



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, APRIL 23, 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. Remarks by Councilmember Aimee Melton of District No. 7

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in the Daily Record, the Official Newspaper of the City of Omaha on April 19, 2019, notice of the Pre-Council and Regular City Council Meetings, April 23, 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.

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

H&H WESTROADS

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](#).

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

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](#).
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](#).

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](#).
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LIQUOR

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)**
 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)**
 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)**
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CONSENT AGENDA

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

(The public hearing on Agenda Item 16 was held on April 16, 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 NEEDED THAT THE ORDINANCES ON THE CONSENT AGENDA BE APPROVED)

(The public hearings on Agenda Items 17 through 38 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

CONSENT AGENDA – RESOLUTIONS

17. RES. 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](#).
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)**

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

ORDINANCES ON SECOND READING

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)**
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)**

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)**
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](#).
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. Communication in support – [see attached](#).

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

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.