



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, SEPTEMBER 15, 2020**

**LEGISLATIVE CHAMBERS @ 2:00 P.M.
1819 Farnam Street, Omaha, NE 68183**

Agenda and materials are available online at:
<https://cityclerk.cityofomaha.org/city-council/agendas>

Watch the meeting live here: <https://citycouncil.cityofomaha.org/view-council-meetings>

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Remarks by Councilmember Ben Gray of District No. 2

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in the Daily Record, the Official Newspaper of the City of Omaha on September 11, 2020, notice of the Pre-Council and Regular City Council Meetings, September 15, 2020.

A current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

PRESENTATIONS AND PROCLAMATIONS

5. Presentations and Proclamations

WHENEVER ANY PERSON HAS BEEN INVITED TO SPEAK, OR HAS BEEN GRANTED THE OPPORTUNITY OF SPEAKING BEFORE THE COUNCIL DURING A HEARING, EACH PERSON WILL BE REQUESTED TO BE BRIEF, AND TO LIMIT HIS OR HER PRESENTATION TO TEN MINUTES. WHEN MORE THAN ONE PERSON WISHES TO ADDRESS THE COUNCIL ON A GIVEN QUESTION, THE PROPONENTS WILL BE GIVEN THE OPPORTUNITY OF FIRST ADDRESSING THE COUNCIL. THE OPPONENTS OF THE QUESTION WILL BE GIVEN THE OPPORTUNITY TO SPEAK AFTER THE PROPONENTS' PRESENTATION. THE PROPONENTS WILL BE GIVEN A BRIEF PERIOD FOR REBUTTAL OF ANY NEW MATERIAL INTRODUCED DURING THE OPPONENT'S PRESENTATION, AFTER WHICH THE PUBLIC HEARING WILL BE CONCLUDED. IT IS CITY COUNCIL PROCEDURE THAT EACH SIDE RECEIVES TWENTY MINUTES FOR THEIR PRESENTATION. COUNCILMEMBERS WILL ASK QUESTIONS AT THE CONCLUSION OF THE PUBLIC HEARING.

LIQUOR

6. RES. 2020-0875 – Class “IB” Liquor License Application – Blackstone Meatball West, LLC, dba “Blackstone Meatball”, 18101 Chicago Street, Bay 101. (This is a new application for a new location). Notice was posted on the property on 08-26-2020; Notification was sent to property owners within 500 feet on 09-04-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
7. RES. 2020-0876 – Class “I” Liquor License Application – Chipotle Mexican Grill, Inc., dba “Chipotle Mexican Grill #26-335”, 808 North 102nd Street. (This is a new application for a new location). Notice was posted on the property on 08-26-2020; Notification was sent to property owners within 500 feet on 09-04-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
8. RES. 2020-0877 – Class “I” Liquor License Application – Eazie Kuttz Barbershop, LLC, dba “Eazie Kuttz Barbershop”, 1018 NW Radial Hwy, with a waiver of City Council Rule 7. (This is a new application for a new location – Located within 198’ to Cuming Corner Park). Notice was posted on the property on 08-27-2020; Notification was sent to property owners within 500 feet on 09-04-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
9. RES. 2020-0878 – Class “I” Liquor License Application – Hooks Peak, LLC, dba “Tanner’s Bar & Grill”, 17330 West Center Road #102. (New application - formally Twin Peaks). Notice was posted on the property on 08-26-2020; Notification was sent to property owners within 500 feet on 09-04-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
10. RES. 2020-0879 – Class “D” Liquor License Application – Malika Petroleum, LLC, dba “NP Mart 10”, 4420 “L” Street. (This is a new application for an old location). UPGRADE. Present licensee holds a Class “B” License. Notice was posted on the property on 08-27-2020; Notification was sent to property owners within 500 feet on 09-04-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
11. RES. 2020-0909 – Special Designated License Application – Sunken Ship Investments, LLC., dba “The Brokedown Palace”, 8805 Maple Street, requests permission for a Special Designated License for a concert on October 1, 2020 from 6:00 p.m. to 2:00 a.m. and October 2, 2020 through October 4, 2020 from 10:00 a.m. to 2:00 a.m. with music until 1:00 a.m. each night – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

CONSENT AGENDA

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed. Items removed from the Consent Agenda shall be taken up by the City Council immediately following the Consent Agenda in the order in which they were removed unless otherwise provided by the City Council Rules of Order.)

