such documents into the design work for the contemplated improvements. The City will make available copies of any infrastructure plans for abutting roads and sewers.
- Meet with the City and local agencies such as utility companies, Corps of Engineers and the Papio-Missouri River Natural Resources District for the purpose of discussing alternatives, costs, and other relevant matters.
- Prepare a conceptual plan of public road and storm water facilities, drainageway improvements, and intersection improvements. Geotechnical investigations will not be required for the conceptual plan phase.
- Conduct a pre-application meeting with the Nebraska Regulatory Office of the Corps of

Engineers if found to be necessary and/or advisable. Based on the comments obtained modify the conceptual plan to fit within Nationwide Permit criteria, if possible.

- Prepare an opinion of probable construction costs based upon the conceptual plans including engineering fees for design and construction phase services. The costs should include geotechnical investigations for the proposed construction areas.
- Prepare preliminary plans and specifications for the public road and intersection improvements. Preliminary plans shall contain proposed vertical and horizontal alignment, typical cross sections, proposed construction limits and right of way limits, proposed storm water management facilities including measures to address water quality and peak flows from the new pavement areas (first half-inch of runoff for water quality, no increase in 2-year peak and no more than 25% increase in 10-year peak above existing conditions). Preliminary specifications shall be in outline form identifying the proposed general conditions and list of standard technical specifications to be followed as well as a list of Special Provisions what will be written for the project.
- Prepare preliminary recommendations for existing detention basin rehabilitation and drainageway rehabilitation setting proposed locations of such work and limits of construction relative to existing easement or right-of-way limits.
- Prepare an updated opinion of probable construction costs based upon the preliminary plans.
- Prepare final plans and specifications. Final plans shall include additional details such as complete set of project cross sections, construction and removal plans, joints and grades, erosion control, utilities coordination, traffic control and phasing, quantities and bid items. Final plans shall be supported by earthwork quantity computations, storm sewer design and hydraulic analyses. Final specifications shall include bid items and quantities and completed Special Provisions. The 2014 Edition of the City of Omaha Standard Specifications for Public Works Construction shall be utilized.
- Prepare a plat map and legal description of right-of-way to be obtained by the City for the proposed public road. This would also include right-of-way needs for the intersection improvement, if applicable.
- Finalize the plans and specifications for bidding purposes based upon review comments provided by the City. Prepare an updated opinion of probable construction costs based upon the finalized plans and specifications.
- Provide project management services including a pre-design meeting upon Notice to Proceed, regular design progress meetings (anticipate bi-weekly) plan-in-hand review meeting at preliminary plan review, design contract administration and scheduling,

coordination of design team including all sub-consultants, and development of a project schedule.

- Construction phase engineering services will be provided by the selected engineering firm and will be negotiated in a separate agreement after receipt of bids for the construction work.

PROJECT SCHEDULE

All firms submitting proposals must be prepared to initiate work on this project immediately upon Notice to Proceed. The selected firm must be able to complete the services in time to solicit bids in January 2016. A Notice to Proceed is anticipated to be issued on or about August 18, 2015. Only those firms able to perform the necessary work activities within this schedule should respond to this RFP.

PROPOSAL REQUIREMENTS

In order to facilitate review of the project proposals by the City of La Vista, the following information must be included in the proposal in the order listed:

1. A letter of interest not to exceed 2 pages. This needs to identify the primary and secondary contact persons with phone and e-mail contact information.
2. The body of the proposal (Project Understanding and Approach) shall be limited to ten (10) pages, 8 1/2" by 11" single sided and up to three(3) additional pages, 11" by 17" single sided.
3. Listing of organization(s) included in the Project Team. This discussion should include the primary areas of responsibility of each team member and an estimated proportion of the total contract work to be performed by each team member/firm.
4. A listing of similar work performed within the last 3-years to include dollar value, project description, project team, and contacts for project owners. Each project description (maximum of four (4) allowed) will be limited to one single sided page.
5. A maximum of 2 pages of additional supportive material such as charts, tables, or photos.
6. The names of key personnel, qualifications, experience and the proposed project manager shall be provided. This should include a discussion of similar projects the key personnel and project manager have worked on.
7. A project schedule outlining the time frame and estimated completion date of each major task outlined in the project approach section. The project schedule should include estimated dates for deliverable products throughout the course of the design period.
8. Submit three (3) bound copies of the Proposal and one (1) CD-R containing a pdf copy of the Proposal.
9. Provide proof of professional liability insurance in the amount of not less than \$2,000,000.

NOTES:

- A. Price IS NOT a selection factor and is not to be included in the consultant's proposal. The cost plus a fixed fee contract will be negotiated after the consultant is selected.
- B. The City of La Vista reserves the right to utilize the selected consultant for construction phase services.

SELECTION CRITERIA

Proposals will be reviewed, evaluated, and ranked by an internal review committee. The review committee will evaluate and score the proposals to determine the consultant best qualified for the project. Negotiations will be held with the top ranked consultant to establish a fee for the project. In the event an agreement is not reached, then negotiations will take place with other consultants in the order of ranking if needed. Negotiations are anticipated to occur during the week of August 3, 2015. The selection criteria, including their relative importance are:

Criteria	Point Range
1. Ability and experience of professional personnel and staff.	0 – 20
2. Past performance for La Vista or other agencies.	0 – 20
3. Adequate staff to perform the work and ability to meet time requirements.	0 - 20
4. Location of project in regard to the location of the consultant's Personnel and the consultant's familiarity with the area and its development needs.	0 - 20
5. Project understanding and approach	0 – 20
Total Points (Maximum)	100

PROTOCOL

Proposals must be at the City of La Vista Public Works Department, 9900 Portal Road, La Vista, NE 68128 no later than 3:30 pm, July 24, 2015. No exceptions to this deadline will be given. Please provide the required copies of your proposal in an envelope or other sealed container clearly marked on the exterior as containing "Proposal for Engineering Consulting Services for City Parking District Access Improvements.

