



CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO TODD ARMBRUST, of the La Vista Police Department, FOR 15 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, Todd Armbrust, has served the City of La Vista since March 18, 1996, and

WHEREAS, Todd Armbrust's input and contributions to the City of La Vista have contributed to the success of the City.

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

DATED THIS 5TH DAY OF APRIL, 2011.

Douglas Kindig, Mayor

Ronald Sheehan
Councilmember, Ward I

Brenda L. Carlisle
Councilmember, Ward I

Mike Crawford
Councilmember, Ward II

Terrilyn Quick
Councilmember, Ward II

Mark D. Ellerbeck
Councilmember, Ward III

Alan W. Ronan
Councilmember, Ward III

Kelly R. Sell
Councilmember, Ward IV

Anthony J. Gowan
Councilmember, Ward IV

ATTEST:

Pamela A. Buethe, CMC
City Clerk



MINUTE RECORD

No. 729—REFFIELD & COMPANY, INC., OMAHA

LA VISTA CITY COUNCIL MEETING March 15, 2011

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 March 15, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck, Absent: Councilmember Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Public Works Director Soucie, Public Buildings and Grounds Director Archibald, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on March 3, 2011. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order and led the audience in the pledge of allegiance.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items

APPOINTMENT OF FIRE DEPARTMENT RECRUIT – TOM GRAYSON

Chief Uhl presented the following fire department recruit for approval of his appointment: tom Grayson. Councilmember Quick made a motion to approve the appointments. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

CONSENT AGENDA

- 1.APPROVAL OF THE AGENDA AS PRESENTED**
- 2.APPROVAL OF CITY COUNCIL MINUTES FROM MARCH 1, 2011**
- 3.MONTHLY FINANCIAL REPORT – FEBRUARY 2011**
- 4.APPROVAL OF CLAIMS**

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Carlisle. Councilmember Ellerbeck reviewed the claims for this period and reported that he found everything to be in order. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

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|------------------------------------|----------|
| ADMIN PROFESSIONAL, subscription | 89.00 |
| ALAMAR UNIFORMS, Wearing apparel | 127.50 |
| ALFARO, M, training expense | 272.72 |
| A. TROE, printing | 670.00 |
| ARAMARK UNIFORM, services | 172.05 |
| AUSTIN PETERS GROUP, training | 1100.00 |
| AVI, services | 1512.47 |
| BAKER & TAYLOR BOOKS,books | 1127.34 |
| BCDM, services | 5114.00 |
| BENNINGTON EQUIP, maintenance | 2086.99 |
| BEST CARE EAP, services | 2244.00 |
| BIERMAN, B., supplies | 192.98 |
| BKD, services | 12500.00 |
| BLACK HILLS ENERGY, utilities | 12109.01 |
| BOB'S RADIATOR REPAIR, maintenance | 602.00 |
| BOTACH TACTICAL, wearing apparel | 99.25 |
| BOUND TREE, supplies | 394.74 |
| BREWER, A., training exp. | 264.00 |

MINUTE RECORD

No. 729—REFFIELD & COMPANY, INC., OMAHA

March 15, 2011

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| BURT, S., training | 715.50 |
| CALENTINE, J., trianing exp. | 130.00 |
| CASEY, L., training exp. | 31.01 |
| CAVLOVIC, P. wearing apparel | 120.00 |
| CITY OF OMAHA. Services | 88440.42 |
| CJ'S HOME CENTER, maintenance/parts | 894.82 |
| CORNHUSKER INT., maintenance | 68.72 |
| COX COMM., phone/services | 94.15 |
| D & D COMM., supplies | 78.00 |
| DEMCO INC., supplies | 177.53 |
| DEVNEY, K., refund | 40.00 |
| DHHS REG, permit | 40.00 |
| DIGITAL ALLY, equip. | 1075.00 |
| DOUGLAS CNTY ENGINEER, construction | 7427.43 |
| DULTMEIER SALES & SERVICE, maintenance | 18.91 |
| EDGEWEAR SCREEN PRINTING, apparel/misc. | 1440.60 |
| EMBASSY SUITES HOTEL, meals | 259.20 |
| FAIRWAY GOLF, apparel | 181.57 |
| FILTER CARE, maintenance | 28.60 |
| FORT DEARBORN LIFE INSURANCE | 1301.00 |
| F. PETERSON, maintenance | 300.00 |
| FUTUREWARE DIST., services | 37.00 |
| GALE, books | 182.22 |
| GCR OMAHA TRUCKCENTER, maintenance | 506.41 |
| GENUINE PARTS COMPANY, maintenance | 1489.39 |
| GRAINGER, bld & grnds | 54.95 |
| GRAYBAR ELEC., repair | 130.30 |
| H & H CHEVROLET, maintenance | 1005.58 |
| HEARTLAND TIRES, supplies | 7480.37 |
| HENDERSON, J., training exp. | 264.00 |
| HERITAGE CRYSTAL CLEAN, services | 224.00 |
| HOLSTEIN'S HARLEY DAVIDSON, equipment | 19579.60 |
| ADMIN PROFESSIONAL, subscription | 3537.44 |
| ALAMAR UNIFORMS, Wearing apparel | 3539.31 |
| ALFARO, M, training expense | 3541.17 |
| A. TROE, printing | 3543.04 |
| ARAMARK UNIFORM, services | 3544.90 |
| AUSTIN PETERS GROUP, training | 3546.77 |
| AVI, services | 3548.63 |
| BAKER & TAYLOR BOOKS,books | 3550.50 |
| BCDM, services | 3552.36 |
| BENNINGTON EQUIP, maintenance | 3554.23 |
| BEST CARE EAP, services | 3556.09 |
| BIERMAN, B., supplies | 3557.96 |
| BKD, services | 3559.82 |
| BLACK HILLS ENERGY, utilities | 3561.69 |
| BOB'S RADIATOR REPAIR, maintenance | 3563.55 |
| BOTACH TACTICAL, wearing apparel | 3565.42 |
| BOUND TREE, supplies | 3567.28 |
| BREWER, A., training exp. | 3569.15 |
| BURT, S., training | 3571.01 |
| CALENTINE, J., trianing exp. | 3572.88 |
| CASEY, L., training exp. | 3574.74 |
| CAVLOVIC, P. wearing apparel | 3576.61 |
| CITY OF OMAHA. Services | 3578.47 |
| CJ'S HOME CENTER, maintenance/parts | 3580.34 |
| CORNHUSKER INT., maintenance | 3582.20 |

MINUTE RECORD

No. 729—REFFIELD & COMPANY, INC., OMAHA

March 15, 2011

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| COX COMM., phone/services | 3584.06 |
| D & D COMM., supplies | 3585.93 |
| DEMCO INC., supplies | 3587.79 |
| DEVNEY, K., refund | 3589.66 |
| DHHS REG, permit | 3591.52 |
| DIGITAL ALLY, equip. | 3593.39 |
| DOUGLAS CNTY ENGINEER, construction | 3595.25 |
| DULTMEIER SALES & SERVICE, maintenance | 3597.12 |
| EDGEWEAR SCREEN PRINTING, apparel/misc. | 3598.98 |
| EMBASSY SUITES HOTEL, meals | 3600.85 |
| FAIRWAY GOLF, apparel | 3602.71 |
| FILTER CARE, maintenance | 3604.58 |
| FORT DEARBORN LIFE INSURANCE | 3606.44 |
| F. PETERSON, maintenance | 3608.31 |
| FUTUREWARE DIST., services | 3610.17 |
| GALE, books | 3612.04 |
| GCR OMAHA TRUCKCENTER, maintenance | 3613.90 |
| GENUINE PARTS COMPANY, maintenance | 3615.77 |
| GRAINGER, bld & grnds | 3617.63 |
| GRAYBAR ELEC., repair | 3619.50 |
| H & H CHEVROLET, maintenance | 3621.36 |
| HEARTLAND TIRES, supplies | 3623.23 |
| HENDERSON, J., training exp. | 3625.09 |
| HERITAGE CRYSTAL CLEAN, services | 3626.96 |
| HOLSTEIN'S HARLEY DAVIDSON, equipment | 3628.82 |
| ADMIN PROFESSIONAL, subscription | 3630.69 |
| ALAMAR UNIFORMS, Wearing apparel | 3632.55 |
| ALFARO, M, training expense | 3634.42 |
| A. TROE, printing | 3636.28 |
| ARAMARK UNIFORM, services | 3638.15 |
| AUSTIN PETERS GROUP, training | 3640.01 |
| AVI, services | 3641.88 |
| BAKER & TAYLOR BOOKS,books | 3643.74 |
| BCDM, services | 3645.61 |
| BENNINGTON EQUIP, maintenance | 3647.47 |
| BEST CARE EAP, services | 3649.34 |
| BIERMAN, B., supplies | 3651.20 |
| BKD, services | 3653.07 |
| BLACK HILLS ENERGY, utilities | 3654.93 |
| BOB'S RADIATOR REPAIR, maintenance | 3656.80 |

SPECIAL REPORT – SARPY COUNTY LANDFILL – MARK WAYNE

Mark Wayne was not present at the meeting. His report will be rescheduled for another meeting.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council of their workshop on March 16 and 6:30.

Assistant City Administrator Ramirez called on Community Relations Coordinator Beaumont to give Council an update on the events being planned for this year.

Police Chief Lausten reported on an incident in the parking lot of the previous Walmart facility.

Fire Chief Uhl reported that he had been selected to sing the National Anthem at the July 17, 2011 Storm Chasers game along with presentation of colors by the honor guard.

Public Works Director Soucie reported that the first six houses in the Thompson Creek area have been demolished.

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Library Director Barcal reported on programs at the library.

B. RESOLUTION - FY 2009/2010 AUDIT REPORT – BKD, LLP

Roger Watton, from BKD hi-lighted portions of the audit. Watton also commented on how helpful and cooperative city staff was.

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-028; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FISCAL YEAR 2009 - 2010 MUNICIPAL AUDIT AS PREPARED BY THE AUDITING FIRM OF BKD, LLP, OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of BKD, LLP, Omaha, Nebraska, to complete an audit of the City's fiscal year 2009-2010 municipal operations; and

WHEREAS, BKD, LLP has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, that the 2009-2010 municipal audit is hereby accepted and approved.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

C. ANNEXATIONS – SID 239 (GILES CORNER), SID 82 (CROSSROADS INDUSTRIAL PARK) & ADJOINING MISC. LOT, PERFORMANCE AUTO PLAZA & ATTIC STORAGE, PORTIONS OF SID 59 (BROOK VALLEY II BUSINESS PARK) & ADJOINING STREET ROWS.

1. PUBLIC HEARING

At 7:20 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Annexations of SID 239 (Giles Corner), SID 82 (Crossroads Industrial Park) & Adjoining Misc. Lot, Performance Auto Plaza & Attic Storage, Portions of SID 59 (Brook Valley II Business Park) & Adjoining Street ROWs. Anyone desiring to comment were asked to keep their comments to three minutes.

Community Development Director Ann Birch stated the city's long range annexation plan identifies, among other things, annexation is a tool for growth management by establishing more sensible jurisdictional boundaries, facilitating economic development, and fostering more coordinated land development. The areas proposed for annexation tonight are identified within the plan as areas 1a, b, c, d, and e, and are therefore consistent with the plan. A public hearing and first reading of the ordinances has been scheduled for Council to consider the annexation of the following property: SID #239 Giles Corner; SID #82 Crossroads Industrial Park; Tax Lot 10B in the SE $\frac{1}{4}$ 21-14-12; Performance Auto Plaza & Attic Storage; Part of SID #59; and any adjoining Street Rights-of-Way.

Bob Huck, representing SID #59, addressed the Council in opposition to the proposed annexation of part of SID #59 outside the industrial area, made reference to the order of the District Court of Sarpy County denying the request of Cold Storage located in the industrial area for a temporary restraining order enjoining the City from implementing Ordinance No. 1107, adopted December 1, 2009, and stated that he felt Section 31-765 of the Nebraska Statutes precluded the City from taking the current action to annex parts of SID 59 outside the industrial area.

At 7:30 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

City Attorney McKeon stated that, as previously indicated to Mr. Huck, the City disagrees with his position and comments and believes the partial annexation of SID 59 pursuant to the currently proposed ordinance is lawful. The City is not making any attempt to implement the prior annexation ordinance of SID 59 or make it effective. He also noted the requested TRO was not granted.

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2. ORDINANCES – FIRST READINGS

Councilmember Carlisle introduced Ordinance No. 1138 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (GILES CORNER, SID #239 AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle made a motion to approve Ordinance No. 1138 on its first reading and pass it on to a second reading. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

Councilmember Carlisle introduced Ordinance No. 1139 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (CROSSROADS INDUSTRIAL PARK, SID #82 AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Crawford made a motion to approve Ordinance No. 1139 on its first reading and pass it on to a second reading. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

Councilmember Quick introduced Ordinance No. 1140 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOT 10B, LOCATED IN THE SE ¼ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan made a motion to approve Ordinance No. 1140 on its first reading and pass it on to a second reading. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

Councilmember Quick introduced Ordinance No. 1141 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOT 1B, TAX LOT 1C, TAX LOT 2, LOCATED IN THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; LOTS 2A, 3 AND 4, PERFORMANCE AUTO PLAZA; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell made a motion to approve Ordinance No. 1141 on its first reading and pass it on to a second reading. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

Councilmember Quick introduced Ordinance No. 1142 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (BROOK VALLEY II BUSINESS PARK; TAX LOT 1A1A1A LOCATED IN THE SE ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TAX LOT 2B2 LOCATED IN THE SW ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ALL PART OF SID #59; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Ellerbeck made a motion to approve Ordinance No. 1142 on its first reading and pass it on to a second reading. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

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D. APPLICATION FOR CDBG FUNDING – 84TH STREET BLIGHT & SUBSTANDARD STUDY

1. PUBLIC HEARING

At 7:35 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the application for CDBG Funding – 84th Street Blight & Substandard Study.

At 7:36 p.m. Councilmember Crawford made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-029; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF AN EXPENDITURE OF UP TO \$30,000 IN CDBG RECOVERED PROGRAM INCOME REUSE FUNDS FROM THE CITY OF LA VISTA, NEBRASKA, FOR THE 84TH STREET BLIGHT AND SUBSTANDARD STUDY.

WHEREAS, The City of La Vista has submitted an application to the Sarpy County Economic Development Corporation for up to \$30,000 in CDBG Recovered Program Income funds; and

WHEREAS, the City of La Vista adopted a CDBG Recovered Program Income – Reuse Plan for Economic Development on May 18, 2004, for such purpose; and

WHEREAS, on May 6, 2008, the City Council approved an amendment to the Reuse Plan to allow for projects involving infrastructure for economic development activities or the removal of blighted conditions, including planning and engineering studies necessary to design a project; and

WHEREAS, on March 1, 2011, the City Council authorized the obligation of approximately \$30,000 in CDBG Recovered Program Income Reuse Funds to the City of La Vista for a planning study related to the 84th Street corridor; and

WHEREAS, according to the Reuse Plan an application for a Determination of Blighted and Substandard Conditions for the 84th Street Redevelopment Study Area was submitted to the review committee which consists of the Executive Board of the Sarpy County Economic Development Corporation (SCEDC); and

WHEREAS, the SCEDC Executive Board and the Board of Directors reviewed the application and program requirements and has unanimously voted to recommend approval of the request; and

WHEREAS, the City of La Vista has \$30,082.12 in CDBG Reuse Funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the expenditure of up to \$30,000 in CDBG Recovered Program Income Reuse funds from the City of La Vista, Nebraska, for a Determination of Blighted and Substandard Conditions for the 84th Street Redevelopment Study Area, and authorize the Mayor to sign the necessary documents.

Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

E. RESOLUTION – EXTENSION OF CDBG LOAN TIME OF PERFORMANCE – EASYWAY INTERNATIONAL, LLC

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-030: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN EXTENSION OF THE CDBG LOAN TIME OF PERFORMANCE FOR TO EASYWAY INTERNATIONAL, LLC.

WHEREAS, on December 15, 2009, the City Council approved Resolution No. 09-139 authorizing the application for a Community Development Block Grant for the Easyway International, LLC, project; and

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WHEREAS, on April 6, 2010, the City Council approved Resolution No. 10-038 authorizing the Mayor to execute a contract between the City and the Nebraska Department of Economic Development for administration of the grant; and

WHEREAS, on April 20, 2011, the City Council approved Resolution No. 10-049 authorizing the Mayor to execute loan documents and other documents related to the project between the City and Easyway International, LLC; and

WHEREAS, Easyway International, LLC, has requested an extension of the time of performance within the loan documents from May 11, 2011 to December 31, 2011, in order to satisfy the job creation requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve an extension of the CDBG loan time of performance for Easyway International, LLC, from May 11, 2011 to December 31, 2011, and authorize the Mayor to execute related documents, subject to such changes or additional documents or instruments as the City Administrator determines necessary or advisable in consultation with the City Attorney.

Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: Sell. Abstain: None. Absent: Gowan. Motion carried.

F. FIREWORKS PERMITS

1. RESOLUTION – ESTABLISH NUMBER OF PERMITS

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-031; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2011.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2011 shall not exceed eight.

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: Sheehan. Absent: Gowan. Motion carried.

2. RESOLUTION – ISSUANCE OF PERMITS

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-032; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF MONARCHS WRESTLING CLUB, LA VISTA YOUTH FOOTBALL AND CHEERLEADING, LA VISTA AREA CHAMBER OF COMMERCE, LA VISTA YOUTH, LA VISTA LANCERS SOCCER CLUB, LA VISTA YOUTH BASEBALL ASSOCIATION, CORNERSTONE CHURCH, AND BEAUTIFUL SAVIOR LUTHERAN CHURCH.

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WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits, and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, eight (8) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2011 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

Monarchs Wrestling Club, La Vista Youth Football And Cheerleading, La Vista Area Chamber Of Commerce, La Vista Youth, La Vista Lancers Soccer Club La Vista Youth Baseball Association, Cornerstone Church, and Beautiful Savior Lutheran Church

to sell fireworks within the City of La Vista for the 2011 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit at a meeting with City staff (date and time to be established).

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: Sheehan. Abstain: None. Absent: Gowan. Motion carried.

G. RESOLUTION – APPROVE CHANGE ORDER 1 – THOMPSON CREEK PROPERTIES ACQUISITIONS – PHASE 1 DEMOLITION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-033; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH ANDERSON EXCAVATING CO., NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$17,686.00.

