



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, FEBRUARY 12, 2019**

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

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

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Invocation 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 February 8, 2019, notice of the Pre-Council and Regular City Council Meetings, February 12, 2019.

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.

RECONSIDERATION

6. RES 2019-81 – Res. that, as recommended by the Mayor, the awards to B&W Co., Inc., NL&L Concrete, Inc., Paladin, LLC in the estimated amount of \$450,000.00 for Emergency Pothole Repair Services to be utilized by the Street Maintenance Division, is hereby approved. (The Finance Department is authorized to pay the cost of these services, currently estimated to be \$450,000.00 from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2019 expenditures, according to actual usage at each respective contractor's bid hourly rate.) – [see attached](#). **(IF RECONSIDERED, ACTION CAN BE TAKEN TODAY, RECONSIDERATION VOTE REQUIRES VOTE OF 4)**
 - A. Communication received from Tony Burkhalter, President, Nebraska Public Employees, Local 251 – [see attached](#).
 - B. Communication from Bernard in den Bosch, Deputy City Attorney – [see attached](#).

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

HIGHLAND HILLS

7. ORD. 41726 – An ordinance to rezone property located northeast of 168th and Ida Streets from AG-Agricultural District to R4-Single-Family Residential District (High Density) – (First Reading January 29, 2019; Second Reading February 5, 2019; Third Reading, Public Hearing and Vote February 12, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
8. ORD. 41727 – An ordinance to rezone property located Northeast of 168th and Ida Streets from AG-Agricultural District to DR-Development Reserve District – (First Reading January 29, 2019; Second Reading February 5, 2019; Third Reading, Public Hearing and Vote February 12, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
9. RES. 2019-70 – Res. that, the Final Plat entitled Highland Hills (Lots 382-492, Outlots G-I), located northeast of 168th and Ida Streets, is hereby approved and accepted. The applicant is CR Investments, Inc – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
10. RES. 2019-71 – Res. that, the Subdivision Agreement among the City of Omaha, CR Investments, Inc., Highland Hills Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 563 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Highland Hills (Lots 382-492 and Outlots G-I) and is located northeast of 168th and Ida Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

STERLING RIDGE REPLAT 5

11. RES. 2019-72 – Res. that, the Preliminary Plat entitled Sterling Ridge Replat 5, a minor plat inside the city limits, located southeast of 132nd and Pacific Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Sweetbriar IV, LLC/Sweetbriar II, LLC – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
12. RES. 2019-73 – Res. that, the Final Plat transmitted herewith entitled Sterling Ridge Replat 5, a minor plat inside the city limits, located southeast of 132nd and Pacific Streets, is hereby approved, and concurrently portions of the existing plat entitled Sterling Ridge, and described on said replat, is hereby vacated. The applicant is Sweetbriar IV, LLC/Sweetbriar II, LLC – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
13. RES. 2019-74 – Res. that, the Amendment to Subdivision Agreement among the City of Omaha, Sweetbriar II, LLC, Sweetbriar IV, LLC, and Sterling Ridge Master Owners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Sterling Ridge Replat 5 (Lots 1-2) and is located southeast of 132nd and Pacific Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

LIQUOR

14. RES. 2019-152 – Class “C” Liquor License Application – La Casa West at Pacific Springs Corp., dba “La Casa West Pacific Springs”, 610 South 168th Street. (This is a new application for a new location). Notice was posted on the property on 01-25-19; Notification was sent to property owners within 500 feet on 02/01/19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
15. RES. 2019-153 – Class “C” Liquor License Application – The Next Big Thing, LLC, dba “The Monster Club”, 1217 Howard Street. (This is a new application for an old location). Currently licensed to O’Connor’s Irish Pub, LLC, who has a Class “C” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

CONSENT AGENDA

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

(The public hearings on Agenda Items 16 through 24 were held on February 5, 2019.)