Firms interested in submitting proposals should contact John Kottmann, City of La Vista Public Works Department, 9900 Portal Road, La Vista, NE (402) 331-8927, or jkottmann@cityoflavista.org for any additional questions regarding the project.

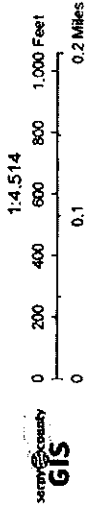
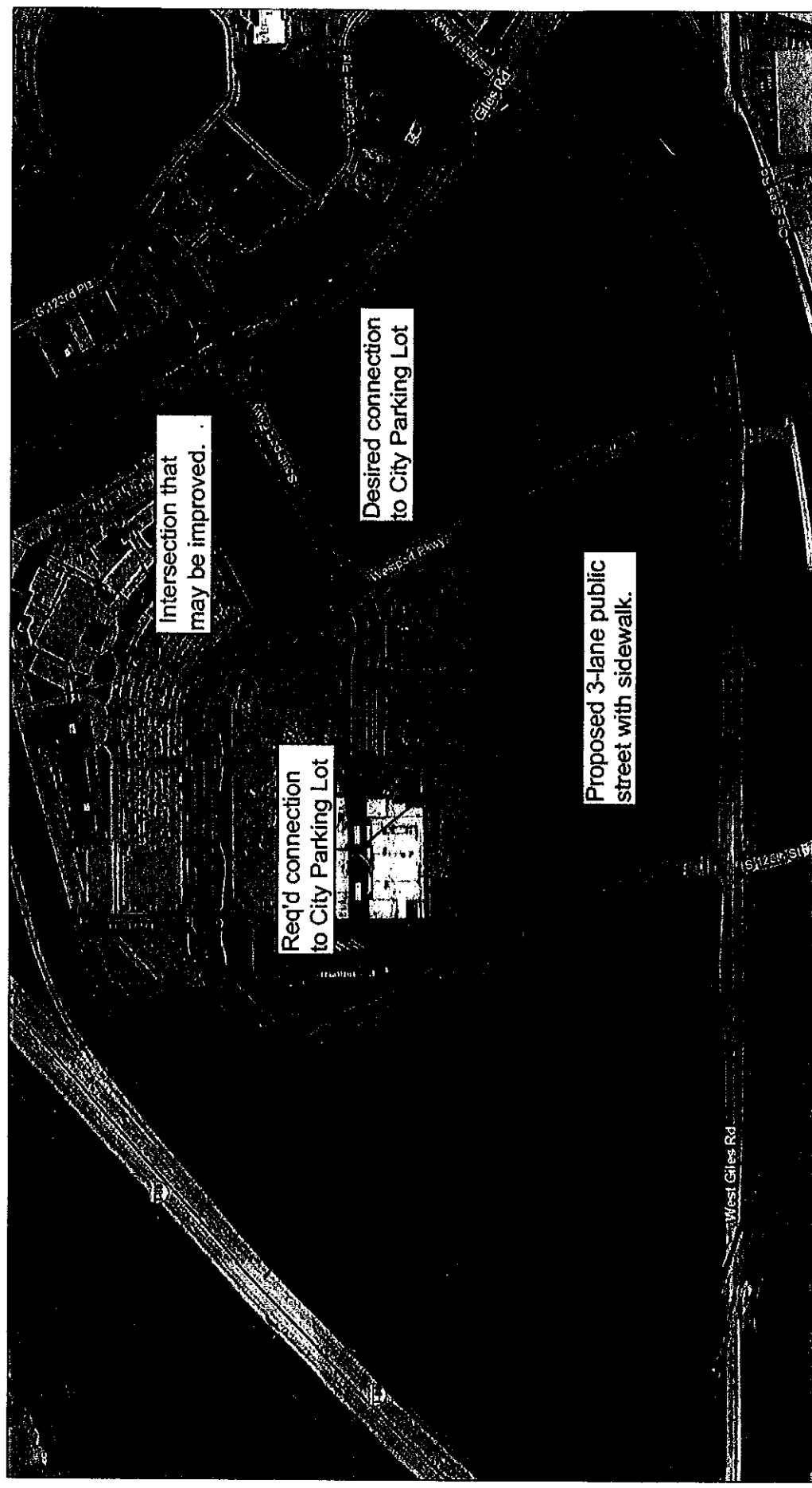
Proposals must remain firm for sixty (60) days from the proposal due date. City of La Vista

reserves the right to refuse any or all proposals and to waive technicalities in order to accept proposals that may be in the best interest of the City of La Vista, at its sole discretion.

The consultant, with regard to the services performed by it during the project, shall not discriminate on the grounds of race, color, national origin, sex, age and disability/handicap including selection of sub-consultants.