WHEREAS, the City has determined it is necessary and desirable to demolish the houses purchased in the FEMA grant voluntary buyout program; and

WHEREAS, on January 18, 2011, the City Council awarded the Phase 1 Demolition contract to Anderson Excavating Co., Omaha, Nebraska, in an amount not to exceed \$49,310.00; and

WHEREAS, the FY 10/11 Capital Improvement Program contains funding for this expenditure, 75% is reimbursed by FEMA, 12.5% reimbursed by Papio-Missouri River NRD and the remaining 12.5% is the City's share. The amount of the change order would be within the budgeted funds available; and

WHEREAS, the two additional houses are adjacent to two houses already under contract with Anderson Excavating Co.; and

WHEREAS, this change order will complete all work on Valley Road and minimize the time frame for disruption to the neighborhood and would close out construction activity close to Central Park; and

WHEREAS, Paragraph 9 of §1-316 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, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Anderson Excavating Co., Omaha, Nebraska,

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for the demolition of two additional houses in the Thompson Creek Hazard Mitigation project in an amount not to exceed \$17,686.00.

Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

H. RESOLUTION – NEBRASKA DEPARTMENT OF ROADS SUPPLEMENTAL AGREEMENT NO. 4 LA VISTA LINK – KEYSTONE TRAIL

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-034; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 4 WITH THE NEBRASKA DEPARTMENT OF ROADS (NDOR) FOR THE LA VISTA LINK – KEYSTONE TRAIL PROJECT.

WHEREAS, the City Council of the City of La Vista has determined that said improvements to the La Vista trail system are necessary; and

WHEREAS, the FY 2010/11 Capital Improvement Fund budget includes funds for the La Vista link-Keystone Trail Project; and

WHEREAS, the project has been designated as being partially funded by Federal grant funding through the NDOR Transportation Enhancement Program; and

WHEREAS, the supplemental agreement outlines the responsibilities of the state to let the project, designate the Responsible Charge Person and associated responsibilities, and extends the deadline of the project outlined in the agreement previously executed by the City of La Vista and the State; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, to authorize the Mayor and City Clerk to enter into Supplemental Agreement No. 4 with the Nebraska Department of Roads for the La Vista Link – Keystone Trail project in La Vista.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

I. RESOLUTION – AUTHORIZATION TO PURCHASE – JOHN DEERE GATORS

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-035; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TWO (2) 2011 JOHN DEERE HPX DIESEL GATORS FROM BENNINGTON EQUIPMENT INC., 11550 NORTH 204TH STREET, ELKHORN, NE 68022, IN AN AMOUNT NOT TO EXCEED \$25,422.96.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of said gators for the Public Works Department is necessary; and

WHEREAS, the FY 2010/11 General Fund Budget with savings in the Parks and Sports Complex budgets include funds for the purchase of said equipment; and

WHEREAS, the purchase will be made off State Contract #12346 OC, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorize the purchase of two (2) 2011 John Deere HPX Diesel Gators from Bennington Equipment Inc., 11550 North 204th Street Elkhorn, NE 68022, in an amount not to exceed \$25,422.96.

Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

MINUTE RECORD

J. RESOLUTION – AUTHORIZATION TO LEASE - GOLF CARS

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-036; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LEASE-TO-OWN OF FIVE 2011 CLUB CAR ELECTRIC GOLF CARS FOR LA VISTA FALLS GOLF COURSE FROM NEBRASKA NATIONAL BANK, KEARNEY, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$16,680.00 OVER 42 MONTHS.

WHEREAS, the City Council has deemed that a need exists to purchase replacement golf cars for La Vista Falls Golf Course; and

WHEREAS, the City did appropriate funds in the FY10/11 Golf Fund budget for said lease-to-own; and

WHEREAS the Finance Director and Golf Course Manager have obtained suitable financing for this lease through Nebraska National Bank, Kearney, Nebraska; 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 City Council of La Vista, Nebraska, do hereby authorize the lease-to-own agreement for five Club Car Electric Golf Cars for La Vista Falls Golf Course from Nebraska National Bank, Kearney, Nebraska, in an amount not to exceed \$16,680.00 and in form and content satisfactory to the City Administrator.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

K. SPECIAL ASSESSMENT

1. PUBLIC HEARING

At 7:44 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Special Assessments.

At 7:45 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-037; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of
7350 S. 70th Street/Lot 203 La Vista Replat, \$136.40;
7354 S. 70th Street/Lot 202 La Vista Replat, \$136.40;
9001 Granville Pkwy/Lot 43 Parkview Heights IV, \$136.40; and
8016 Park View Blvd./Lot 1279 La Vista, \$136.40
were notified to clean up their property as they were in violation of the City Municipal Code, Section 93.015, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

MINUTE RECORD

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

March 15, 2011

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

Seconded by Councilmember Crawford. Discussion was held regarding the 5 day notice that is given and staff was directed to look into whether this should be a shorter period of time. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

Councilmember Sell made a motion to move "Comments from the Floor" up on the agenda ahead of Item L. "Executive Session". Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

COMMENTS FROM THE FLOOR

Darrell Johnson, a La Vista resident thanked the City and Public Works department for the effort to create a better traffic flow on 84th Street.

L. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 7:51 p.m. Councilmember Carlisle made a motion to go into executive session for the protection of an individual for personnel and for protection of the public interest for contract negotiations. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:19 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

At 8:20 p.m. Councilmember Sheehan made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF APRIL, 2011

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

City of La Vista
Park & Recreation Advisory Committee Minutes
February 16, 2011

DRAFT

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on February 16, 2011. Present were Recreation Director Scott Stopak, Vice-Chairman Pat Lodes, Members Corey Jeffus, and Jeff Kupfer. Absent were Members George Forst and Shannon Wiig. Recreation staff members present were Assistant Recreation Director David Karlson and Program Coordinator Richard Carstensen. Program Coordinator Eddie Burns was absent.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on February 10, 2011. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Recreation Director Stopak called the meeting to order.

Seconded by Vice-Chairman Lodes.

Recreation Director Stopak led the audience in the Pledge of Allegiance.

Director Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Director Stopak made the motion to approve the consent agenda. Seconded by Vice-Chairman Lodes. Motion carried.

Vice-Chairman Lodes made the motion to approve the minutes from the January 19, 2011 Advisory Board meeting. Seconded by Member Kupfer. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Director Stopak notified those in attendance that the Community Center is closed on Monday, February 21 for Martin Luther King Holiday. Also, the Randy Cahill benefit, auction and dance will be held at the Community Center on Saturday, March 5. Randy is a former Park & Recreation Advisory Board member, and also a coach in our youth programs for many years.

Stopak, reporting for Program Coordinator Eddie Burns, said that the Spring sports registrations for Adult Softball, Youth Baseball/Softball and Soccer are on-going. Youth Basketball and Women's Volleyball are currently playing now.

Program Coordinator Rich Carstensen reported on activities from the Senior Center. At the beginning of February, the seniors went to the Western Heritage Museum, where they saw the Abraham Lincoln display. On Valentine's Day, the cities of La Vista and Papillion hosted the annual Valentine's Day luncheon at the Community Center. Approximately 90 Seniors attended. Thank you to all the City officials and staff that helped that day. On the 25th of February, the Seniors will be going to the Shrine Circus, thanks to their donation of tickets to the Center.

Assistant Director David Karlson reported that a children's author, Jo Ann Bennett-Boltinghouse, will read her book "*Yolanda Baby-A Pooch Finds Her Purpose*" to preschoolers in the Community Center gym. This will be held on Tuesday at 10:00 during the usual time for Preschool Playtime. The library has invited their Storybook visitors to join us. She is bringing her dog, Lindy, who is the same kind of dog in the book. Preschool playtime will follow the reading.

On March 26, there will be a Kansas City BBQ Society Certified BBQ Judging class at the Community Center. This was held here last year also, and we had 80 people registered for it.

B. REVIEW PARK PLANS

Rita Ramirez, Assistant City Administrator addressed the Advisory Board Members and public, describing the background of the review of the city parks in La Vista. City staff reviewed the parks and their existing amenities and compared it to the Park & Recreation Master Plan recommended park amenities. City staff added any missing amenities to the parks and also added special features to the parks. Conceptual drawings and plans were prepared for each park. Public meetings were then held to gather input from residents, Park & Rec Board members and staff on a new long-range improvement plan for the community's parks. These plans, and any changes made at tonight's meeting, will be presented to the City Council for approval.

A discussion was held on changes that were made to the park plans. A major change was the dog park for Mayor's park was deleted. The dog park at Centennial Park will remain, with some minor changes to the original plans. Mayor's Park will have an outdoor classroom, since it is located next to the school, and a nice green space. The previous inquiry about an ice rink was discussed. It was thought that if an ice rink was incorporated, it should be part of the civic park winter wonderland in the Vision 84 project.

COMMENTS FROM THE FLOOR

None.

COMMENTS FROM COMMITTEE MEMBERS

Vice-chairperson Lodes said that in his opinion, the dog park at Mayor's Park is a better fit than Centennial, as it would not affect homeowners. However, if it is to remain at Centennial, separate entrances for small and large dogs may be needed. Ramirez said the committee did not think a dog park next to a school was a good idea, and that Mayor's was a nice park for an outdoor classroom.

Member Kupfer wanted to know how much need there was for an outdoor classroom? Ramirez said they did not know that yet, but would meet with school officials and discuss the matter.

Member Jeffus commented on the splash pad remaining at City Park. Ramirez said it did not work with the space to move it to Triangle. City Park has the potential of having larger fields to attract older players, and has room for a public works storage space.

Stopak read Member Wiig's comment that she thought many of the ideas that were heard in the public meetings were placed into the final plans, and she was happy that Mayor's Park would have an outdoor classroom and open green space.

Lodes asked about a parking lot at Centennial. Brian Lukasiewicz (Public Works) said there should be 7 parking spaces on the north side.

Stopak noted that another change was at Eberle-Walden Park was the full shelter. It will now be partially covered, so there will be some shelter, but not overwhelming for the space that is available.

Ramirez said the next steps will be to present the conceptual plans to the police dept, and get together with the school district. They will begin working on ballpark figures and work on a financing plan, then present it to council.

Lodes asked about the time-table for grant writing. Do you have to have the money figures to apply? Joe Soucie said you have to have fairly firm figures on the applications. Soucie said once you receive a grant, you normally have one year to finish the project.

Director Stopak made a motion to approve Park Plans. Seconded by Member Jeffus. All aye.

Vice-chairperson Lodes made a motion to adjourn. Seconded by Member Kupfer. Motion carried. Adjourned at 7:35 p.m.



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

PLANNING COMMISSION MINUTES
AUGUST 19, 2010

The City of La Vista Planning Commission held a regular meeting on Thursday, August 19, 2010, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Kramolisch, Hewitt, Krzywicki, Nielsen, Gahan, Andsager, Alexander and Miller. Members absent were: Circo and Malmquist. Also in attendance were Ann Birch, Community Development Director, Christopher Solberg, City Planner and John Kottmann, Assistant Public Works Director/City Engineer.

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

1. Call to Order

- a. The meeting was called to order by Chairman Krzywicki at 7:00 p.m. Copies of the agenda and staff reports were made available to the public. It was noted Commissioner Miller, alternate, would be participating in the vote.

2. Approval of Meeting Minutes – July 15, 2010

- a. Kramolisch moved, seconded by Gahan to approve the July 15, 2010 minutes noting the correction with the spelling of Commissioner Nielsen. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander and Miller.* **Nays:** *None.* **Abstain:** *Nielsen.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (7-0)

3. Old Business

None.

4. New Business

A. Public Hearing for Brook Valley Replat 4.

- i. **Staff Report:** Solberg stated that the request was to replat two properties, providing additional land to the existing Lot 55A (to be renamed "Lot 1"), in exchange for a utility easement from Olive Street to the existing Lot 33C (to be renamed "Lot 2"). Staff recommended approval of the replat with the following conditions:
 1. The route and granting of an ingress/egress easement across proposed Lot 2 for the city to have vehicular access for maintenance of an existing public sanitary sewer that exists across the south end of Lot 2 easement needs to be agreed upon prior to this plat considered by the City Council.
 2. The applicant needs to provide a letter from the utility company that they are agreeable to the proposed easement arrangement to provide gas service

consideration.

3. The applicant for Lot 55A, (Lot 1) needs to submit a letter stating that he understands that if the BNSF does not release the spur track easement, he may not be able to utilize the additional property being added to Lot 55A (Lot 1) in the manner that he desires.

ii. **Public Hearing Opened:** Hewitt moved, seconded by Nielsen to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Jason Theiland, E & A Consulting Group, came forward and stated he agreed with the conditions and hoped that within the next month or two the conditions would be fulfilled.

iii. **Public Hearing Closed:** Hewitt moved, seconded by Nielsen to close the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

iv. **Recommendation:** Gahan moved, seconded by Hewitt to approve the Brook Valley Replat 4 subject to the three conditions listed in the Staff Report. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

B. Public Hearing for the Orchards at Wildwood Conditional Use Permit for property located at Lot 5, Harrison Heights, located in the NE ¼ of Section 14, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska.

i. **Staff Report:** Solberg stated the request was for a Conditional Use Permit on Lot 5, Harrison Heights Subdivision, for multi-family senior housing. Staff recommended approval to the Conditional Use Permit.

ii. **Open Public Hearing:** Hewitt moved, seconded by Nielsen to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

No one came forward.

iii. **Public Hearing Closed:** Kramolisch moved, seconded by Alexander to close the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Commissioner Hewitt requested clarification on the uncovered parking spaces. Solberg stated that it would be sixty uncovered parking spaces and no covered parking spaces.

- iv. **Recommendation:** Hewitt moved, seconded by Nielsen to approve of the Conditional Use Permit on Lot 5 Harrison Heights, for multi-family senior housing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

The item will go to Council on September 21, 2010.

C. **Public Hearing for Min Yu Home Occupation – Personal Fitness Services Conditional Use Permit (CUP) for property located at Lot 3, Giles Corner Replat One, a subdivision of Sarpy County, Nebraska.**

- i. **Staff Report:** Solberg stated the request was for a Conditional Use Permit to allow the use of a fitness studio within the basement of a single-family house. Activities will be by appointment only with less than twenty (20) appointments per week. Staff recommended approval of the Conditional Use Permit to allow a Home Occupation – Fitness Studio.
- ii. **Open Public Hearing:** Alexander moved, seconded by Miller to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Min Yu, property owner, was in the audience to answer any questions.

Darrell Johnson, neighbor, came forward and stated he was not opposed to Min Yu's request.

- iii. **Public Hearing Closed:** Hewitt moved, seconded by Alexander to close the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Recommendation: Hewitt moved, seconded by Nielsen to approve the Conditional Use Permit to allow a home occupation for a fitness studio on Lot 3 Giles Corner Replat One. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

The item will go to Council on September 21, 2010.

D. Public Hearing regarding Capital Improvement Program 2011-2015.

- i. **Staff Report:** Ramirez came forward and discussed the proposed Capital Improvement Program.
- ii. **Open Public Hearing:** Miller moved, seconded by Hewitt to open the public hearing. **Ayes:** Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen. **Nays:** None. **Abstain:** None. **Absent:** Circo and Malmquist. **Motion Carried.** (8-0)

Joe Soucie, Public Works Director, came forward and clarified the funding of the Thompson Creek project.
- iii. **Public Hearing Closed:** Miller moved, seconded by Nielsen to close the public hearing. **Ayes:** Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen. **Nays:** None. **Abstain:** None. **Absent:** Circo and Malmquist. **Motion Carried.** (8-0)
- iv. **Recommendation:** Gahan moved, seconded by Hewitt to approve the Capital Improvement Plan for 2011-2015 for City Council. **Ayes:** Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen. **Nays:** None. **Abstain:** None. **Absent:** Circo and Malmquist. **Motion Carried.** (8-0)

The item will go to Council on September 7, 2010.

5. Comments from the Floor

None.

6. Comments from the Planning Commission

None.

7. Adjournment

Hewitt moved, seconded by Nielsen, to adjourn. **Ayes:** Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen. **Nays:** None. **Abstain:** None. **Absent:** Circo and Malmquist. **Motion Carried.** (8-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date



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

PLANNING COMMISSION MINUTES
SEPTEMBER 16, 2010

The City of La Vista Planning Commission held a regular meeting on Thursday, September 16, 2010, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Kramolisch, Hewitt, Krzywicki, Nielsen, Gahan, Andsager, Alexander, Circo and Malmquist. Members absent were: Miller. Also in attendance were Christopher Solberg, City Planner and John Kottmann, Assistant Public Works Director/City Engineer.

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

1. Call to Order

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

2. Approval of Meeting Minutes – August 19, 2010

- a. Kramolisch moved, seconded by Alexander to approve the August 19, 2010 minutes as submitted. **Ayes:** Nielsen, Kramolich, Hewitt, Krzywicki, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** Circo and Malmquist. **Absent:** Miller. **Motion Carried.** (7-0)

3. Old Business

None.

4. New Business

A. Public Hearing for an Amendment to the City of La Vista Comprehensive Plan – Chapter 9 Annexation Plan.

- i. **Staff Report:** Solberg stated that staff updated the Annexation Policies to include the following additional guidelines for the prioritization of annexation: Logical extension of boundaries to fill in gaps or clarify jurisdictional boundaries for improved provision of services. Solberg stated the School District and Fire District have been added to the list that will be contacted prior to the required Planning Commission public hearing. Solberg stated the Annexation Plan Map changes included changing the "10+ year" annexation area to "10-15 year" with an additional area, "15+ year" included. Adjustments to the areas considered for future annexation have also been completed. Solberg indicated an updated SID Summary Table was also included. Staff recommended approval of the amendments to Chapter 9 of the Comprehensive Plan.

ii. **Public Hearing Opened:** Malquist moved, seconded by Alexander to open the public hearing. **Ayes:** Nielsen, Kramolich, Hewitt, Krzywicki, Gahan, Andsager Circo, Malmquist and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller. **Motion Carried.** (9-0)

No one came forward.

Commissioner Hewitt asked for clarification on footnote 3 in the SID Summary.

Mr. Kottman stated it had to do with the Interlocal Agreement with Sarpy County.

iii. **Public Hearing Closed:** Malmquist moved, seconded by Circo to close the public hearing. **Ayes:** Nielsen, Kramolich, Hewitt, Krzywicki, Gahan, Andsager Circo, Malmquist and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller. **Motion Carried.** (9-0)

iv. **Recommendation:** Malquist moved, seconded by Andsager to approve the Chapter 9 Annexation Plan with the clarification made to footnote three in the SID Summary. **Ayes:** Nielsen, Kramolich, Hewitt, Krzywicki, Gahan, Andsager Circo, Malmquist and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller. **Motion Carried.** (9-0)

5. **Comments from the Floor**

None.

6. **Comments from the Planning Commission**

None.

7. **Adjournment**

Hewitt moved, seconded by Nielsen, to adjourn. **Ayes:** Nielsen, Kramolich, Hewitt, Krzywicki, Gahan, Andsager Circo, Malmquist and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller. **Motion Carried.** (9-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date



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

PLANNING COMMISSION MINUTES
NOVEMBER 18, 2010

The City of La Vista Planning Commission held a regular meeting on Thursday, November 18, 2010, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Kramolisch, Hewitt, Krzywicki, Miller, Gahan, Andsager, Alexander, Circo and Malmquist. Members absent were: Nielsen. Also in attendance were Michelle Alfaro, Secretary and John Kottmann, Assistant Public Works Director/City Engineer.