CONSENT AGENDA – ORDINANCES

16. ORD. 41728 – An ordinance authorizing the issuance of a purchase order to All Pro Towing, LLC for vehicle and equipment towing services to be utilized by Fleet Management for various City of Omaha operations effective for two years from date of passage of this ordinance; to provide for payments 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 payments from a specific account – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
17. ORD. 41729 – An ordinance approving the bid from Solenis, LLC for the City of Omaha: Sludge Dewatering Polymer purchase opened through Douglas County Purchasing on October 17, 2018, with an annual estimated cost of \$384,000.00 for a three (3) year term; 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 payments from a specific account – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
18. ORD. 41724 – An ordinance approving the contract with Hawkins Construction Co. in the amount of \$89,611,631.40 for OPW 52049, being the Saddle Creek Retention Basin Project (CSO), located at 2520 South 64th Avenue, to approve appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
19. ORD. 41720 – An ordinance approving an Interlocal Agreement between the City of Omaha and Papio-Missouri River Natural Resource District (PMRNRD), with a cost share amount not to exceed \$780,000.00, involving the receipt of money 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 Omaha is to participate in the PMRNRD Urban Drainageway Program, in which the City will provide improvements to a portion of Thomas Creek, designated by the City as OPW 53129. (The Finance Department is authorized to receive a cost share from PMRNRD not to exceed \$780,000.00 according to the disbursement schedule contained within the Agreement. The first installment shall be paid in the NRD's 2019 fiscal year and shall not exceed \$80,000.00, the second installment shall be paid in the NRD's 2020 fiscal year and shall not exceed \$350,000.00, and the third installment shall be paid in the NRD's 2021 fiscal year and shall not exceed \$350,000.00.) – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).

20. ORD. 41725 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary 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. Capital Improvement Program Number 1982E509.; providing that the City negotiate with the property owners for land acquisition, permanent easements and temporary construction easements, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
21. ORD. 41721 – An ordinance declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described vacant and improved properties located in the King Science Redevelopment Plan Area, an area generally defined by Pratt Street on the south, Sahler Street on the North, Florence Boulevard on the east and 24th Street on the west, for acquisition, relocation as appropriate, demolition of structures, preparation of sites, and subsequent use as sites for implementing the King Science Redevelopment Plan by the construction low-density multi-family development; provided that as to each specified parcel which cannot be obtained by negotiation, proceedings in eminent domain be undertaken and completed. (Project costs will be paid from FY 2017 Community Development Block Grant, Fund 12186, Organization No. 12961, Award 100503, Project 5424, and Task 10.1666) – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
22. SPECIAL ORD. 10244 – An ordinance levying a special tax assessment for the removal and/or trimming of trees, bushes, shrubs, hedges and any other vegetation in accordance with Sections 37-1 through 37-95 of the Omaha Municipal Code on certain lots in the City of Omaha – Group No. 2019-05 – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
23. ORD. 41722 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Education and Community Outreach Coordinator with a salary range of 15.3 MC (\$55,531 to \$68,522); to repeal Section 23 - 177 as heretofore existing – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).
 - A. Personnel Board recommends approval.

24. ORD. 41723 – An ordinance to approve and execute an Agreement 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, by and between the City of Omaha Municipal Corporation and DeMarche and Associates, Inc. in the amount of \$43,333.00 annually, to provide for an investment manager search and additional advisory services for the City of Omaha’s Investment Management Committee for a period of three years. (The Finance Director is authorized to make payments to DeMarche and Associates, Inc. in the annual amount of \$43,333.00 for payments made quarterly, in accordance with the Agreement; with such funds being paid from General Fund No. 11111 Organization 119014.) – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#).

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

(The public hearings on Agenda Items 25 through 35 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

25. RES. 2019-154 – 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 Reno’s, located at 3909 Farnam Street, Omaha, Nebraska – [see attached](#).
26. RES. 2019-155 – Res. that, as recommended by the Mayor, the contract with All Purpose Construction in the amount of \$291,000.00 for OPW 53411 being the Minne Lusa Grit Facility Improvements Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$291,000.00 from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913, year 2019 expenditure; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
27. RES. 2019-156 – Res. that, as recommended by the Mayor, the contract with McKinnis Roofing & Sheet Metal, LLC in the amount of \$119,000.00 for OPW 53450 being the DAFT Building Roof Repair Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$119,000.00 from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913, year 2019 expenditure.) – [see attached](#).
28. RES. 2019-157 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Kirkham, Michael & Associates, Inc. in the amount of \$40,698.04 to provide professional services on OPW 53194, being the 164th Street Improvements - Poppleton Avenue to Peterson Drive Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$40,698.04, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2019 expenditure.) – [see attached](#).

