



JOURNAL RECORD

CITY OF OMAHA CITY COUNCIL MEETING

TUESDAY, APRIL 23, 2019

@ 2:00 PM

**LEGISLATIVE CHAMBERS,
1819 FARNAM STREET
OMAHA, NEBRASKA**

OMAHA CITY COUNCILMEMBERS

Ben Gray – Council President	District 2
Chris Jerram – Council Vice President	District 3
Pete Festersen	District 1
Vinny Palermo	District 4
Rich Pahls	District 5
Brinker Harding	District 6
Aimee Melton	District 7

THE CITY COUNCIL OF THE CITY OF OMAHA met in open session on Tuesday, April 23, 2019 at 2:00 P.M. in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Ben Gray.

CALL TO ORDER

City Clerk Elizabeth Butler took the Roll Call: Present were Councilmembers Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President (Gray) – **CCID # 2019-390.**

Council President Ben Gray led those present in the Pledge of Allegiance.

Councilmember Aimee Melton of District No. 7 provided opening remarks.

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

City Clerk Elizabeth Butler certified publication in the Daily Record, the Official Newspaper of the City of Omaha, on April 19, 2019, notice of the Pre-Council and Regular City Council Meetings, April 23, 2019 – **CCID # 2019-391.**

Ms. Butler stated that 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

None

City Clerk Elizabeth Butler stated that if there were no objections, Item 37 would be considered first. No one objected.

37. RES. 2019-414 – Res. that, the City Council of the City of Omaha approves the park property, commonly known as Columbus Park Community Center, located at approximately 1515 South 24th Street, Omaha, Nebraska, be commemoratively named the “Subby Anzaldo Columbus Park Community Center” – [see attached](#).

Council President Gray opened the Public Hearing on Item 37.

The following person(s) appeared and spoke:

PROPOSERS:

Subby Anzaldo, 3106 South 57th Circle

FOR THE CITY:

Jean Stothert, Mayor

No one else came forward, and the public hearing was closed.

MOTION by Jerram, SECOND by Gray that RESOLUTION # 2019-414 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

H&H WESTROADS

City Clerk Elizabeth Butler stated that Items 6 through 8 relate to the same project and would be considered together.

(Required notice of the public hearing relating to this development was published in the Daily Record on April 9, 2019.)

6. ORD. 41792 – An ordinance to amend the boundaries of the ACI-3-Area of Civic Importance Overlay District, to incorporate into that district the property located at 716 North 102nd Street – (First Reading April 9, 2019; Second Reading April 16, 2019; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

7. RES. 2019-340 – Res. that, the Preliminary Plat entitled H&H Westroads, a minor plat inside the city limits, located at 716 North 102nd Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Noddle Companies – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

8. RES. 2019-341 – Res. that, the Final Plat entitled H&H Westroads, a minor plat inside the city limits, located at 716 North 102nd Street, is hereby approved and accepted. The applicant is Noddle Companies – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Items 6 through 8.

The following person(s) appeared and spoke:

PROPONENTS:

Joe Flaxbeard, 14710 West Dodge Road

No one else came forward, and the public hearing was closed.

**MOTION by Harding, SECOND by Melton that the following items be approved:
Item # 6 ORDINANCE # 41792; Item # 7 RESOLUTION # 2019-340; and,
Item # 8 RESOLUTION # 2019-341**

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

(Required notices of the public hearings relating to the following developments were published in the Daily Record on April 9, 2019.)

9. ORD. 41791 – An ordinance to rezone property located at 7529 Dodge Street from GI-General Industrial District to CC-Community Commercial District (property is located within an ACI-2 Overlay District) – (First Reading April 9, 2019; Second Reading April 16, 2019; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 9.

No one came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Melton that ORDINANCE # 41791 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

10. ORD. 41793 – An ordinance to rezone property located at 2321 North 73rd Street from R2-Single-Family Residential District (Low-Density) to CC-Community Commercial District – (First Reading April 9, 2019; Second Reading April 16, 2019; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

- A. Planning Board recommends approval – [see attached](#).
B. Planning Department recommends denial – [see attached](#).
C. Communication in opposition – [see attached](#).

Council President Gray opened the Public Hearing on Item 10.

The following person(s) appeared and spoke:

PROPONENTS:

Mark Sanford, 1306 North 162nd Street

OPPONENTS:

Terry Bruner, 7313 Lake Street

Seth McCoy, 7312 Lake Street

Elizabeth Neary, 1920 North 81st Street

No one else came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Jerram that ORDINANCE # 41793 be denied

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

11. ORD. 41794 – An ordinance to rezone property located north of HWS Cleveland Boulevard between 171st Street and Kilpatrick Parkway from DR-Development Reserve District to R4-Single Family Residential District (High Density) – (First Reading April 9, 2019; Second Reading April 16, 2019; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 11.

The following person(s) appeared and spoke:

PROPONENTS:

Larry Jobeun, Attorney for the applicant, 11440 West Center Road

No one else came forward, and the public hearing was closed.