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

1. Call to Order

- a. The meeting was called to order by Chairman Krzywicki at 7:00 p.m. Copies of the agenda and staff reports were made available to the public. It was noted that Commissioner Miller, alternate, would be participating in the vote.

2. Approval of Meeting Minutes – September 16, 2010

- a. Circo moved, seconded by Malmquist to approve the September 16, 2010 minutes as submitted. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen.
Motion Carried. (9-0)

3. Old Business

None.

4. New Business

A. La Vista Strategic Plan.

- i. **Staff Report:** Brenda Gunn, City Administrator, came forward and discussed the 2010-2012 Strategic Plan Initiatives.

B. Zoning map amendment for Tax Lots 6B and 13 (proposed Lot 1 Gary & Debbie Pink Addition 2) in Section 19, Township 14N, Range 12 E in Sarpy County, Nebraska, from C-3, Highway Commercial/Office Park to C-2, General Commercial.

- i. **Staff Report:** Alfaro stated the request was located south of West Giles Road and west of Westport Parkway. The applicant was requesting to rezone the property from C-3, Highway Commercial and Office Park District to C-2 – General Commercial District for the development of an indoor farmers' market.

currently zoned Commercial and Industrial. The property was rezoned in 2006 from I-1, Light Industrial to C-3, Highway Commercial and Office Park. Alfaro stated the property does have access to West Giles road through two access points along the northern edge of the property, but additional traffic improvements may be required upon development of the lots. The Administrative plat creating the lot to which the rezoning applies would need to be ready to record prior to the City Council taking action on the rezoning. Should the rezoning be denied by the City Council the Administrative Plat would not need to be recorded. Alfaro stated the rezoning of the property would not result in a significant change in impact to existing infrastructure and recommended approval of the rezoning request as it is consistent with La Vista's Comprehensive Plan.

- ii. **Public Hearing Opened:** Malmquist moved, seconded by Alexander to open the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

Jeremy Fritz came forward and discussed the general intent of the indoor farmers' market.

Commissioner Krzywicki questioned if there was a restriction at the C-3 level that made them apply at the C-2 level.

Ann Birch, Community Development Director, stated C-3 does not allow for grocery stores.

- iii. **Public Hearing Closed:** Kramolisch moved, seconded by Miller to close the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

- iv. **Recommendation:** Malmquist moved, seconded by Circo to approve the rezoning of Tax Lots 6B and 13 in NE ¼ of Section 19, Township 14N, Range 12E from C-3, Highway Commercial and Office Park to C-2, General Commercial as it is consistent with the Comprehensive Plan. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

C. **Public Hearing for an amendment to the City of La Vista Zoning Ordinance – Section 2.02 Definitions and Section 7.01 Sign Regulations.**

- i. **Staff Report:** Alfaro stated the request to amend Section 2.02 (Definitions) and 7.01 (Sign Regulations) of La Vista's zoning ordinance was being revised. The publication was for a public hearing; however, they were not ready to move forward with the amendments. Staff requested to continue the item.

- ii. **Public Hearing Opened:** Hewitt moved, seconded by Malmquist to open the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)
- iii. **Recommendation:** Malmquist moved, seconded by Kramolisch to continue the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

D. Public Hearing for an amendment to the City of La Vista Ordinance – Sections 5.08 R-3 High Density Residential and 5.09 R-4 Condominium Residential.

- i. **Staff Report:** Alfaro stated the request was to amend Section 5.08 (R-3 High Density Residential) and Section 5.09 (R-4 Condominium Residential) of La Vista's Zoning Ordinance. The current ordinance was adopted in November 2001 which removed Multi-Family Dwellings from the Permitted Use section and added them to the Permitted Conditional Use section. Alfaro requested to add verbiage to the Permitted Use section allowing multiple family dwellings that were constructed prior to the adoption of the current regulation, November 20, 2001, to remain in conformity as the existing verbiage within the ordinance placed restrictions upon multi-family dwellings in regard to refinancing as the zoning verification letters issued would indicate they are existing non-conforming uses. Alfaro stated Multi-Family Dwellings constructed after November 20, 2001 would be required to obtain a Conditional Use Permit.
- ii. **Public Hearing Opened:** Circo moved, seconded by Andsager to open the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

Commissioner Krzywicki questioned if the multi-family dwelling was destroyed would they be able to rebuild.

Birch confirmed if fifty percent (50%) of the complex was destroyed they would have to rebuild to conform with the current regulation.

- iii. **Public Hearing Closed:** Hewitt moved, seconded by Malmquist to open the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)
- iv. **Recommendation:** Hewitt moved, seconded by Kramolisch to amend the City of La Vista zoning ordinance section 5.08 (R-3 High Density Residential) and section 5.09 (R-4 Condominium Residential) to incorporate the pre-imposed November 20, 2001 changes . **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Birch stated that some Commissioners may receive letters regarding expiring terms.

7. Adjournment

Malmquist moved, seconded by Hewitt, to adjourn. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Nielsen.* **Motion Carried.** (9-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date



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

PLANNING COMMISSION MINUTES
DECEMBER 9, 2010

The City of La Vista Planning Commission held a regular meeting on Thursday, December 9, 2010, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Kramolisch, Hewitt, Krzywicki, Miller, Gahan, Andsager, Alexander, Circo and Malmquist. Members absent were: Nielsen. Also in attendance were Chris Solberg, City Planner and John Kottmann, Assistant Public Works Director/City Engineer.

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

1. Call to Order

- a. The meeting was called to order by Chairman Krzywicki at 7:00 p.m. Copies of the agenda and staff reports were made available to the public. It was noted that Commissioner Miller, alternate, would be participating in the vote.

2. Approval of Meeting Minutes – November 18, 2010

- a. Gahan moved, seconded by Alexander to approve the November 18, 2010 minutes as submitted. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

3. Old Business

None.

4. New Business

- A. **Public Hearing for Parsley Place Replat (Preliminary & Final Plat) for Lots 1282-A, 1282-B1, 1282-I1A, 1282-J1A, and 1282-J1B, La Vista, located in the SW ¼ of Section 14, Township 14N, Range 12E of the 6th P.M. Sarpy County, Nebraska.**

- i. **Staff Report:** Solberg stated the lots included were done through deed splits which created multiple lots making development of the lots difficult. A possible developer is proposing to create two new lots for development. There are a number of items that have been corrected, but two items remain which are final changes to the subdivision agreement and approval of the access easement agreement. Staff recommends approval of the replat contingent upon staff

Alexander, Circo and Malmquist. Nays: None. Abstain: None. Absent: Nielsen.
Motion Carried. (9-0)

Mr. Larry Jobeun came forward and stated that the applicant was agreeable to all items in the staff report and should be satisfied prior to going to City Council.

Commissioner Kramolisch questioned where the access points would be located.

Mr. Jobeun stated there are two access points currently and the most westerly access point will be closed and they will use the existing access point.

Solberg stated there is an access easement through the lot and will tie back to 83rd Street.

Commissioner Krzywicki questioned if existing properties and businesses to the south have seen the proposal.

Solberg stated they had not and that the agenda item was published in the Omaha World Herald and a notification to the businesses is not required for replats per State Statute.

Kottman stated the existing ingress/egress easement the businesses will most likely need to sign off on the easement release.

Mr. Jobeun stated that would be done prior to going to Council.

Commissioner Krzywicki questioned if trucks would be permitted to go left or if it would be right only.

Mr. Jobeun stated that there is an existing concrete median that extends back to beyond the access point.

Solberg stated technically they could take a right, go to 83rd Street and go up to the stop light to turn left, which is not ideal and what is proposed as part of the access easement is access along the lot line between lots 1 & 2 that lends itself to the possibility of eastbound roadway to allow for future stacking.

- iii. **Public Hearing Closed:** Malmquist moved, seconded by Miller to close the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen.
Motion Carried. (9-0)
- iv. **Recommendation:** Malmquist moved, seconded by Kramolisch to recommend approval to the City Council subject to resolution of the items that were discussed relative to the easement and the other items that needed finalization prior to going to City Council. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None.

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Solberg noted there were copies of *The Commissioner* in the Planning Commission packets.

7. Adjournment

Gahan moved, seconded by Kramolisch, to adjourn. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date



11069 "I" Street
Omaha, NE 68137

402-593-8100

Invoice

| Date | Invoice # |
|-----------|-----------|
| 3/14/2011 | A11-0208 |

Bill To

City of La Vista
Mr. John Kottman
9900 Portal Road
La Vista, NE 68128

| P.O. No. | Terms | Client Accou... | Project |
|----------|----------------|-----------------|---------|
| P101116 | Due on receipt | | 101202 |

| Quantity | Description | Rate | Amount |
|----------|--|--------------|--------|
| | ENVIRONMENTAL PRE-DEMOLITION INSPECTION SERVICES Thompson Creek Project La Vista, NE | | |
| 1 | PROJECT #101202 (7205 PARK VIEW BLVD) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 10 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 70.00 |
| | | | 520.00 |
| 1 | PROJECT #101203 (7301 PARK VIEW BLVD) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 1 | Lab Analysis of one Additional Bulk Sample for Asbestos Fibers Subtotal | 7.00 | 7.00 |
| | | | 457.00 |
| 1 | PROJECT #101204 (7405 PARK VIEW BLVD) Residential Home Inspection, Testing, and Report of Findings | 450.00 | 450.00 |
| | | Total | |

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street
Omaha, NE 68137

402-593-8100

Invoice

| Date | Invoice # |
|-----------|-----------|
| 3/14/2011 | A11-0208 |

Bill To

City of La Vista
Mr. John Kottman
9900 Portal Road
La Vista, NE 68128

| P.O. No. | Terms | Client Accou... | Project |
|----------|----------------|-----------------|---------|
| P101116 | Due on receipt | | 101202 |

| Quantity | Description | Rate | Amount |
|----------|---|--------------|-----------------|
| 9 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 63.00 513.00 |
| 1 | PROJECT #101205 (7601 SOUTH 73RD STREET) | | |
| 1 | Residential Home Inspection, Testing, and Report of Findings | 450.00 | 450.00 |
| 12 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 84.00 534.00 |
| 1 | PROJECT #101206 (7548 VALLEY ROAD) | | |
| 1 | Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 4 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 28.00 478.00 |
| 1 | PROJECT # 101207 (7602 VALLEY ROAD) | | |
| 1 | Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| | | Total | |

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street
Omaha, NE 68137

402-593-8100

Invoice

| Date | Invoice # |
|-----------|-----------|
| 3/14/2011 | A11-0208 |

Bill To

City of La Vista
Mr. John Kottman
9900 Portal Road
La Vista, NE 68128

| P.O. No. | Terms | Client Accou... | Project |
|----------|----------------|-----------------|---------|
| P101116 | Due on receipt | | 101202 |

| Quantity | Description | Rate | Amount |
|----------|---|--------|--------------|
| 13 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers | 7.00 | 91.00 |
| | Subtotal | | 541.00 |
| 1 | PROJECT #111024 (7201 PARK VIEW) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 10 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers | 7.00 | 70.00 |
| | Subtotal | | 520.00 |
| 1 | PROJECT #111025 (7209 PARK VIEW) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 7 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers | 7.00 | 49.00 |
| | Subtotal | | 499.00 |
| 1 | PROJECT #111026 (7213 PARK VIEW) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 8 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers | 7.00 | 56.00 |
| | | | Total |

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street
Omaha, NE 68137

402-593-8100

Invoice

| Date | Invoice # |
|-----------|-----------|
| 3/14/2011 | A11-0208 |

| Bill To |
|--|
| City of La Vista Mr. John Kottman 9900 Portal Road La Vista, NE 68128 |

| P.O. No. | Terms | Client Accou... | Project |
|----------|----------------|-----------------|---------|
| P101116 | Due on receipt | | 101202 |

| Quantity | Description | Rate | Amount |
|----------|---|--------------|--------|
| | Subtotal | | 506.00 |
| 1 | PROJECT #111027 (7305 PARK VIEW) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 7 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 49.00 |
| | 499.00 | | |
| 1 | PROJECT #111028 (7309 PARK VIEW) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 8 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 56.00 |
| | 506.00 | | |
| 1 | PROJECT #111029 (7409 PARK VIEW) Residential Home Inspection, Testing and Report of Findings | 450.00 | 450.00 |
| 12 | Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal | 7.00 | 84.00 |
| | 534.00 | | |
| | | Total | |

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street
Omaha, NE 68137

402-593-8100

Bill To
City of La Vista
Mr. John Kottman
9900 Portal Road
La Vista, NE 68128

| Date | Invoice # |
|-----------|-----------|
| 3/14/2011 | A11-0208 |

Invoice

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street
Omaha, NE 68137

402-593-8100

Bill To
City of La Vista
Mr. John Kottman
9900 Portal Road
La Vista, NE 68128

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.

Page 6

Consent
Agenda
65, 7, 06 45.09
65, 7, 06 45.09
Sue the
3/22/11



Right of Way Services, Inc.

March 1, 2011

Ms. Pam Buethe, City Clerk
City of LaVista
8116 Parkview Blvd,
LaVista, Nebraska 68128

Invoice No.: 2823
Midwest Right of WayServices #273

**Right of Way Services in connection with
Thompson Creek/LaVista FEMA Buyout**

For the period of February 1, 2011 through February 28, 2011

| | | | | | | |
|-------------------|-------|----------|------|----------|----|----------|
| Project Manager | - | hours at | \$80 | per hour | \$ | - |
| Acquisition Agent | 41.00 | hours at | \$68 | per hour | \$ | 2,788.00 |
| Relocation Agent | | hours at | \$68 | per hour | \$ | - |

Total Amount Due for this Invoice **\$ 2,788.00**

For questions regarding this invoice, please call Jack Borgmeyer at 955-2900.

Consent Agenda
05.71.0645.09
R. Buethe
3/22/11

Heritage-Crystal Clean, LLC

Invoice

Page 1 of 1

| | |
|--------------------|-------------------|
| Service Location: | OMAHA |
| PO No.: | |
| Service Agreement: | 586598 |
| Release Info: | MANUAL WO# 219972 |

Billing Inquiries: (877) 938-7948
custserv@crystal-clean.com

Remit to:

13621 COLLECTIONS
 CENTER DRIVE
 CHICAGO, IL 60693-0136


Crystal Clean
<http://www.crystal-clean.com>

11111111111111111111
 CITY OF LA VISTA
 ATTN: ACCTS PAYABLE
 8116 PARK VIEW BLVD
 LA VISTA, NE 68128

| | |
|----------------------|-----------------------|
| Invoice No: | 11670192 |
| Date Issued: | 02/25/2011 |
| Account No: | 137270 |
| Item Total: | MAR - 7 2011 \$412.00 |
| Pre-paid Amount: | \$0.00 |
| Current Charges: | \$412.00 |
| Previous Amount Due: | \$224.00 |
| Total Due: | \$636.00 |

Subject to finance charges if payment not received by 03/27/11

| Svc Dt | Work Order | Product Description / Comment | Equip | Qty | Unit Price | Tax Amt | Total Cost |
|----------|------------|-------------------------------|-------|-----|------------|---------|------------|
| 02/25/11 | 00-0040A58 | 55GAL NEUTRALIZATION | | 1 | \$214.00 | \$0.00 | \$214.00 |
| 02/25/11 | 00-0040A58 | NON-HAZ THERMAL TREATMENT | | 1 | \$198.00 | \$0.00 | \$198.00 |

01-18-0505
 0/C AB
 3-11-11
 Consent agenda
 4-5-11
 Long's Cleanup

This form (Invoice) is deemed part of the above referenced Service Agreement between Heritage-Crystal Clean, LLC and the identified customer and all terms and conditions and certifications contained therein are deemed a part hereof.

Item Total: **\$412.00**

TO ENSURE PROPER CREDIT PLEASE INCLUDE THIS PORTION WITH YOUR PAYMENT

Heritage-Crystal Clean Remittance

Current Charges:

\$412.00

Invoice Number:

11670192

Total Amt Due:

\$636.00

Amount Enclosed:

Account Number:

137270

Change of Address ?

Check box and complete other side.

Payment by Mastercard, Visa, and American Express available.

Check box and complete other side.