29. RES. 2019-158 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Co. in an amount not to exceed \$93,578.00 to provide professional construction engineering services on OPW 53195, being the Ridgewood Avenue from Poppleton Avenue to Hickory Street, SID 6881 Project and OPW 53353, being the Woolworth Avenue from Ridgewood Avenue to 80th Street, SID 6883 Project, is hereby approved. (The Finance Department pays the cost of this project in an amount not to exceed \$93,578.00; \$37,431.20 of which from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, and the remaining \$56,146.80 from the Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
30. RES. 2019-159 – Res. that, per NEB. REV. STAT. §39-1359, the City of Omaha officially designates the temporary use of U. S. Highway 275/NE 92 between 24th Street and 20th Street on May 4, 2019, between the hours of 8:30 AM and 1:00 PM, for the entire route of the Cinco de Mayo Parade – [see attached](#).
31. RES. 2019-160 – Res. that, per NEB. REV. STAT. §39-1359, the City of Omaha officially designates the temporary use of State Highway 75 from Redick Avenue to McKinley Street on May 11, 2019, between the hours of 12:30 pm and 3:15 pm., for the entire route of the Florence Days Parade – [see attached](#).
32. RES. 2019-161 – Res. that, the nomination of “Alonzo ‘Mitch’ Mitchell Street” as a commemorative street name on 30th Street from Pratt Street to Spaulding 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](#).
33. RES. 2019-164 – Res. that, as recommended by the Mayor, the agreement between the City of Omaha and the African-American Empowerment Network in the amount of \$700,000.00 to operate the Step-Up Omaha program from January 1, 2019 to December 31, 2019, is hereby approved. (The Finance Director is authorized to provide payment of \$700,000.00 from 2019 Community Services, General Fund 11111, Organization 126064; and in accordance with the contract terms.) – [see attached](#).
34. RES. 2019-165 – Res. that, the appointment by Mayor Jean Stothert of Mark A. Santo, half owner of two partnerships owning property at 221 S. 38th Avenue and 3807 Harney Street within the district, to be a member of the Blackstone Business Improvement Board to serve a five-year term commencing upon February 12, 2019, and expiring on February 11, 2024, is hereby confirmed and approved – [see attached](#).
35. RES. 2019-166 – Res. that, the reappointment by Mayor Jean Stothert of Jack Ryan as the Sanitary Engineer member of the Building Board of Review, said term to commence on February 12, 2019, and to expire three years thereafter on February 11, 2022, is hereby confirmed – [see attached](#).

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

ORDINANCES ON FINAL READING

36. SPECIAL ORD. 10242 – An ordinance levying a special tax assessment for cutting and clearing weeds, grass and worthless vegetation in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha – Group No. 2019-03 – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Parks Department – [see attached](#).
37. SPECIAL ORD. 10243 – An ordinance levying a special tax assessment for litter removal in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha – Group No. 2019-04 – (First Reading January 29, 2019; Second Reading and Public Hearing February 5, 2019; Third Reading February 12, 2019) – [see attached](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Parks Department – [see attached](#).
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RESOLUTION

38. RES. 2019-167 – Res. that, the City Council of the City of Omaha opposes a constitutional amendment limiting the growth of property tax revenue and urges the Nebraska State Legislature to oppose LR8CA – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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ORDINANCES ON SECOND READING

39. ORD. 41734 – An ordinance approving an Agreement for the sale of City-owned real property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the City is authorized to enter into the Real Estate Purchase Agreement with Habitat for Humanity of Omaha, Inc., 1701 North 24th Street, Omaha, NE 68110, to convey the properties described in the agreement, located at 2807 Spaulding Street; 3712, 3714, 3811, 3821 and 3922 North 19th Street; 1823 Pratt Street; 2857 Manderson Street; 2528 Sprague Street; 5813 North 29th Street; and 2522 Maple Street, in consideration of the sum of \$1.00; there are no expenses associated with the transfer of the properties to Habitat for Humanity of Omaha, Inc – (First Reading February 5, 2019; Second Reading and Public Hearing February 12, 2019; Third Reading February 26, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