END OF RFP

Sarpy County Property Information

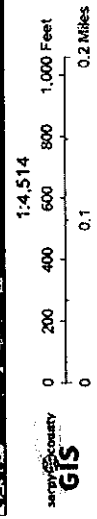
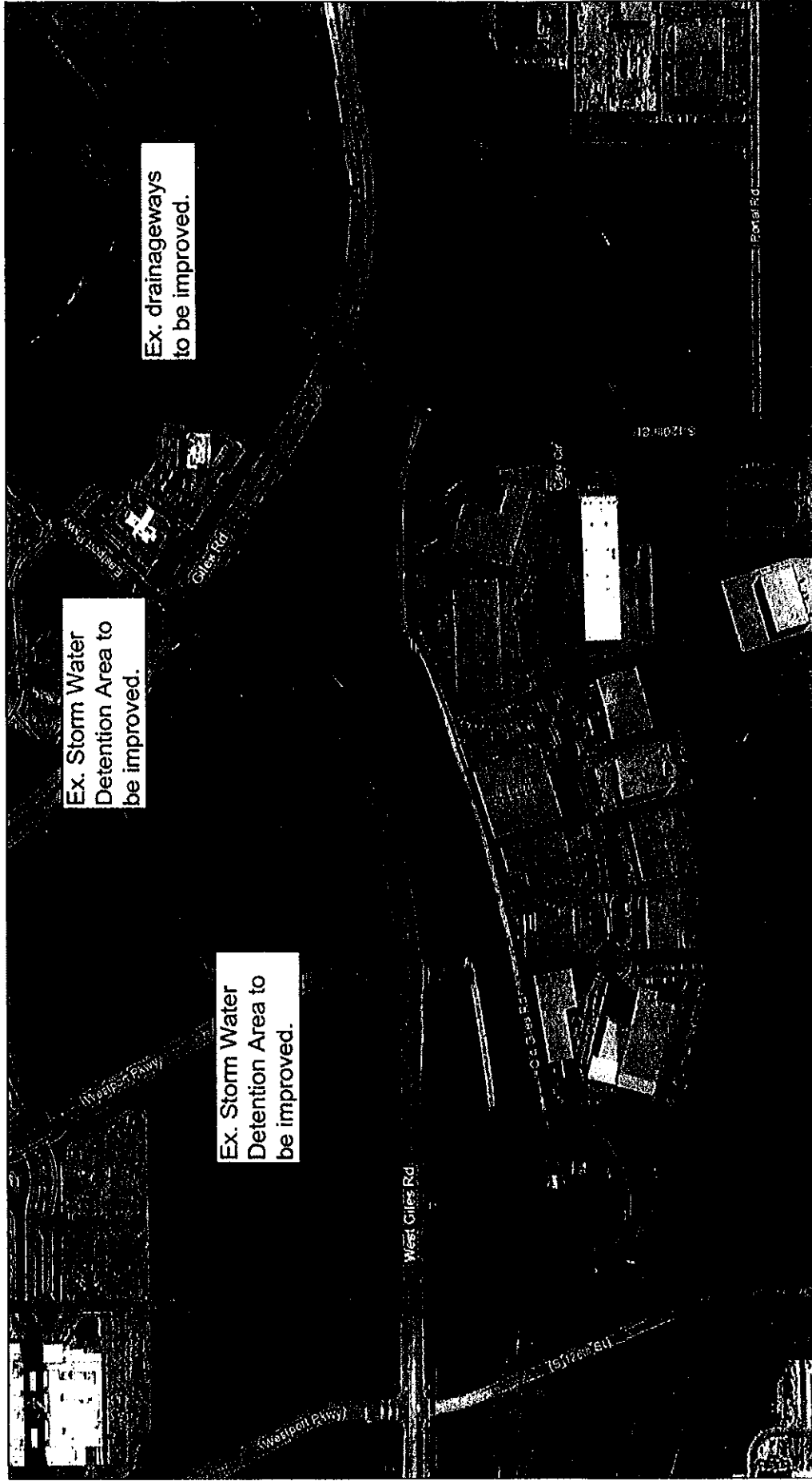


June 15, 2015

Disclaimer: The data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Commission assume no legal responsibility for the information contained in this data.

EXHIBIT "A"

Sarpy County Property Information



June 15, 2015

Disclaimer: This data is for informational purposes only, and should not be substituted for a true title search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Commission assume no legal responsibility for the information contained in this data.

EXHIBIT "B"

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2015 AGENDA**

Subject:	Type:	Submitted By:
66 TH STREET REHABILITATION- INTERLOCAL AGREEMENT WITH PAPIO- -MISSOURI RIVER NRD AND SARPY COUNTY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the Mayor to execute an Interlocal Cooperation Agreement with the Papio-Missouri River Natural Resources District and Sarpy County for the undertaking of efforts required to rehabilitate 66th Street for an interim period until the permanent reconstruction takes place in the future. The agreement includes the Papio-Missouri River NRD as it part of a package of work that includes rehabilitation of a road at Chalco Hills Recreation area. The City is not participating in the Chalco Hills Recreation project costs. Sarpy County will be the lead agency in preparing plans and administering the project.

FISCAL IMPACT

The preliminary estimate of the 66th Street Rehabilitation, prior to preparing the plans and specifications, is \$322,560. The City's share of this preliminary cost is \$200,050. Funding is allocated in the Capital Improvement Portion of the Budget for \$175,000 in FY15 and \$250,000 in FY16. This is Project Number PWST-10-001. This project is not expected to be completed in FY15.