Payment Due Upon Receipt

PO Number:

Remit to:

11111111111111111111
 HERITAGE CRYSTAL CLEAN, LLC
 13621 COLLECTIONS CENTER DRIVE
 CHICAGO, IL 60693-0136



| BANK NO | BANK NAME | CHECK NO | DATE | VENDOR NO | VENDOR NAME | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
|------------------------------|-----------|---------------|--------------------------------|-----------|--|--------------|------------|--------|--------|
| 1 Bank of Nebraska (600-873) | | | | | | | | | |
| 103129 | 3/16/2011 | 1194 | QUALITY BRANDS OF OMAHA | | 218.40 | | **MANUAL** | | |
| 103130 | 3/16/2011 | 3702 | LAUGHLIN, KATHLEEN A, TRUSTEE | | 648.00 | | **MANUAL** | | |
| 103131 | 3/16/2011 | 2625 | CARDMEMBER SERVICE-ELAN | | 5,928.59 | | **MANUAL** | | |
| 103132 | 3/30/2011 | 3702 | LAUGHLIN, KATHLEEN A, TRUSTEE | | 648.00 | | **MANUAL** | | |
| 103133 | 3/30/2011 | 4490 | SIEBELS, JEFF | | 142.00 | | **MANUAL** | | |
| 103134 | | Gap in Checks | | | Voided and replaced with check numbers | | | | |
| Thru | 103143 | | | | 103341 thru 103350***Printing Error*** | | | | |
| 103144 | 4/05/2011 | 81 | AMSAN | | 162.14 | | | | |
| 103145 | 4/05/2011 | 536 | ARAMARK UNIFORM SERVICES INC | | 600.80 | | | | |
| 103146 | 4/05/2011 | 1678 | ASPEN EQUIPMENT COMPANY | | 118.26 | | | | |
| 103147 | 4/05/2011 | 201 | BAKER & TAYLOR BOOKS | | 2,411.78 | | | | |
| 103148 | 4/05/2011 | 2554 | BARCAL, ROSE | | 305.50 | | | | |
| 103149 | 4/05/2011 | 1839 | BCDM-BERINGER CIACCIO DENNELL | | 1,224.50 | | | | |
| 103150 | 4/05/2011 | 929 | BEACON BUILDING SERVICES | | 6,712.00 | | | | |
| 103151 | 4/05/2011 | 1784 | BENNINGTON EQUIPMENT INC | | 1,251.89 | | | | |
| 103152 | 4/05/2011 | 196 | BLACK HILLS ENERGY | | 7,965.96 | | | | |
| 103153 | 4/05/2011 | 4229 | BLACKHAWK | | 270.23 | | | | |
| 103154 | 4/05/2011 | 2757 | BOBCAT OF OMAHA | | 41.56 | | | | |
| 103155 | 4/05/2011 | 2209 | BOUND TREE MEDICAL LLC | | 798.95 | | | | |
| 103156 | 4/05/2011 | 4454 | BRAKE, AUSTIN | | 100.00 | | | | |
| 103157 | 4/05/2011 | 1242 | BRENTWOOD AUTO WASH | | 161.00 | | | | |
| 103158 | 4/05/2011 | 3760 | BUETHE, PAM | | 20.00 | | | | |
| 103159 | 4/05/2011 | 76 | BUILDERS SUPPLY CO INC | | 405.90 | | | | |
| 103160 | 4/05/2011 | 4024 | CALENTINE, JEFFREY | | 30.00 | | | | |
| 103161 | 4/05/2011 | 2078 | CAVLOVIC, PAT | | 228.00 | | | | |
| 103162 | 4/05/2011 | 1370 | CDW GOVERNMENT INC | | 557.09 | | | | |
| 103163 | 4/05/2011 | 2285 | CENTER POINT PUBLISHING | | 207.90 | | | | |
| 103164 | 4/05/2011 | 2821 | CHASE AUTO TRANSMISSION REPAIR | | 1,800.00 | | | | |
| 103165 | 4/05/2011 | 152 | CITY OF OMAHA | | 35.93 | | | | |
| 103166 | 4/05/2011 | 3683 | CITY OF OMAHA SHOW MOBILE | | 300.00 | | | | |
| 103167 | 4/05/2011 | 4293 | CODE BLUE DESIGNS | | 100.00 | | | | |
| 103168 | 4/05/2011 | 3176 | COMP CHOICE INC | | 361.50 | | | | |
| 103169 | 4/05/2011 | 468 | CONTROL MASTERS INCORPORATED | | 72.50 | | | | |
| 103170 | 4/05/2011 | 836 | CORNHUSKER INTL TRUCKS INC | | 134,100.00 | | | | |
| 103171 | 4/05/2011 | 1346 | COSGRAVE COMPANY | | 42.00 | | | | |
| 103172 | 4/05/2011 | 2158 | COX COMMUNICATIONS | | 272.00 | | | | |
| 103173 | 4/05/2011 | 3136 | D & D COMMUNICATIONS | | 1,294.80 | | | | |
| 103174 | 4/05/2011 | 3486 | DANKO EMERGENCY EQUIPMENT CO | | 64.95 | | | | |
| 103175 | 4/05/2011 | 3295 | DAYMARK SOLUTIONS | | 230.00 | | | | |
| 103176 | 4/05/2011 | 619 | DELL MARKETING L.P. | | 823.64 | | | | |
| 103177 | 4/05/2011 | 77 | DIAMOND VOGEL PAINTS | | 74.36 | | | | |
| 103178 | 4/05/2011 | 4076 | DIGITAL ALLY INCORPORATED | | 97.50 | | | | |
| 103179 | 4/05/2011 | 2149 | DOUGLAS COUNTY SHERIFF'S OFC | | 337.50 | | | | |
| 103180 | 4/05/2011 | 364 | DULTMEIER SALES & SERVICE | | 74.09 | | | | |
| 103181 | 4/05/2011 | 2983 | EAGLE ENGRAVING | | 145.49 | | | | |
| 103182 | 4/05/2011 | 1042 | ED M. FELD EQUIPMENT | | 86.28 | | | | |
| 103183 | 4/05/2011 | 3776 | ELECTRIC SPECIALTIES CO INC | | 30.00 | | | | |
| 103184 | 4/05/2011 | 4012 | EMBASSY SUITES HOTEL | | 3,804.18 | | | | |
| 103185 | 4/05/2011 | 1201 | FERRELLGAS | | 24.50 | | | | |

| BANK NO | BANK NAME | CHECK NO | DATE | VENDOR NO | VENDOR NAME | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
|---------|-----------|-----------|-------------------------------------|-----------|-------------|--------------|---------|--------|--------|
| 103186 | | 4/05/2011 | 1245 FILTER CARE | | | 45.95 | | | |
| 103187 | | 4/05/2011 | 439 FIREGUARD INC | | | 828.50 | | | |
| 103188 | | 4/05/2011 | 142 FITZGERALD SCHORR BARMETTLER | | | 48,326.59 | | | |
| 103189 | | 4/05/2011 | 2121 FLOHR ELECTRIC SERVICE INC | | | 129.46 | | | |
| 103190 | | 4/05/2011 | 3415 FOCUS PRINTING | | | 4,397.75 | | | |
| 103191 | | 4/05/2011 | 34 FOLLETT SOFTWARE COMPANY | | | 164.68 | | | |
| 103192 | | 4/05/2011 | 4050 FROELICH, RORY | | | 100.00 | | | |
| 103193 | | 4/05/2011 | 4269 FUN SERVICES - OM | | | 438.45 | | | |
| 103194 | | 4/05/2011 | 3705 FUTUREWARE DISTRIBUTING INC | | | 37.00 | | | |
| 103195 | | 4/05/2011 | 3984 G I CLEANER & TAILORS | | | 200.25 | | | |
| 103196 | | 4/05/2011 | 1344 GALE | | | 440.93 | | | |
| 103197 | | 4/05/2011 | 1161 GALLS, AN ARAMARK COMPANY | | | 12.75 | | | |
| 103198 | | 4/05/2011 | 53 GCR OMAHA TRUCK TIRE CENTER | | | 1,307.24 | | | |
| 103199 | | 4/05/2011 | 3070 GCSAA | | | 320.00 | | | |
| 103200 | | 4/05/2011 | 4487 GIBSON, JOHN | | | 105.00 | | | |
| 103201 | | 4/05/2011 | 35 GOLDMAN, JOHN G | | | 85.00 | | | |
| 103202 | | 4/05/2011 | 285 GRAYBAR ELECTRIC COMPANY INC | | | 188.47 | | | |
| 103203 | | 4/05/2011 | 4222 GREAT PLAINS GFOA | | | 400.00 | | | |
| 103204 | | 4/05/2011 | 385 GREAT PLAINS ONE-CALL SVC INC | | | 123.74 | | | |
| 103205 | | 4/05/2011 | 4086 GREAT PLAINS UNIFORMS | | | 118.50 | | | |
| 103206 | | 4/05/2011 | 1624 GUNN, BRENDA | | | 45.00 | | | |
| 103207 | | 4/05/2011 | 1044 H & H CHEVROLET LLC | | | 72.41 | | | |
| 103208 | | 4/05/2011 | 3470 HAMILTON COLOR LAB INC | | | 240.45 | | | |
| 103209 | | 4/05/2011 | 426 HANEY SHOE STORE | | | 120.00 | | | |
| 103210 | | 4/05/2011 | 387 HARM'S CONCRETE INC | | | 339.75 | | | |
| 103211 | | 4/05/2011 | 104 HARROD, RAYMOND | | | 510.00 | | | |
| 103212 | | 4/05/2011 | 1403 HELGET GAS PRODUCTS INC | | | 80.50 | | | |
| 103213 | | 4/05/2011 | 2781 HENKE MANUFACTURING CORP | | | 830.35 | | | |
| 103214 | | 4/05/2011 | 4178 HERITAGE CRYSTAL CLEAN LLC | | | 404.40 | | | |
| 103215 | | 4/05/2011 | 797 HOBBY LOBBY STORES INC | | | 33.87 | | | |
| 103216 | | 4/05/2011 | 390 HOLIDAY INN-KEARNEY | | | 291.80 | | | |
| 103217 | | 4/05/2011 | 2888 HOME DEPOT CREDIT SERVICES | | | 33.10 | | | |
| 103218 | | 4/05/2011 | 513 HOSE & HANDLING INCORPORATED | | | 27.48 | | | |
| 103219 | | 4/05/2011 | 136 HUNTEL COMMUNICATIONS, INC | | | 171.00 | | | |
| 103220 | | 4/05/2011 | 3050 INSIGHT PUBLIC SECTOR | | | 1,733.40 | | | |
| 103221 | | 4/05/2011 | 3646 INTERNATIONAL CODE COUNCIL INC | | | 338.00 | | | |
| 103222 | | 4/05/2011 | 530 IPMA | | | 360.00 | | | |
| 103223 | | 4/05/2011 | 835 IVERSON, DENNIS | | | 23.00 | | | |
| 103224 | | 4/05/2011 | 1896 J Q OFFICE EQUIPMENT INC | | | 539.84 | | | |
| 103225 | | 4/05/2011 | 2653 JONES AUTOMOTIVE INC | | | 289.00 | | | |
| 103226 | | 4/05/2011 | 788 KINDIG, DOUGLAS | | | 80.00 | | | |
| 103227 | | 4/05/2011 | 1054 KLINKER, MARK A | | | 200.00 | | | |
| 103228 | | 4/05/2011 | 4328 KOTTMANN, JOHN | | | 147.62 | | | |
| 103229 | | 4/05/2011 | 2394 KRIHA FLUID POWER CO INC | | | 103.67 | | | |
| 103230 | | 4/05/2011 | 1061 KUSTOM SIGNALS INCORPORATED | | | 350.00 | | | |
| 103231 | | 4/05/2011 | 253 LA VISTA CHAMBER OF COMMERCE | | | 100.00 | | | |
| 103232 | | 4/05/2011 | 2057 LA VISTA COMMUNITY FOUNDATION | | | 50.00 | | | |
| 103233 | | 4/05/2011 | 1975 LA VISTA PHARMACY | | | 64.79 | | | |
| 103234 | | 4/05/2011 | 4425 LANDPORT SYSTEMS INC | | | 125.00 | | | |
| 103235 | | 4/05/2011 | 3198 LEAGUE OF NEBR MUNICIPALITIES | | | 260.00 | | | |
| 103236 | | 4/05/2011 | 2380 LEXIS NEXIS MATTHEW BENDER | | | 52.47 | | | |
| 103237 | | 4/05/2011 | 1288 LIFE ASSIST | | | 154.34 | | | |
| 103238 | | 4/05/2011 | 1573 LOGAN CONTRACTORS SUPPLY | | | 447.23 | | | |

| BANK NO | BANK NAME | CHECK NO | DATE | VENDOR NO | VENDOR NAME | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
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| 103239 | 2124 LUKASIEWICZ, BRIAN | 4/05/2011 | | | | 65.00 | | | |
| 103240 | 544 MAPA-METRO AREA PLANNING AGNCY | 4/05/2011 | | | | 75.00 | | | |
| 103241 | 4456 MARKOWSKY, T J | 4/05/2011 | | | | 100.00 | | | |
| 103242 | 4495 MARQUEZ, DEBORAH | 4/05/2011 | | | | 12.95 | | | |
| 103243 | 94 MCCANN PLUMBING SERVICE INC | 4/05/2011 | | | | 202.74 | | | |
| 103244 | 588 MENARDS-BELLEVUE | 4/05/2011 | | | | 59.54 | | | |
| 103245 | 2219 MERIDIAN LIBRARY SYSTEM | 4/05/2011 | | | | 15.00 | | | |
| 103246 | 153 METRO AREA TRANSIT | 4/05/2011 | | | | 533.00 | | | |
| 103247 | 872 METROPOLITAN COMMUNITY COLLEGE | 4/05/2011 | | | | 13,604.46 | | | |
| 103248 | 553 METROPOLITAN UTILITIES DIST. | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103249 | 553 METROPOLITAN UTILITIES DIST. | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103250 | 553 METROPOLITAN UTILITIES DIST. | 4/05/2011 | | | | 1,512.02 | | | |
| 103251 | 98 MICHAEL TODD AND COMPANY INC | 4/05/2011 | | | | 1,633.70 | | | |
| 103252 | 2497 MID AMERICA PAY PHONES | 4/05/2011 | | | | 50.00 | | | |
| 103253 | 184 MID CON SYSTEMS INCORPORATED | 4/05/2011 | | | | 149.79 | | | |
| 103254 | 3921 MID-STATES UTILITY TRAILER | 4/05/2011 | | | | 115.98 | | | |
| 103255 | 1526 MIDLANDS LIGHTING & ELECTRIC | 4/05/2011 | | | | 39.44 | | | |
| 103256 | 4482 MIDLANDS MECHANICAL INC | 4/05/2011 | | | | 90.00 | | | |
| 103257 | 2299 MIDWEST TAPE | 4/05/2011 | | | | 587.48 | | | |
| 103258 | 1046 MIDWEST TURF & IRRIGATION | 4/05/2011 | | | | 2,354.28 | | | |
| 103259 | 4484 NATIA-NATIONAL TECHNICAL | 4/05/2011 | | | | 150.00 | | | |
| 103260 | 1028 NATIONAL PAPER COMPANY INC | 4/05/2011 | | | | 413.03 | | | |
| 103261 | 719 NEBRASKA FOREST SERVICE | 4/05/2011 | | | | 60.00 | | | |
| 103262 | 21 NEBRASKA HUMANITIES COUNCIL | 4/05/2011 | | | | 50.00 | | | |
| 103263 | 370 NEBRASKA LAW ENFORCEMENT | 4/05/2011 | | | | 50.00 | | | |
| 103264 | 2388 NEBRASKA NATIONAL BANK | 4/05/2011 | | | | 695.00 | | | |
| 103265 | 2631 NEXTEL COMMUNICATIONS | 4/05/2011 | | | | 475.51 | | | |
| 103266 | 2631 NEXTEL COMMUNICATIONS | 4/05/2011 | | | | 204.74 | | | |
| 103267 | 3536 NIPC | 4/05/2011 | | | | 95.00 | | | |
| 103268 | 1831 O'REILLY AUTOMOTIVE INC | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103269 | 1831 O'REILLY AUTOMOTIVE INC | 4/05/2011 | | | | 736.59 | | | |
| 103270 | 1808 OCLC INC | 4/05/2011 | | | | 31.50 | | | |
| 103271 | 3978 ODB COMPANY | 4/05/2011 | | | | 219.79 | | | |
| 103272 | 1014 OFFICE DEPOT INC-CINCINNATI | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103273 | 1014 OFFICE DEPOT INC-CINCINNATI | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103274 | 1014 OFFICE DEPOT INC-CINCINNATI | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103275 | 1014 OFFICE DEPOT INC-CINCINNATI | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103276 | 1014 OFFICE DEPOT INC-CINCINNATI | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103277 | 1014 OFFICE DEPOT INC-CINCINNATI | 4/05/2011 | | | | 2,529.49 | | | |
| 103278 | 195 OMAHA PUBLIC POWER DISTRICT | 4/05/2011 | | | | 1,730.61 | | | |
| 103279 | 46 OMAHA WORLD HERALD COMPANY | 4/05/2011 | | | | 1,332.57 | | | |
| 103280 | 2129 OMB EXPRESS POLICE SUPPLY | 4/05/2011 | | | | 19.98 | | | |
| 103281 | 3477 ORIZON CPAS LLC | 4/05/2011 | | | | 1,100.00 | | | |
| 103282 | 976 PAPILLION TIRE INCORPORATED | 4/05/2011 | | | | 152.15 | | | |
| 103283 | 2686 PARAMOUNT LINEN & UNIFORM | 4/05/2011 | | | | 397.50 | | | |
| 103284 | 1769 PAYLESS OFFICE PRODUCTS INC | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103285 | 1769 PAYLESS OFFICE PRODUCTS INC | 4/05/2011 | | | | 637.10 | | | |
| 103286 | 3058 PERFORMANCE CHRYSLER JEEP | 4/05/2011 | | | | 3.15 | | | |
| 103287 | 74 PITNEY BOWES INC-PA | 4/05/2011 | | | | .00 | **CLEARED** | **VOIDED** | |
| 103288 | 74 PITNEY BOWES INC-PA | 4/05/2011 | | | | 221.00 | | | |
| 103289 | 2552 PLUTA, DON | 4/05/2011 | | | | 65.00 | | | |
| 103290 | 159 PRECISION INDUSTRIES | 4/05/2011 | | | | 431.80 | | | |
| 103291 | 2699 PRIME TIME SPORTING GOODS LLC | 4/05/2011 | | | | 560.00 | | | |