40. ORD. 41735 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Courtyard on Park, LLC, to implement the Courtyard on Park Townhomes Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 1007 Park Avenue, which proposes the new construction of twelve owner-occupied townhome residential units, with a two-stall garage included in each unit; the agreement authorizes the use of up to \$584,778.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading February 5, 2019; Second Reading and Public Hearing February 12, 2019; Third Reading February 26, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
 41. ORD. 41736 – An ordinance to approve a partnership agreement between the Omaha Convention and Visitors Bureau, and Association Forum for promoting the City of Omaha for the period of January 1, 2019 through December 31, 2019, with an option to extend an additional one (1) year; to promote the City of Omaha as a premier destination for conventions and meetings in an amount not to exceed \$47,895.00 for 2019; \$47,895.00 for 2020; total of \$95,790.00; to authorize the payments specified therein – (First Reading February 5, 2019; Second Reading and Public Hearing February 12, 2019; Third Reading February 26, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
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NON-ACTION ITEMS

(Items 42 through 69 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 FEBRUARY 19, 2019)

OMAHA VIEW REPLAT FOUR

42. ORD. 41731 – An ordinance to rezone property located southeast of 34th Avenue and Miami Street from R5(35)-Urban Family Residential District and R7-Medium Density Multiple Family Residential District to R5-Urban Family Residential District – (First Reading February 5, 2019; **Second Reading February 12, 2019**; Third Reading, Public Hearing and Vote February 26, 2019) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
43. ORD. 41732 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District in a R5-Urban Family Residential District located southeast of 34th Avenue and Miami Street, and to approve the Development Plan – (First Reading February 5, 2019; **Second Reading February 12, 2019**; Third Reading, Public Hearing and Vote February 26, 2019) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

44. RES. 2019-124 – Res. that, the Preliminary Plat entitled Omaha View Replat Four, a minor plat inside the city limits, located southeast of 34th Avenue and Miami Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Mike Gawley – Inside City Limits – [see attached](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 42 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
45. RES. 2019-125 – Res. that, the Final Plat transmitted herewith entitled Omaha View Replat Four, located southeast of 34th Avenue and Miami Street, is hereby approved, and concurrently portions of the existing plat entitled Omaha View, and described on said replat, is hereby vacated. The applicant is Mike Gawley – Inside City Limits – [see attached](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 42 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

COPPER CREEK

46. ORD. 41737 – An ordinance to rezone property located southeast of 168th Street and Military Road from AG-Agricultural District to DR-Development Reserve District – **(First Reading February 12, 2019; Second Reading February 26, 2019; Third Reading, Public Hearing and Vote March 5, 2019)** – [see attached](#).
47. ORD. 41738 – An ordinance to rezone property located southeast of 168th Street and Military Road from AG-Agricultural District to R5-Urban Family Residential District (portion of the property is located within the flood fringe overlay district) – **(First Reading February 12, 2019; Second Reading February 26, 2019; Third Reading, Public Hearing and Vote March 5, 2019)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
48. RES. 2019-150 – Res. that, the Final Plat entitled Copper Creek (Lots 1-92 and Outlots A-G), located southeast of 168th Street and Military Road, is hereby approved and accepted. The applicant is CC Military LLC – Outside City Limits – [see attached](#). **(LAID OVER TO THE MARCH 5, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 46 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
49. RES. 2019-151 – Res. that, the Subdivision Agreement among the City of Omaha, CC Military, LLC, The Copper Creek Home Owners Association, and Sanitary and Improvement District (S.&I.D.) 588 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Copper Creek (Lots 1-92 and Outlots A-G) and is located southeast of 168th Street and Military Road – [see attached](#). **(LAID OVER TO THE MARCH 5, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 46)**

CENTRAL PARK EAST REPLAT 3

50. RES. 2019-149 – Res. that, the Preliminary Plat entitled Central Park East Replat 3, located southeast of 10th and Farnam Streets, with request for a waiver of Section 53-8(4)(d) Lot frontage, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Hines Interests LP, Brad Soderwall – Inside City Limits – [see attached](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) REDEVELOPMENT PROJECT PLAN RESOLUTIONS