MOTION by Harding, SECOND by Melton that ORDINANCE # 41794 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

LIQUOR

City Clerk Elizabeth Butler stated that Items 12 and 13 relate to the same location and would be considered together.

12. RES. 2019-416 – Class “C” Liquor License Application – Jukes Ale Works, LLC, dba “Jukes Ale Works”, 20560 Elkhorn Drive. (This is a new application for a new location). Notice was posted on the property on 04-10-19; Notification was sent to property owners within 500 feet on 04-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

13. RES. 2019-417 – Class “L” Liquor License Application – Jukes Ale Works, LLC, dba “Jukes Ale Works”, 20560 Elkhorn Drive. (This is a new application for a new location). Notice was posted on the property on 04-10-19; Notification was sent to property owners within 500 feet on 04-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 12 and 13.

The following person(s) appeared and spoke:

PROPOSERS:

Edward Jukes, 265 South 216th Circle, Elkhorn, NE

Terri Jukes, 265 South 216th Circle, Elkhorn, NE

No one else came forward, and the public hearing was closed.

**MOTION by Harding, SECOND by Melton that the following items be approved:
Item # 12 RESOLUTION # 2019-416; and, Item # 13 RESOLUTION # 2019-417**

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

14. RES. 2019-418 – Class “C” Liquor License Application – The Topsy Pig, LLC, dba “Trio”, 1150 Sterling Ridge Drive, Suite 100. (This is a new application for an old location). Present licensee is DMH, Inc., dba “Trio”, who has a Class “C” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 14.

The following person(s) appeared and spoke:

PROPOSERS:

Ben Pick, Attorney for the applicant, 10250 Regency Circle

No one else came forward, and the public hearing was closed.

MOTION by Harding, SECOND by Melton that RESOLUTION # 2019-418 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

15. RES. 2019-419 – Class “D” Liquor License Application – QuikTrip Corporation, dba “QuikTrip”, 11910 West Dodge Road. (This is a new application for a new location). Notice was posted on the property on 04-11-19; Notification was sent to property owners within 500 feet on 04-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 15.

The following person(s) appeared and spoke:

PROPOSERS:

Eric Eckhardt, 5725 Foxridge Drive, Mission, KS

No one else came forward, and the public hearing was closed.

MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-419 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

CONSENT AGENDA

City Clerk Elizabeth Butler stated that 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.

Council President Gray announced that the public hearing on Agenda Item 16 was held on April 16, 2019.

(Required notices of the public hearings were published in the Daily Record on April 12, 2019.)

CONSENT AGENDA – ORDINANCE

16. SPECIAL ORD. 10247 – An ordinance levying a special tax and assessment on certain lots, part of lots and pieces of real estate in the City of Omaha to cover the cost of constructing sidewalks and sidewalk repair – Group No. 2018-01 – (First Reading April 9, 2019; Second Reading and Public Hearing April 16, 2019; Third Reading April 23, 2019) – [see attached](#).
 - A. Amendment of the Whole requested by the Public Works Department – [see attached](#).

MOTION by Jerram, SECOND by Gray that the Amendment of the Whole for SPECIAL ORDINANCE # 10247 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

Council President Gray announced that the public hearings on Agenda Items 17 through 38 were today. He asked that anyone who wished to address the City Council regarding these items please come to the microphone, indicate the Agenda Item Number being addressed, and state their name, address, who they represent, and if they were speaking as a proponent or opponent.

COUNCIL PRESIDENT GRAY STATED THAT AGENDA ITEMS 37 AND 38 WERE REMOVED FROM THE CONSENT AGENDA

CONSENT AGENDA – RESOLUTIONS

17. RES. 2019-420 – Manager’s Application – White Oak Station, LLC, dba “White Oak Station #78”, 8242 Maple Street, requests permission to appoint Mark C. McChesney manager of their present Class “D” Liquor License location – [see attached](#).
18. RES. 2019-395 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to 3M in the amount of \$125,000.00 for the purchase of pavement marking materials to restock inventory for the Traffic Division, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase, in the amount of \$125,000.00, from the Street and Highway Allocation Fund 12131, Pavement Markings Organization 116184.) – [see attached](#).
19. RES. 2019-396 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to TYMCO Inc. in the amount of \$279,325.00 for the purchase of one (1) Sourcewell 500X Sweeper Cab and Chassis to be utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2019 funding.) – [see attached](#).
20. RES. 2019-397 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Superior Industrial Equipment in the amount of \$41,074.00 for the purchase of a rotating assembly for the rebuild of a recirculation pump to be utilized at the Missouri River Water Resource Recovery Facility. (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 2019 funding.) – [see attached](#).
21. RES. 2019-398 – Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Wicks Sterling Trucks, Inc. in the total amount of \$344,788.00 for the purchase of two (2) tandem axle dump trucks to be utilized by the Sewer Maintenance Division; and that such purchase is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2019 expenditure.) – [see attached](#).
22. RES. 2019-399 – Res. that, as recommended by the Mayor, the contract with Commonwealth Electric Company of the Midwest in the amount of \$1,666,790.34 for OPW 53576 being the Traffic Signals at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$1,666,790.34 from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, year 2019 expenditure.) – [see attached](#).
23. RES. 2019-400 – Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC in the amount of \$1,080,210.00 for OPW 53554, being the 2019 Major Street Curb Ramp Construction, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$1,080,210.00 from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, year 2019 expenditure.) – [see attached](#).

