



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, OCTOBER 20, 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 Brinker Harding of District No. 6

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 16, 2020, notice of the Pre-Council and Regular City Council Meetings, October 20, 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

NORTH STREAMS REPLAT ONE

6. RES. 2020-0955 – Res. that, the Preliminary Plat entitled North Streams Replat One, a subdivision outside city limits, located southwest of 202nd and I Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Woodsonia-North Streams, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

ANCHOR VIEW

7. RES. 2020-0956 – Res. that, the Preliminary Plat entitled Anchor View, a subdivision outside city limits, located at 17550 Potter Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is HRC Development, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

FAIRMONT CREAMERY

8. ORD. 42338 – An ordinance to rezone property located northwest of 12th and Jones Streets from DS-Downtown Services to CBD-Central Business District (property is located within an ACI Overlay District) – (First Reading September 29, 2020; Second Reading October 6, 2020; Third Reading, Public Hearing and Vote October 20, 2020) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
9. RES. 2020-0926 – Res. that, the Preliminary Plat entitled Fairmont Creamery, a minor plat inside city limits, located northwest of 12th and Jones Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Paul Waggener – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
10. RES. 2020-0927 – Res. that, the Final Plat transmitted herewith entitled Fairmont Creamery, a minor plat inside city limits, located northwest of 12th and Jones Streets, is hereby approved, and concurrently a portion of the existing plat entitled The Original City of Omaha, and described on said replat, is hereby vacated. The applicant is Paul Waggener – Inside 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

11. RES. 2020-0919 – Res. that, the 1420 Rows Court Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 1420 Villa Rows Court, which proposes the construction of 16 new residential rental units on a vacant 1.3 acre site in south Omaha, and authorizes the City’s participation through the allocation of TIF in an amount up to \$250,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to site work, architectural and engineering costs, various studies, 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
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RESOLUTION

12. RES. 2020-0920 – Res. that, the 24th & Q Street Southeast CRA located within Census Tract 28.00, Block Group 1, consisting of approximately 112.7 acres and generally bound by “Q” Street between 21st and 24th Streets, as well as “S” Street between 15th and 21st Streets on the north; “W” Street on the south; 21st Street between “Q” and “S” Streets, as well as 15th Street between “S” and “W” Streets on the east; and 24th Street on the west, is hereby declared to meet the definition of a substandard and blighted area in need of redevelopment in compliance with the requirements of Nebraska Community Development Law and is hereby designated as a community redevelopment area – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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SPECIAL USE PERMIT

13. RES. 2020-0925 – Res. that, the Special Use Permit application submitted by Teresa McClure for 7215 Omaha Holdings, LLC, for a Special Use Permit to allow Large group living in the CC-Community Commercial District, located at 7215 Ontario Street, 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; and that the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
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LIQUOR

14. 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](#). **(REQUEST TO POSTPONE THIS ITEM TO THE OCTOBER 27, 2020 CITY COUNCIL MEETING)**
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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 15 and 16 were held on October 6, 2020.)

CONSENT AGENDA – ORDINANCES

15. ORD. 42339 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing 51st and Madison Exposed Sewer Crossing Stabilization, project identified as OPW 53734; providing that the City negotiate with the property owners for land acquisitions, permanent easements and temporary construction easements, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (First Reading September 29, 2020; Second Reading and Public Hearing October 6, 2020; Third Reading October 20, 2020) – [see attached](#).
16. ORD. 42340 – An ordinance (1) approving a bid from Cordico for the Omaha Police Department Officer Wellness Mobile Application in the amount of \$106,600.00 over a three (3) year period ending August 31, 2021; providing for the payments from appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; to authorize the Purchasing Agent to issue a purchase order. (The sole bid by Cordico was reviewed, and it was determined that it meets the specifications for the Officer Wellness Mobile Application; and, for year one (1) the purchase is budgeted from and will be funded by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), FY 2019 Law Enforcement Mental Health and Wellness Act (LEMHWA), Award #2019-MH-WX-K003, approved by City Council on December 10, 2019, in the amount of \$26,600.00, Ordinance No. 42072, Fund 12154, Organization 130735, for years two (2) and three (3) the purchase is budgeted from Omaha Police Foundation funding in the amount of \$80,000.00 total.) – (First Reading September 29, 2020; Second Reading and Public Hearing October 6, 2020; Third Reading October 20, 2020) – [see attached](#).