(The public hearing on Agenda Items 12 through 14 were held on September 1, 2020.)

CONSENT AGENDA – ORDINANCES

12. ORD. 42174 – An ordinance to amend Sections 40-7 through 40-92, Sections 40-165 through 40-205, Sections 40-268 through 40-278, Sections 40-298 through 40-308, Sections 40-332 through 40-336, Sections 40-374 through 40-384, Sections 40-419 through 40-425, Sections 40-490 through 40-505, 40-515 through 40-525, Sections 40-537 through 40-541, of the Omaha Municipal Code Chapter 40, to repeal as heretofore existing and delete Sections 40-31, 40-38, 40-204, 40-205, 40-258 through 40-263, 40-396 through 40-418 in their entirety; to harmonize and consolidate procedures governing various boards – (First Reading August 25, 2020; Second Reading and Public Hearing September 1, 2020; Third Reading September 15, 2020) – [see attached](#).

A. Communication in support – [see attached](#).
13. ORD. 42175 – An ordinance to amend Sections 44-51 through 44-95 of the Omaha Municipal Code Chapter 44, Article III. Electricians, regarding the licensing and examination of electricians, the provisions governing the electrical board and its duties – (First Reading August 25, 2020; Second Reading and Public Hearing September 1, 2020; Third Reading September 15, 2020) – [see attached](#).
14. ORD. 42176 – An ordinance to amend Chapter 51 Signs and Awnings, Article I. Administration, of the Omaha Municipal Code; to amend Sections 51-1 thru 51-11 and Sections 51-31 thru 51-36; to repeal and delete Section 51-12 of the Omaha Municipal Code as heretofore existing regarding certificates of competency for sign erection – (First Reading August 25, 2020; Second Reading and Public Hearing September 1, 2020; Third Reading September 15, 2020) – [see attached](#).

(MOTION NEEDED THAT THE ORDINANCES ON THE CONSENT AGENDA BE APPROVED)

(The public hearings on Agenda Items 15 through 42 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

CONSENT AGENDA – RESOLUTIONS

15. RES. 2020-0880 – Manager Application – Aldi, Inc (Kansas), requests permission to appoint John R. Fritz manager for the following Class “D” Liquor License locations; Aldi 41, 4525 Dahlman Avenue; Aldi 42, 2502 South 133rd Plaza; Aldi 43, 4801 North 30th Street; Aldi 46, 17240 Evans Street; Aldi 48, 885 South 72nd Street & Aldi 75, 3433 North 90th Street – [see attached](#).
16. RES. 2020-0881 – Res. that, the City Council hereby authorizes the Mayor and the City Clerk to sign the County or Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards for 2020 – [see attached](#).
17. RES. 2020-0882 – Res. that, as recommended by the Mayor, the contract with Western Engineering Company, Inc., in the amount of \$2,331,765.80, for OPW 53935, being the 2020 Residential Resurfacing, Package 2 Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$2,331,765.80 from the 2020 Street Preservation Bond Fund 13191CIP# 2006T517, Residential Street Rehab Organization 116161.) – [see attached](#).