RECOMMENDATION

Approval

BACKGROUND

This interlocal agreement provides the opportunity for the plans and specifications to be prepared by Sarpy County Public Works using their in-house personnel, thereby saving the participants the costs of professional engineering services. The joint project with the Papio-Missouri River NRD allows for preparing a larger package of work and potentially obtaining lower unit costs as a result of a larger package of work. 66th Street lies within the jurisdiction of both Sarpy County and the City of La Vista.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT AND SARPY COUNTY FOR THE UNDERTAKING OF EFFORTS REQUIRED TO REHABILITATE 66TH STREET FOR AN INTERIM PERIOD.

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, the City of La Vista desires to rehabilitate 66th Street for an interim period until the permanent reconstruction takes place in the future, and this area is located in the City of La Vista, and;

WHEREAS, the Papio-Missouri River NRD is agreeing to provide \$712,000. Toward the design and construction elements of the Thompson Creek Watershed Restoration project, and;

WHEREAS, the FY 15 and proposed FY 16 Capital Fund Budgets contain yearly allocations for the rehabilitation of 66th Street, and;

WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby approves and authorizes the execution of an Interlocal Cooperation with the Papio-Missouri River Natural Resources District and Sarpy County for the undertaking of efforts required to rehabilitate 66th Street for an interim period in form and content approved by the City Attorney

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

INTERLOCAL COOPERATION ACT AGREEMENT

66TH STREET REHABILITATION

And

CHALCO HILLS ROADWAY REHABILITATION

This Interlocal Cooperation Agreement made and entered into, by and between the County of Sarpy, Nebraska ("Sarpy County") and the City of La Vista, Nebraska ("La Vista") and the Papio-Missouri River Natural Resources District ("PMRNRD") (collectively the "Parties"), pursuant to the Nebraska Interlocal Cooperation Act, Neb. Rev. Stat. §§ 13-801, et seq. (1943), as amended (the "Interlocal Cooperation Act").

WHEREAS, Sarpy County is a duly existing body corporate and politic in accordance with and by virtue of the laws of the State of Nebraska; and

WHEREAS, the City of La Vista, Nebraska is a duly-incorporated city of the first class located in Sarpy County, Nebraska; and

WHEREAS, the Papio-Missouri River Natural Resources District is a duly existing political subdivision in accordance with and by virtue of the laws of the State of Nebraska; and

WHEREAS, pursuant to the authority granted to the Parties per the Interlocal Cooperation Act, the Parties desire to enter into mutually beneficial endeavors to improve 66th Street from Harrison Street to Giles Road, Giles Road from 66th Street to 69th Street, and a recreational roadway within the Chalco Hills Recreation Area. The locations of 66th Street and Giles Road are shown on the site map attached hereto as Exhibit "A" and incorporated herein by reference (to be referred to as the "66th Street Project"). The location of the recreational roadway within Chalco Hills Recreation Area is shown on the site map attached hereto as Exhibit "B" and incorporated herein by reference (to be referred to as the "Chalco Hills Project"). Collectively these are referred to herein as "the Projects" and individually as "Project"; and

WHEREAS, the purpose of this Agreement is to provide for cooperative undertakings between Sarpy County, La Vista, and the PMRNRD regarding the Projects, to set forth the agreements of the Parties regarding the responsibility for, and timing of, construction of the Projects, and to set forth the duties and responsibilities of the Parties relating to the Projects.

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the Parties hereto, it is agreed by and between them as follows:

1. Sarpy County, by and through its engineers, will prepare or cause to be prepared plans and specifications for construction of pavement patching followed by an asphaltic concrete overlay in the Project areas shown on Exhibits "A" and "B". The final plans and specifications for the 66th Street Project shall be subject to approval by La Vista. The final plans and specifications for the Chalco Hills Project shall be subject to approval by PMRNRD. Such approvals shall not be unreasonably withheld. Subject to the conditions and provisions

hereinafter specified, Sarpy County shall enter into a contract for construction of the Projects in accordance with the plans and specifications approved by the Parties. Sarpy County shall not be entitled to reimbursement for the costs associated with the engineering and preparation of plans and specifications for the Projects if such work is performed by Sarpy County's own employees.

2. All Project construction work occasioned by this Agreement shall be performed by the contractors furnishing the lowest and best bid as determined by Sarpy County pursuant to formal bidding requirements as provided by law and as thereafter approved by the Parties. Bids shall contain a separation of quantities and costs for the 66th Street Project and the Chalco Hills Project. Upon tabulation of all bids received for construction of the Project, Sarpy County will review same with La Vista and PMRNRD prior to accepting bids. In the event that the actual low bid for each Project is more than 120% of the estimated construction costs set forth in Exhibits "D" and "E" attached hereto and incorporated herein by reference, the Parties may reevaluate the proposed improvements. The Parties may decide to proceed and allocate additional funding, decide to reduce the scope of work to remain within available funding, decide to rebid the project or decide not to proceed with the Project. For each of the Projects, the affected Parties will reach mutual agreement on the desired course of action if bids exceed 120% of the estimated construction costs set forth in Exhibits "D" and "E".

