



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, OCTOBER 27, 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 Aimee Melton of District No. 7

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 October 23, 2020, notice of the Pre-Council and Regular City Council Meetings, October 27, 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.

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

VISTANCIA

6. RES. 2020-0992 – Res. that, the Preliminary Plat entitled Vistancia (Lots 513-523), a minor plat outside the city limits, located northwest of 210th and Fort Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Falcone Land Development – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
-

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

7. RES. 2020-0947 – Res. that, the 39 Harney Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 3922, 3924 and 3926 Harney Street, which proposes to demolish the existing structures and to construct a 3,500 square foot restaurant which will include outdoor space and an adjoining 3,000 square foot structure containing of event space, and authorizes the City’s participation through the allocation of TIF in an amount up to \$678,835.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, architectural and engineering fees, site demolition and excavation, surveying, erosion control and SWPPP Maintenance, site utilities façade renovations (exceeding code), and other public improvements (landscaping within the ROW) as required, with the developer volunteering \$18,000.00 of the TIF proceeds toward the Midtown Public Improvement Fund for public infrastructure enhancements and improvements in the Midtown area, 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
-

LIQUOR

8. RES. 2020-0954 – Class “I” Liquor License Application – Mahalo Poke Co, LLC, dba “Mahalo Polk Co”, 6920 Pacific Street, Suite 110. (This is a new application for a new location). Notice was posted on the property on 09-25-2020 – [see attached](#). **(POSTPONED FROM THE OCTOBER 20, 2020 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
9. RES. 2020-0998 – Class “D” Liquor License Application – Ames Ave Convenience Store, Inc., dba “Ames Avenue Convenience Store”, 4145 Ames Avenue. (This is a new application for an old location). CHANGE OF STOCKHOLDERS – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
10. RES. 2020-0999 – Class “D” Liquor License Application – Jim and Sam, Inc., dba “BJ’s”, 4122 Ames Avenue. (This is a new application for an old location). CHANGE OF STOCKHOLDERS – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

11. RES. 2020-1000 – Class “D” Liquor License Application – T & A Convenience, LLC, dba “T & A Convenience”, 3805 Lake Street. (This is a new application for an old location). Present licensee is Super T’s Liquor/Mini Mart, Inc – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 12. RES. 2020-1001 – Class “L” (Brew Pub) Liquor License Application – Bearded Brewer Artisan Ales, LLC, dba “Bearded Brewer Artisan Ales”, 18039 “R” Plaza #107 & 108. (This is a new application for a new location). Notice was posted on the property on 10-14-2020; Notification was sent to property owners within 500 feet on 10-16-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 13. RES. 2020-1002 – Class “C” Liquor License Application – SME Management, LLC, dba “Reign Ultra Lounge”, 8919 North 30th Street. (This is a new application for an old location) Previously licensed to Millionaire Minds Entertainment, LLC dba Reign Ultra Lounge. Approval will require a waiver of City Council Liquor Rule 7 – Located within 235 ft. of Filmore Park. Notice was posted on the property on 10-09-2020; Notification was sent to property owners within 500 feet on 10-16-2020 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Communication in opposition – [see attached](#).
-

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 14 through 18 were held on October 20, 2020.)

CONSENT AGENDA – ORDINANCES

14. ORD. 42341 – An ordinance to amend Sections 55-68, 55-186, 55-206, 55-226, 55-246, 55-266, 55-541 through 55-580, 55-719, 55-731 through 55-760, 55-763, 55-787, 55-882 and 55-921 through 55-938 of the Omaha Municipal Code Chapter 55; to repeal as heretofore existing and delete Sections 55-68, 55-186, 55-206, 55-226, 55-246, 55-266, 55-541 through 55-580, 55-719, 55-731 through 55-760, 55-763, 55-787, 55-882 and 55-921 through 55-938 in their entirety, to implement provisions for Transit Oriented Development – (First Reading October 6, 2020; Second Reading and Public Hearing October 20, 2020; Third Reading October 27, 2020) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Transit Oriented Development Subdistrict Map – [see attached](#).
 - C. Communications in support – [see attached](#).
 - D. Communications in opposition – [see attached](#).
15. ORD. 42342 – An ordinance to approve an Amendment to the Urban Design Element of the Omaha Master Plan regarding Transit Oriented Development – (First Reading October 6, 2020; Second Reading and Public Hearing October 20, 2020; Third Reading October 27, 2020) – [see attached](#).