18. RES. 2020-0883 – Res. that, as recommended by the Mayor, the contract with PSC Construction Inc., in the amount of \$138,502.75, for OPW 53620, being the MECA Property Sewer Repairs Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$138,502.75 from the Sewer Revenue Improvements Bond Fund 21124, Sewer Separation Organization 116912; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
19. RES. 2020-0884 – Res. that, as recommended by the Mayor, Change Order No. 1 with Swain Construction, Inc., in the amount of \$95,675.00, for additional work on OPW 53722, being the 2020 Citywide Utility Projects project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$95,675.00 for this change order, to be paid from the 2020 Street Preservation Bond Fund 13191, Residential Street Rehab Organization 116161, year 2020 expenditure.) – [see attached](#).
20. RES. 2020-0885 – Res. that, as recommended by the Mayor, Change Order No. 1 for OPW 53640, in the amount of \$155,400.00, being the Missouri River WRRF Trickling Filter Improvements - Bearing Replacement Project with Eriksen Construction Co., Inc., is hereby approved. (The Finance Department is authorized to pay an additional sum of \$155,400.00, for this change order, from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
21. RES. 2020-0886 – Res. that, as recommended by the Mayor, Change Order No. 2 with Hydro-Klean LLC, formerly known as Infra Track, Inc., in the amount of \$1,380,870.44, for additional work on OPW 53650, being the Grit and Debris Removal from the North 60th Interceptor Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$1,380,870.44, for this change order, from the Sewer Revenue Fund 21121, Maintenance Organization 116511.) – [see attached](#).
22. RES. 2020-0887 – Res. that, as recommended by the Mayor, the Interlocal Agreement between the City of Omaha, and the Metropolitan Community College (MCC), allowing the installation of two (2) Level 2 electric vehicle charging stations at its South Omaha Campus Automotive Technology Center as part of the Nebraska Department of Transportation (NDOT) Congestion Mitigation/Air Quality (CMAQ) grant administered by the Metropolitan Area Planning Agency (MAPA), is hereby approved – [see attached](#).
23. RES. 2020-0888 – Res. that, the Subdivision Agreement between the City of Omaha and Blue Sage Apt Associates, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Stonecreek at Blue Sage Replat One (Lot 1 and Outlot A) and is located northwest of 204th Street and Blue Sage Parkway – [see attached](#).
24. RES. 2020-0889 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company, in the amount of \$46,040.00, to provide professional services on OPW 53206, being the CSO 204 Phase 3 Sewer Separation Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$46,040.00, from the Sewer Revenue Improvements Bond Fund 21124, CSO Control Implementation Organization 116918. Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).

25. RES. 2020-0890 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company, with the City's local share being \$11,663.66, to provide professional construction engineering services on HSIP-MAPA-5073(1), State Control No. 22706, OPW 53018, being the 30th St. Road Diet Project - Cuming Street to Ames Avenue Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$116,636.55, 90% of which will be paid from Federal Funds with the City's local share being \$11,663.66, to be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117) – [see attached](#).
26. RES. 2020-0891 – Res. that, as recommended by the Mayor, the Preliminary Engineering Agreement/Task Order between the City of Omaha and Olsson, Inc., with the City's current estimated share of \$39,113.29, for Project MAPA-5037(19), State Control No: 22802, OPW 53798, being the Signal Operations 72nd Street Project, comprised of upgrading signal and communications infrastructure of multiple signals along 72nd Street from Harrison Street to Maple Street within the City of Omaha, is hereby approved. (Will be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117. The City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
27. RES. 2020-0892 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc., in the amount of \$3,398,002.00, for project management, permitting, information gathering, and additional services on OPW 53441, being the Facilities Masterplan Study for the City's WRRF's Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$3,398,002.00 for these services to be paid from the Sewer Revenue Fund 21124; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
28. RES. 2020-0893 – Res. that, as recommended by the Mayor, Amendment No. 4 to the Professional Services Agreement with HDR Engineering, Inc., in the amount of \$59,856.00, for continued project coordination and management support services for the Keep Omaha Moving Expansion Project initiative, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$59,856.00 for these services to be paid from the Street and Highway Allocation Fund 12131, Administration - Public Works Organization 116111, year 2020 funding, with reimbursement from project funds according to actual costs.) – [see attached](#).
29. RES. 2020-0894 – Res. that, it is recommended by the Mayor that the Amendment to Reimbursement Agreement between the City of Omaha and the Elkhorn Business Improvement District, BID No. 6878 regarding the improvement of sidewalks and crosswalks within the City right of way which brought the corridor into ADA compliance pursuant to the plans developed by the City of Omaha under OPW 53311 be approved. (The City funds will be paid from the 2018 Transportation Bond Fund 13185, Organization 117117 in the additional amount of \$218,500.00.) – [see attached](#).
30. RES. 2020-0895 – Res. that, Councilmembers Vinny Palermo, Rich Pahls, and Pete Festersen shall assess damages, if any, to owners and parties affected by the vacation of the portion of South 49th Avenue south of Washington Street to the dead end abutting Lots 26 and 27, Block 0 of Homestead Acres Addition as well as 6445 South 50th Street, Douglas County, Nebraska; and that, said committee shall give reasonable notice to the owners and parties interested in the property affected by such vacation – [see attached](#).