3. All contractors performing work on the Projects pursuant to this Agreement shall furnish a performance bond to the Parties as their interests appear, satisfactory to Sarpy County, La Vista and PMRNRD as to surety and form, which shall remain in full force and effect and until acceptance of the construction and which, in part, shall provide for the good and faithful performance of the construction contract, plans and specifications by contractor, for compliance by contractor with all applicable laws, for payment of material, labor and rentals, and for the payment of the unemployment payment to the Department of Labor of the State of Nebraska as provided by State Law.

4. The Sarpy County Public Works Director, or his designee, shall be the Project Manager and shall perform construction management services including, but not limited to, interpretation of the plans and specifications, prepare change orders if necessary, measure quantities of work, conduct project meetings, and shall determine whether the performance of the work, workmanship, quality of materials, and/or acceptability of the work is in accordance with the plans and specifications. The Project Manager shall be the final arbiter. The Project Manager shall inform the Parties prior to the issuance of any change orders that result in increased costs to another Party, and shall make available to the Parties, upon request, all documents associated with construction management. Sarpy County shall not be entitled to reimbursement for the costs associated with the construction management services.

5. All contracts with contractors, pertaining to the Projects occasioned by this Agreement shall be made by Sarpy County pursuant to Paragraphs 2 and 3 of this Agreement and said contracts shall, in part, provide full and faithful adherence to the plans and specifications for the work, partial payments during construction based upon work completed and certified by Sarpy County's engineers and approved by La Vista's or PMRNRD's project representatives, and for final payment upon completion and certification by the Parties. During the course of the construction of the Projects, La Vista and/or PMRNRD may at any time inspect the work to ensure compliance with the plans and specifications. Sarpy County shall make all payments to

contractors for work performed on the Project until completion, except as provided in paragraph 6, below.

6. (a) Unless otherwise provided in this agreement, the cost to be allocated among the Parties to this agreement shall be limited to the actual costs of construction, engineering, and legal costs to the extent associated with the foregoing, (collectively, "Costs"). Unless otherwise provided in this agreement, costs associated with bonding or obtaining financing are not to be included as Costs, nor shall payments and expenses, including but not limited to salaries, paid to or associated with a Party's own employees.

(b) The estimated Costs for the Projects are set forth on Exhibits "D" and "E" (the "Estimated Cost Schedules"). The Parties agree to allocate Costs of the Projects in accordance with the cost allocation percentages shown on the Estimated Cost Schedules. Sarpy County agrees to pay the contractor(s), as certified by Sarpy County's engineer, within the time frames required under the contract between such contractor(s) and Sarpy County. Sarpy County shall bill La Vista and PMRNRD after making progress payments to the contractor(s) for La Vista's and PMRNRD's share of the project costs. La Vista and PMRNRD will pay such bills no later than 45 days after an invoice is received from Sarpy County. The Parties to this Agreement warrant regular budgetary procedures will apply to this project; provided, however, each of the Parties agrees to appropriate and levy amounts sufficient to satisfy its share of Costs.

7. The Parties agree that no additional right-of-way is required for the construction of the Projects.

8. This Agreement shall not release the Parties to this Agreement from their responsibilities established by the Statutes of the State of Nebraska.

9. The Parties warrant to each other that they have not employed nor retained any company or person, other than a bona fide employee working solely for the Parties to this Agreement to solicit or secure this contract, and that they have not paid or agreed to pay any company or person other than a bona fide employee working solely for the Parties, any fee, commissions, percentage, brokerage fee, gifts or other consideration, contingent upon or resulting from the award or making of this contract.

10. The Parties to this Agreement hereby agree to comply and to cause to all contractors doing work occasioned by this Agreement to comply with all Federal and State laws, rules, and other applicable regulations.

11. It is the mutual desire and intention of the Parties that the 66th Street Project shall be constructed by December 1, 2015 and that the Chalco Hills Project shall be constructed between November 1, 2015 and April 1, 2016 or between June 1, 2016 and August 1, 2016. Accordingly, the Parties hereby agree to cooperate with each other and make reasonable, good faith efforts to perform their obligations hereunder in a timely manner so as to achieve the construction within these time periods.

12. Attached as Exhibit "C" is a map of the Project area, showing the area of the 66th Street Project currently within the corporate limits of La Vista. Portions of the area of the 66th Street Project not currently within the corporate limits of La Vista are designated on Exhibit "C" as Area "A". If the 66th Street Project covered by this Agreement is completed, and within 5 years thereafter, La Vista exercises powers of annexation so as to include within the corporate limits of the City, either directly or by operation of law, any portion of said Area "A" that includes improvements of the Project covered by this Agreement, La Vista shall reimburse Sarpy County for a portion the County's share of the Project costs. Said reimbursement shall be the same proportion of the County's cost paid under this Agreement as is the proportion of Area "A" that is annexed within 5 years after completion of the Project.

13. There shall be no separate legal or administrative entity created to administer this Agreement and, therefore, no separate budget established for such an entity.

14. The maintenance of the improvements in the Projects constructed under this Agreement shall be the responsibility of the Party under whose jurisdiction such improvements are located.

15. Sarpy County shall maintain records of all construction and other costs incurred in connection with the Project, and La Vista and PMRNRD shall have the right to audit and review such records at any time to assure that such records are accurate.

16. This Agreement shall commence upon the date of execution by the last party to execute the Agreement as noted below. This Agreement shall continue until such time as the Project to be performed pursuant to this Agreement has been completed and reimbursement is made to Sarpy County as provided herein.