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

(The public hearings on Agenda Items 17 through 46 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

17. RES. 2020-0959 – Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC, is granted approval to operate a Big Red satellite keno location at Havana Garage, 1008 Howard Street – [see attached](#).
18. RES. 2020-0960 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Titan Machinery, in the amount of \$44,500.00, for the purchase of quick change assembly with attachments for 3-647 Case 821F Front Loaders, to be utilized by the Sewer Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Interceptor Maintenance Organization 116717, year 2020 funding.) – [see attached](#).
19. RES. 2020-0961 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Auto Brake & Clutch Company, in the amount of \$103,892.57, for the purchase of brake parts and service to be utilized by the Fleet Management Division. (The Finance Department is authorized to pay the cost of this purchase from the General Fund 11111, Mechanical Repair Organization 116172, year 2020 expenditure.) – [see attached](#).
20. RES. 2020-0962 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue Purchase Orders to Affordable Construction, Alexander Lawn & Landscape, Inc., Aztec Contracting, Baers Lawn Service, Bowser Transfer, Choppers Lawn Service, Cooter Enterprises, Core Home Solutions, D&S Lawn Service, Inc., Dana Enterprises, Inc., DPS, LLC, Dr. Exteriors, H&H Building Services, Hardscape Contractors, Inveterate Solutions, MaConn Enterprises, Melvin Sudbeck Homes, NL&L Concrete, Pond Pros, Precision Enterprise, Inc., Priority Turf & Irrigation, Red Nine Properties, SC Contracting, Sean Negus Construction, Stanger Enterprises, The Gutter Truck, WD Duncan Services, Wolley Lawn and Snow, and Xcel Grounds Maintenance, to furnish residential street snow plowing services within the City of Omaha for the 2020-2021 winter season; that these contractors' bids are hereby accepted. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2020 expenditures.) – [see attached](#).
21. RES. 2020-0963 – Res. that, as recommended by the Mayor, the Alternates for the contract with Grunwald Mechanical Contractors & Engineers, for OPW 53768, being the Fire Station Extractor Installs Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$41,520.00, from the Fire Dept. Grants Fund 12168, Fire Facilities Management Organization 114516, year 2020 expenditure.) – [see attached](#).
22. RES. 2020-0964 – Res. that, as recommended by the Mayor, the contract with All Purpose Construction, in the amount of \$140,250.00, for OPW 53689, being the MoRiver WRRF - Covers over SOIA Odor Control Biofilters Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$140,250.00 from the Sewer Revenue Improvements Bond Fund 21124, Capital Asset Replacement Program Bond Organization 116913; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).