16. ORD. 42343 – An ordinance to approve an Amendment to the Land Use Element of the Omaha Master Plan regarding Transit Oriented Development – (First Reading October 6, 2020; Second Reading and Public Hearing October 20, 2020; Third Reading October 27, 2020) – [see attached](#).
17. ORD. 42344 – An ordinance to approve an Amendment to the Transportation Element of the Omaha Master Plan regarding Transit Oriented Development – (First Reading October 6, 2020; Second Reading and Public Hearing October 20, 2020; Third Reading October 27, 2020) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
18. ORD. 42345 – An ordinance pursuant to Home Rule Charter Section 5.17 involving the payment of moneys from appropriations of more than one fiscal year, to enter into an Interlocal Cooperation Agreement between the City of Omaha and the Village of Sterling, controlling the distribution of keno lottery proceeds; to provide that the Village of Sterling will receive 8.75% of the gross proceeds, the City of Omaha will receive 2% of the gross proceeds for state taxes and 1% of the gross proceeds to defray City administrative costs, and the remaining proceeds shall be retained by the City of Omaha; and to approve the Agreement from the date of execution through May 14, 2021 – (First Reading October 6, 2020; Second Reading and Public Hearing October 20, 2020; Third Reading October 27, 2020) – [see attached](#).

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

(The public hearings on Agenda Items 19 through 27 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

19. RES. 2020-1003 – Liquor License Manager Application – C & K’s, Inc., dba “Cohen & Kelly’s Lounge”, 13075 West Center Road to appoint Cindy L. Vance manager of their present Class “C” Liquor License location – [see attached](#).
20. RES. 2020-1004 – Liquor License Manager Application – Elks BPO Omaha Lodge 39, dba “Elks BPO Omaha Lodge 39”, 6410 South 96th Street to appoint Daniel B. Carlson manager of their present Class “C” Liquor License location – [see attached](#).
21. RES. 2020-1005 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Iowa Pump Works, Inc. in the amount of \$41,437.98, for two (2) ABS Pump Repair Kits, Pump Shafts and Impellers in the amount of \$41,437.98, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Missouri Treatment Plant Main Organization 116613, year 2020 funding.) – [see attached](#).

22. RES. 2020-1006 – Res. that, as recommended by the Mayor, the City Council concurs with the bid award to TAB Holding Company, Inc., DBA TAB Construction, in the amount of \$18,818,906.47, with the City's local share, in the amount of \$3,763,781.29, for Project OPW 50949, being improvements to 120th Street from Stonegate Drive to Roanoke Boulevard. (Being paid from the 2018 Transportation Bond Fund 13185, Organization 117117, in accord with the approved program agreement with NDOT for the project. The City Council hereby authorizes the Mayor and the City Clerk to sign the construction contract on behalf of the City of Omaha, and that the Mayor and the City Clerk are also authorized to sign the NDOT documents.) – [see attached](#).
23. RES. 2020-1007 – Res. that, as recommended by the Mayor, the Task Order Agreement between the City of Omaha and Alfred Benesch & Co., in the amount of \$346,924.15, for Project MAPA-5087(1), State Control No: 22779, OPW 53591, CIP 1989T507, being the Major Street Resurfacing Omaha Project, comprised of road improvements 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](#).
24. RES. 2020-1008 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Women's Center for Advancement, in the amount of \$210,000.00 for the purpose of providing rapid re-housing services to homeless individuals and families for the period from March 1, 2020 through December 31, 2021, is hereby approved. (Funds shall be paid from the City of Omaha FY 2020 ESG-CV (HESG), Award No. 100799, Fund No. 12162, Organization No. 130812.) – [see attached](#).
25. RES. 2020-1009 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Together Inc. in the amount of \$370,000.00 for the purpose of providing rapid re-housing services to homeless individuals and families for the period from March 6, 2020 through December 31, 2021, is hereby approved. (Funds shall be paid from the City of Omaha FY 2020 ESG-CV (HESG), Award No. 100799, Fund No. 12162, Organization No. 130812.) – [see attached](#).
26. RES. 2020-1010 – Res. that, the Mayor is authorized to sign, and the City Clerk to attest, the Contract between the City of Omaha and the Greater Omaha Chamber of Commerce for the Greater Omaha Economic Development Partnership for the year 2021 and to provide payment of \$175,000.00 with funding from Keno/Lottery Proceeds 12118, Organization 126028 – [see attached](#).