| BANK NO | BANK NAME | | | | | | |
|----------|-----------|-----------|--------------------------------|--------------|-------------|------------|--------|
| CHECK NO | DATE | VENDOR NO | VENDOR NAME | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
| 103292 | 4/05/2011 | 1921 | PRINCIPAL LIFE-FLEX SPENDING | 216.00 | | | |
| 103293 | 4/05/2011 | 3446 | PRO-PAPILLION RECREATION ORG | 2,610.00 | | | |
| 103294 | 4/05/2011 | 219 | QWEST | 1,220.29 | | | |
| 103295 | 4/05/2011 | 2540 | QWEST | 171.70 | | | |
| 103296 | 4/05/2011 | 58 | RAINBOW GLASS & SUPPLY | 264.00 | | | |
| 103297 | 4/05/2011 | 427 | RAMIREZ, RITA M | 43.00 | | | |
| 103298 | 4/05/2011 | 281 | RAY ALLEN MANUFACTURING CO INC | .00 | **CLEARED** | **VOIDED** | |
| 103299 | 4/05/2011 | 281 | RAY ALLEN MANUFACTURING CO INC | 798.65 | | | |
| 103300 | 4/05/2011 | 4486 | READ ALOUD NEBRASKA | 60.00 | | | |
| 103301 | 4/05/2011 | 191 | READY MIXED CONCRETE COMPANY | 1,833.16 | | | |
| 103302 | 4/05/2011 | 3139 | RECORDED BOOKS, LLC | 294.72 | | | |
| 103303 | 4/05/2011 | 3090 | REGAL AWARDS OF DISTINCTION | .00 | **CLEARED** | **VOIDED** | |
| 103304 | 4/05/2011 | 3090 | REGAL AWARDS OF DISTINCTION | .00 | **CLEARED** | **VOIDED** | |
| 103305 | 4/05/2011 | 3090 | REGAL AWARDS OF DISTINCTION | .00 | **CLEARED** | **VOIDED** | |
| 103306 | 4/05/2011 | 3090 | REGAL AWARDS OF DISTINCTION | 1,048.05 | | | |
| 103307 | 4/05/2011 | 3774 | RETRIEVEX | 58.44 | | | |
| 103308 | 4/05/2011 | 292 | SAM'S CLUB | 658.75 | | | |
| 103309 | 4/05/2011 | 487 | SAPP BROS PETROLEUM INC | 28,731.71 | | | |
| 103310 | 4/05/2011 | 1335 | SARPY COUNTY CHAMBER OF | 365.00 | | | |
| 103311 | 4/05/2011 | 2240 | SARPY COUNTY COURTHOUSE | 3,588.49 | | | |
| 103312 | 4/05/2011 | 532 | SARPY COUNTY ECONOMIC DEV.CORP | 50.00 | | | |
| 103313 | 4/05/2011 | 168 | SARPY COUNTY LANDFILL | 120.00 | | | |
| 103314 | 4/05/2011 | 150 | SARPY COUNTY TREASURER | 9,187.50 | | | |
| 103315 | 4/05/2011 | 3457 | SCARPA, DAN | 75.00 | | | |
| 103316 | 4/05/2011 | 503 | SCHOLASTIC LIBRARY PUBLISHING | 176.89 | | | |
| 103317 | 4/05/2011 | 4493 | SCHUTT, RICHARD | 71.34 | | | |
| 103318 | 4/05/2011 | 3925 | SINNETT, HELEN | 35.00 | | | |
| 103319 | 4/05/2011 | 533 | SOUCIE, JOSEPH H JR | 60.00 | | | |
| 103320 | 4/05/2011 | 3838 | SPRINT | 119.95 | | | |
| 103321 | 4/05/2011 | 1149 | STATE FIRE MARSHAL | 100.00 | | | |
| 103322 | 4/05/2011 | 871 | STOPAK, SCOTT | 50.00 | | | |
| 103323 | 4/05/2011 | 1293 | SUPERIOR SIGNALS INCORPORATED | 47.28 | | | |
| 103324 | 4/05/2011 | 264 | TED'S MOWER SALES & SERVICE | 24.91 | | | |
| 103325 | 4/05/2011 | 143 | THOMPSON DREESSEN & DORNER | 59.00 | | | |
| 103326 | 4/05/2011 | 2356 | TOM'S SHOE REPAIR | 40.00 | | | |
| 103327 | 4/05/2011 | 4231 | TORNADO WASH LLC | 120.00 | | | |
| 103328 | 4/05/2011 | 176 | TURFWERKS | 617.54 | | | |
| 103329 | 4/05/2011 | 167 | U S ASPHALT COMPANY | 413.56 | | | |
| 103330 | 4/05/2011 | 3729 | UNIVERSITY OF NEBRASKA LINCOLN | 100.00 | | | |
| 103331 | 4/05/2011 | 33 | UNIVERSITY OF NEBRASKA LINCOLN | 250.00 | | | |
| 103332 | 4/05/2011 | 559 | UNIVERSITY OF NEBRASKA LINCOLN | 70.00 | | | |
| 103333 | 4/05/2011 | 300 | UTILITY EQUIPMENT COMPANY | 34.80 | | | |
| 103334 | 4/05/2011 | 4223 | VAIL, ADAM | 100.00 | | | |
| 103335 | 4/05/2011 | 4480 | VAL VERDE ANIMAL HOSPITAL INC | 293.77 | | | |
| 103336 | 4/05/2011 | 809 | VERIZON WIRELESS | 194.50 | | | |
| 103337 | 4/05/2011 | 1174 | WAL-MART COMMUNITY BRC | 246.86 | | | |
| 103338 | 4/05/2011 | 78 | WASTE MANAGEMENT NEBRASKA | 1,005.99 | | | |
| 103339 | 4/05/2011 | 3150 | WHITE CAP CONSTR SUPPLY/HDS | 25.98 | | | |
| 103340 | 4/05/2011 | 968 | WICK'S STERLING TRUCKS INC | 430.97 | | | |
| 103341 | 4/05/2011 | 804 | 3E-ELECTRICAL ENGINEERING | 180.92 | | | |
| 103342 | 4/05/2011 | 1962 | A-1 UNITED HEATING & AIR COND | 25.64 | | | |
| 103343 | 4/05/2011 | 762 | ACTION BATTERIES UNLTD INC | 589.02 | | | |
| 103344 | 4/05/2011 | 4061 | AED ZONE | 398.00 | | | |

APCHCKRP
03.30.09

Tue Apr 5, 2011 12:22 PM

City of LaVista
ACCOUNTS PAYABLE CHECK REGISTER

OPER: AKH

PAGE 5

BANK NO BANK NAME

CHECK NO DATE

VENDOR NO VENDOR NAME

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CLEARED

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MANUAL

| | | | |
|--------|-----------|------------------------------------|----------|
| 103345 | 4/05/2011 | 268 AKSARBEN HEATING/ARS | 30.40 |
| 103346 | 4/05/2011 | 571 ALAMAR UNIFORMS | 378.43 |
| 103347 | 4/05/2011 | 3730 ALEX, MARY | 116.70 |
| 103348 | 4/05/2011 | 1823 ALKAR BILLIARDS | 654.00 |
| 103349 | 4/05/2011 | 87 AMERICAN FENCE COMPANY INC | 1,165.34 |
| 103350 | 4/05/2011 | 720 AMERICAN LEGAL PUBLISHING CORP | 250.00 |

| | |
|-------------|------------|
| BANK TOTAL | 335,151.54 |
| OUTSTANDING | 335,151.54 |
| CLEARED | .00 |
| VOIDED | .00 |

FUND

TOTAL

OUTSTANDING

CLEARED

VOIDED

| | | |
|----|--------------------|------------|
| 01 | GENERAL FUND | 302,620.99 |
| 02 | SEWER FUND | 24,078.70 |
| 05 | CONSTRUCTION | 15.44 |
| 08 | LOTTERY FUND | 1,699.45 |
| 09 | GOLF COURSE FUND | 6,462.91 |
| 15 | OFF-STREET PARKING | 274.05 |

| | | | |
|------------|------------|-----|-----|
| 302,620.99 | 302,620.99 | .00 | .00 |
| 24,078.70 | 24,078.70 | .00 | .00 |
| 15.44 | 15.44 | .00 | .00 |
| 1,699.45 | 1,699.45 | .00 | .00 |
| 6,462.91 | 6,462.91 | .00 | .00 |
| 274.05 | 274.05 | .00 | .00 |

| | |
|--------------|------------|
| REPORT TOTAL | 335,151.54 |
| OUTSTANDING | 335,151.54 |
| CLEARED | .00 |
| VOIDED | .00 |

| | |
|-------------------------|-------------------|
| + Gross Payroll 3/18/11 | 217,869.15 |
| + Gross Payroll 4/01/11 | <u>218,508.42</u> |

| | |
|-------------|---------------------|
| GRAND TOTAL | <u>\$771,529.11</u> |
|-------------|---------------------|

APPROVED BY COUNCIL MEMBERS 4/5/11

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA

| Subject: | Type: | Submitted By: |
|--|--|---|
| ANNEXATIONS — SID # 239 (GILES CORNER), SID # 82 (CROSSROADS INDUSTRIAL PARK) & ADJOINING MISC. LOT, PERFORMANCE AUTO PLAZA & ATTIC STORAGE, PORTIONS OF SID #59 (BROOK VALLEY II BUSINESS PARK) & ADJOINING STREET ROWs | RESOLUTION ◆ ORDINANCES (5) RECEIVE/FILE | ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR |

SYNOPSIS

The second reading of the ordinances has been scheduled for Council to consider the annexation of the following property:

(1) SID # 239

- Giles Corner: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80A, 80B, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, Outlots A, B, C, D and E
- Giles Corner Replat 1: Lots 1, 2, 3, 4, and 5

(2) SID #82

- Crossroads Industrial Park: Lots 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17

(3) Tax Lot 10B in the SE ¼ 21-14-12

(4) Performance Auto Plaza & Attic Storage

- Tax Lot 1B, 1C and 2 in the NE ¼ 18-14-12
- Performance Auto Plaza: Lots 2A, 3 and 4

(5) Part of SID # 59

- Tax Lot 1A1A1A in the SE ¼ 17-14-12 and 2B in the SW ¼ 17-14-12
- Brook Valley II Business Park: Lots 1, 2, 3, 4, 5, 6, 7, 9, 10, 11B, 12, 13, Lots 14A and 14B, Replat of Lot 14, Lots 15, 16A, 16B, 17A, 17B, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and vacated Virginia Street lying west of 114th Street and east of 117th Street
- Brook Valley II Business Park Replat One: Lot 1
- Brook Valley II Business Park Replat 2: Lots 1 and 2

(6) And Any Adjoining Street Rights-of-Way

FISCAL IMPACT

| | <u>Assessed Valuation</u> | <u>Net Debt</u> |
|----------------------------------|---------------------------|-----------------|
| SID #239 | \$ 18,669,234 | \$ 780,380 |
| SID #82 | \$ 4,895,605 | \$ 99,558 |
| Performance Auto & Attic Storage | \$ 9,948,965 | \$ --- |
| Part of SID #59 | \$ 39,769,413 | \$ 893,648 |

Additional detail can be found in the annexation plan.

RECOMMENDATION

Approve 2nd Reading of the Ordinances.

BACKGROUND

On September 21, 2010, the Council adopted an amendment to Chapter 9 of the Comprehensive Plan, which provides a detailed annexation plan. The areas proposed for annexation are identified within the plan, on the SID Summary spreadsheet, as areas 1a, 1b, 1c 1d and 1e.

A detailed annexation plan was prepared and on January 18, 2011, the City Council adopted Resolution No.11-003 stating the Council was considering the annexation and setting March 15th at 7 p.m. as the time and date of the public hearing.

The Planning Commission held a public hearing on February 17, 2011, and unanimously recommended approval of the annexation to the City Council.

The City Clerk and planning staff mailed notices of the City Council public hearing to utility companies and owners of the property within the area proposed for annexation according to statutory requirements and the City's Annexation Plan.

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

- SID #239 (Giles Corner) — 101 developed single family lots, 1 developed commercial lot, 12 vacant lots, and 5 outlots. Estimated population is 292.
- SID #82 (Crossroads Industrial Park) — 17 developed industrial lots and 1 vacant industrial lot; no residential lots. Estimated population is 0.
- Miscellaneous Lot — 1 commercial lot. Estimated population is 0.
- Performance Auto & Attic Storage — 4 developed commercial lots and 2 unbuildable lots. Estimated population is 0.
- Part of SID #59 (Brook Valley II Business Park) — 18 developed industrial lots and 24 vacant lots; no residential lots. Estimated population is 0
- Any adjoining street rights-of-way.

On March 15, 2011, the City Council held a public hearing and approved the first reading of the ordinances. If the second reading of the ordinances is approved during this meeting, the third reading and adoption of the annexation ordinances will be scheduled for April 19, 2011.

ORDINANCE NO. 1138

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (GILES CORNER, SID #239 AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

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

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

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

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

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

ALL OF LOTS 1 THROUGH 79, 80A, 80B, 81 THROUGH 96, 103 THROUGH 115, OUTLOTS A, B, C, D, AND E, GILES CORNER, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, AND ALL PUBLIC STREETS LYING WITHIN SAID GILES CORNER;

TOGETHER WITH LOTS 1 THROUGH 5, GILES CORNER REPLAT 1, A SUBDIVISION IN SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID OUTLOT D;
THENCE EAST ON THE NORTH LINE OF GILES CORNER TO THE WEST LINE OF 72ND STREET RIGHT-OF-WAY;

THENCE SOUTHERLY ON THE WEST LINE OF 72ND STREET RIGHT-OF-WAY TO THE NORTH LINE OF GILES ROAD RIGHT-OF-WAY;

THENCE WEST ON THE NORTH LINE OF GILES ROAD RIGHT-OF-WAY TO THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE NORTH ON THE WEST LINE OF GILES CORNER TO THE POINT OF BEGINNING,

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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ORDINANCE NO. 1139

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (CROSSROADS INDUSTRIAL PARK, SID #82 AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

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

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

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

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

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1A, 1B, 2A, 2B, 3 THROUGH 17, CROSSROADS INDUSTRIAL PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA,
TOGETHER WITH ALL PUBLIC STREETS LYING WITHIN SAID CROSSROADS INDUSTRIAL PARK, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, CROSSROADS INDUSTRIAL PARK, AND THE WEST LINE OF 96TH STREET RIGHT-OF-WAY;

THENCE SOUTH ON THE WEST LINE OF 96TH STREET RIGHT-OF-WAY TO THE NORTH LINE OF TAX LOT 10B;

THENCE WEST ON THE NORTH LINE OF TAX LOT 10B TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTH ON THE WEST LINE OF TAX LOT 10B TO THE SOUTHWEST CORNER THEREOF;

THENCE EAST ON THE SOUTH LINE OF TAX LOT 10B TO THE WEST LINE OF 96TH STREET RIGHT-OF-WAY;

THENCE SOUTH ON THE EAST LINE OF 96TH STREET RIGHT-OF-WAY TO THE SOUTHEAST CORNER OF SAID LOT 11, AND THE NORTHERLY LINE OF TAX LOT 20C, LYING WITH THE SE 1/4 OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY;

THENCE NORTHWESTERLY ON THE NORTHERLY LINE OF SAID TAX LOT 20C, AND THE SOUTHERLY LINE OF CROSSROADS INDUSTRIAL PARK TO THE NORTHWEST CORNER OF SAID LOT 1A, AND THE NORTH LINE OF SAID CROSSROADS INDUSTRIAL PARK;

THENCE EAST ON THE NORTH LINE OF CROSSROADS INDUSTRIAL PARK TO THE POINT OF BEGINNING,

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ORDINANCE NO. 1140

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOT 10B, LOCATED IN THE SE $\frac{1}{4}$ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

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

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

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

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

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

ALL OF TAX LOT 10B, LYING WITHIN THE SE $\frac{1}{4}$ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA,

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

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Tax Lot 10B, in the SE $\frac{1}{4}$ of Section 21, T14N, R12E of the 6TH P.M., Sarpy County, Nebraska, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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ORDINANCE NO. 1141

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOT 1B, TAX LOT 1C, TAX LOT 2, LOCATED IN THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; LOTS 2A, 3 AND 4, PERFORMANCE AUTO PLAZA; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

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

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

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

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

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

ALL OF TAX LOT 1B, TAX LOT 1C, TAX LOT 2, LYING WITHIN THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA,

TOGETHER WITH LOTS 2A, 3 AND 4, PERFORMANCE AUTO PLAZA, A SUBDIVISION IN SAID SARPY COUNTY, TOGETHER WITH ALL OF 124TH CIRCLE RIGHT-OF-WAY LYING WITHIN SAID PERFORMANCE AUTO PLAZA, PART OF EASTPORT PARKWAY RIGHT-OF-WAY, HARRISON STREET RIGHT-OF-WAY, GILES ROAD RIGHT-OF-WAY, AND NEBRASKA INTERSTATE 80 RIGHT-OF-WAY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID NE ¼, AND THE CENTERLINE OF SAID HARRISON STREET RIGHT-OF-WAY;

THENCE EAST ON THE NORTH LINE OF SAID NE ¼ TO THE SOUTHERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE SOUTHEASTERLY ON THE SOUTHERLY LINE OF SAID RAILROAD RIGHT-OF-WAY TO THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY;

THENCE SOUTHWESTERLY ON THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY TO THE NORTHERLY MOST CORNER OF LOT 16, SOUTHPORT EAST, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE SOUTHWESTERLY ON THE NORTHWESTERLY LINE OF SAID LOT 16, AND ON THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY, TO THE SOUTHWEST CORNER THEREOF;

THENCE SOUTHWESTERLY ON THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY TO THE NORTHWEST CORNER OF OUTLOT A, SAID SOUTHPORT EAST;

THENCE SOUTHWESTERLY ON THE WEST LINE OF SAID OUTLOT A AND ON THE WESTERLY LINE OF LOT 1 SOUTHPORT EAST REPLAT 1, A SUBDIVISION IN SAID

SARPY COUNTY, AND ON THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY, TO THE SOUTHWEST CORNER THEREOF;

THENCE SOUTHWESTERLY 374.8 FEET (RECORD DIMENSION) ON THE WEST LINE OF LOT 5, SAID SOUTHPORT EAST, AND ON THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY TO THE EAST LINE OF GILE ROAD RIGHT-OF-WAY;

THENCE SOUTHWESTERLY TO THE NORTHEAST CORNER OF LOT 2, SOUTHPORT WEST REPLAT THREE, A SUBDIVISION IN SAID SARPY COUNTY, AND THE WEST LINE OF GILES ROAD RIGHT-OF-WAY;

THENCE NORTHWESTERLY 140.9 FEET (RECORD DIMENSION) ON THE NORTHERLY LINE OF SAID LOT 2, AND ON THE SOUTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY;

THENCE NORTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 52B, MILLARD HIGHLANDS SOUTH, A SUBDIVISION IN SAID SARPY COUNTY; AND THE NORTHERLY LINE OF SAID INTERSTATE 80 RIGHT-OF-WAY;

THENCE NORTHERLY ON THE EAST LINE OF SAID MILLARD HIGHLANDS SOUTH AND THE WEST LINE OF GILES ROAD RIGHT-OF-WAY TO AN ANGLE POINT IN THE EAST LINE OF LOT 605, MILLARD HIGHLANDS SOUTH REPLAT 4, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE NORTHERLY ON THE WEST LINE OF GILES ROAD RIGHT-OF-WAY AND ON THE EAST LINE OF SAID MILLARD HIGHLANDS SOUTH REPLAT 4 AND ITS NORTHERLY EXTENSION TO THE NORTH LINE OF THE NW ¼ OF SAID SECTION 18, AND THE CENTERLINE OF SAID HARRISON STREET RIGHT-OF-WAY.