23. RES. 2020-0965 – Res. that, as recommended by the Mayor, the contract with L.G. Roloff Construction Company, Inc., in the amount of \$1,204,252.45, for OPW 53532, being the Sanitary Sewer Crossing Replacement at I-680 and Spaulding Plaza Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$1,204,252.45 from the Sewer Revenue Improvements Bond Fund 21124, Neighborhood Sewer Renovation Organization 116911; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
24. RES. 2020-0966 – Res. that, as recommended by the Mayor, the contract with AJ's Landscaping LLC, in the amount of \$23,900.00, for OPW 53925, being the 2020-2021 Sidewalk Snow and Ice Removal in the Northwest Quadrant of the City of Omaha Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$23,900.00 from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2020 expenditure.) – [see attached](#).
25. RES. 2020-0967 – Res. that, as recommended by the Mayor, Change Order No. 5 with Spencer Management, LLC, in an additional sum of \$1,782,530.00, for additional work on OPW 53560, being the 2019 Concrete Panel Repair Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$1,782,530.00, for this change order, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
26. RES. 2020-0968 – Res. that, the Subdivision Agreement among the City of Omaha, Brett A. Gottsch, William L. Gottsch, Zachary L. Gottsch, Nicole P. Jordening, Jennifer R. Henderson, Cheyenne L. Jensen, Jeffrey M. Jackson, trustee of the Brett A. Gottsch 2012 Legacy Trust, Carrie L. Gottsch, trustee of the William L. Gottsch 2012 Legacy Trust, and Gottsch Brothers, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Bruning's First Replat 1 (Outlots A-B) and is located northeast of 216th Street and West Maple Road – [see attached](#).
27. RES. 2020-0969 – Res. that, as recommended by the Mayor, the Agreement with PL Integrated Services to provide geographic information system technical services (GIS) and pipeline assessment engineering (PCAP) technical services, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$637,320.00, from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2020 funding.) – [see attached](#).
28. RES. 2020-0970 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Jacobs Engineering Group Inc., in the amount of \$99,736.56, to provide professional services on OPW 53943, being the Missouri Avenue Storm Sewer Outfall Improvements at CSO 117 Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,736.56, 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](#).
29. RES. 2020-0971 – Res. that, as recommended by the Mayor, the Professional Services Agreement with The Schemmer Associates Inc., in the amount of \$527,901.62, to provide professional services on OPW 52609, being the 192nd and W Center Rd Intersection Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$527,901.62, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
30. RES. 2020-0972 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Inc., in the amount of \$29,000.00, to provide professional services on OPW 53422, being the Omaha Civic Center 6th Floor Renovations Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$29,000.00, from the 2018 Public Facilities Fund 13247, Capital Organization 116262.) – [see attached](#).

31. RES. 2020-0973 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HDR Engineering, Inc., in the amount of \$93,030.00, to provide professional services on OPW 53928, being the 66th and L Storm Sewer Repair Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$93,030.00, from the 2014 Environment Fund 13124, Environmental Bonds Organization 117217.) – [see attached](#).
32. RES. 2020-0974 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Kirkham, Michael & Associates, Inc., in the amount of \$43,771.36, to provide professional services on OPW 53960, being the N 48th Street from McKinley Street to Battlefield Drive Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$43,771.36, from the 2020 Street Preservation Bond Fund 13191, Street Improvement Organization 116165.) – [see attached](#).
33. RES. 2020-0975 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson, Inc., in the amount of \$99,850.00, to provide professional services on OPW 53947, being the S 32nd Street from Harrison Street to Polk Street Improvements Project and OPW 53949, being the N 14th Street East from Fort Street to Browne Street Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,850.00, from the 2020 Street Preservation Bond Fund 13191, Street Improvement Organization 116165.) – [see attached](#).
34. RES. 2020-0976 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Professional Services Agreement with Felsburg Holt & Ullevig, Inc., in an additional fee of \$79,865.00, for additional design services on OPW 53129, being the Thomas Creek Improvements, Phase 1 Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$79,865.00, of which \$41,880.00, is payable from the 2014 Environment Fund 13124, Environmental Bonds Organization 117217, CIP No. 2009E502; and \$37,985.00, from the Sewer Revenue Improvements Bond Fund 21124, Neighborhood Sewer Renovation Organization 116911, CIP No. 1982E509; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
35. RES. 2020-0977 – Res. that, as recommended by the Mayor, the Utility Agreement between the City of Omaha and Unite Private Networks, LLC, with the City's 100% share of the project cost, estimated to be \$1,976.72, for the 120th Street Improvements from West Maple to Fort Street Project known as OPW 50949, MAPA-5009(3), CN 22277, is hereby approved. (Will be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, with up to 90% of participating costs eligible for federal reimbursement in accord with the approved program agreement with NDOT for the project. The City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
36. RES. 2020-0978 – Res. that, as recommended by the Mayor, the Professional Services Agreement between the City of Omaha and AECOM Technical Services, Inc., with a cost to the City of \$41,027.85, for preliminary engineering services on Project MAPA-5026(15), State Control No. 22801, and OPW 53797, Signal Operations West Center Road Project, is hereby approved. (Will be paid from the 2018 Transportation Bond Fund 13185, 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](#).