17. This Agreement may be terminated by any party that is not in breach of this Agreement upon ninety (90) days written notice to the other party for material breach by the other party of the terms and conditions of this Agreement which shall not be cured within sixty (60) days after written notice of the breach is given to such other party, or cure shall not be commenced within said sixty (60) day period if cure requires more than sixty (60) days to complete.

18. This instrument contains the entire agreement of the parties and shall be binding upon the successors and assigns of the respective parties. No amendments, deletions or additions shall be made to this Agreement except in writing signed by all parties.

19. Nothing in this Agreement is intended to supersede, replace, or alter any of the terms or conditions contained in the agreement between Sarpy County and PMRNRD previously entered into by these parties regarding the maintenance of roads within the Chalco Hills Recreation Area.

20. The terms and performances under this Agreement shall be governed by the laws of the State of Nebraska.

21. In the event any portion of this Agreement may be held invalid or unenforceable for any reason, it is agreed that any invalidity or unenforceability shall not affect the remainder

of this Agreement and the remaining provisions shall remain in full force and effect, and any court of competent jurisdiction may so modify any objectionable provision of this Agreement so as to render it valid, reasonable.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereinafter indicated pursuant to authorizing resolutions duly adopted at regularly convened public meetings of their governing bodies.

Executed by La Vista this _____ day of _____, 2015.

CITY OF LA VISTA, NEBRASKA

By _____
MAYOR

ATTEST:

CITY CLERK

Executed by Sarpy County this _____ day of _____, 2015.

THE COUNTY OF SARPY, NEBRASKA

By _____
**CHAIRMAN, SARPY COUNTY
BOARD OF COMMISSIONERS**

APPROVED AS TO FORM:

Deputy County Attorney

Executed by PMRNRD this _____ day of _____, 2015.

**PAPIO-MISSOURI RIVER NATURAL
RESOURCES DISTRICT**

By _____
JOHN WINKLER, General Manager

ATTEST:

(title)

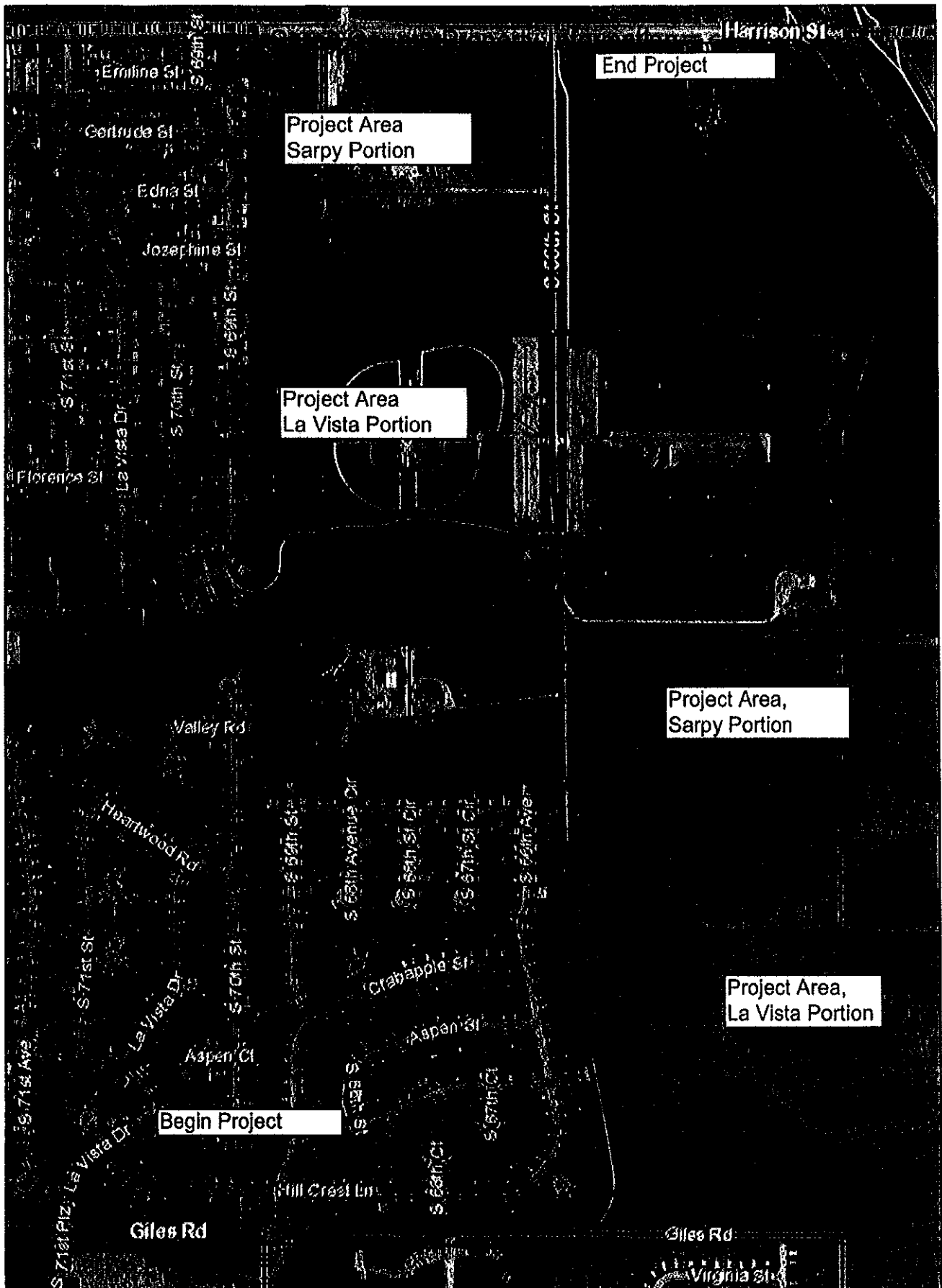




EXHIBIT B

Sarpy County Property Information



AREA "A"