27. RES. 2020-1011 – Res. that, the Preliminary Official Statement pertaining to the issuance and sale of general obligation and refunding bonds titled "Various Purpose and Refunding Bonds, Tax-Exempt Series 2020A," and "General Obligation and Refunding Bonds, Taxable Series 2020B," in Exhibit A and by this reference made a part hereof as if fully set forth herein, is hereby approved in substantially the form hereto; the Preliminary Official Statement is 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 of the City of Omaha is hereby authorized to deliver the Preliminary Official Statement on behalf of the City of Omaha; the distribution of the Preliminary Official Statement by the prospective underwriter of the Various Purpose and Refunding Bonds, Tax-Exempt Series 2020A, and the General Obligation and Refunding Bonds, Taxable Series 2020B, is hereby approved; that the Bond Purchase Agreement pertaining to the issuance and sale of the Various Purpose and Refunding Bonds, Tax-Exempt Series 2020A, and the General Obligation and Refunding Bonds, Taxable Series 2020B, by the City of Omaha, Nebraska to the prospective underwriter in Exhibit B and by reference made a part hereof as fully as if set forth herein is hereby approved in substantially the form hereto – [see attached](#).

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

ORDINANCE ON FINAL READING

28. ORD. 42346 – An ordinance authorizing and directing an issue of general obligation and refunding bonds of the City of Omaha, Nebraska in the aggregate principal amount of not to exceed \$152,500,000.00 to be termed for identification purposes "Various Purpose and Refunding Bonds, Tax-Exempt Series 2020A" and "General Obligation Refunding Bonds, Taxable Series 2020B," respectively; prescribing the form of said bonds; authorizing the sale of said bonds by negotiation; designating for defeasance and redemption certain bonded indebtedness of the City of Omaha and certain sanitary and improvement districts annexed by the City of Omaha, Nebraska; directing the Finance Department to give notices of such defeasance and redemption; directing the preparation of a transcript of proceedings authorizing the issuance, sale and delivery of said bonds; appointing an Escrow Agent, a Paying Agent and Registrar; approving the selections of an underwriter and an escrow verification agent; directing that said bonds shall initially be issued and registered in book-entry form; providing for continuing disclosure; delegating authority to the Finance Director to determine the final prices, interest rates, principal amounts and redemption provisions for said bonds – (First Reading October 6, 2020; Second Reading and Public Hearing October 20, 2020; Third Reading October 27, 2020) – [see attached](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Finance Department – [see attached](#).
-

ORDINANCES ON SECOND READING

29. ORD. 42359 – An ordinance to amend Omaha Municipal Code Section 36-251 to change the maximum size for a passenger bus due to the new articulated passenger bus used by Metro Transit to 65 feet; to add Article IX, Sections 36-290 to 36-295, entitled “Business Access and Transit Lanes” to Chapter 36 of the Omaha Municipal Code; to provide for the rules and regulations concerning the use of the Business Access and Transit Lanes that will be used by the Bus Rapid Transit (BRT) system being operated by Metro Transit; to provide for the enforcement of violations and penalties – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
30. ORD. 42360 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Sterling Ridge, located southeast of 132nd and Pacific Streets, to allow for reduction of the setback required for a monument sign from 12 feet to 10 feet, between the City of Omaha and Sweetbriar IV, LLC, providing site development standards – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
31. ORD. 42361 – An ordinance to transfer property at the corner of 36th Street and Wright Street to William M. Guldemon and Anne E. Guldemon, husband and wife, as joint tenants with full right of survivorship and not as tenants in common, to clear a cloud on the title, which use, has no effect on the Field Club Trail; to authorize the Mayor to execute the quit claim deed – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
32. ORD. 42362 – An ordinance approving a bid award to BJ’s Fleet Wash, LLC, in the amount of \$266,279.00, to provide custodial services at various Recreational Facilities, located in Omaha, Nebraska. The Agreement specifies the terms and conditions for such services between the City of Omaha and BJ’s Fleet Wash, LLC through year 2023, with the option to extend for either an additional three (3) year term, or three (3) one (1)-year terms. Extensions of the Agreement shall be at the option of the City, exercised by the Parks, Recreation and Public Property Director or their representative – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
33. ORD. 42363 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Mental Health Crisis Co-Responder Team Lead with a salary range of 15.1 MC (\$60,694.00 to \$73,445.00); to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Mental Health Crisis Co-Responder with a salary range of MH (\$45,011.00 to \$68,141.00); to repeal Section 23 - 177 as heretofore existing; to amend 23 - 178 of the Omaha Municipal Code to provide for the appropriate step progression – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Personnel Board recommends approval.