37. RES. 2020-0979 – Res. that, as recommended by the Mayor, the Supplemental Agreement No. 3 between the City of Omaha and The Schemmer Associates, Inc., with a cost to the City of \$7,813.95, for improvements to 120th Street from Stonegate Drive to Roanoke Boulevard, known as OPW 50949, Federal Aid Project MAPA-5009(3), State Control No. 22277, is hereby approved. (To be paid from the 2018 Transportation 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](#).
38. RES. 2020-0980 – Res. that, the application of 1402 Howard LLC, for a lease of City property adjacent to 1402 Howard Street, Omaha, Nebraska for purposes of a new patio and overhead signage, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).
39. RES. 2020-0981 – Res. that, the nomination of “Mrs. Lillie Strickland Way” as a commemorative street name on North 33rd Street from Parker Street to Decatur Street is hereby approved; and the Public Works Department is authorized to erect the acceptable sign(s) therefore, in compliance with all applicable local and state statutes, ordinances or regulations, and policies with all costs to be borne by the applicant – [see attached](#).
40. RES. 2020-0983 – Res. that, the nomination of “Ernie Chambers, Sr. Drive” as a commemorative street name on Florence Boulevard from Ames Avenue to Sprague Street is hereby approved; and the Public Works Department is authorized to erect the acceptable sign(s) therefore, in compliance with all applicable local and state statutes, ordinances or regulations, and policies with all costs to be borne by the applicant – [see attached](#).
41. RES. 2020-0984 – Res. that, as recommended by the Mayor, the purchase based upon the pricing from Sport Construction Midwest, in the amount of \$30,500.00 to install four (4) new basketball systems, four (4) motorized winches for existing basketball systems, new wall pads, and perform maintenance on existing basketball systems at Common Ground Community Center, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds in the amount of \$30,500.00 to Sport Construction Midwest from the Miscellaneous Contribution Fund No. 12117, Organization No. 12407, Parks Special Project.) – [see attached](#).
42. RES. 2020-0985 – Res. that, as recommended by the Mayor, the bid in the total amount of \$210,818.00 from TR Construction to remove existing pavement and construct new concrete sidewalks and stabilized aggregate maintenance access drive at Hanscom Park, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and that the Finance Department is authorized to pay the Funds in the amount of \$210,818.00 to TR Construction from the 2018 Parks and Recreation Fund No. 13357, and Organization No. 117317, Parks and Cultures Bond, Project I.D. No. 2010P512.) – [see attached](#).
43. RES. 2020-0986 – Res. that, as recommended by the Mayor, the purchase based upon the quote of Galls, LLC in the amount of \$76,873.95 for 139 ballistic vest systems, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price for the ballistic vests, is hereby approved. (The Finance Department is authorized to pay the cost of the ballistic vests in the amount of \$76,873.95 from the Omaha Police Department, Year 2021, General Fund 11111, Organization 113132 Police Supply, Account 46617 Safety Equipment.) – [see attached](#).