24. RES. 2019-401 – Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC in the amount of \$1,058,456.00 for OPW 53564, being the 2019 Residential Street Curb Ramp Construction, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$1,058,456.00 from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, 2019 expenditure.) – [see attached](#).
25. RES. 2019-402 – Res. that, as recommended by the Mayor, the contract with DIY Holding Co., LLC in the amount of \$242,115.00 for OPW 53548, being the 2019 Utility Cuts at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$242,115.00 from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2019 expenditure.) – [see attached](#).
26. RES. 2019-403 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Co. in the amount of \$924,272.00 to provide professional construction engineering services for the 2019 Construction Season as a part of the City of Omaha Resurfacing Program, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$924,272.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, year 2019 expenditure.) – [see attached](#).
27. RES. 2019-404 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Felsburg Holt & Ullevig in the amount of \$394,700.00 to provide professional design engineering services on OPW 53129, being the Thomas Creek Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$394,700.00, from the 2014 Environment Fund 13124, Environmental Bonds Organization 117217, year 2019 expenditure.) – [see attached](#).
28. RES. 2019-405 – Res. that, as recommended by the Mayor, the Task Order Agreement for construction engineering services with Olsson Associates, Inc., with the City's local share being \$4,589.96, for the 84th St. ASCT Project, known as HSIP-5023(18), State Control No. 22695, and OPW 52948, being the 84th St. ASCT Project, is hereby approved. (To 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](#).
29. RES. 2019-406 – Res. that, as recommended by the Mayor, Change Order No. 4 with L.G. Roloff Construction Company, Inc. in the amount of \$288,885.95 for additional work on OPW 52257, being the 42nd Street and Q Street Area Sewer Separation Papillion South 207/208 Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$288,885.95, for this change order, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
30. RES. 2019-407 – Res. that, as recommended by the Mayor, the Municipality Preliminary Financial Agreement – State Projects, for Project S-6-7(1060), State Control No. 22721, for the construction of the US-6 (West Dodge Road) and 192nd Street Interchange, currently estimated to cost \$21,070,000.00, with the City's local share of \$4,214,000.00 is hereby approved. (To paid as a part of Capital Improvement Program Project 2015T416 from a Future Issue Transportation Bond Fund) – [see attached](#).

31. RES. 2019-408 – Res. that, per NEB. REV. STAT. §39-1359, the City of Omaha officially designates the temporary use of State Highway 64 (Maple Street) from 61st Street to 63rd Street within Omaha City Limits on June 1, 2019, between the hours of 8:00 AM and 10:00 PM, for the Benson Beer Festival – [see attached](#).
32. RES. 2019-409 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Omnicorp Saddle Creek, LLC, for the sale and transfer of property; the Mayor of the City of Omaha is hereby authorized to execute and deliver a deed of the property to the purchaser, and the City Clerk to attest the same, to Omnicorp Saddle Creek, 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, in consideration of the sum of \$290,000.00 – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
33. RES. 2019-410 – Res. that, the nomination of “Fred Astaire Avenue” be applied to 10th Street from Martha Street to Castelar 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](#).
34. RES. 2019-411 – Res. that, as recommended by the Mayor, between Wednesday, April 24, 2019 through Sunday, June 23, 2019, Section 21-18 relating solely to fishing at Fontenelle Park Lagoon, located at Fontenelle Park, 4407 Fontenelle Blvd., Omaha, NE will be waived. Waiver of Section 21-18 will not waive State Fishing licensure requirements – [see attached](#).
35. RES. 2019-412 – Res. that, as recommended by the Mayor, the Resolution in the total amount of \$42,438.00 from Oldcastle Materials Midwest Co. d/b/a Omni Engineering is to furnish all labor, materials and equipment necessary to complete the installation of a two inch asphaltic overlay as per the contract documents, located at Standing Bear Lake & Recreation Area, 6404 North 132nd Street, Omaha, Nebraska, 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 \$42,438.00 from Fund No. 13356, Organization No. 117317, Project I.D. No. 2000P505.) – [see attached](#).