51. RES. 2019-92 – Res. that, the Ashton Building Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 1218 Nicholas Street, proposes the rehabilitation of a 187,000 square foot, four-story historic building into an office building with amenities and ground floor retail, and authorizes the City’s participation through the allocation of TIF in an amount up to \$6,350,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, environmental and geotechnical studies, building rehabilitation, site work, architectural and engineering fees, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
52. RES. 2019-93 – Res. that, the Logan Building Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 1802 Dodge Street, proposes rehabilitation of a seven-story historic building into a 90-room boutique hotel with amenities, four to six residential penthouse units, 4,800 square feet of commercial/office space, a “speakeasy” bar, 25 on-site surface parking spaces, six parking spaces on the north lot and approximately 70 leased parking spaces in the City facility at 19th Street and Capitol Avenue, and authorizes the City’s participation through the allocation of TIF in an amount up to \$2,776,500.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, building rehabilitation, site work, architectural and engineering fees, and public improvements as required, with the applicant contributing \$54,590.00 of the TIF loan proceeds to the Downtown Public Improvement Fund, 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 FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

53. RES. 2019-135 – Res. that, the River Crossing Phase 1a Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at the southeast corner of 10th and Farnam Streets proposes the construction of a five-story, mixed-use building consisting of 375 market-rate apartments, approximately 42,000 square feet of ground floor retail and offices, and the option to request the designation of an enhanced employment area for the use of a General Business Occupation Tax (“GBOT”) for this phase, some, or all of various future phases, and authorizes the City’s participation through the allocation of TIF in an amount up to \$11,000,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, site preparation, architectural and engineering fees, and public improvements as required, with the applicant contributing \$100,000.00 of the TIF loan proceeds to the Downtown Public Improvement Fund and nearly \$230,000.00 of the TIF loan proceeds for various other public improvements surrounding the project, 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 FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
54. RES. 2019-136 – Res. that, the Victory Apartments II Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 819 Dorcas Street, proposes the rehabilitation of an existing former Grace University building into 60 studio and one-bedroom apartment units, which will provide permanent supportive housing for veterans, and authorizes the City’s participation through the allocation of TIF in an amount up to \$347,016.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to rehabilitation costs, architecture and engineering fees, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
55. RES. 2019-162 – Res. that, the Amendment to the Rows on South Hill Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located northeast of 11th and Briggs Streets and southeast of 12th and Briggs Streets, proposing the additional construction of 6 new for-sale, attached 3-story row houses, and authorizing the City’s participation through the increase in allocation of TIF of \$652,506.00, from \$1,500,000.00, plus accrued interest, to an amount up to \$2,152,506.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, site work, architectural and engineering fees, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE MARCH 5, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

56. RES. 2019-163 – Res. that, the Forty9Place Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 209 South 49th Street, proposing new construction of a 9-unit, for-sale single-family attached rowhouse project, each unit with a two-car attached garage, and authorizing the City's participation through the allocation of TIF in an amount up to \$883,105.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, site work, foundation removals, architectural and engineering fees, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE MARCH 5, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

SPECIAL USE PERMIT

57. RES. 2019-123 – Res. that, the Special Use Permit application submitted by Nakia Vasser-Brye for a Special Use Permit to allow Large group living in a R7-Medium Density Multiple Family Residential District, located at 4548 Bedford Avenue, 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. 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](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
58. RES. 2019-148 – Res. that, the Special Use Permit application submitted by Curt T. Brannon, for a Special Use Permit to allow General office in a GI-General Industrial District, located at 8800 "F" 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. 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](#). **(LAID OVER TO THE FEBRUARY 26, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

STREET IMPROVEMENT DISTRICT ORDINANCE ON SECOND READING

59. ORD. 41733 – An ordinance to create Street Improvement District No. 2019-01, in the City of Omaha, for the purpose of improving Emmet Street, from North 83rd Street to its terminus, by grading, curbing, addressing storm sewerage and paving in portland cement concrete; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project – (First Reading February 5, 2019; **Second Reading February 12, 2019**; Third Reading, Public Hearing and Vote February 26, 2019) – [see attached](#).

ORDINANCES ON FIRST READING

60. ORD. 41739 – An ordinance to exercise the prior option to extend a contract by two years, to be effective from March 1, 2019 through February 28, 2021, initially approved by the City Council by Ordinance No. 39947, with Deffenbaugh Disposal Service, Inc. for the collections of solid waste from Omaha Housing Authority sites in an estimated amount of \$76,340.00 annually for a two-year sum of \$152,680.00; to provide for payments 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 payments from specific accounts – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
61. ORD. 41740 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the 89th Circle Street Improvement District, project identified as OPW 53122; providing that the City negotiate with the property owners for land acquisitions, permanent easements and temporary construction easements; providing that as to each specified parcel which cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
62. ORD. 41741 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the 72nd & Maple Street Intersection Safety project identified as OPW 52937; providing that the City negotiate with the property owners for land acquisition, permanent easements and temporary construction easements, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).

63. ORD. 41742 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and 1701, LLC, to implement the Habitat Kountze Park 5 Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located between Sahler and Evans Streets and between North 18th and 24th Streets, which proposes the construction of 22 new single family homes, and rehabilitation of two existing homes; the agreement authorizes the use of up to \$405,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
64. ORD. 41743 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Westchester Capital, to implement the Elliott Equipment Company Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 3514 South 25th Street, which proposes the renovation of two existing buildings, one containing approximately 42,000 square feet building and another containing approximately 167,000 square feet, for relocation and consolidation of Elliott Equipment Company operations to a single site; the agreement authorizes the use of up to \$1,131,408.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
65. ORD. 41744 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and 4660N56, LLC, to implement the Ames Innovation Center Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 4606 North 56th Street, which proposes the renovation of a 44,000 square foot building into a high tech, data-driven work environment for commercial and office use; the agreement authorizes the use of up to \$486,146.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
66. ORD. 41745 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Avanti Group, LLC, to implement the Little Italy on Pierce Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 925 Pierce Street, which proposes the construction of a five-level apartment building with 83 studio, one and two bedroom apartment units with amenities, an underground parking garage with 59 parking stalls, 22 onsite parking stalls, and 16 parking stalls in the public rights of way along 10th Street and Pierce Street; and the agreement authorizes the use of up to \$2,300,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading February 12, 2019**; Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).

67. ORD. 41746 – An ordinance authorizing the approval of the Agreement between the City of Omaha, Nebraska, on behalf of the Omaha Police Department and the Metro Drug Task Force, and Kevin T. Donlan to provide intelligence analyst services for the Metro Drug Task Force, for a term of one year from April 1, 2019 to March 30, 2020, and may be extended for two additional one-year terms upon mutual consent of the parties; that in consideration, the City shall pay Kevin T. Donlan an amount not to exceed \$3,633.33 per month; \$32,699.97 for 2019 (9 months) and \$10,899.99 for 2020 (3 months) – **(First Reading February 12, 2019;** Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
68. ORD. 41747 – An ordinance to authorize payment for professional services to perform DNA testing needed by the Omaha Police Department, for a period of up to five years, involving the payment of money from appropriations of more than one (1) fiscal year in accordance with Sections 5.16 and 5.17 of the Omaha Home Rule Charter of the City of Omaha, 1956, as amended; to provide for the payment to the University of Nebraska Medical Center approximately \$200,000.00 a year, for an estimated total of \$1,000,000.00 – **(First Reading February 12, 2019;** Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).
69. ORD. 41748 – An ordinance to approve and authorize an Extension Amendment to a Contract between the City of Omaha, and Metropolitan Technical Community College Area, for services involving the payment of money from appropriations of more than one year in accordance with sections 5.16 and 5.17 of the Omaha Home Rule Charter of the City of Omaha, 1956, as amended; to provide for payment to Metropolitan Technical Community College Area on per-student basis for various training for an additional two (2) years commencing on January 1, 2019. (The cost of training varying from \$70.00 per person to \$4,852.00 per person in 2019 and for administrative costs of \$163,500.00 paid from the Omaha Fire Department Fund 11111, Organization 114572 EMS Training, 42239 Professional Fees; the Extension exercises the option of the City of Omaha to extend the Agreement for two (2) additional one-year periods.) – **(First Reading February 12, 2019;** Second Reading and Public Hearing February 26, 2019; Third Reading March 5, 2019) – [see attached](#).

EXECUTIVE SESSION

70. 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.