31. RES. 2020-0897 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and William 12, LLC, for the sale one lot of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to William 12, LLC to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is generally known as 1306 South 12th Street, in consideration of the sum of \$28,200.00; and no expenses associated with the transfer of this property – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
32. RES. 2020-0898 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Joyce Beasley and Sunday Beasley, for the sale of one lot of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to Joyce Beasley and Sunday Beasley to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is generally known as 2601 Wirt Street, in consideration of the sum of \$1,500.00; and no expenses associated with the transfer of this property – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
33. RES. 2020-0899 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Habitat for Humanity of Omaha, Inc., for the sale of one City-owned parcel of property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to Habitat for Humanity of Omaha, Inc. to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is generally known as 1806 Corby Street, in consideration of the sum of \$1.00; and no expenses associated with the transfer of these properties – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
34. RES. 2020-0900 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Holy Name Housing Corporation, for the sale of eleven (11) parcels of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to Holy Name Housing Corporation to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is generally known as 2605, 2607, 2609, 2611, 2613, 2615 and 2617 North 18th Street and 1618, 1618 1/2, 1620 and 1620 1/2 Ohio Street, in consideration of the sum of \$1.00; and no expenses associated with the transfer of these properties – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

35. RES. 2020-0901 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and 1528 N 16th Street, LLC, for the sale of three parcels of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to 1528 N 16th Street, LLC to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is generally located northwest of 16th and Charles Streets and at 1553 North 17th Street, in consideration of the sum of \$1.00; and no expenses associated with the transfer of these properties – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
36. RES. 2020-0902 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$31,422.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Meriem Tarik and located at 3118 Cottage Grove Avenue, is hereby approved. The Contract is to be awarded to N.S.R.M., LLC. (Funds shall be paid from CDBG Exterior 2018 SF Housing Rehabilitation Program, Award No. 100598, Fund No. 12186, Org. No. 128072.) – [see attached](#).
37. RES. 2020-0903 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Siena Francis House, in the amount of \$167,663.95 for the purpose of providing shelter to homeless persons and families at its emergency shelter facilities for approximately 3,500 homeless persons over the course of the one year period of said Agreement, is hereby approved. (Funds shall be paid from the City of Omaha FY 2020 Emergency Solutions Grant, Fund No. 12139, Organization No. 129028.) – [see attached](#).
38. RES. 2020-0904 – Res. that, the Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$33,500.00 for the rehabilitation work to the property located at 2441 Vane Street, owned by Mike Royce, is hereby approved. (Funds in the amount of \$33,500.00 shall be paid as follows: FY 2018 HOME Rental Rehabilitation Program funds in the amount of \$33,500.00, Organization No. 128071, Fund No. 12179.) – [see attached](#).
39. RES. 2020-0905 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Youth Emergency Services, Incorporated, in the total amount of \$75,000.00 for the provision of outreach and referral services to homeless and near homeless youth, ages 12 to 21, in the Omaha area through the Youth Street Outreach Program for the period from October 1, 2020 through December 31, 2021, is hereby approved. (Funds shall be paid from the 2020 Community Development Block Grant, YES Youth Homeless Prevention 2020 Fund, Fund No. 12186, Organization No. 128072.) – [see attached](#).
40. RES. 2020-0906 – Res. that, the Benson Theater building at 6054 Maple Street is within a duly designated and approved local preservation district and contributes to the historical significance or economic viability of the district, and therefore has been determined by the City of Omaha and the State Historic Preservation Officer to comply and comport with all requirements of the Nebraska Job Creation and Mainstreet Revitalization Act. Based on the provisions of Resolution 2020-0153 and approval by the State Historic Preservation Officer the rehabilitation, preservation, and restoration of the Benson Theater building pursuant to the plans shall be eligible for state historic tax credits – [see attached](#).