36. RES. 2019-413 – Res. that, authorizing the purchase of 15 Power-Pro-XT stretchers, 15 MTS Power - LOAD systems, 15 Stair-Pros, and maintenance contracts for the Omaha Fire Department and authorizing payment from the FY2017 Assistance to Firefighters Grant Program, Award #EMW #2017-FO-06933 from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA). The total grant award is \$821,864.00 with a match of \$76,517.35 from the Omaha Fire Department (OFD) from Fund 12168, Organization 114582. The grant period of performance is September 5, 2018 to September 4, 2019. (The Finance Department of the City of Omaha is authorized to pay Stryker Medical in the amount of \$898,381.35 for the purchase of such equipment, budgeted from and funded by the FEMA FY 2017 Assistance to Firefighters Grant, Award #EMW-2017-FO-06933, Fund 12168, Organization 114582; and with a match of \$76,517.35 from the Omaha Fire Department from General Fund No 11111, Organization 114511.) – [see attached](#).
37. RES. 2019-414 – Res. that, the City Council of the City of Omaha approves the park property, commonly known as Columbus Park Community Center, located at approximately 1515 South 24th Street, Omaha, Nebraska, be commemoratively named the “Subby Anzaldo Columbus Park Community Center” – [see attached](#). **(REMOVED FROM CONSENT, CONSIDERED BEFORE ITEM 6)**
38. RES. 2019-421 – Res. that, the City Council has reviewed the Operating Agreement for the Implementation of a Dockless Shared Scooter Operation and the form, terms and provisions of the this Operating Agreement are hereby approved. The Mayor, City Clerk and the Finance Director (or any officer or official of the City authorized to act in the capacity of the Mayor, City Clerk or Finance Director) are hereby authorized and directed punctually to execute such instruments, certificates and documents as may be necessary and appropriate and to do all acts and things required by the terms, covenants, provisions and agreements of the transactions contemplated by the Operating Agreement for the Implementation of a Dockless Shared Scooter Operation. **(REQUEST FROM LAW TO POSTPONE TO THE APRIL 30, 2019 CITY COUNCIL MEETING) (REMOVED FROM CONSENT)**

Council President Gray opened the Public Hearing on Items 17 through 36.

No one came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Melton that the following items be approved:

Item # 17 RESOLUTION # 2019-420;	Item # 18 RESOLUTION # 2019-395;
Item # 19 RESOLUTION # 2019-396;	Item # 20 RESOLUTION # 2019-397;
Item # 21 RESOLUTION # 2019-398;	Item # 22 RESOLUTION # 2019-399;
Item # 23 RESOLUTION # 2019-400;	Item # 24 RESOLUTION # 2019-401;
Item # 25 RESOLUTION # 2019-402;	Item # 26 RESOLUTION # 2019-403;
Item # 27 RESOLUTION # 2019-404;	Item # 28 RESOLUTION # 2019-405;
Item # 29 RESOLUTION # 2019-406;	Item # 30 RESOLUTION # 2019-407;
Item # 31 RESOLUTION # 2019-408;	Item # 32 RESOLUTION # 2019-409;
Item # 33 RESOLUTION # 2019-410;	Item # 34 RESOLUTION # 2019-411;
Item # 35 RESOLUTION # 2019-412; and,	Item # 36 RESOLUTION # 2019-413

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

38. RES. 2019-421 – Res. that, the City Council has reviewed the Operating Agreement for the Implementation of a Dockless Shared Scooter Operation and the form, terms and provisions of the this Operating Agreement are hereby approved. The Mayor, City Clerk and the Finance Director (or any officer or official of the City authorized to act in the capacity of the Mayor, City Clerk or Finance Director) are hereby authorized and directed punctually to execute such instruments, certificates and documents as may be necessary and appropriate and to do all acts and things required by the terms, covenants, provisions and agreements of the transactions contemplated by the Operating Agreement for the Implementation of a Dockless Shared Scooter Operation. **(REQUEST FROM LAW TO POSTPONE TO THE APRIL 30, 2019 CITY COUNCIL MEETING)**

Council President Gray opened the Public Hearing on Item 38.

No one came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Harding that RESOLUTION # 2019-421 be postponed to the April 30, 2019 City Council meeting

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

MOTION APPROVED 7-0

ORDINANCES ON SECOND READING

City Clerk Elizabeth Butler stated that the public hearing for Items 39 through 41 would be held together.

39. ORD. 41802 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Rollin Terryberry of Cass County Nebraska, 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 Rollin Terryberry 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, 2022 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 April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

40. ORD. 41803 – An ordinance approving an Agreement between the City of Omaha, Nebraska and RSW Farms, Inc. of Cass County Nebraska, 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 RSW Farms, Inc. 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, 2022 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 April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
41. ORD. 41804 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Dam’s Farms, Inc. of Washington and Dodge Counties in Nebraska, 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 Dam’s Farms, Inc. 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, 2022 with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.40 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121 – (First Reading April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Items 39 through 41.

No one came forward, and the public hearing was closed.

42. ORD. 41805 – An ordinance in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, to transfer \$1,142,639.00 in unencumbered appropriations in the 2018 Budget of the City of Omaha from the Wage Adjustment account to the City departments; and to fix the effective date hereof to be immediately upon passage in accordance with Section 2.12 of the Home Rule Charter of the City of Omaha, 1956, as amended – (First Reading April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 42.