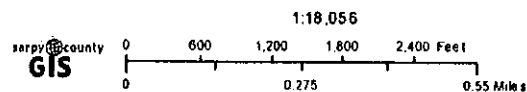
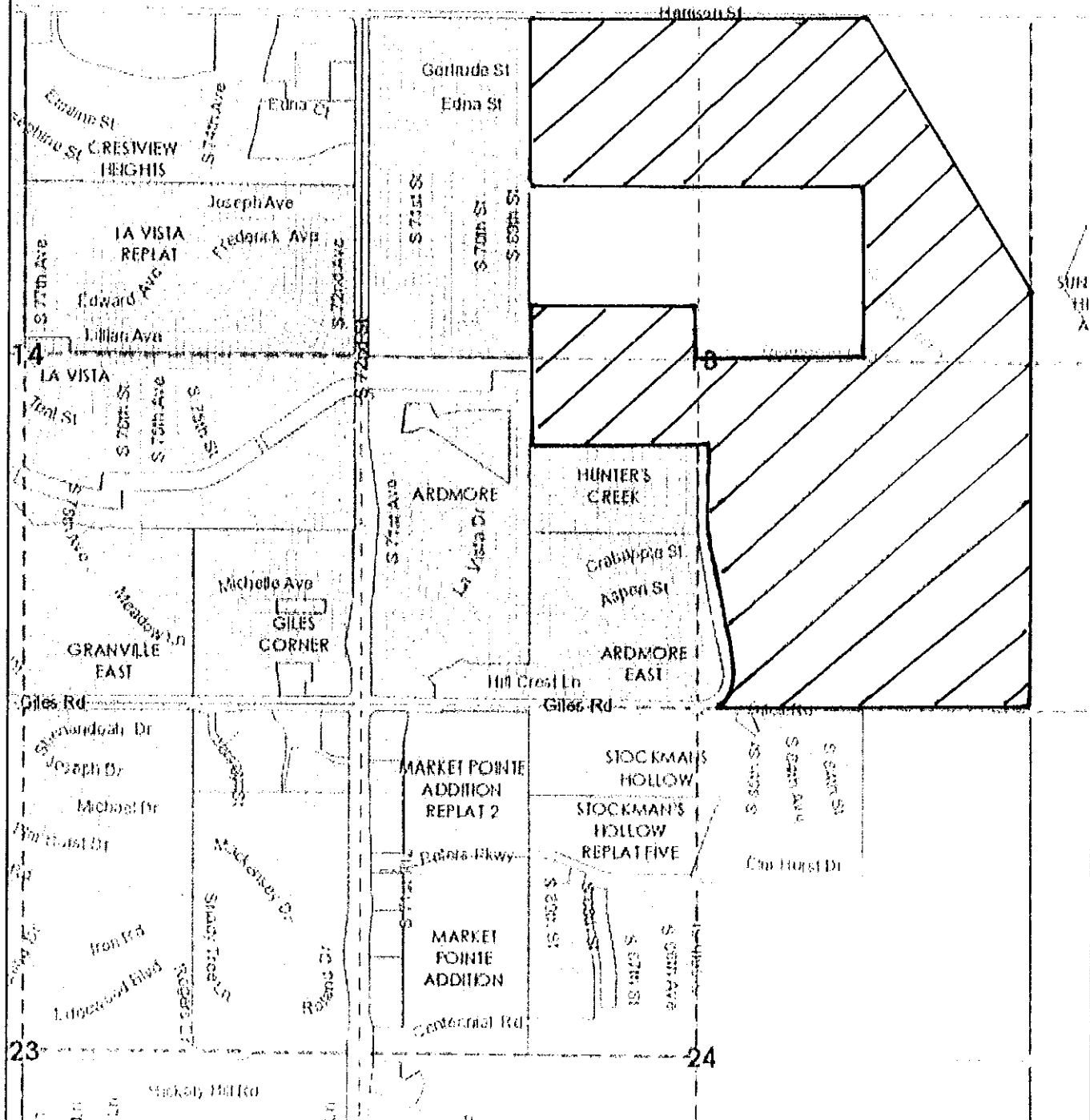


EXHIBIT "C"

Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, June 2, 2015

Estimate of 66th Street Overlay Project					
Item	DESCRIPTION	Quantity	Units	Unit Price	Total Price
1	Barricades	1	LS	\$840.00	\$840.00
2	Cold Milling	20470	SY	\$1.00	\$20,470.00
3	Full Depth Patching, 8" Thick	901	Tons	\$110.00	\$99,110.00
4	Tack Coat	1610	Gallons	\$2.00	\$3,220.00
5	Level Layer Course	147	Tons	\$90.00	\$13,230.00
6	Adjust Manhole to Grade	2	EA	\$730.00	\$1,460.00
7	2" Asphalt Surfacing (TYPE SLX)	20470	SY	\$9.00	\$184,230.00
	Total				\$322,560.00