34. ORD. 42364 – An ordinance to accept the bid of Pay-Less Office Products, Inc., to provide janitorial supplies for the Omaha Fire Department; the term of the agreement is for one year at a total cost of \$27,789.64 with the City of Omaha having two one-year options to renew the agreement at no increase in cost – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
35. ORD. 42365 – An ordinance to enter into a seven (7) month purchase agreement with Galls, LLC, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; for Omaha Police Department standard uniform items, which are to be provided to members of the Omaha Police Department, although prices have been specifically determined by the State Contract #15032 OC, the exact costs are indeterminate and will vary depending on the purchases, they are anticipated to be in the area of, with the possibility of exceeding, the sum of approximately \$250,000.00, over the seven-month period – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
36. ORD. 42366 – An ordinance (1) to approve an agreement between the City of Omaha and the Douglas County Board of Commissioners, Douglas County Administrative Office in the amount of \$110,471.00; and (2) to authorize funding for such agreement from the City of Omaha's FY 2019 STOP Violence Against Women (VAWA) Grant, Award #2019-WF-0004, awarded by the Nebraska Crime Commission; to provide partial funding for one (1) full-time Misdemeanor Prosecutor and funding for one (1) full-time Liaison in the Douglas County Attorney's Office Domestic Violence Prosecution Unit as part of the Douglas County Community Response Team; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
37. ORD. 42367 – An ordinance authorizing and approving a Lease Purchase Agreement between the City of Omaha Public Facilities Corporation and the City of Omaha, Nebraska a copy of which Agreement is Exhibit A and incorporated herein by this reference, to provide funds: (1) for the lease-purchase of and the financing of the costs of renovating, revitalizing and constructing improvements to certain parks in downtown Omaha known as the Riverfront Revitalization Area, and (2) for the lease-purchase of and the financing of computer equipment for use by various City departments; authorizing and approving an Amended and Restated Site Lease Agreement between the Corporation and the City for the leasing of the project site by the City to the Corporation, a copy of which Site Lease is Exhibit B and incorporated herein by this reference; authorizing and approving a Bill of Sale by the City to the Corporation for the sale of certain equipment to the Corporation, a copy of which Bill of Sale is Exhibit C and incorporated herein by this reference; approving an Indenture of Trust between the Corporation and BOKF, National Association, as Trustee and Paying Agent, a copy of which Indenture is Exhibit D and incorporated herein by this reference; approving the terms and conditions of the Corporation's approximately \$15,500,000.00 aggregate principal amount Lease Revenue Bonds, Series 2020B, to be issued in one series as set forth in the Indenture and the issuance and delivery thereof; delegating authority to the City's Finance Director to determine the final price, interest rates, principal amount and redemption provisions for the Bonds; and satisfying applicable federal income tax law requirements – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**

38. ORD. 42368 – An ordinance to amend Chapter 12, Article III, entitled “Prevention of COVID-19,” Section 12-51 of the Omaha Municipal Code; to extend the sunset provision (Mask Mandate) – (First Reading October 20, 2020; Second Reading and Public Hearing October 27, 2020; Third Reading November 10, 2020) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Communications in opposition – [see attached](#).
 - B. Medical and Scientific Data provided by City Council Staff – [see attached](#).
 - C. Amendment of the Whole requested by Councilmember Gray – [see attached](#).
-