No one came forward, and the public hearing was closed.

43. ORD. 41806 – An ordinance (1) to approve an Agreement between the City of Omaha and the Boys & Girls Clubs of the Midlands in the amount of \$91,486.00; and (2) to authorize funding for such agreement from the City of Omaha’s FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Award #2018-DJ-BX-0171, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding for two (2) Gang Specialist positions; 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 April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 43.

No one came forward, and the public hearing was closed.

44. ORD. 41801 – An ordinance awarding a contract to Fomento de Construcciones y Contratas, S. A. (FCC) for OPW 53407, being the Omaha Solid Waste Collections Contract 2021-2030, with an estimated annual cost of \$22,691,046.00 and subject to an annual CIP increase of a maximum of 4% per year, for a ten-year term with up to two (2) five-year renewals; to provide for payments involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter, as amended; to provide for payments from a specific account – (First Reading April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

- A. Communications in opposition – [see attached](#).

COUNCILMEMBER FESTERSEN LEFT THE LEGISLATIVE CHAMBERS AT 4:20 P.M. AND RETURNED AT 4:22 P.M.

COUNCILMEMBER HARDING LEFT THE LEGISLATIVE CHAMBERS AT 4:22 P.M. AND RETURNED AT 4:25 P.M.

Council President Gray opened the Public Hearing on Item 44.

The following person(s) appeared and spoke:

PROPOSERS:

Dan Brazil, FCC, 25130 Pinebrook Grove Lane, Tomball, TX
Pedrito Gella, Toter, 27160 Grandview Avenue, Hayward, CA
Mike Miller, SCS Engineers, 14755 Grover Street

OPPOSERS:

Michael O’Hara, Sierra Club, 6035 Binney Street
Mary Ann Greene-Walsh, 315 South 49th Avenue
Larry Bradley, University of Omaha-Nebraska, 6068 Country Club Oaks Place
William Meier, 5617 Lafayette Avenue
Mark Welsch, Nebraskans for Peace, 5611 Howard Street
Stephen Eytalis, 1018 South 36th Street
David Corbin, Sierra Club, 1002 North 49th Street
Mary Ruth Stegman, Omaha Together One Community, 4512 Pierce Street

OPPONENTS (continued):

Kathy Jeffers, Omaha Together One Community, 5706 South 173rd Avenue
Clyde Anderson, Omaha Together One Community, 7020 Burt Street
Doug Kagan, Nebraska Tax Payers for Freedom, 416 South 130th Street
Margie Walker, 16612 Frederick Circle
Elizabeth Szopo Powers, 2937 South 136th Street
Amber Posch, 4502 South 163rd Street
Preston Love, Jr., 6021 Villa de Sante Drive
Jen Bauer, 5501 Leavenworth Street
Catherine Hohman, 2434 North 133th Street
Susan Beeghly, 7856 Ames Circle
Barbara Sudds, 2810 Grebe Street
Spencer McGruder, 1524 Cuming Street
Leanna Paetz, 17226 William Circle
Dawaune Hayes, 2618 Parker Street
Faye Sitzman, 8907 North 52nd Avenue
Larry Storer, 5015 Lafayette Avenue
Jean Waters, 16629 Howard Circle
Mike Merten, 2614 D Street
Luis Jimenez, 518 North 40th Street
Rob Butler, 5406 Ida Street
Jaimee Trobough, 1220 Pierce Street
Ganesh Naik, College of Saint Mary, 3610 Armbrust Drive
Elaine Wells, Omaha Together One Community, 5005 Read Street

FOR THE CITY:

Jean Stothert, Mayor
Jim Kee, Public Works Department
Jim Theiler, Public Works Department
Bob Stubbe, Public Works Director

No one else came forward, and the public hearing was closed.

45. ORD. 41807 – An ordinance to amend Omaha Municipal Code Chapter 18, by creating a new article to prohibit the use and distribution of single use plastic carryout bags at certain retail business establishments; to provide findings of legislative intent, definitions, regulations, and exceptions; to reserve future sections of the Omaha Municipal Code – (First Reading April 16, 2019; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Amendment of the Whole requested by the Law Department – [see attached](#).
 - B. Communications in support – [see attached](#).
 - C. Communications in opposition – [see attached](#).
 - D. Documentation received from Liz Birkel-Leddy, City Council Staff Assistant – [see attached](#).

Council President Gray opened the Public Hearing on Item 45.