44. RES. 2020-0987 – Res. that, the Agreement between the City of Omaha and DOTComm, to allow for transition of the Information Services Project Manager to a position entitled “Infor/Workforce Team Lead” at DOTComm is hereby approved. The Mayor is authorized to sign the Agreement on behalf of the City of Omaha – [see attached](#).
45. RES. 2020-0988 – Res. that, as recommended by the Mayor, the acceptance of the U.S. Department of Justice FY 2020 Edward Byrne Memorial Justice Assistance Grant Award #2020-DJ-BX-0701 in the amount of \$348,710.00, during the project period extending from October 1, 2019 to September 30, 2023 to provide funding for law enforcement programs, prevention and education programs, prosecution and court programs, corrections and community corrections programs, and planning, evaluation and technology improvement programs, is hereby approved. Copies of such grant award and special conditions, grant program narrative, budget detail and budget narrative, and Memorandum of Understanding (MOU) are by this reference made a part hereof – [see attached](#).
46. RES. 2020-0989 – Res. that, as recommended by the Mayor, the acceptance of and disbursement from the Nebraska Emergency Management Agency, FY 2020 State Homeland Security Grant (SHSG) Award #EMW-2020-SS-00090-S01, in the amount of \$550,272.00, during the project period of September 1, 2020 to August 31, 2023 to provide funding for items authorized in the Project Work Plan, and incorporated herein by this reference, and funding of such project, is hereby approved. (The Finance Director is authorized to provide payment of \$550,272.00 from the Nebraska Emergency Management Agency, FY 2020 State Homeland Security Grant (SHSG) Award #EMW-2020-SS-00090-S01; and in accordance with the contract terms.) – [see attached](#).

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

RESOLUTION

47. RES. 2020-0921 – Res. that, the amendments to the City of Omaha Park Rules, as set forth in Chapter 21 of the Omaha Municipal Code, is hereby approved – [see attached](#).
(PUBLIC HEARING CONTINUED FROM THE SEPTEMBER 22, 2020 CITY COUNCIL MEETING, VOTE TODAY)
 - A. Communications in opposition – [see attached](#).
 - B. Amendment of the Whole requested by the Parks Department – [see attached](#).

ORDINANCE ON FINAL READING

48. ORD. 42334 – An ordinance approving a contract between the City of Omaha and NebraskaLand Recycling LLC, in the amount of \$2,282,800.00, for OPW 53624, being the Omaha Mixed Recyclables Processing 2021-2030 Package A Project, involving 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 NebraskaLand Recycling LLC will provide these services for a period of ten (10) years, beginning January 1, 2021 to December 31, 2030, with the option of two separate and additional five (5) year terms, at an annual estimated cost of \$2,282,800.00, per year to the City of Omaha, according to the terms and conditions contained within the Contract – (First Reading September 22, 2020; Second Reading and Public Hearing September 29, 2020; Third Reading October 6, 2020) – [see attached](#). **(POSTPONED FROM THE OCTOBER 6, 2020 CITY COUNCIL MEETING, VOTE TODAY)**
- A. Communications in support – [see attached](#).
 - B. Communications in opposition – [see attached](#).
 - C. Documentation from the Public Works Department – [see attached](#).
 - D. Traffic analysis from Public Works Department – [see attached](#).
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ORDINANCES ON SECOND READING

49. 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](#). **(PUBLIC HEARING TODAY)**
- 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](#).
50. 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](#). **(PUBLIC HEARING TODAY)**
51. 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](#). **(PUBLIC HEARING TODAY)**
52. 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](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

53. 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](#). **(PUBLIC HEARING TODAY)**
54. 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](#). **(PUBLIC HEARING TODAY)**
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NON-ACTION ITEMS

(Items 55 through 79 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)

FLANAGAN POINTE

55. 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](#).
56. 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](#).

57. 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](#).
58. 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](#).
59. 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](#). (**LAI D OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 55-58**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
60. 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](#). (**LAI D OVER TO THE NOVEMBER 10, 2020 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 55-58**)

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

61. 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](#).
62. 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](#).
63. 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](#).

64. 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](#).
65. 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](#).
66. 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](#).
67. 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](#).
68. 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](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

69. 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](#). **(LAID OVER TO THE OCTOBER 27, 2020 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

ORDINANCES ON FIRST READING

70. 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](#).
71. 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](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
72. 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](#).

73. 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](#).
74. 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](#).
- A. Personnel Board recommends approval.
75. 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](#).
76. 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](#).
77. 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](#).

78. 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](#).
79. 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](#).

EXECUTIVE SESSION

80. 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 20, 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 16, 2020, notice of the Pre-Council and Regular City Council Meetings, October 20, 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

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