Sarpy County Portion, 37.5% of Pavement Area					
Item	DESCRIPTION	Quantity	Units	Unit Price	Total Price
1	Barricades	0.5	LS	\$840.00	\$420.00
2	Cold Milling	7687	SY	\$1.00	\$7,687.00
3	Full Depth Patching, 8" Thick	338	Tons	\$110.00	\$37,180.00
4	Tack Coat	604	Gallons	\$2.00	\$1,208.00
5	Level Layer Course	68	Tons	\$90.00	\$6,120.00
6	Adjust Manhole to Grade	1	EA	\$730.00	\$730.00
7	2" Asphalt Surfacing (TYPE SLX)	7685	SY	\$9.00	\$69,165.00
	Total				\$122,510.00

La Vista City Portion, 62.5% of Pavement Area					
Item	DESCRIPTION	Quantity	Units	Unit Price	Total Price
1	Barricades	0.5	LS	\$840.00	\$420.00
2	Cold Milling	12785	SY	\$1.00	\$12,785.00
3	Full Depth Patching, 8" Thick	563	Tons	\$110.00	\$61,930.00
4	Tack Coat	1005	Gallons	\$2.00	\$2,010.00
5	Level Layer Course	79	Tons	\$90.00	\$7,110.00
6	Adjust Manhole to Grade	1	EA	\$730.00	\$730.00
7	2" Asphalt Surfacing (TYPE SPX)	12785	SY	\$9.00	\$115,065.00
	Total				\$200,050.00

Estimate Notes:

1. Plans & specs to be prepared by La Vista & Sarpy County forces at no cost to the project.
2. There are no legal fees to be charged to the project.
3. The patching quantity is based on 10% of the pavement area.

EXHIBIT "D"

Estimate of Chalco Hills Project					
Item	DESCRIPTION	Quantity	Units	Unit Price	Total Price
1	Barricades	1	LS	\$0.00	\$0.00
2	Cold Milling	1	SY	\$1.00	\$1.00
3	Full Depth Patching, 8" Thick	1	Tons	\$110.00	\$110.00
4	Tack Coat	1	Gallons	\$2.00	\$2.00
5	Level Layer Course	1	Tons	\$90.00	\$90.00
6	Adjust Manhole to Grade	1	EA	\$730.00	\$730.00
7	2" Asphalt Surfacing (TYPE SLX)	1	SY	\$9.00	\$9.00
	Total				\$942.00

NOTE: All quantities and units prices and bid items in this estimate are to be verified upon preparation of plans for this project. The items shown are merely placeholders to establish format of the estimate.

Estimate Notes:

1. Plans & specs to be prepared by PMRNRD & Sarpy County forces at no cost to the project.
2. There are no legal fees to be charged to the project.
3. The total costs shown above are to be shared equally by Sarpy County and PMRNRD.

EXHIBIT "E"

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2015 AGENDA**

Subject:	Type:	Submitted By:
AWARD BID – TENNIS COURT RESURFACING	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the Director of Public Works to sign a contract with Pro Track and Tennis Inc., Bennington, Nebraska, for the resurfacing of Central Park Tennis Courts in an amount not to exceed \$14,246.00.

FISCAL IMPACT

The FY 15 Parks Maintenance Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The tennis courts at Central Park were last resurfaced approximately 14-years ago. The proposed work will include filling cracks, patching low spots, applying acrylic resurfacer, color coating, line striping and net post replacement. Public Works solicited bids and only two were submitted. Public Works is recommending Pro Track and Tennis Inc., as the low compliant bidder. Pro Track and Tennis was the company that performed the last resurfacing project.

- Pro Track and Tennis Inc. \$14,246.00
- Tennis Courts Unlimited Inc. \$16,675.00

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT FOR THE CENTRAL PARK TENNIS COURT RESURFACING TO PRO TRACK AND TENNIS INCORPORATED, BENNINGTON NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$14,246.00

WHEREAS, the City Council of the City of La Vista has determined that resurfacing of the Central Park Tennis Courts is necessary; and

WHEREAS, the FY15 Parks Maintenance Budget provides funding for this project; and

WHEREAS, Bids were received from two contractors, and

WHEREAS Pro Track Tennis Inc., Bennington, NE, has submitted the low, qualified bid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to Pro Track Tennis Inc., Bennington, NE for resurfacing of the Central Park Tennis Courts, in an amount not to exceed \$14,246.00 and authorize the Director of Public Works to execute such contract.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Tennis courts unlimited Inc.

1130 N 58th Road

Nebraska City, NE 68410

402-618-2534

To: City of La Vista

Re: Tennis court renovations Central Park

Renovation procedures. (3 courts)

1. Clean and prepare surface for color coating. Power wash .
2. Fill all cracks with court patch binder and sand smooth.
3. Fill birdbaths with court patch binder and sand smooth.
4. Install one coat of acrylic resurfacer .
5. Install two coats of Deco color coating . Match existing colors.
6. Stripe lines to USTA standards.
7. A two year warranty on workmanship and material.

Total Investment: \$11,275.00

Accepted _____ Date _____

Option #1 Tear out 3 existing net post and footings. Install new Edwards net post complete with sleeve so the net post can be removed.

Add: \$5,400.00 Initial _____

Payment schedule: 33% down with signed contract with remainder due on completion.

Thank you, Chan Laurent