The following person(s) appeared and spoke:

PROPOSERS:

- Mary Kay Wolf, 5003 Davenport Street
- Faye Sitzman, 8907 North 52nd Avenue
- Patricia Fuller, Omaha Together One Community, 2207 Wirt Street
- Kathy Jeffers, Omaha Together One Community, 5706 South 173rd Avenue
- David Corbin, Sierra Club, 1002 North 48th Street
- Dawaune Hayes, 2618 Parker Street
- Debbie Goebel, 5316 Izard Street
- Luis Jimenez, Parker Action Alliance, 2205 North 24th Street
- Michael O’Hara, Sierra Club, 6035 Binney Street
- Jaimee Trobough, 1220 Pierce Street
- Elaine Wells, Omaha Together One Community, 5005 Read Street
- Ganesh Naik, College of Saint Mary, 3610 Armbrust Drive
- Mark Welsch, Nebraskans for Peace, 5611 Howard Street
- Shannon Kelly, 6639 Hamilton Street
- Michael McClellan, 522 South 53rd Street

OPPOSERS:

- Frank Woodward, Hy-Vee, 5808 North 294th Circle, Valley, NE
- Hal Daub, American Progressive Bag Alliance, 314 North 97th Court
- Michael Leary, 1920 North 81st Street #22
- Doug Kagan, Nebraska Taxpayers for Freedom, 416 South 130th Street
- Jen Bauer, 5501 Leavenworth
- Kathy Siefken, Nebraska Grocery Industry Association, 5935 South 56th Street, Lincoln, NE
- Barbara Gard, 4719 Curtis Avenue
- Larry Storer, 5015 Lafayette Avenue

No one else came forward, and the public hearing was closed.

NON-ACTION ITEMS

(Items 46 through 80 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.)

METROPOLITAN UTILITIES DISTRICT FINANCIAL STATEMENT

- 46. CCID 2019-415 – Report on the financial statements and additional information of the Water Department and Gas Department of the Metropolitan Utilities District as of December 31, 2018 – [see attached](#). **(THIS ITEM WAS RECEIVED BY THE CITY CLERK AND REFERRED TO THE FINANCE DEPARTMENT)**

33 MASON NORTH REPLAT 1

- 47. ORD. 41795 – An ordinance to approve a Major Amendment to a PUR-Planned Unit Redevelopment Overlay District located northwest of 33rd and Mason Streets, to approve the Development Plan – (First Reading April 16, 2019; **Second Reading April 23, 2019**; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

48. RES. 2019-362 – Res. that, the Preliminary Plat entitled 33 Mason North Replat 1, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a), Lot depth, located northwest of 33rd and Mason Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 47 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

49. RES. 2019-363 – Res. that, the Final Plat entitled 33 Mason North Replat 1, located northwest of 33rd and Mason Streets, is hereby approved and accepted. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 47 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

50. RES. 2019-364 – Res. that, the Subdivision Agreement among the City of Omaha, Uptown Properties, LLC, and the Uptown Homeowners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as 33 Mason North Replat 1 (Lots 1-12 and Outlots A-C) and is located northwest of 33rd and Mason Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 47)**

33 MASON SOUTH REPLAT 1

51. ORD. 41796 – An ordinance to approve a Major Amendment to a PUR-Planned Unit Redevelopment Overlay District located southwest of 33rd and Mason Streets, to approve the Development Plan – (First Reading April 16, 2019; **Second Reading April 23, 2019**; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).

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

52. RES. 2019-365 – Res. that, the Preliminary Plat entitled 33 Mason South Replat 1, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a), Lot depth, located southwest of 33rd and Mason Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

53. RES. 2019-366 – Res. that, the Final Plat entitled 33 Mason South Replat 1, located southwest of 33rd and Mason Streets, is hereby approved and accepted. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

54. RES. 2019-367 – Res. that, the Subdivision Agreement among the City of Omaha, Uptown Properties, LLC, and the Uptown Homeowners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as 33 Mason South Replat 1 (Lots 1-18 and Outlots A-C) and is located southwest of 33rd and Mason Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51)**

ANTLER VIEW

55. ORD. 41797 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Antler View, located southeast of 192nd Street and West Maple Road, to change the current language of the agreement that requires buildings that are constructed to meet the 10 percent office requirement have a single primary entrance and a central lobby, and use the proposed “office condominiums” on Lots 15-16 to meet the office requirement for MU areas, between the City of Omaha and 192 Maple LLC, providing site development standards – (First Reading April 16, 2019; **Second Reading April 23, 2019**; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).

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

56. ORD. 41798 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Antler View, located southeast of 192nd Street and West Maple Road, to allow a Custom Manufacturing use on Lot 14, between the City of Omaha and 192 Maple LLC, providing site development standards – (First Reading April 16, 2019; **Second Reading April 23, 2019**; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).

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

WOODBROOK WEST

57. ORD. 41799 – An ordinance to rezone property located northwest of 180th and Fort Streets from AG-Agricultural District to R4-Single-Family Residential District (High Density) – (First Reading April 16, 2019; **Second Reading April 23, 2019**; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).