41. RES. 2020-0907 – Res. that, the reappointment by Mayor Jean Stothert of D. David Slosburg to the Omaha Performing Art Society, Inc.'s Board of Directors for a two-year term commencing upon passage of this Resolution and expiring July 25, 2022, be and hereby is confirmed and approved – [see attached](#).
42. RES. 2020-0908 – Res. that, the Preliminary Official Statement pertaining to the issuance and sale of the (i) Sanitary Sewerage System Revenue Refunding Bonds, Tax-Exempt Series of 2020A, and (ii) Sanitary Sewerage System Revenue Refunding Bonds, Taxable Series of 2020B, in the combined aggregate principal amount of not to exceed \$300,000,000.00 by the City of Omaha, Nebraska is hereby approved; the Preliminary Official Statement is hereby deemed final as of its date, within the meaning of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (except for certain omissions permitted by said Rule 15c2-12); the Finance Director is hereby authorized to deliver the Preliminary Official Statement on behalf of the City, and the distribution of the Preliminary Official Statement by the prospective underwriter of the Bonds is hereby approved; that the Bond Purchase Agreement pertaining to the issuance and sale of the Bonds is hereby approved – **ATTACHMENT AVAILABLE SOON.**

(MOTION NEEDED THAT THE RESOLUTIONS ON THE CONSENT AGENDA BE APPROVED)

ORDINANCE ON FINAL READING

43. ORD. 42316 – An ordinance supplemental to Ordinance No. 37507 authorizing and directing an issue as Additional Bonds in one or more taxable or tax-exempt series of not to exceed an aggregate principal amount of \$300,000,000.00 Sanitary Sewerage System Revenue Refunding Bonds, of the City of Omaha, Nebraska, to be termed for identification purposes “Sanitary Sewerage System Revenue Refunding Bonds, Series of 2020,” for the purpose of providing funds for the prepayment, redemption and defeasance, if applicable, of certain outstanding obligations of the City of Omaha with respect to the City of Omaha’s sanitary sewerage system; prescribing the form of the bonds; covenanting to maintain and collect rates and charges for the use and services of the system; pledging the revenue derived from the operation of the system, including all extensions and improvements thereto and equipping thereof, to the payment of the cost of operating and maintaining the system, to the deposits required by Ordinance No. 35840, as supplemented, by Ordinance No. 37507, as previously supplemented, and by this ordinance, to the payment of the principal of and interest on the bonds as the same fall due; covenanting to carry out all other covenants and agreements of this ordinance; limiting the payment of the bonds solely to the system revenues; creating and establishing funds and accounts; authorizing the sale of the bonds by negotiation; providing for continuing disclosure, making other covenants and agreements in connection with the foregoing; and appointing a Paying Agent and Registrar – (First Reading August 25, 2020; Second Reading and Public Hearing September 1, 2020; Third Reading September 15, 2020) – [see attached](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Finance Department – **ATTACHMENT AVAILABLE SOON.**
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ORDINANCE ON SECOND READING

44. ORD. 42318 – An ordinance to approve the acceptance of and authorize disbursement from the FY2020/2021 Douglas County Board of Commissioners' Visitor Improvement Fund Grant in the amount of \$68,200.00; to further develop and improve the OMAR the Troll attraction along the riverfront at the Bob Kerrey Pedestrian Bridge as detailed in the grant application; to authorize the payments specified therein – (First Reading September 1, 2020; Second Reading and Public Hearing September 15, 2020; Third Reading September 22, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
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BID REJECTION APPEAL

45. RES. 2020-0873 - MC Wells Contracting, LLC appeals the rejection of their bid from August 19, 2020 for "OPW 53532: Sanitary Sewer Crossing Replacement at I-680 and Spaulding Plaza" project – [see attached](#). **(MOTION NEEDED TO ALLOW OR DENY THE APPEAL, IF ALLOWED, DIRECT THE DEPARTMENT ACCORDINGLY)**
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NON-ACTION ITEMS

(Items 46 through 63 do not require a public hearing or City Council consideration at the present meeting, but will be placed on a future agenda for a public hearing and City Council consideration. The reason for non-action is noted after the item on the agenda as well as the date the item is expected to appear on an agenda for City Council consideration.)

(CITY COUNCIL WILL NOT MEET ON OCTOBER 13, 2020)

SMEILTER PLANT REPLAT 2

46. ORD. 42323 – An ordinance to rezone property located northwest of I-480 at the Missouri River from HI-Heavy Industrial District to CBD-Central Business District (property is located within an ACI-1-Areas of Civic Importance Overlay District) – **(First Reading September 15, 2020;** Second Reading September 22, 2020; Third Reading, Public Hearing and Vote September 29, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
47. RES. 2020-0874 – Res. that, the Final Plat transmitted herewith entitled Smelter Plant Replat 2, a subdivision inside city limits, with a waiver to Section 53-4(d), Lot frontage, located northwest of I-480 at the Missouri River, is hereby approved, and concurrently portions of the existing plat entitled Smelter Plant Replat, and described on said replat, are hereby vacated. The applicant is City of Omaha – Inside City Limits – [see attached](#). **(LAID OVER TO THE SEPTEMBER 29, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 46)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

PLANNING ORDINANCE ON SECOND READING WITH PLANNING BOARD ATTACHMENT

48. ORD. 42317 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located southeast of 189th Street and West Maple Road - (First Reading September 1, 2020; **Second Reading September 15, 2020**; Third Reading Public Hearing and Vote September 22, 2020) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

49. ORD. 42319 – An ordinance to rezone property located at 2106 Poppleton Avenue from GI-General Industrial District to R5-Urban Family Residential District – (**First Reading September 15, 2020**; Second Reading September 22, 2020; Third Reading, Public Hearing and Vote September 29, 2020) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

50. ORD. 42322 – An ordinance to approve a Major Amendment to a PUD-Planned Unit Development Overlay District located northeast of 192nd and Leavenworth Streets, to approve the Development Plan – (**First Reading September 15, 2020**; Second Reading September 22, 2020; Third Reading, Public Hearing and Vote September 29, 2020) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

51. ORD. 42320 – An ordinance to rezone property located at 1120 North 20th Street from GI-General Industrial District to DS-Downtown Service District – (**First Reading September 15, 2020**; Second Reading September 22, 2020; Third Reading, Public Hearing and Vote September 29, 2020) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

52. ORD. 42321 – An ordinance to amend the boundaries of the ACI-1-Area of Civic Importance Overlay District, to incorporate into that district the property located at 1120 North 20th Street – (**First Reading September 15, 2020**; Second Reading September 22, 2020; Third Reading, Public Hearing and Vote September 29, 2020) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

53. RES. 2020-0896 – Res. that, the Ten Square Townhomes Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 618-636 North 46th Street, which proposes to construct a single residential structure containing ten (10) for sale market rate townhome units, and authorizes the City's participation through the allocation of TIF in an amount up to \$835,500.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, demolition, site preparation, architectural and engineering fees, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). (**LAI D O V E R T O T H E O C T O B E R 6, 2020 C I T Y C O U N C I L M E E T I N G T O A D V E R T I S E F O R P U B L I C H E A R I N G**)

ORDINANCES ON FIRST READING

54. ORD. 42324 – An ordinance approving an Interlocal Agreement between the City of Omaha and Sarpy County and Cities Wastewater Agency involving payments of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which the Omaha wastewater treatment system is to accept and treat wastewater from the Agency Service Area; to authorize the Finance Department to receive payments from Sarpy County and Cities Wastewater Agency according to use as delineated in the Agreement – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020, Third Reading September 29, 2020) – [see attached](#)**.
55. ORD. 42325 – An ordinance approving an Agreement between the City of Omaha and Dan Bundy dba DRB Farms of Sarpy County, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which Dan Bundy dba DRB Farms, will receive and land apply stabilized sewage sludge according to applicable standards, laws and policies of the City of Omaha and other relevant jurisdictions for an agreement period ending December 31, 2024, with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.60 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121 – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020) – [see attached](#)**.
56. ORD. 42326 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Holy Name Housing Corporation, to implement the HNHC Scattered Sites Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located in the general vicinity of 33rd and Miami Streets which proposes an affordable, infill housing redevelopment comprised of eight single-family, for-sale homes and a seven-unit row house structure; the agreement authorizes the use of up to \$275,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020) – [see attached](#)**.
57. ORD. 42327 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and MH Hospitality dba MH Ozone I, LLC, to implement the 44th & Douglas Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located southwest of 44th and Douglas Streets, which proposes the construction of a new seven story hotel with about 100 guestrooms and approximately 7,300 square feet of commercial area on the first floor; the agreement authorizes the use of up to \$3,000,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020) – [see attached](#)**.

58. ORD. 42328 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Millwork Parcel 8 Apartments, LLC, to implement the Millwork Parcel 8 Apartments Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 1200 North 12th Street, which proposes an infill redevelopment with a five story mixed-use building containing residential, retail and office space; the agreement authorizes the use of up to \$3,781,663.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020)** – [see attached](#).
59. ORD. 42329 – An ordinance pursuant to Section 40-251 of the Omaha Municipal Code to amend an existing Class “A” Flammable Liquids Storage District, known as District No. A-130 at 4334 South 67th Street as requested by Kevin Ellman of William H. Harvey Company; to increase the total capacity to 160,000 gallons of Class 1 liquid at that site – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020)** – [see attached](#).
60. ORD. 42330 – An ordinance to approve a Master Services and Purchasing Agreement with Axon Enterprise, Inc., approving the purchase to replace and install 586 Axon Body camera systems and 586 Taser 7 CEW units, for a period of five years for a total cost of \$5,476,738.21, including implementation, replacement, training and support. The Agreement includes a subscription to Evidence.com for the storage and management of content in the body camera systems for five years. (Payment to be made from Police Department Grants in the amount of \$427,334.96; and from the Omaha Police Department General Fund 11111, Organization 113213 Information Technology/Mobile IT Unit, Account 42266 Information Technology Contracted in the amount of \$3,231,618.08; and from the Omaha Police Department General Fund 11111, Organization 113171 Training Academy, Account 46617 Safety Equipment in the amount of \$1,817,785.17.) – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020)** – [see attached](#).
61. ORD. 42331 – An ordinance to approve the acceptance of the City of Omaha and Douglas County joint application to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), FY 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Application #2020-H8085-NE-DJ, in the amount of \$348,710.00 for law enforcement programs, prevention and education programs, prosecution and court programs, corrections and community corrections programs, and planning, evaluation and technology improvement programs during the period of October 1, 2019 to September 30, 2023; to provide the Council an opportunity for review and public comment for such application; and upon award of such grant to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020)** – [see attached](#).
62. ORD. 42332 – An ordinance to approve a Local Authority/Business Economic Opportunity Program Agreement between the City of Omaha and Intervet, Inc. dba Merck Animal Health pursuant to the State of Nebraska Economic Opportunity Program to facilitate a road project at 21401 West Center Road – **(First Reading September 15, 2020; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020)** – [see attached](#).

63. ORD. 42333 – An ordinance to amend Chapter 30, Article VII, entitled “Firework Sales,” Section 30-263 of the Omaha Municipal Code; to amend the application period and deadlines, to create a process to change locations of consumer fireworks sales permits, and to harmonize provisions – (**First Reading September 15, 2020**; Second Reading and Public Hearing September 22, 2020; Third Reading September 29, 2020) – [see attached](#).

EXECUTIVE SESSION

64. Motion to go into Executive Session for the purpose of discussing labor negotiations, personnel matters, and litigation.

ADJOURNMENT

This Agenda, which shall be kept continually current, shall be available for public inspection in the Office of the City Clerk, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite LC-1, Omaha, NE, during normal business hours.

All requests for sign language interpreters (signers) will require a minimum of 48 hours advance notice. Alternative formats require a minimum of 72 hours advance notice. Please contact Sherri Brown at (402) 444-5554 if arrangements need to be made.