THENCE EAST ON THE NORTH LINE OF SAID NW ¼ AND THE CENTERLINE OF SAID HARRISON STREET RIGHT-OF-WAY TO THE POINT OF BEGINNING,

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

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Tax Lot 1B, Tax Lot 1C, Tax Lot 2, in the NE ¼ of Section 18, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, and Lots 2A, 3 and 4, Performance Auto Plaza, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ORDINANCE NO. 1142

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (BROOK VALLEY II BUSINESS PARK; TAX LOT 1A1A1A LOCATED IN THE SE $\frac{1}{4}$ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TAX LOT 2B2 LOCATED IN THE SW $\frac{1}{4}$ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ALL PART OF SID #59; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

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

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

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

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

SECTION 1. The following described territory situated in Sarpy County, Nebraska to-wit:

ALL OF TAX LOT 1A1A1A LYING WITHIN THE SE $\frac{1}{4}$ OF SECTION 17, T14N, R12E, OF THE 6TH P.M., SARPY COUNTY, NEBRASKA,

TOGETHER WITH ALL OF TAX LOT 2B2 LYING WITHIN THE SW $\frac{1}{4}$ OF SAID SECTION 17,

TOGETHER WITH LOTS 1 THROUGH 7, LOTS 9, 10, 11B, 12, 13, LOTS 14A AND 14B, REPLAT OF LOT 14, LOTS 15, 16A, 16B, 17A, 17B, 18, 19, 20, LOTS 22 THROUGH 37, VACATED VIRGINIA STREET LYING WEST OF 114TH STREET AND EAST OF 117TH STREET, BROOK VALLEY II BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA,

TOGETHER WITH LOT 1, BROOK VALLEY II BUSINESS PARK REPLAT ONE, A SUBDIVISION IN SAID SARPY COUNTY,

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY II BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID BROOK VALLEY II BUSINESS PARK AND SAID BROOK VALLEY BUSINESS PARK REPLATS ONE AND 2,

TOGETHER WITH ALL OF 114TH STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY II BUSINESS PARK, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF 120TH STREET RIGHT-OF-WAY AT THE SOUTH LINE OF SAID BROOK VALLEY II BUSINESS PARK;

THENCE NORTHERLY ON THE EAST LINE OF 120TH STREET RIGHT-OF-WAY TO THE SOUTHERLY LINE OF GILES ROAD RIGHT-OF-WAY;

THENCE EASTERLY ON THE SOUTHERLY LINE OF GILES ROAD RIGHT-OF-WAY TO THE NORTHERLY EXTENSION OF THE EAST LINE OF 114TH STREET RIGHT-OF-WAY;

THENCE SOUTHERLY ON THE EAST LINE OF 114TH STREET RIGHT-OF-WAY TO THE EASTERN EXTENSION OF THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK AND IT'S EASTERLY EXTENSION TO THE POINT OF BEGINNING,

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

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Brook Valley II Business Park; Tax Lot 1A1A1A located in the SE $\frac{1}{4}$ OF Section 17, T14N, R12E OF THE 6TH P.M., Sarpy County, Nebraska; Tax Lot 2B2 located in the SW $\frac{1}{4}$ OF Section 17, T14N, R12E OF THE 6TH P.M., Sarpy County, Nebraska, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA**

| Subject: | Type: | Submitted By: |
|---|---|------------------------------|
| APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE SID 82 TO CONTRACT 2011 STREET REPAIRS | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | JOHN KOTTMANN, CITY ENGINEER |

SYNOPSIS

A resolution has been prepared to allow the Board of Trustees of SID 82 (Crossroads Industrial Park) to perform maintenance of their streets prior to annexation. This will include removal and replacement of sections of existing pavement.

FISCAL IMPACT

The SID does not have adequate cash on hand to pay for the improvements; they will be issuing warrants to cover a portion of the project.

RECOMMENDATION

Approval of the plans and specifications prepared by E&A Consulting Group.

Approval of SID 82 entering into a contract with Navarro Enterprise Construction, Inc. in the amount of \$23,032.50.

BACKGROUND

The proposed improvements consist of removing and replacing 450 square yards of pavement and 1,000 feet of crack and joint sealing.

The City Engineer has reviewed the plans, provided comments to E&A Consulting Group, Inc. and those comments have been addressed.

E & A Consulting Group, Inc. has taken bids for the project on March 3, 2011 and recommended award of the contract to Navarro Enterprise Construction, Inc. as the low compliant bidder in the amount of \$23,032.50.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS, SPECIFICATIONS AND CONSTRUCTION DOCUMENTS FOR THE REMOVAL AND REPLACEMENT OF SECTIONS OF EXISTING PAVEMENT IN SANITARY DISTRICT NO. 82, CROSSROADS INDUSTRIAL PARK, AND AUTHORIZING THE EXECUTION OF CONTRACTS AND CONSTRUCTION.

WHEREAS, Sanitary Improvement District No. 82 of Sarpy County ("District"), Crossroads Industrial Park has requested permission to perform maintenance of their streets prior to their annexation by the City of La Vista; and

WHEREAS, District has presented to City for approval plans and specifications to perform this maintenance; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group, and which plans and specifications were found by the City Engineer to be in accordance with all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications for replacement of sections of existing pavement in Sanitary District No. 82, Crossroads Industrial Park, copies of which have been filed with the City Clerk, approved by the City Engineer.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with Navarro Enterprise Construction, Inc., in the amount of \$23,032.50.

PASSED AND APPROVED THIS 5TH DAY OF APRIL, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA**

| Subject: | Type: | Submitted By: |
|--|---|---|
| BID AWARD – THOMPSON CREEK PROP. ACQUISITIONS PHASE 2 DEMOLITION | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR |

SYNOPSIS

A resolution has been prepared to award a contract to Anderson Excavating Co., Omaha, Nebraska for demolition of nine houses that have been acquired as part of the Thompson Creek Hazard Mitigation project in an amount not to exceed \$80,995.00.

FISCAL IMPACT

The FY 10/11 Capital Improvement Program contains funding for this expenditure, 75% is reimbursed by FEMA, 12.5% reimbursed by Papio-Missouri River NRD and the remaining 12.5% is the City's share .

RECOMMENDATION

Approval

BACKGROUND

On March 1, 2011, the City Council approved a resolution which authorized the advertisement for bids for demolition and removal of the second group of nine houses that have been acquired and vacated in the Thompson Creek Voluntary Property Acquisition project. Two contractors took out plans but only one bid was submitted with the results shown on the attached tabulation. Phone calls and e-mails were sent to solicit additional bids without success. Anderson Excavating Co. is the low bidder in the amount of \$80,995.00. (Engineer's Estimate was \$90,000) Anderson Excavating Co. is a qualified contractor in this type of work, has performed well on the Phase 1 demolition work and it is recommended that a contract be awarded to them.

The bidding results are summarized as follows:

Anderson Excavating \$80,995.00

Double D Excavating No Bid

In the Phase 1 demolition contract there are 8 houses of which 6 have been removed and 2 are pending under a change order. This Phase 2 contract includes an additional 9 houses bringing the total to 17. This leaves 4 to 7 houses yet to be contracted for demolition depending on negotiations with the last three owners.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO ANDERSON EXCAVATING COMPANY, OMAHA NE FOR DEMOLITION OF NINE (9) HOUSES ACQUIRED AS PART OF THE THOMPSON CREEK HAZARD MITIGATION PROJECT, IN AN AMOUNT NOT TO EXCEED \$80,995.00.

WHEREAS, the City Council of the City of La Vista has determined that the demolition of houses acquired as part of the Thompson Creek Hazard Mitigation Project is necessary; and

WHEREAS, the FY 10/11 Capital Improvement Program contains funds for this expenditure; and

WHEREAS, the City Council authorized the advertisement of bids for demolition and removal of the second group of nine houses that have been acquired and vacated in the Thompson Creek Voluntary Property Acquisition project on March 1, 2011, and

WHEREAS Anderson Excavating Company. of Omaha, Nebraska, 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 designate Anderson Excavating Company. Omaha Nebraska as the low qualified bid for the demolition of nine houses acquired as part of the Thompson Creek Hazard Mitigation Project, in an amount not to exceed \$80,995.00

PASSED AND APPROVED THIS 5TH DAY OF APRIL 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

PROPOSAL

Thompson Creek Property Acquisitions
Phase 2 Demolition
City of La Vista, Nebraska

TO: Joe Soucie, Public Works Director

I have received bidding documents dated March 1, 2011 on the above-referenced project. I have also received Addenda No.'s 1 through 1 and have included their provisions in my bid. I have examined the bidding documents and submit the following bid:

In submitting this bid, I agree:

- A. To hold my bid open for 30 days after the receipt of bids.
- B. To enter into and execute an "Owner-Contractor Agreement", based upon this bid, if this bid is accepted by the Owner.
- C. To perform all work required by the Contract Documents.
- D. To complete all work within 35 working days after the effective date of the Notice to Proceed.

I agree to perform the above in consideration of the amounts hereinafter scheduled.

| Item | Description | Amount |
|-----------|--|---------------------|
| 1. | Demolish House at 7201 Park View Blvd. | \$ <u>7675.00</u> |
| 2. | Demolish House at 7209 Park View Blvd. | \$ <u>8095.00</u> |
| 3. | Demolish House at 7213 Park View Blvd. | \$ <u>9420.00</u> |
| 4. | Demolish House at 7229 Park View Blvd. | \$ <u>8140.00</u> |
| 5. | Demolish House at 7233 Park View Blvd. | \$ <u>10470.00</u> |
| 6. | Demolish House at 7305 Park View Blvd. | \$ <u>8630.00</u> |
| 7. | Demolish House at 7309 Park View Blvd. | \$ <u>7255.00</u> |
| 8. | Demolish House at 7409 Park View Blvd. | \$ <u>7110.00</u> |
| 9. | Demolish House at 7603 Park View Blvd. | \$ <u>14,200.00</u> |
| TOTAL BID | | \$ <u>80,995.00</u> |

The undersigned agrees, upon receipt of written notice of award of the contract within thirty (30) days after opening of bids, that he will execute the Contract on the standard form issued by the City Engineer in accordance with his Bid Proposal.

In submitting this Bid, the undersigned further agrees:

- E. To furnish all material, labor, tools, expendable equipment, and all utility and transportation services necessary to perform and complete, in a workmanlike manner, all of the Work required in accord with the Bidding Documents.
- F. To hold his Bid open for thirty (30) days after the receipt of Bids and to accept the provisions of the Instructions to Bidders regarding disposition of Bid Security.
- G. To enter into and execute a Contract if awarded on the basis of this Bid, to furnish a Performance Bond and a Labor and Material Payment Bond (including a two (2) year maintenance guarantee) in accordance with the General Conditions and General Requirements of this Contract, and to deliver executed Owner-Contractor Agreements and Bonds to the Architect-Engineer within five (5) working days after notification of award.

Further, the undersigned agrees to pay to the Owner the sum of \$250.00 for each calendar day that the work in this contract is not totally complete after 35 working days from the effective date of the Notice to Proceed.

As evidence of good faith, we herewith submit, in a SEPARATE SEALED ENVELOPE, a certified check or bid bond in the amount of five percent of the amount bid which shall become the property of the City of La Vista, Nebraska, in the event the undersigned fails to enter into a contract with said City or to furnish bond or bonds to validate said contract within five days after acceptance of this Proposal.

Receipt of Addenda No. 1 through 1 is hereby acknowledged.
(3/18/11)

Dated this 23rd day of March, 2011.

Respectfully submitted,

Anderson Excavating Co.
COMPANY

Donald L. Goers
SIGNATURE

Donald L. Goers President
NAME (TYPED OR PRINTED) TITLE

1920 Dorcas St., Omaha, NE 68108
ADDRESS

402-345-8800 402-345-2420
TELEPHONE NO. FACSIMILE NO.

andersonexcavatingco@hotmail.com
E-MAIL ADDRESS

| SUBMITTED PROPOSALS & COSTS | | | | | | Double D Excavating | | |
|--|--|------------|---|------------|------------|--|------------|-------------|
| Date of Bid: March 23, 2011 Client: City of La Vista Proj: Thompson Creek Property Acquisitions - Phase 2 Demolition | | | Anderson Excavating Co. 1920 Dorcas St. Omaha, NE 68122 | | | 7071 North 87th St. Omaha, NE 68122 | | |
| ITEM | DESCRIPTION | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE |
| 1 | Demolish house at: 7201 Park View Blvd. | \$7,675.00 | | | | | | |
| 2 | Demolish house at: 7209 Park View Blvd. | | \$8,095.00 | | | | | |
| 3 | Demolish house at: 7213 Park View Blvd. | | | \$9,420.00 | | | | |
| 4 | Demolish house at: 7229 Park View Blvd. | | | | \$8,140.00 | | | |
| 5 | Demolish house at: 7233 Park View Blvd. | | | | | \$10,470.00 | | |
| 6 | Demolish house at: 7305 Park View Blvd. | | | | | | \$8,630.00 | |
| 7 | Demolish house at: 7309 Park View Blvd. | | | | | | | \$7,255 |
| 8 | Demolish house at: 7409 Park View Blvd. | | | | | | | \$7,110.00 |
| 9 | Demolish house at: 7603 Park View Blvd. | | | | | | | \$14,200.00 |
| TOTAL BID FOR ITEMS 1 THROUGH 9 | | | | | | \$80,995.00 | No Bid | |

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA

| Subject: | Type: | Submitted By: |
|---|---|-------------------------------------|
| AUTHORIZATION FOR GOLF COURSE BUILDING EXPANSION | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | JOE SOUCIE PUBLIC WORKS DIRECTOR |

SYNOPSIS

A resolution has been prepared authorizing the execution of a contract with Cleary Building Corporation, Fremont, Nebraska for a building expansion to the Golf Course Maintenance Shop in an amount not to exceed \$10,000.00.

FISCAL IMPACT

The FY 2010/11 Capital Improvement Program contains funding for this project.

RECOMMENDATION

Approval

BACKGROUND

The expansion to the existing shop building is to provide cold storage space for equipment and material. Limited space in the existing maintenance building requires several pieces of golf course equipment to be stored outdoors. During the winter months equipment must be moved outside to facilitate equipment maintenance operations in the shop.

Proposals were solicited and four quotes were received.

| | |
|-----------------------|-------------|
| Cleary Building Corp. | \$10,000.00 |
| Astro Buildings | \$10,740.00 |
| Northland Building | \$11,313.86 |
| Lester Buildings | \$11,508.05 |

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF A CONTRACT WITH CLEARY BUILDING CORPORATION, FREMONT NEBRASKA FOR A BUILDING EXPANSION TO THE GOLF COURSE MAINTENANCE SHOP IN AN AMOUNT NOT TO EXCEED \$10,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the expansion to said building is necessary; and

WHEREAS, the FY 2010/11 Capital Improvement Program contains funding for the expansion to said building; and

WHEREAS, the Public Works Department solicited quotes and recommends that a contract be awarded to Cleary Building Corporation, 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 approve the execution of a contract with Cleary Building Corporation, Fremont, Nebraska for the building expansion to the Golf Course Maintenance Shop, in an amount not to exceed \$10,000.00.

PASSED AND APPROVED THIS 5TH DAY OF APRIL, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



A/H BRIAN L.
BUILDING PROPOSAL



www.clearybuilding.com

Presented To:

CITY OF LAVISTA
 8033 VALLEY ROAD
 LAVISTA, NE 68128
 (402) 657-2789

Site Address:

8033 VALLEY ROAD
 LAVISTA, NE 68128

Date: 3/7/2011
 Office: FREMONT
 Building Sales Specialist: TERRY NELSON
 Office Number: (402) 727-9322
 Address: 220 Sheryl Avenue
 Fremont, NE 68025

Qty UOM Description

Building: Protector Laminate
 Finished Size: 32'0" width x 27'0" length x 10'4" eave height
 Bay Spacing: 3 bays @ 9.0,
 Truss Clearance from 100' + 0" Mark at Heel: 9'0"
 Erected

| | | |
|----|------|--|
| 1 | Each | Open 1 Endwalls |
| 2 | Each | Trusses: 30 psf @ 9'O.C., SLC, 3/12, 2x4 continuous purlins - 24", 4 x 14 pre-cast footing |
| 1 | Each | Overhead Frame Out in the Sidewall Bldg. Width: 12'0" Door Height: 8' |
| 32 | LF | Flashing & Connection to existing structures |
| 1 | Each | Plyco Series 20 2x6 Frame - 3068 steel clad door (w/o Liner) Bot. Elev.: 100'4" |
| | | Subcontract for Overhead Doors included in price MANUAL OPERATION |
| 54 | LF | Prepare the building for gutter application. NOT INCLUDED |

\$10,000.00: Total Building Price

(Please note this price is subject to change without notice after 3/7/2011)

Includes material, labor, tax, delivery, warranties and builder's risk insurance.

This proposal does Not include a dumpster, removal of construction debris, or a portable toilet.
 This proposal does Not include a building permit. Any required permits are the responsibility of the Client.

Payment Terms:

| Payment Amount | Payment Comment |
|----------------|-----------------------------------|
| \$2,000.00 | Down Payment |
| \$4,000.00 | Payment due driver on delivery |
| \$4,000.00 | Payment due foreman on completion |





BUILDING PROPOSAL



www.clearybuilding.com

Base Building Notes:

Protector Laminated Building General Notes and Specifications:

- Roof and Side Steel - Fabral Grand Rib 3 Plus® (22 Colors)
- 2" x 4" Purlins 24" o.c.
- Standard Chord Trusses
- 3 Ply 2" x 6" Non-Spliced Laminated Treated Sidewall Columns (17' or less Eave Heights)
- 3 Ply 2" x 8" Non-Spliced Laminated Treated Sidewall Columns (18' or greater Eave Heights)
- 2" x 6" Girts
- 2" x 8" Treated Splash Plank With Painted Steel Bottom Trim
- Pre-Painted Trim: Ridge, Corner, Gable, Bottom and Eave (22 colors)
- 4" x 14" Pre-Cast Concrete Footing per column



Over sidewall

March 1, 2011

City of LaVista
9900 Portal Rd
LaVista, Ne 68128
Attn: Brian

NORTHLAND BUILDING QUOTE

Building size 32' W x 27' L x 10.4' H
Roof pitch 4/12
Post spacing 9' OC
Live load 35
Columns 3-ply structural
Wainscot - None
Overhead doors 1 - 12' w x 8' h - framed opening only
Continuous vented ridge
1 - 3'0" x 6'8" 9-lite service door with knob and lock set
All steel to be 29 gauge screw fastened

Quote includes all materials and labor for a complete building on your site.
The price is \$10,576.39.
Option 1 - furnish and install 12 x 8 steel non insulated overhead door in the
sidewall. Cost of work \$737.47

Respectfully submitted,

Tim Guill

10w x 24d x 10h

Astro Buildings Estimate

Thompson Astro Sales Roger Thompson 679-5964

email Rthompson84@cox.net website www.polebuild.com www.Astrobuilding.com
Visit polebuild.com and click on the color visualizer to input color schemes for your building

City of Lavista Estimate # 1.400E-01 0
address Date March 1, 2011
city
phone

Astro Building Dimensions

| | | | | |
|-------|---|--------|---|--------|
| Width | x | Length | x | Height |
| 32 | x | 27 | x | 10 6" |

Construction time frame

poles and trusses 9' centers roof purlins 2x6 inset between roof trusses (in joist hanger)

| | | | |
|---------------------------------------|-------------------|---|----------------------|
| Standard Costs (based on dimensions) | | | \$9,289 |
| AG Ground Snow Load | 25 | 0 | Ceiling Load IBC \$0 |
| Overhead Door Openings | | | |
| 1 Eave Side Door Opening | 12 | x | 8 \$446 |
| Overhead Doors | | | |
| 1 Non insulated overhead door | 12 | x | 8 \$825 |
| 1 Insulated Walk Door solid, no glass | Ag/Surburban # 96 | | \$512 |

All Steel Applied with Color Matched Screws
Delivered, Erected, Tax Included

| | |
|-----------------------------|----------|
| Total with Spring Discounts | \$11,072 |
| Tax exempt | -\$332 |
| Total. | \$10,740 |

Option

lower side wall

Brian Lukasiewicz

From: Steve Pelletier [spbuildings@yahoo.com]
Sent: Tuesday, March 01, 2011 6:37 PM
To: Brian Lukasiewicz
Subject: new bid

Brian, Here are the new numbers.