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

58. RES. 2019-368 – Res. that, the Final Plat entitled Woodbrook West (Lots 1-32 and Outlot A) (formerly Sagewood Ridge), a subdivision outside the city limits, located northwest of 180th and Fort Streets, is hereby approved and accepted. The applicant is Loren Johnson – Celebrity Homes Omaha – Outside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 57 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

59. RES. 2019-369 – Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., Woodbrook West Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 582 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Woodbrook West (Lots 1-32 and Outlot A) and is located northwest of 180th and Fort Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 57)**

WATERFORD CROSSING REPLAT 27

60. ORD. 41800 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Waterford Crossing Replat 27, Lots 1-4 and Outlots A-B, located northeast of 156th and Ida Streets, to incorporate into the table for the Mixed Use District Development Agreement the approved building permit and development of Lots 27 and 28, Waterford Crossing, between the City of Omaha and Dragon Storage, LLC, providing site development standards – (First Reading April 16, 2019; **Second Reading April 23, 2019**; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).

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

61. RES. 2019-370 – Res. that, the Final Plat transmitted herewith entitled Waterford Crossing Replat 27, a subdivision outside the city limits, located northeast of 156th and Ida Streets, is hereby approved, and concurrently a portion of the existing plat entitled Waterford Crossing, and described on said replat, is hereby vacated. The applicant is Dragon Storage, LLC – Outside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 60 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

62. RES. 2019-371 – Res. that, the Subdivision Agreement among the City of Omaha, Dragon Storage, LLC, the Waterford Crossing Landowners Association, and Sanitary and Improvement District (S.&I.D.) 441 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Waterford Crossing Replat 27 (Lots 1-4 and Outlots A-B), and is located northeast of 156th and Ida Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 60)**

EVERGREEN ACRES

63. ORD. 41808 – An ordinance to rezone property located southwest of 132nd Street and Bennington Road from AG-Agricultural District to DR-Development Reserve District – **(First Reading April 23, 2019;** Second Reading April 30, 2019; Third Reading, Public Hearing and Vote May 7, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
64. RES. 2019-392 – Res. that, the Preliminary Plat entitled Evergreen Acres, a subdivision outside the city limits, located southwest of 132nd Street and Bennington Road, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Scott Iverson – Outside City Limits – [see attached](#). **(LAID OVER TO THE MAY 7, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 63 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
65. RES. 2019-393 – Res. that, the Final Plat entitled Evergreen Acres, a subdivision outside the city limits, with a waiver to Section 53-8-4(d) Lot frontage, located southwest of 132nd Street and Bennington Road, is hereby approved and accepted. The applicant is Scott Iverson – Outside City Limits – [see attached](#). **(LAID OVER TO THE MAY 7, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 63 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
66. RES. 2019-394 – Res. that, the Subdivision Agreement between the City of Omaha and Michelle Anne Iverson and Scott Iverson, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Evergreen Acres (Lot 1 and Outlot A) and is located southwest of 132nd Street and Bennington Road – [see attached](#). **(LAID OVER TO THE MAY 7, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 63)**

ORDINANCES ON FIRST READING

67. ORD. 41809 – An ordinance to amend Ordinance No. 41725, passed February 12, 2019 declaring the necessity of appropriating and acquiring certain private property for the purpose of the Exposed Sewer Channel Crossings Rehabilitation Design located at the NW corner of Blondo Street and Interstate 680 project identified as OPW 53360; to allow the City to acquire additional property needed for the project as shown on the Exhibit “A” plat drawings – **(First Reading April 23, 2019;** Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).

68. ORD. 41810 – An ordinance approving an Amendment to the Redevelopment Agreement between the City of Omaha and 1234 South 10th, LLC, which was approved by City of Omaha Council Ordinance No. 40547 on November 3, 2015, to increase the original redevelopment plan area to include certain parcels located northeast of 11th and Briggs Streets and southeast of 12th and Briggs Streets for the construction of six new, for-sale row houses located, and have these parcels be a part of the Rows on South Hill Tax Increment Financing (TIF) Redevelopment Project Plan and Agreement, as amended, authorizing an additional TIF loan allocation of \$652,506.00, plus accrued interest, thereby increasing the original TIF loan from \$1,500,000.00 to \$2,152,506.00, plus accrued interest, and revising the estimated total project cost to \$14,506,027.00; and, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project, all other terms and conditions contained in the Redevelopment Agreement not amended hereby, shall remain in full force and effect – (**First Reading April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
69. SPECIAL ORD. 10248 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Benson Business Improvement District No. 6875 and the City of Omaha to cover the costs and expenses of the Benson Business Improvement District No. 6875 created by Ordinance No. 38876 on November 23, 2010 and amended by Ordinance No. 39207 on December 20, 2011 which remain unpaid for 2015 – Group No. 6875-15 – (**First Reading April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
70. SPECIAL ORD. 10249 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Benson Business Improvement District No. 6875 and the City of Omaha to cover the costs and expenses of the Benson Business Improvement District No. 6875 created by Ordinance No. 38876 on November 23, 2010 and amended by Ordinance No. 39207 on December 20, 2011 which remain unpaid for 2016 – Group No. 6875-16 – (**First Reading April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
71. SPECIAL ORD. 10250 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Benson Business Improvement District No. 6875 and the City of Omaha to cover the costs and expenses of the Benson Business Improvement District No. 6875 created by Ordinance No. 38876 on November 23, 2010 and amended by Ordinance No. 39207 on December 20, 2011 which remain unpaid for 2017 – Group No. 6875-17 – (**First Reading April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
72. SPECIAL ORD. 10251 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Blackstone Business Improvement District No. 6877 and the City of Omaha to cover the costs and expenses of the Blackstone Business Improvement No. 6877 created by Ordinance No. 39864 on December 10, 2013, amended by Ordinance No. 40480 on August 25, 2015, reauthorized by Ordinance No. 41350 on December 12, 2017 and amended by Ordinance No. 41624 approved on October 30, 2018 which remain unpaid for 2016 – Group No. 6877-16 – (**First Reading April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).