NON-ACTION ITEMS

(Items 39 through 62 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 NOVEMBER 3, 2020 AND NOVEMBER 17, 2020)

BENSON GARDENS REPLAT 22

39. RES. 2020-0994 – Res. that, the Preliminary Plat entitled Benson Gardens Replat 22, a minor plat inside city limits located at 2306 North 79th Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Aliona Hunt – Inside City Limits – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS AND ADVERTISE FOR PUBLIC HEARING)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

COUNTRY CLUB ESTATES REPLAT 2

40. RES. 2020-0993 – Res. that, the Preliminary Plat entitled Country Club Estates Replat 2, a minor plat inside city limits, located at 6825 State Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is McNeil Company – Inside City Limits – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS AND ADVERTISE FOR PUBLIC HEARING)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

PEAVY VILLAGE ESTATES

41. RES. 2020-0995 – Res. that, the Preliminary Plat entitled Peavy Village Estates, a minor plat outside city limits, located west of 66th Street and Twin Brooks Plaza (property is located within the ED-Environmental Resources Overlay District), with waivers to Section 53-9(3), Street surfacing including curb and gutter, and Section 53-9(9), Sidewalks, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicants are Michael and Rhonda Peavy – Outside City Limits – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 43)**
- A. Planning Board and Planning Department recommend APPROVAL with waivers to Section 53-9(3) Street surfacing, including curb and gutter, and Section 53-9(9) Sidewalks, and DENIAL of a waiver to Section 53-8(2g) Street width – [see attached](#).
42. RES. 2020-0996 – Res. that, the Final Plat entitled Peavy Village Estates, a subdivision outside the city limits, with a waiver to Sections 53-9(3) Street surfacing, including curb and gutter, and 53-9(9) Sidewalks, located west of 66th Street and Twin Brooks Plaza (the property is located within an ED-North Hills Environmental Resources Overlay District), is hereby approved and accepted. The applicants are Michael and Rhonda Peavy – Outside City Limits – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 43)**
- A. Planning Board and Planning Department recommend APPROVAL with waivers to Section 53-9(3) Street surfacing, including curb and gutter, and Section 53-9(9) Sidewalks – [see attached](#).
43. RES. 2020-0997 – Res. that, the Special Use Permit application submitted by Michael and Rhonda Peavy for a Special Use Permit to allow development in the ED-North Hills Environmental Overlay District located west of 66th Street and Twin Brooks Plaza, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS AND ADVERTISE FOR PUBLIC HEARING)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

FLANAGAN POINTE

44. ORD. 42355 – An ordinance to rezone property located northeast of 180th and Fort Streets from AG-Agricultural District to DR-Development Reserve District – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
45. ORD. 42356 – An ordinance to rezone property located northeast of 180th and Fort Streets from AG-Agricultural District to R4-Single-Family Residential District (High-Density) – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).

46. ORD. 42357 – An ordinance to rezone property located northeast of 180th and Fort Streets from AG-Agricultural District to MU-Mixed Use District – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
47. ORD. 42358 – An ordinance to approve a Mixed Use District Development Agreement for property located northeast of 180th and Fort Streets between the City of Omaha and 85 Seabees, LLC, providing site development standards – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
48. RES. 2020-0957 – Res. that, the Final Plat entitled Flanagan Pointe, Lots 1-92 and Outlots A-H, located northeast of 180th and Fort Streets, is hereby approved and accepted. The applicant is 85 Seabees, LLC – Outside City Limits – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 44-47)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
49. RES. 2020-0958 – Res. that, the Subdivision Agreement among the City of Omaha, 85 Seabees, LLC, Charleston Homes, LLC, the Flanagan Pointe Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 606 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The total cost of the interceptor sewer, currently estimated at \$1,862,400.00, shall be paid from the Interceptor Sewer Construction, Organization 116921, Fund 12133. The Subdivision is to be known as Flanagan Pointe (Lots 1-92 and Outlots A-H) and is located northeast of 180th and Fort Streets – [see attached](#). **(LAID OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 44-47)**

PLANNING ORDINANCES ON SECOND READING WITH PLANNING BOARD ATTACHMENTS

50. ORD. 42347 – An ordinance to rezone property located at 2564 Harney Street from DS-Downtown Service District to CBD-Central Business District (property is located within an ACI-1-Areas of Civic Importance Overlay District) – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
51. ORD. 42348 – An ordinance to rezone property located at 7022 North 54th Street from R3-Single Family Residential District to R5-Urban Family Residential District – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
52. ORD. 42349 – An ordinance to rezone property located southwest of 40th Street and Bedford Avenue from GC-General Commercial District to CC-Community Commercial District – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

53. ORD. 42350 – An ordinance to rezone property located at 1502 William Street from GI-General Industrial District to R5-Urban Family Residential District – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
54. ORD. 42351 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 1809 Madison Street – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
55. ORD. 42352 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located southeast of 90th and Pacific Streets – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
56. ORD. 42353 – An ordinance to rezone the property located southwest of 44th and Douglas Streets from R8-High-Density Multiple-Family Residential District to CC-Community Commercial District (property is located within an ACI-Areas of Civic Importance Overlay District) – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
57. ORD. 42354 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District in a CC-Community Commercial District (property is located within an ACI-Areas of Civic Importance Overlay District) located southwest of 44th and Douglas Streets – (First Reading October 20, 2020; **Second Reading October 27, 2020**; Third Reading, Public Hearing and Vote November 10, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

58. ORD. 42369 – An ordinance vacating that 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 abutting 6445 South 50th Street, Douglas County, Nebraska; providing for the reversion or transfer of the same – (**First Reading October 27, 2020**; Second Reading and Public Hearing November 10, 2020; Third Reading November 24, 2020) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
59. ORD. 42370 – An ordinance to approve a Memorandum of Understanding between the City of Omaha and the Nebraska Public Employees Group, Local 251; this Memorandum of Understanding provides for increased shift differential pay for Street Maintenance employees assigned to winter shifts during the 2020-2021 winter season – (**First Reading October 27, 2020**; Second Reading and Public Hearing November 10, 2020; Third Reading November 24, 2020) – [see attached](#).

60. ORD. 42371 – An ordinance to approve a Memorandum of Understanding between the City of Omaha and the Civilian Management Professional Technical Employee’s Council (CMPTEC); this Memorandum of Understanding provides for increased shift differential pay for the City Maintenance Foreman in the Street Maintenance Division that are assigned to winter shifts during the 2020-2021 winter season – (**First Reading October 27, 2020**; Second Reading and Public Hearing November 10, 2020; Third Reading November 24, 2020) – [see attached](#).
61. ORD. 42372 – An ordinance to amend Sections 23-177, 23-324, 23-403, and 23-507 of the Omaha Municipal Code to reflect changes for the Administrative and Executive Classifications for the year 2021; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with this Ordinance shall not be applicable to those employees in Administrative and Executive Classifications – (**First Reading October 27, 2020**; Second Reading and Public Hearing November 10, 2020; Third Reading November 24, 2020) – [see attached](#).
62. ORD. 42373 – An ordinance to approve the Collective Bargaining Agreement between the City of Omaha and the Omaha Police Officers’ Association for a term of December 27, 2020 to December 20, 2025; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with the provisions of the Collective Bargaining Agreement shall not be applicable to those employees in the bargaining unit described in Article 1, Section 1, of said Collective Bargaining Agreement – (**First Reading October 27, 2020**; Second Reading and Public Hearing November 10, 2020; Third Reading November 24, 2020) – [see attached](#).

EXECUTIVE SESSION

63. 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.



**CITY OF OMAHA
CITY COUNCIL PRE-COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 27, 2020**

**ROSKENS ROOM @ 10:30 A.M.
Omaha/Douglas Civic Center
1819 Farnam Street, Omaha, NE 68183
www.cityofomaha.org**

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

1. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on October 23, 2020, notice of the Pre-Council and Regular City Council Meetings, October 27, 2020.
2. A current copy of the Open Meeting Act is located on the table next to the City Clerk.

DISCUSSION TOPICS

3. Discussion of Agenda Items and matters pertaining thereto.

EXECUTIVE SESSION

4. 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 Kimberly Hoelsing at (402) 444-5552 if arrangements need to be made.