\$6585.23

395.11 discount/promotion

3744.43 labor

1280.00 freight

293.50 tax

\$11508.05 Total overhead door will probably less than what I told you. The price I gave you was
for a 16x7 door

Thanks, Steve

11,214.55
w/0 overhead door

ITEM F

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA

| Subject: | Type: | Submitted By: |
|--|---|-------------------------------------|
| AUTHORIZATION TO PURCHASE 4 X 4 CHEVY TAHOE | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | JOE SOUCIE PUBLIC WORKS DIRECTOR |

SYNOPSIS

A resolution has been prepared authorizing the purchase of one (1) 2011 4 x 4 Chevrolet Tahoe from Sid Dillon Chevrolet Buick, Wahoo, Nebraska, for the Public Works Department in an amount not to exceed \$31,168.00.

FISCAL IMPACT

The FY 2010/11 General Fund and Sewer Fund Budgets include \$30,000 in funding for the proposed purchase. Overrun will be covered by savings in other line items within the General and Sewer Funds.

RECOMMENDATION

Approval

BACKGROUND

The new Tahoe will be used primarily by the City Engineer/Assistant Public Works Director. The vehicle will be available to other Departments when it is necessary to transport multiple employees to training or meetings. The vehicle is being purchased off the State of Nebraska Contract – 12889 OC.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2011 4 X 4 CHEVROLET TAHOE FROM SID DILLON CHEVROLET BUICK, WAHOO, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$31,168.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of said tahoe is necessary; and

WHEREAS, the FY 2010/11 General Fund and Sewer Fund Budgets provide funding for said purchase; and

WHEREAS, the purchase will be off the State of Nebraska Contract – 12889 OC; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, due hereby authorize the purchase of a 2011 4 X 4 Chevrolet Tahoe from Sid Dillon Chevrolet Buick, Wahoo, Nebraska, in an amount not to exceed \$31,168.00.

PASSED AND APPROVED THIS 5TH DAY OF APRIL, 2011

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Prepared For:
City of Lavista
9900 Portal Rd
LaVista, NE 68128
Phone: (402) 331-8927
Fax: (402) 331-1051
Email: [jkottmann@cityoflavista.o
rg](mailto:jkottmann@cityoflavista.org)

Prepared By:
Ron Fullerton
Sid Dillon Chevrolet Buick
257 West A Street
Wahoo, NE 68066
Phone: (402) 540-7578
Fax: (402) 443-3982
Email: rfullerton@siddillon.com

2011 Chevrolet Tahoe

CK10706 4WD 4dr 1500 Commercial



Photo may not represent exact vehicle or selected equipment.

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 Phone: (402) 331-8927
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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

SELECTED MODEL & OPTIONS

SELECTED MODEL - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

| <u>Code</u> | <u>Description</u> | <u>MSRP</u> |
|-------------|--|-------------|
| CK10706 | 2011 Chevrolet Tahoe 4WD 4dr 1500 Commercial | \$41,630.00 |

SELECTED VEHICLE COLORS - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

| <u>Code</u> | <u>Description</u> |
|-------------|---|
| - | Interior: No color has been selected. |
| - | Exterior 1: No color has been selected. |
| - | Exterior 2: No color has been selected. |

SELECTED OPTIONS - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

| <u>CATEGORY</u> | <u>Code</u> | <u>Description</u> | <u>MSRP</u> |
|-----------------|-------------|---|-------------|
| SUSPENSION | PKG | | |
| | ZW7 | SUSPENSION PACKAGE, PREMIUM SMOOTH RIDE (STD) | \$0.00 |
| EMISSIONS | FE9 | EMISSIONS, FEDERAL REQUIREMENTS | \$0.00 |
| ENGINE | LMG | ENGINE, VORTEC 5.3L V8 SFI FLEXFUEL with Active Fuel Management, capable of running on unleaded or up to 85% ethanol (with gas - 320 hp [238.6 kW] @ 5400 rpm, 335 lb-ft of torque [452.2 N·m] @ 4000 rpm, with E85 ethanol - 326 hp [243.1 kW] @ 5300 rpm, 348 lb-ft of torque [469.8 N·m] @ 4400 rpm), iron block (STD) | \$0.00 |
| TRANSMISSION | MYC | TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY CONTROLLED with overdrive and tow/haul mode (STD) | \$0.00 |
| AXLE | GU4 | REAR AXLE, 3.08 RATIO (Not available with (K5L) Trailering Package.) | \$0.00 |

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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Customer File:

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 Wahoo, NE 68066
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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK10706

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

| CATEGORY | Code | Description | MSRP |
|---------------------------|-------------|---|-------------|
| PREFERRED EQUIPMENT GROUP | | | |
| | 1FL | COMMERCIAL PREFERRED EQUIPMENT GROUP Includes Standard Equipment | -\$1,295.00 |
| WHEEL TYPE | NX7 | WHEELS, 4 - 17" X 7" (43.2 CM X 17.8 CM) STEEL | \$0.00 |
| TIRES | QGI | TIRES, P265/70R17 ALL-SEASON, BLACKWALL (STD) | \$0.00 |
| PAINT SCHEME | ZY1 | SOLID PAINT | \$0.00 |
| PAINT | 50U | SUMMIT WHITE | \$0.00 |
| SEAT TYPE | AZ3 | SEATS, FRONT 40/20/40 SPLIT-BENCH, 3-PASSENGER, DRIVER AND FRONT PASSENGER MANUAL RECLINING, CENTER FOLD-DOWN ARMREST with storage, lockable storage compartments in seat cushion (includes auxiliary power outlet), adjustable outboard head restraints and storage pockets (STD) (With vinyl seats also includes (AM1) driver manual lumbar control. With vinyl seats requires (19V) Ebony vinyl and (BG9) Black rubberized-vinyl floor covering) | \$0.00 |
| SEAT TRIM | 19C | EBONY, PREMIUM CLOTH SEAT TRIM | \$0.00 |
| RADIO | US8 | AUDIO SYSTEM, AM/FM STEREO WITH MP3 COMPATIBLE CD PLAYER seek-and-scan, digital clock, auto-tone control, Radio Data System (RDS), speed-compensated volume, TheftLock and auxiliary audio input jack (STD) | \$0.00 |
| ADDITIONAL EQUIPMENT | G80 | DIFFERENTIAL, HEAVY-DUTY LOCKING REAR | \$295.00 |
| | G63 | LUGGAGE RACK, DELETE | -\$25.00 |

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

SELECTED MODEL & OPTIONS

SELECTED OPTIONS - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

| <u>CATEGORY</u> | <u>Code</u> | <u>Description</u> | <u>MSRP</u> |
|-----------------------------|-------------|--|--------------------|
| ADDITIONAL EQUIPMENT | | | |
| | ATD | SEAT DELETE, THIRD ROW PASSENGER (Requires a fleet or government order type.) | -\$400.00 |
| | B30 | FLOOR COVERING, COLOR-KEYED CARPETING (Includes (B58) color-keyed floor mats. Not available with (19V) Ebony vinyl trim.) | \$190.00 |
| | B58 | FLOOR MATS, COLOR-KEYED CARPETED FIRST AND SECOND ROW, REMOVABLE (Included and only available with (B30) color-keyed carpeting.) | INC |
| | UE0 | ONSTAR, DELETE | -\$85.00 |
| OPTIONS TOTAL | | | -\$1,320.00 |

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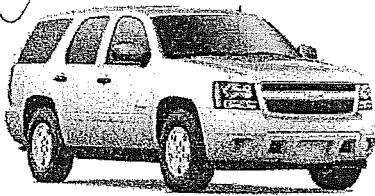
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Page 4

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

PRICING SUMMARY

PRICING SUMMARY - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

| | MSRP |
|--------------------|--------------------|
| Base Price | \$41,630.00 |
| Total Options: | -\$1,320.00 |
| Vehicle Subtotal | \$40,310.00 |
| Advert/Adjustments | \$0.00 |
| Destination Charge | \$950.00 |
| GRAND TOTAL | \$41,260.00 |

2889-0C = 3,223^{..}
 seat delete = 240^{..}
 Keyless = 185^{..}
 ✓ 31,168^{..}

Strobes to be added to Price

Conventional Strobe tubes in
 front & back - no power supply
 no switch - \$550^{..}

Conventional Strobe tubes in
 front & back with power supply &
 switch - 710^{..}

LED Strobe system with
 switch - 850^{..}

Deduct 50^{..} for
 us to remove
 the floor mats

Or keep the
 price the same

& we will
 exchange the
 factory mats
 for heavy
 rubber mats

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March 08, 2011 6:15:55 PM

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

ENTERTAINMENT

- Audio system, AM/FM stereo with MP3 compatible CD player seek-and-scan, digital clock, auto-tone control, Radio Data System (RDS), speed-compensated volume, TheftLock and auxiliary audio input jack
- Audio system feature, 6-speaker system (With (PPV) Identifier for Police vehicle, includes 8-speaker system) (With (5W4) Identifier for Special Service vehicle, includes 8-speaker system)
- XM Radio, delete

EXTERIOR

- Wheels, 4 - 17" x 7" (43.2 cm x 17.8 cm) steel
- Tires, P265/70R17 all-season, blackwall
- Recovery hooks, front, frame-mounted (Standard on 4WD models. Available on 2WD models.)
- Wheel, 17" (43.2 cm) full-size, steel spare
- Tire carrier, lockable outside spare winch-type mounted under frame at rear
- Tire, spare P265/70R17 all-season blackwall
- Luggage rack side rails, roof-mounted, Black
- Fascia, front color-keyed
- Fascia, rear color-keyed
- Assist steps, Black
- Headlamps, dual halogen composite with automatic exterior lamp control and flash-to-pass feature
- Mirrors, outside heated power-adjustable, manual-folding (Mirror caps are Black.)
- Glass, Solar-Ray deep-tinted (all windows except light-tinted glass on windshield and driver- and front passenger-side glass)
- Wiper, rear intermittent with washer
- Door handles, Black
- Liftgate with liftglass rear door system with rear-window wiper/washer

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

INTERIOR

- Seats, front 40/20/40 split-bench, 3-passenger, driver and front passenger manual reclining, center fold-down armrest with storage, lockable storage compartments in seat cushion (includes auxiliary power outlet), adjustable outboard head restraints and storage pockets (With vinyl seats also includes (AM1) driver manual lumbar control. With vinyl seats requires (19V) Ebony vinyl and (BG9) Black rubberized-vinyl floor covering)
- Fleet Package
- Seat adjuster, driver 6-way power
- Seats, third row 50/50 split-bench, 3-passenger removable, all-belts-to-seat
- Headliner, cloth
- Floor covering, Black rubberized-vinyl
- Steering column, Tilt-Wheel, adjustable with brake/transmission shift interlock
- Steering wheel, vinyl
- Steering wheel controls, mounted cruise controls
- Instrumentation, analog with speedometer, odometer with trip odometer, fuel level, voltmeter, engine temperature, oil pressure and tachometer
- Instrumentation, analog with 120 mph speedometer, odometer with trip odometer, engine hour meter, fuel level, voltmeter, engine temperature, oil pressure and tachometer
- Warning tones headlamp on, key-in-ignition, driver and right-front passenger safety belt unfasten and turn signal on
- Windows, power with driver Express-Down and lockout features
- Door locks, power programmable with lockout protection (With (5W4) Identifier for Special Service vehicle, Auto Lockout is disabled on Driver door.)
- Remote vehicle starter prep package includes Remote Keyless Entry (Remote vehicle starter fob available as a GMC accessory.)
- Cruise control, electronic with set and resume speed
- Theft-deterrent system, vehicle, PASS-Key III
- Heater, rear auxiliary with rear passenger heating ducts

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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Customer File:

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9900 Portal Rd
LaVista, NE 68128
Phone: (402) 331-8927
Fax: (402) 331-1051
Email: jkottmann@cityoflavista.org



Prepared By:
Ron Fullerton
Sid Dillon Chevrolet Buick
257 West A Street
Wahoo, NE 68066
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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

- Air conditioning, tri-zone manual HVAC controls with individual climate settings for driver, right-front passenger and rear seat with rear controls located in floor console with front bucket seats and in the roof console with front bench seat (With 5W4, rear controls located in roof console)
- Air conditioning, rear auxiliary
- Defogger, rear-window electric
- Power outlets, 3 auxiliary, 12-volt includes 2 on the instrument panel and 1 in the cargo area
- Mirror, inside rearview manual day/night
- Visors, driver and front passenger illuminated vanity mirrors, padded with cloth trim, extends on rod
- Assist handles, front passenger and second row outboard
- Lighting, interior with dome light, driver- and passenger-side door switch with delayed entry feature, cargo lights, door handle or Remote Keyless Entry-activated illuminated entry and map lights in front and second seat positions (With (5W4) Identifier for Special Service vehicle, does not include driver- and passenger-side door switch with delayed entry feature.)

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

MECHANICAL

- Engine, Vortec 5.3L V8 SFI FlexFuel with Active Fuel Management, capable of running on unleaded or up to 85% ethanol (with gas - 320 hp [238.6 kW] @ 5400 rpm, 335 lb-ft of torque [452.2 N·m] @ 4000 rpm, with E85 ethanol - 326 hp [243.1 kW] @ 5300 rpm, 348 lb-ft of torque [469.8 N·m] @ 4400 rpm), iron block
- Transmission, 6-speed automatic, electronically controlled with overdrive and tow/haul mode
- Rear axle, 3.08 ratio (Not available with (K5L) Trailering Package.)
- Suspension Package, Premium Smooth Ride
- GVWR, 7300 lbs. (3311 kg) (Standard on 4WD models.)
- 4-wheel drive
- Cooling, external engine oil cooler, heavy-duty air-to-oil, integral to driver side of radiator (Included and only available with (K5L) Heavy-Duty Trailering Package.)
- Transfer case, active, single-speed, electronic Autotrac with rotary controls, does not include neutral. Cannot be dinghy towed. (Requires (GU4) 3.08 rear axle ratio. Not available on 2WD models or with (K5L) heavyduty trailering package.)
- Battery, heavy-duty 600 cold-cranking amps, maintenance-free with rundown protection and retained accessory power
- Alternator, 160 amps
- Trailering equipment includes trailering hitch platform, 7-wire harness with independent fused trailering circuits mated to a 7-way sealed connector and (VR4) 2" trailering receiver
- Suspension, front coil-over-shock with stabilizer bar
- Suspension, rear multi-link with coil springs
- Steering, power
- Brakes, 4-wheel antilock, 4-wheel disc, VAC power

PROCESSING-OTHER

- Seats, second row 60/40 split-folding bench, 3-passenger with center armrest with 2 cup holders (Vinyl seats included and only available with (AZ3) front 40/20/40 vinyl split-bench seats, SEO (5T5) second and third row vinyl with front cloth seats or (9S1) seats, driver and passenger front, individual seats in vinyl trim.)

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

STANDARD EQUIPMENT

STANDARD EQUIPMENT - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

SAFETY

- StabiliTrak, stability control system with traction control
- Daytime Running Lamps with automatic exterior lamp control
- Air bags, dual-stage frontal, driver and right-front passenger with Passenger Sensing System (right-front passenger air bag status on overhead console) (Always use safety belts and the correct child restraints for your child's age and size. Even in vehicles equipped with air bags and the Passenger Sensing System, children are safer when properly secured in a rear seat in the appropriate infant, child or booster seat. Never place a rear-facing infant restraint in the front seat of any vehicle equipped with an active frontal air bag. See the Owner's Manual and child safety seat instructions for more safety information.)
- Air bags, head curtain side-impact, first and second row outboard seating positions with rollover sensor, includes third row seating positions with (AS3) passenger third row bench seat (Head curtain side air bags are designed to help reduce the risk of head and neck injuries to front and rear seat outboard occupants on the near side of certain side-impact collisions. Always use safety belts and the correct child restraints for your child's age and size, even in vehicles equipped with air bags. Children are safer when properly secured in a rear seat in the appropriate infant, child or booster seat. See the Owner's Manual and child safety seat instructions for more safety information.)
- Air bags, seat-mounted side-impact, driver and right-front passenger for thorax and pelvic protection (Always use safety belts and the correct child restraints for your child's age and size, even in vehicles equipped with air bags. Children are safer when properly secured in a rear seat in the appropriate infant, child or booster seat. See the Owner's Manual and child safety seat instructions for more safety information.)
- OnStar, 6 months of Directions and Connections plan includes Automatic Crash Response, Emergency Services, Crisis Assist, Stolen Vehicle Assistance including Stolen Vehicle Slowdown and Remote Ignition Block, Remote Door Unlock, Turn-by- Turn Navigation with Destination Download (requires navigation radio) and OnStar eNav (where available), OnStar Vehicle Diagnostics, Roadside Assistance, Remote Horn and Lights, and Hands Free Calling. (Visit onstar.com for details and system limitations.)
- Automatic Crash Response (Deleted when (UE0) OnStar delete is ordered.)
- Stolen Vehicle Assistance (Deleted when (UE0) OnStar delete is ordered.)
- OnStar Turn-by-Turn Navigation (Deleted when (UE0) OnStar delete is ordered.)
- Safety belts, 3-point, driver and right-front passenger
- LATCH system (Lower Anchors and Top tethers for Children) for child safety seats
- Tire Pressure Monitoring System air pressure sensors in each tire with pressure display in Driver Information Center (does not apply to spare tire)

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

STANDARD EQUIPMENT

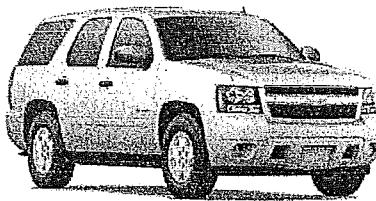
STANDARD EQUIPMENT - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

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2011 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr 1500 Commercial CK1070

WARRANTY INFORMATION

WARRANTY INFORMATION - 2011 Fleet/Non-Retail CK10706 4WD 4dr 1500 Commercial

WARRANTY

Basic:

3 Years/36,000 Miles

Drivetrain:

5 Years/100,000 Miles

Corrosion:

3 Years/36,000 Miles

Rust-Through

6 Years/100,000 Miles

Emissions:

Gas Engine

2 Years/24,000 Miles

Short Term California

3 Years/50,000 Miles

Roadside Assistance:

5 Years/100,000 Miles

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Customer File:

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA

| Subject: | Type: | Submitted By: |
|--------------------|---|-------------------------------------|
| PARK NAME APPROVAL | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | SCOTT STOPAK RECREATION DIRECTOR |

SYNOPSIS

A resolution has been prepared to clarify and officially name two of the City's existing parks.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval of staff recommendation.

BACKGROUND

During the recent project to develop mini-park plans for the City's existing parks it was determined that two of the parks have been referred to by multiple names. In an effort to clarify the names, in accordance with the Council Policy Statement (attached for your review), the Park and Recreation Advisory Board held a public hearing and discussed this at their March 16, 2011 meeting. The two parks in question are the new park in the Val Verde subdivision and the park at 72nd & Josephine Street.

The park in Val Verde is referred to as Centennial Park in the City's master park plan but is known as Val Verde Park in most other contexts. (There is no sign at this park and nothing official has been done to name the park.) The park located at 72nd & Josephine currently has a sign designating it as Vista Children's Memorial Park; however the Master Park Plan identifies it as Memorial Children's Park. (This park was also known as "Tire Park" in the past.)

Additionally, you will recall that in conjunction with the Arbor Day and La Vista 50 celebration last year a new concept for Champion Park was unveiled that included a true memorial park concept. For this reason it was staff's recommendation that the "memorial" designation be removed from the name of the park at 72nd & Josephine to avoid confusion. The Park and Recreation Advisory Board is recommending that the official park names be Val Verde Park and Children's Memorial Park.

Staff is recommending the official park names be Val Verde Park and Children's Park and has prepared the resolution accordingly.

Staff concurs with the recommended "Val Verde Park" name, but has a different recommendation for "Vista Memorial Children's Park". Because of the plan to designate "Champion Park" as a true memorial park, leaving the work "memorial" in the park name is confusing. As such, the staff recommendation is "Children's Park".

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA CLARIFYING AND OFFICIALLY NAMING TWO OF THE CITY'S EXISTING PARKS.

WHEREAS, the City determined that the park in the Val Verde subdivision and the park at 72nd & Josephine Street have been referred to by multiple names; and

WHEREAS, the Park and Recreation Advisory Board held a public hearing at their meeting on March 16, 2011 to discuss the names as required by the Council Policy Statement and staff reviewed the names; and

WHEREAS, the official park names will be Val Verde Park (in Val Verde subdivision) and Children's Park (at 72nd & Josephine Street);

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby officially name the park in the Val Verde subdivision Val Verde Park; and the park at 72nd & Josephine Street Children's Park.

PASSED AND APPROVED THIS 5TH DAY OF APRIL, 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
COUNCIL POLICY STATEMENT**

**NAMING A CITY PARK OR
RECREATION FACILITY**

Issued: January 3, 1996
Resolution No. 96-001
Updated: November 4, 2003
Resolution No. 03-105

All City of La Vista parks and recreational facilities shall be identified by a name established the Mayor and City Council.

The following procedure shall be used in naming a city park or recreational facility:

Prior to the approval of a name for a city park or recreational facility, the La Vista Park and Recreation Advisory Board shall be requested to provide a recommendation to the Mayor and City Council.

The La Vista Park and Recreation Advisory Board shall hold a public hearing to insure input from all citizens in the community prior to making a recommendation to the Mayor and City Council.

Generally, the Mayor and City Council discourage the naming of a new or existing parks after any individual (living or deceased" because there is a significantly larger number of individuals who play important roles in the community than there are new parks to be named. Notwithstanding the above, the Mayor and City Council reserve the right to make exceptions to this policy upon a unanimous vote of all members of the City Council.

Prior to the naming of any neighborhood park, the Mayor and City Council shall consider the name of the subdivision (i.e. Ardmore, Apple Grove, etc.) for use as the park's name.

The Mayor and City Council reserve the right to reject any or all names submitted to it by the Park and Recreation Advisory Board.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
APRIL 5, 2011 AGENDA**

| Subject: | Type: | Submitted By: |
|--|---|-------------------------------------|
| AWARD OF CONTRACT - CONCESSION STAND OPERATIONS | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | SCOTT STOPAK RECREATION DIRECTOR |

SYNOPSIS

A resolution has been prepared authorizing the Mayor to execute an extension to the contract with HAMS, Inc., Laurie Hamzhie, for operation of the concession stands at LaVista Sports Softball Complex, La Vista Soccer Complex, City Park, and the La Vista Community Center.

FISCAL IMPACT

The Contractor will pay the City a monthly commission of ten percent (10%) of gross food, beverage and merchandise concessions sold from the Softball Complex, Soccer Complex, City Park and Community Center.

RECOMMENDATION

Approval.

BACKGROUND

HAMS, Inc. has been under contract with the City of La Vista since 2005 for concession stand operations, which expires on April 30, 2011. Because of the difficulty of obtaining bids in the past staff is recommending that an extension be granted for two years.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A TWO-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SPORTS SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with HAMS Inc.; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City since 2005; and

WHEREAS, the current contract with HAMS, Inc. will expire in April of 2011; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for two years; and

WHEREAS, the contract provides for Hams Inc. to make payments of 10% of the gross revenues from all sales to the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a two-year contract with HAMS Inc., Omaha, Nebraska, for the operation of the concessions at the Sports Softball Complex, Soccer Complex, City Park and Community Center.

PASSED AND APPROVED THIS 5TH DAY OF APRIL 2011

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK AND COMMUNITY CENTER CONCESSION OPERATION AGREEMENT

THIS SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK AND COMMUNITY CENTER CONCESSION OPERATION AGREEMENT is made and entered into APRIL _____, _____ by and between the City of La Vista, a Nebraska municipal corporation (hereinafter referred to as the "City") and Hams Inc., a Nebraska corporation, (hereinafter collectively referred to as "Contractor"), and Laurie Hamzhie (hereinafter referred to as "Guarantor").

WHEREAS, City has established and caused to be operated on its behalf, a softball complex concession stand, soccer complex concession stand, city park concession stand and community center concession stand; and

WHEREAS, City has determined that it is necessary and desirable to cause the softball complex concession stand, soccer complex concession stand, city park concession stand and community center concession stand as defined herein (the "Concession Operations") to be operated by Contractor as an independent contractor of City; and

WHEREAS, Contractor is willing and able to manage and operate such Concession Operations in accordance with terms hereinafter set forth.

NOW THEREFORE, in consideration of the foregoing and the mutual promises, terms, and covenants contained, the parties hereto agree as follows:

- 1. Appointment of Contractor.** The City hereby appoints Contractor, and Contractor hereby accepts such appointment, to operate the Concession Operations on behalf of the City pursuant to the terms contained herein. Such Concession Operations shall include, but not be limited to, staffing and supervision with Contractor's own employees; record keeping and daily accounting of all revenues and expenses related to Softball Complex, Soccer Complex, City Park and Community Center Concessions Operations; preparation and submission of statements of operations; operation of Softball Complex, Soccer Complex, City Park and Community Center collection of revenues and disbursement of all expenses; purchasing and selling food and beverage concessions; purchasing supplies and services; procurement of insurance coverage's; maintenance and cleaning of the Softball Complex, Soccer Complex, City Park and Community Center concession facilities; maintenance of the area immediately surrounding the concession stands to keep the area free of litter during the stands' normal hours of operation; collecting, reporting and paying all payroll taxes in respect to all personnel employed by the Contractor; development and implementation of sales promotion programs; and such other activities as shall be necessary to successful Concession Operations. Contractor shall provide all services hereunder under the direct supervision of Laurie Hamzhie. Contractor shall operate all aspects of the Concession Operations

such that concession stands are open for business during such hours as determined by the City and the City's Recreation Director.

2. **Independent Contractor.** In all matters pertaining to Concession Operations, Contractor is and shall be an independent contractor. Nothing contained in the Agreement or in the practice or course of dealing between the parties shall be construed to create a partnership, joint venture, agency or employment relationship or to create in Contractor any ownership interest in the Concession Buildings Softball Complex, Soccer Complex, City Park and Community Center or the operations thereof, except as otherwise specifically provided herein. No employee of Contractor shall be deemed to be an employee of city. However, the City expressly reserves the right to approve matters pertaining to policy for the concession Operations, including but not limited to, general staffing and qualifications therefore, concession products, and inventory mixture. Contractor acknowledges and agrees that it shall be the obligation of Contractor to report all income, compensation and fees received hereunder and to pay all applicable taxes in respect thereto and Contractor shall indemnify and hold harmless City against any obligation imposed on City to pay withholding, social security, unemployment or other taxes, including interest and penalties in connection with any payments made to Contractor.
3. **Contractor's Employee's.** Contractor shall be responsible for hiring and staffing of employees at the concession stands and shall be responsible for the withholding and payment of all payroll taxes and the payment of all compensation and fringe benefits of its staff in compliance with all applicable laws.
4. **Term and Termination.** This Agreement shall be and become effective commencing May 1, 2011, and shall be effective for a term of two (2) years ending on April 30, 2013, with the option to renew for two additional twelve (12) month periods at the discretion of both the City and the Contractor. Notwithstanding the foregoing, either the City or Contractor may terminate this Agreement for any reason at any time upon written notice given from one party to the other at least sixty (60) days prior to the effective date of termination; provided, however, that if Contractor desires to terminate this Agreement and the date of termination is to occur during the months of March through October, Contractor shall provide at least ninety (90) days notice of termination. Notice of termination of the agreement shall not negate the contractor's obligation to pay rental fees to City and Contractor's obligation to operate Concession Operations as provided herein to the date of termination.
5. **Record Keeping Requirements.** Contractor agrees to maintain or cause to be maintained, on a calendar year basis, complete books and records of all aspects of the Concession Operations. Contractor shall submit to the City monthly financial reports for said operations no later than ten (10) days following the last day of each month's operations. Such monthly reports shall contain all information related to revenues, expenses, inventories and cost of goods sold,

taxes and fees for the month reported. Contractor shall submit a year end report to City reporting such operations for the previous year on or before January 1st of each year. All records and reports shall be kept by Contractor in the manner and on the forms approved by City. City reserves the right to prescribe cash handling, accounting and reporting practices and procedures which shall be strictly followed by Contractor and shall at any time have the right without notice to review and examine all books and records of Contractor relating to the Concession Operations. In addition, the City reserves the right to conduct, or cause to be conducted, an audit of contractor's books and records pertaining to the Concession Operations, annually or more frequently as it shall determine. In such event, the City shall pay for the expense of such audit, provided however, that if such audit discloses shortages or non-compliance on the part of the Contractor, then Contractor shall pay the cost of the audit.

6. **Equipment and Furnishings.** Except for Concession inventory, supplies, and equipment purchased by Contractor in connection with Concession Operations, all machinery, equipment, furnishings and replacements thereof, whether purchased or leased by City, shall be the property of the City, and, at the termination of this Agreement, possession thereof shall be peaceably given to the city. All machinery, equipment and furnishings owned or leased by the City and used by the Contractor for Concession Operations shall be maintained, cleaned and repaired in a husband like manner by Contractor and Contractor shall, at all times, keep said machinery, equipment and furnishings in good working condition and repair. All City parts, mechanisms and devices required to keep the City equipment running in good repair shall be provided at the expense of the City. All Contractor parts, mechanisms and devices required to keep the Contractor equipment running in good repair shall be provided at the expense of the Contractor. Contractor shall have no authority to mortgage, encumber or otherwise hypothecate any of such equipment, machinery and furnishings, or to contract on behalf of the City for any improvements or repairs which would give rise to a mechanic's, artisan's or other lien against any of the same.
7. **Fees.** In consideration of use of the Concession buildings in accordance with the terms of this Agreement, Contractor shall pay operation fees as follows:
 - a. Contractor shall pay to the City a commission in the amount of ten percent (10%) of gross food, beverage and merchandise concessions sold from the Softball Complex, Soccer Complex, City Park and Community Center premises. Commissions shall be paid to City by contractor on a monthly basis no later than the 10th day of the month and shall accompany the contractor's monthly financial report.
8. **Insurance.** Contractor shall provide and maintain, at its own expense, general liability insurance in the amount of \$1,000,000 combined single limit for products liability insurance, property damage insurance and personal injury insurance. Contractor shall name the City as additional insured as pertains to the

performance of this agreement. The insurance policies shall insure the City from any and all demands, claims, and causes of action at law or in equity resulting from the performance of these services. Contractor agrees to indemnify and save harmless the City from any and all demands, claims, causes of action at law or in equity arising out of the performance of these services. Contractor shall provide and at all time maintain, at its own expense, Workers' Compensation coverage on all personnel employed by Contractor in connection with the Concession Operations with such endorsements as City shall deem appropriate and with an insurer acceptable to the City. Contractor shall provide City with certification of such insurances, subject to the approval of the City Attorney.

9. **Notices.** Any notices or payments required hereunder shall be made in writing and delivered personally or by the U.S. mail in certified or registered form, with postage fully prepaid, and addressed as follows:

If to the Corporation:

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

If to the Contractor:

Laurie Hamzhie
14930 N Circle
Omaha, Nebraska 68137

or such different address as either party may designate in writing to the other. Notice shall be deemed given or made upon request.

10. **Governing Law.** This Agreement shall be construed and governed in accordance with the laws of the State of Nebraska.

11. **Binding Nature.** This agreement shall inure to the benefit and be binding upon the parties hereto and their respective successors and assigns. Nothing in this Agreement, either express or implied, is intended to confer upon any other person or entity any rights or revenues under or by reason of this Agreement.

12. **Waiver.** No waiver by either party to this Agreement at any time of any breach of the other party of or compliance by the other party with any condition or provision of this Agreement to be performed by the other party shall be deemed to be a waiver of similar or dissimilar provisions or conditions at the same or any prior to subsequent time.

13. **Counterparts.** This document may be executed in one or more counterparts, each of which shall be deemed to be an original and each of which shall constitute the parties' Agreement.

14. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, superseding any

prior agreement, understanding, arrangement, warranty or representation, oral or written, express or implied, with respect to such subject matter. It may not be amended except by a writing signed by the parties hereto.

15. Assignment. This Agreement may not be assigned by Contractor without the prior written consent of the City.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

CITY OF LA VISTA, NEBRASKA,
A municipal corporation

BY: _____
Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

CONTRACTOR: HAMS Inc.
A Nebraska corporation,

BY: _____
Laurie Hamzhie, President

I.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AT A BEER GARDEN IN CENTRAL PARK ON MAY 27 - 28, 2011, IN CONJUNCTION WITH THE ANNUAL LA VISTA DAZE CELEBRATION.

WHEREAS, Central Park is located within the City of La Vista; and

WHEREAS, the City of La Vista has requested approval of a Special Designated Permit to sell and serve beer at a beer garden in Central Park on May 27 - 28, 2011, in conjunction with the annual La Vista Daze celebration.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer at a beer garden in Central Park on May 27 - 28, 2011, in conjunction with the annual La Vista Daze celebration.

PASSED AND APPROVED THIS 5TH DAY OF APRIL 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



March 23, 2011

Nebraska Liquor Control Commission
P.O. Box 95046
Lincoln, NE 68509

Re: City of La Vista
Special Designated Use Permit

To whom it may concern,

The La Vista Police Department has recently reviewed the request by the City of La Vista for a special designated use permit to have an outdoor area to serve beer during La Vista Daze at La Vista's Central Park on Friday and Saturday, May 27, and 28, 2011. The City has advised that they have the proper number of security personnel staffing the event. Therefore, we would recommend approval of the permit.

Sincerely,

Robert S. Lausten
Chief of Police

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

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

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

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

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

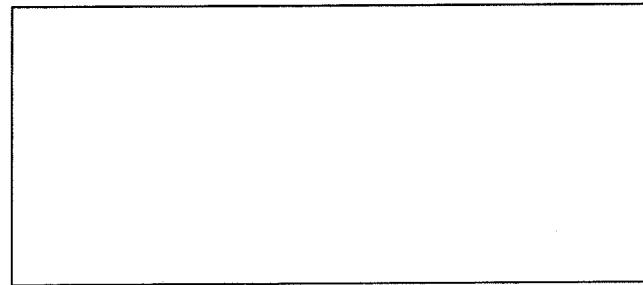
Police
7701 South 96th St
p:402-331-1582
f:402-331-7210

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

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

APPLICATION FOR SPECIAL DESIGNATED LICENSE NON PROFIT APPLICANTS

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



BEFORE SUBMITTING APPLICATION TO THE LIQUOR CONTROL COMMISSION

- Include approval from the City, Village or County Clerk where the event is to be held
- A license fee \$40 (payable to Nebraska Liquor Control Commission) for each day/event to be licensed (i.e. if you have two separate areas at one event they both need to be licensed)
- Application MUST be received at the Liquor Control Commission Office no later than 10 working days prior to event (excluding weekends, Federal and State observed holidays)
- Letter from IRS declaring your organization exempt from payment of federal income taxes, or copy of federal tax return, as filed with the IRS, as well as affidavit signed by an officer of the organization declaring that the copy of the tax return is true and correct copy as filed with the IRS

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed

Beer Wine Distilled Spirits

2. Status of applicant (check one)

Municipal Political Fine Arts Fraternal Religious Charitable Public Service

3. Licensee name (last, first, middle), Corporate name, Limited Liability Company (LLC)

NAME: City of La Vista

ADDRESS: 8116 Park View Blvd

COUNTY Sarpy

4. Location where event will be held; name, address, city, county, zip code

ADDRESS: 7648 Edgewood Blvd, La Vista, NE 68128 COUNTY Sarpy

- a. Is this location within the city/village limits? YES NO
- b. Is this location within the 150' of church, school, hospital or home aged/indigent or for veterans their wives? YES NO
- c. Is this location within 300' of any university or college campus? YES NO

5. Date(s) and Time(s) of event (no more then six (6) consecutive days on one application)

| Date | Date | Date | Date | Date | Date |
|----------------------------|----------------------------|------------------|------------------|------------------|------------------|
| Hours From | Hours From | Hours From | Hours From | Hours From | Hours From |
| 5/27/11 | 5/28/11 | | | | |
| Hours From 5 pm To 12am | Hours From 4 pm To 12am | Hours From To | Hours From To | Hours From To | Hours From To |

a. Alternate date: n/a

b. Alternate location: n/a

(alternate date or location must be approved by local and law enforcement)

6. Indicate type of activity to be carried on during event

Dance Reception Fund Raiser Beer Garden Sampling/Tasting Other

7. Description of area to be licensed

Inside building, dimensions of area to be covered INFEET x _____
Name of building _____ (not square feet or acres)

Outdoor area dimensions of area to be covered INFEET 118 x 152
(not square feet or acres)

If outdoor area, how will premises be enclosed

fence, type of fence

tent

other, explain _____

*If both inside and outdoor area to be licensed include simple sketch

8. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages.

Area will be fenced in, Law enforcement present, ID's checked at the door, wristbands given to allow participants to exit and re-enter.

9. Will premises to be covered by license comply with all Nebraska sanitation laws?

YES NO

a. Are there separate toilets for both men and women?

YES NO

**Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

City of La Vista

NAME OF CORPORATION

FEDERAL ID NUMBER

SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS _____ DAY OF

NOTARY PUBLIC SIGNATURE & SEAL

10. Will there be any games of chance operating during the event? YES NO
If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

11. Any other information or requests for exemptions:

12. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Steve Leighton, T.J. Markowsky

Print name of Event Supervisor

Phone: Before 402-250-7005 During 402-250-7005
402-914-5881 402-744-5881

Signature of Event Supervisor

Consent of Authorized Representative/Applicant

13. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign
here Brenda Gunn
Authorized Representative/Applicant

City Administrator

Title

3/31/11

Date

Brenda S. Gunn

Print Name

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.