73. SPECIAL ORD. 10252 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Blackstone Business Improvement District No. 6877 and the City of Omaha to cover the costs and expenses of the Blackstone Business Improvement No. 6877 created by Ordinance No. 39864 on December 10, 2013, amended by Ordinance No. 40480 on August 25, 2015, reauthorized by Ordinance No. 41350 on December 12, 2017 and amended by Ordinance No. 41624 approved on October 30, 2018 which remain unpaid for 2017 – Group No. 6877-17 – **(First Reading April 23, 2019;** Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
74. SPECIAL ORD. 10253 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Dundee Business Improvement District No. 6876 and the City of Omaha to cover the costs and expenses of the Dundee Business Improvement District No. 6876 created by Ordinance No. 39268 approved March 13, 2012 which remain unpaid for 2015 – Group No. 6876-15 – **(First Reading April 23, 2019;** Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
75. SPECIAL ORD. 10254 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Dundee Business Improvement District No. 6876 and the City of Omaha to cover the costs and expenses of the Dundee Business Improvement District No. 6876 created by Ordinance No. 39268 approved March 13, 2012 which remain unpaid for 2016 – Group No. 6876-16 – **(First Reading April 23, 2019;** Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
76. SPECIAL ORD. 10255 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Dundee Business Improvement District No. 6876 and the City of Omaha to cover the costs and expenses of the Dundee Business Improvement District No. 6876 created by Ordinance No. 39268 approved March 13, 2012 which remain unpaid for 2017 – Group No. 6876-17 – **(First Reading April 23, 2019;** Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
77. SPECIAL ORD. 10256 – An ordinance levying a special tax and assessment on those lots and pieces of real estate within the Elkhorn Business Improvement District No. 6878 and the City of Omaha to cover the costs and expenses of the Elkhorn Business Improvement District No. 6878 created by Ordinance No. 40993 on December 13, 2016 – Group No. 6878-17 – **(First Reading April 23, 2019;** Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#)

78. ORD. 41811 – An ordinance (1) to approve an agreement between the City of Omaha and the Women’s Center for Advancement in the amount of \$271,130.00; and (2) to authorize funding for such agreement from the City of Omaha’s FY 2018 National Sexual Assault Kit Initiative (SAKI) Grant, Award #2018-AK-BX-0030, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding for one (1) full-time bilingual advocate, partial funding of one (1) full-time crisis counselor, partial funding for one (1) full-time advocacy/self-sufficiency manager, at the Women’s Center for Advancement and training as part of the Sexual Assault Kit Initiative (SAKI) Project; 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 April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
79. ORD. 41812 – An ordinance to approve the Tenth Amendment to Redevelopment Agreement between the City of Omaha and The Durham Museum, formerly known as Western Heritage Society, Inc. and also formerly known as Durham Western Heritage Museum, which extends the Redevelopment Agreement approved in January, 1995, for an additional period of three years for 2019, 2020, and 2021; for the term of the Amendment, the City agrees to provide the interest, dividends, and other income derived from the excess funds, not to exceed the amount of \$100,000.00, generated by the partial sale of the Byron Reed Collection to The Durham Museum for maintenance of the remaining part of the Byron Reed Collection. (The Finance Department will pay such funds from Fund 15112, Org. 126038) – (**First Reading April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).
80. ORD. 41813 – 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 City of Valley, controlling the distribution of keno lottery proceeds; to provide that the City of Valley 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 April 23, 2019**; Second Reading and Public Hearing April 30, 2019; Third Reading May 7, 2019) – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT

MOTION by Jerram, SECOND by Gray that the meeting be adjourned

ROLL CALL:

Yeas: Palermo, Festersen, Harding, Jerram, Melton, Pahls, Mr. President

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 6:38 P.M.

I, ELIZABETH BUTLER, CITY CLERK OF THE CITY OF OMAHA, do hereby certify that the foregoing is a true and correct copy of the proceedings of the Meeting of the City Council of the City of Omaha held on April 23, 2019.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler