



**CITY OF OMAHA  
CITY COUNCIL AGENDA  
TUESDAY, JULY 23, 2019**

**LEGISLATIVE CHAMBERS @ 2:00 P.M.  
1819 Farnam Street, Omaha, NE 68183  
[www.cityofomaha.org](http://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 Chris Jerram of District No. 3

**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 July 19, 2019, notice of the Pre-Council and Regular City Council Meetings, July 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.

## **MAYOR'S PRESENTATION FOR THE CITY OF OMAHA 2020 BUDGET**

6. Mayor Jean Stothert's Budget Message and Presentation of the recommended budget for year 2020.

**(BUDGET PUBLIC HEARING WILL BE HELD ON AUGUST 13, 2019 AT 6:30 P.M.)**

---

## **PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS**

### **FALLING WATERS NORTH**

7. ORD. 41892 – An ordinance to rezone property located south of HWS Cleveland Boulevard and west of 198th Street from AG-Agricultural District to R4-Single-Family Residential District (High Density) – (First Reading June 25, 2019; Second Reading July 16, 2019; Third Reading, Public Hearing and Vote July 23, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
    - A. Planning Board and Planning Department recommend approval – [see attached](#).
  8. RES. 2019-637 – Res. that, the Final Plat entitled Falling Waters North, a subdivision outside the city limits, located south of HWS Cleveland Boulevard and west of 198th Street, is hereby approved and accepted. The applicant is Gretna Public Schools – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
    - A. Planning Board and Planning Department recommend approval – [see attached](#).
  9. RES. 2019-638 – Res. that, the Subdivision Agreement between the City of Omaha and Sarpy County School District 77-0037, also known as Gretna Public Schools, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Falling Waters North (Lot 1) and is located south of HWS Cleveland Boulevard and west of 198th Street - [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- 

### **LIQUOR**

10. RES. 2019-671 – Class “C” Liquor License Application – BaBa Budha Ji Hospitality, L.L.C., dba “Firewater Grille”, 7007 Grover Street. (This is a new application for an old location). Present licensee is Grover Street Operating, LLC, dba “Firewater Grille”, who has a Class “CK” Liquor License – [see attached](#). **(POSTPONED FROM THE JULY 16, 2019 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
11. RES. 2019-711 – Class “C” Liquor License Application – Happy Hour, LLC, dba “Happy Hour Spirits & Wine”, 13820 Manderson Circle. (This is a new application for a new location). Notice was posted on the property on 07-10-19; Notification was sent to property owners within 500 feet on 07-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

12. RES. 2019-712 – Class “IK” Liquor License Application – HKGK, LLC, dba “Base Kamp”, 7309 Jones Street. (This is a new application for a new location). Notice was posted on the property on 07-10-19; Notification was sent to property owners within 500 feet on 07-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
13. RES. 2019-713 – Class “I” Liquor License Application – House of R, LLC, dba “House of R”, 911 South 87th Avenue. (This is a new application for a new location). Notice was posted on the property on 07-10-19; Notification was sent to property owners within 500 feet on 07-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Communication from the Planning Department – [see attached](#).
14. RES. 2019-714 – Class “I” Liquor License Application – SRB, Inc., dba “Richie’s Bar”, 15244 West Maple Road. (This is a new application for an old location). Previously licensed to Blazin Pianos, LLC, dba “Blazin Pianos”, who held a Class “I” License which expired April 30, 2019. Notice was posted on the property on 07-10-19; Notification was sent to property owners within 500 feet on 07-12-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
15. RES. 2019-715 – Special Designated Liquor License Application – JAX, Inc., dba “Perry’s Place”, 9652 Mockingbird Drive, requests permission for an outdoor area on Saturday, August 3, 2019 from 12:00 noon to 12:00 midnight with music until 12:00 midnight – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
16. RES. 2019-716 – Special Designated Liquor License Application – RhythMZ Lounge and Bistro, Inc., dba “RhythMZ Lounge”, 10841 “Q” Street, requests permission for an outdoor area on Saturday, August 10, 2019 from 3:00 p.m. to 11:00 p.m. – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
17. RES. 2019-717 – Special Designated Liquor License Application – Second Wind, Inc., dba “Crescent Moon Ale House”, 3578 Farnam Street, requests permission for an outdoor area on Friday, September 27, 2019 from 4:00 p.m. to 2:00 a.m. and Saturday, September 27, 2019 from 11:00 a.m. to 2:00 a.m. with music until 12:00 midnight each night – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
18. RES. 2019-718 – Special Designated Liquor License Application – Septemberfest – Salute to Labor, 6910 Pacific Street, Suite 450, requests permission for a beer garden at CHI Health Center, Lot D, 455 North 10th Street on Friday, August 30, 2019 from 5 p.m. to 12:00 midnight and Saturday-Monday, August 31-September 2, 2019 from 12:00 noon to 12:00 midnight with music until 12:00 midnight each night – [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 19 and 20 were held on July 16, 2019.)

## **CONSENT AGENDA – ORDINANCES**

19. ORD. 41893 – An ordinance vacating the portion of the north/south alleyway north of Shirley Street ending approximately 300 feet +/- north of the right-of-way of Shirley Street, abutting Lots 6-11, Block 4 of West Pacific Hills Addition, and Lot 2, Sunset Meadows Addition; providing for the reversion or transfer of the same – (First Reading June 25, 2019; Second Reading and Public Hearing July 16, 2019; Third Reading July 23, 2019) – [see attached](#).
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
20. ORD. 41894 – An ordinance to accept the bid of Solid Surface Care in the annual amount of \$5,728.00, involving appropriations of more than one year as provided in 5.17 of the Home Rule Charter, to enter into a three-year price agreement for carpet cleaning services at nine (9) Omaha Police Department facilities, with two additional one-year options held by the City, and which may be done so administratively; to authorize the Finance Department to make payments from a specified account to Solid Surface Care for the cost of carpet cleaning services in accordance with the specifications – (First Reading June 25, 2019; Second Reading and Public Hearing July 16, 2019; Third Reading July 23, 2019) – [see attached](#).

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

---

(The public hearings on Agenda Items 21 through 31 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**

21. RES. 2019-719 – Manager’s Application – Fast Break Sports, LLC, dba “Omaha Sports Academy”, 21015 Cumberland Drive, request permission to appoint William J. Douglas manager of their present Class “I” Liquor License location – [see attached](#).
22. RES. 2019-720 – Manager’s Application – High Peak Asian Restaurant, LLC, dba “High Peak Asian Restaurant”, 333 North 78th Street, request permission to appoint Pah Dah manager of their present Class “I” Liquor License location – [see attached](#).
23. RES. 2019-721 – Manager’s Application – Kinseth Hotel Corporation, dba “Hilton Garden Inn”, 17879 Chicago Street, request permission to appoint Lisa L. Westra manager of their present Class “CK” Liquor License location – [see attached](#).
24. RES. 2019-722 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Rose Holdings Inc. dba Rose Equipment in the amount of \$130,570.00 for two (2) Asphalt Crack Sealing Machines 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](#).

25. RES. 2019-723 – Res. that, as recommended by the Mayor, the Grant Agreement from the Nebraska Department of Environment and Energy in the amount of \$171,875.00 for the implementation of the Waste Reduction and Recycling Incentive Grant Application Project, is hereby approved. (The Finance Department is authorized to receive the grant funds referred to in the agreement in the amount of \$171,875.00, to be applied to the Household Chemical Disposal Fund 21129, Household Chemical Disposal Organization 116925.) – [see attached](#).
26. RES. 2019-724 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Ehrhart Griffin & Associates, Inc. in the amount of \$40,460.00, to provide professional services on OPW 53644, being the Emmet Street from N 83rd Street to End - N 83rd Street and Emmet Street Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$40,460.00, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2019 funding.) – [see attached](#).
27. RES. 2019-725 – Res. that, as recommended by the Mayor, the Agreement between the City of Omaha and The Colina, LLC, in the amount of \$50,000.00 in FY 2017 funds that will provide site preparation work to include landscaping services for the purposes of storm water management on three (3) lots located at 2803, 2807 and 2811 North 19th Avenue is hereby approved. (Funds shall be paid from the Community Development Block Grant CDBG Single-Family Infill Program, Award No 100503, Project No. 5424.) – [see attached](#).
28. RES. 2019-726 – Res. that, the Agreement between the Omaha-Council Bluffs Metropolitan Area Planning Agency and the City of Omaha, setting forth that the City of Omaha, through its Planning Department, agrees to perform certain transportation planning activities and the Mayor and City Clerk are hereby authorized to execute and attest the Agreement. (In-kind services provided by the Planning Department or funds in the amount of \$12,857.00 shall be paid from the Planning Department, Fund 11111 and Organization 109031.) – [see attached](#).
29. RES. 2019-727 – Res. that, as recommended by the Mayor, the Omaha Convention and Visitors Bureau's appropriation in the amount of \$180,312.00 for the use of the Destination Marketing Corporation for commitments from February 14, 2019 to October 12, 2023, is hereby approved. (The Finance Director is authorized to transfer \$180,312.00 for Fiscal Year 2019, from Fund No. 21109 – Omaha Convention and Visitors Bureau, Organization No. 115911 – OCVB – Admin to Fund No. 21107 – Destination Marketing Corporation, Organization No. 115999 – Destination Marketing Corporation.) – [see attached](#).
30. RES. 2019-728 – Res. that, the Mayor's appointment of Cydney Franklin as a City-resident member of the Planning Board to serve a term commencing on September 29, 2019, and expiring September 28, 2024, be and hereby is confirmed and approved – [see attached](#).

31. RES. 2019-729 – Res. that, the actions of the Omaha-Douglas Public Building Commission in offering for sale its \$107,210,000.00 Omaha-Douglas Public Building Commission Bonds, Series 2019B (City of Omaha and the County of Douglas, Nebraska, tenants), are hereby approved: the amount of said bonds; the rates of interest to be borne by said bonds; the maturity schedule of said bonds; the redemption provision of said bonds; the use of proceeds of said bonds to fund the Reserve Account for said bonds; the method of sale of said bonds; the purchase price for said bonds; the Official Statement concerning said bonds and the distribution thereof; the Supplemental Bond Resolution providing for the issuance and sale of said bonds; the issuance by the Commission of said bonds bearing the rates of interest specified above; and said bonds being the 2019B Bonds described in the Seventeenth Supplemental Agreement – [see attached](#).

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

---

**ORDINANCE ON FINAL READING**

32. SPECIAL ORD. 10263 – 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 clearing snow and ice from sidewalks – Group No. 2018-03 – (First Reading June 25, 2019; Second Reading and Public Hearing July 16, 2019; Third Reading July 23, 2019) – [see attached](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Public Works Department – [see attached](#).
- 

**ORDINANCES ON SECOND READING**

33. ORD. 41900 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Keith Witte of Cass and Louisville 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 Keith Witte 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, 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

34. ORD. 41901 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Grant Hansen of Dodge County 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 Grant Hansen 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, 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
35. ORD. 41902 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Kent McGinnis of Otoe County 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 Kent McGinnis 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, 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
36. ORD. 41903 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Hoegermeyer 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 Hoegermeyer 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, 2019 with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.14 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121 – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
37. ORD. 41904 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Kenneth Ahrens of Cass County 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 Kenneth Ahrens 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, 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

38. ORD. 41905 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Neale Farms Inc. of Washington County 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 Neale 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, 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
39. ORD. 41906 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Ryan Bundy of Sarpy County 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 Ryan Bundy 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, 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
40. ORD. 41907 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Falling Waters, located at 19431 Polk Street, to allow for the construction of a sign that does not meet standard setbacks on Lot 4, between the City of Omaha and Ann Helm, Centris Federal Credit Union, providing site development standards – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
41. ORD. 41908 – An ordinance to designate the Tip-Top Tailors Building located at 1802, 1804, and 1806 North 24th Street as a landmark pursuant to the Landmark Heritage Preservation Ordinance of the City of Omaha – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).



42. ORD. 41909 – An ordinance approving a Second Amendment to the Redevelopment Agreement between the City of Omaha and Georgetown Zone 3, LLC, company (“Owner”) to remove an approximately 0.18 acre parcel from the approved Redevelopment Plan area, legally described as Lot 4, Aksarben Village Replat 6 and commonly known as 2210 South 64th Street with a current legal description of Aksarben Village Replat 18, Lots 1-8, to allow the parcel to be part of a the 64 AVE Aksarben Village Tax Increment Financing (TIF) Redevelopment Project Plan and Agreement; the remaining development property is legally described as Lot 6, Aksarben Village, as surveyed, platted and recorded in Douglas County, Nebraska, including any adjacent right of way; all other terms and conditions contained in the Redevelopment Agreement not amended hereby, shall remain in full force and effect – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
43. ORD. 41910 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Noddle Homes 1, LLC, to implement the 64 AVE Aksarben Village Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 2210 South 64th Avenue, which proposes new construction of seven for-sale market-rate townhomes, each unit with two to three bedrooms, two or three bathrooms and a two-stall parking garage; the agreement authorizes the use of up to \$550,114.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
44. ORD. 41911 – An ordinance amending the Dundee Business Improvement District (BID No. 6876) under the authority of the Business Improvement District Act, Neb.Rev.Stat. § 19-4105 et seq. for the purpose of providing specified activities, work and improvements in the Dundee area of Omaha, Nebraska; to identify that the properties benefited by the streetscape improvements will be subject to special assessments in accordance with the Dundee Business Improvement District Plan; to provide for special assessments in the total amount of \$15,700.00 for holiday décor and lighting and for flower baskets for 2019 with such assessments growing no more than five (5) % per year to be imposed with such District based upon the benefits conferred; to provide for special assessment in an amount not to exceed \$20,000.00 for maintenance of streetscape and snow removal to be imposed upon such District based upon the benefits conferred; to provide for special assessment in an amount not to exceed \$12,500.00 for security; to provide a method of assessment to be assessed upon properties specially benefited by the District – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
45. ORD. 41912 – An ordinance to accept the bid of Body Basics, in the total amount of \$12,300.00 to provide exercise equipment maintenance and repair service for the Parks, Recreation and Public Property Department, located at various Community Centers throughout the City. The Agreement will commence upon City Council approval and run through December 31, 2022. This Agreement may be extended on the same terms and conditions for an additional three (3) year term, if the City exercises the option to do so. Extensions of the contract shall be at the option of the City, exercised by the Parks, Recreation and Public Property Director or their representative – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

46. ORD. 41913 – An ordinance to approve an Agreement between the City of Omaha and the Millard Public Schools for the City to provide, through its assignment, up to four Associate School Resource Officers, one Canine Associate School Resource Officer, and marked police cruisers, subject to the availability of such cruisers and the School District's needs, to specifically designated locations, involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter, to perform police work at the District property twenty-eight (28) hours(or less) per week while school is in session during the regular school year, and twenty-eight (28) hours per week while school is in session during the regular school year for the Canine Associate SRO, from August 14, 2019 and ending at the close of the 2019 – 2020 school year. The reimbursement payment from the Millard Public Schools to the City will be in the amount of \$35.00 per hour for each officer; and \$40.00 per hour for the canine officer; and \$5.00 per day for the canine officer when school is not in session (summer break) – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
47. ORD. 41914 – An ordinance to authorize payment to SkyWerx Aviation for aviation fuel for the Omaha Police Department Air Support Unit helicopters, up to approximately \$100,000.00 a year, for an estimated total of \$1,000,000.00, for a period of up to ten 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 SkyWerx Aviation – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
48. ORD. 41915 – An ordinance approving the contract by and between the City of Omaha and Medical Enterprises, Inc., for drug and alcohol testing of City employees and prospective employees as required by the Department of Transportation and all other employees and prospective employees under the City of Omaha Alcohol and Drug Policy and Procedures involving the payment of money from appropriations of more than one (1) year as provided in section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended for a period of three (3) years with the extension of the contract for one (1) additional one-year period upon the City's option; the contract contemplates that the cost of Department of Transportation five-panel drug screens, non-Department of Transportation five-panel drug screens, and non-Department of Transportation nine-panel drug screens being \$28.00 per screen plus other costs as itemized in the contract. (To be paid from Human Resources Department, Fund 11111, Organization 105011) – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
49. ORD. 41916 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, FY 2018 STOP Violence Against Women (VAWA) Grant, Award #18-VW-0708 (\$227,263.00) and Award #16-VW-0717 (\$14,669.62) in the amount of \$241,932.62, during the project period of July 1, 2019 to June 30, 2020; to enhance victim assistance services and prosecute cases of domestic violence through the multi-agency Douglas County Community Response Team as detailed in the grant application; to authorize payment from such grant funding and involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

50. ORD. 41917 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “B” Flammable Liquids Storage District to be known as District No. B-203 at 4480 South 90th Street, as requested by Christopher J. Masoner of YRC Freight – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
51. ORD. 41918 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “B” Flammable Liquids Storage District to be known as District No. B-204 at 4428 South 140th Street, as requested by Jeffrey T. Thumm of Sunbelt Rentals LLC – (First Reading July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
52. ORD. 41919 – An ordinance in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, to transfer \$475,036.00 in unencumbered appropriations in the 2019 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 July 16, 2019; Second Reading and Public Hearing July 23, 2019; Third Reading July 30, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

---

## **NON-ACTION ITEMS**

(Items 53 through 67 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 AUGUST 6, 2019 AT 2:00 P.M. DUE TO DEPARTMENT BUDGET HEARINGS)

(CITY COUNCIL WILL MEET IN THE LEGISLATIVE CHAMBERS ON AUGUST 6, 2019 FROM 1:00 P.M. TO 5:00 P.M. FOR DEPARTMENT BUDGET HEARINGS)

## **CHESTNUT HILLS**

53. ORD. 41920 – An ordinance to rezone property located northwest of Kilpatrick Parkway and State Street from AG-Agricultural District to R4-Single-Family Residential District (High Density) – (**First Reading July 23, 2019**; Second Reading July 30, 2019; Third Reading, Public Hearing and Vote August 13, 2019) – [see attached](#).
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
54. RES. 2019-709 – Res. that, the Final Plat entitled Chestnut Hills (Lots 1-106 and Outlots A-C) (formerly Hunzeker), a subdivision outside the city limits, located northwest of Kilpatrick Parkway and State Street, is hereby approved and accepted. The applicant is Jerry Torczon, Richland Homes – Outside City Limits – [see attached](#). **(LAID OVER TO THE AUGUST 13, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 53)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

55. RES. 2019-710 – Res. that, the Subdivision Agreement among the City of Omaha, Richland Homes, LLC, the Chestnut Hills Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 591 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Chestnut Hills (Lots 1-106 and Outlots A-C) and is located northwest of Kilpatrick Parkway and State Street – [see attached](#). **(LAID OVER TO THE AUGUST 13, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 53)**

#### **PLANNING ITEMS ON SECOND READING WITH PLANNING BOARD ATTACHMENTS**

56. ORD. 41895 – An ordinance to amend the boundaries of the ACI-1 Area of Civic Importance Overlay District, to incorporate into that district the property located at 1804 Paul Street – (First Reading July 16, 2019; **Second Reading July 23, 2019**; Third Reading, Public Hearing and Vote July 30, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
57. ORD. 41896 – An ordinance to amend the boundaries of the ACI-2(PL) – Area of Civic Importance Overlay District, to incorporate into that district the property located at 550 North 88th Plaza – (First Reading July 16, 2019; **Second Reading July 23, 2019**; Third Reading, Public Hearing and Vote July 30, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
58. ORD. 41897 – An ordinance to rezone property located at 7930 Blondo Street from R8-High-Density Multiple-Family Residential District to LC-Limited Commercial District – (First Reading July 16, 2019; **Second Reading July 23, 2019**; Third Reading, Public Hearing and Vote July 30, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
59. ORD. 41898 – An ordinance to rezone property located at 1920 Nicholas Street and 1019 Florence Boulevard from CBD-Central Business District to DS-Downtown Service District (property is located within an ACI-1 Overlay District) – (First Reading July 16, 2019; **Second Reading July 23, 2019**; Third Reading, Public Hearing and Vote July 30, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
60. ORD. 41899 – An ordinance to rezone property located at 5066 Harrison Street from R1-Single-Family Residential District (Low Density) to R4-Single-Family Residential District (High Density) – (First Reading July 16, 2019; **Second Reading July 23, 2019**; Third Reading, Public Hearing and Vote July 30, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

## **SPECIAL USE PERMIT**

61. RES. 2019-683 – Res. that, the Special Use Permit application submitted by Erin Render, for a Special Use Permit to allow Large Group Living in an R3-Single Family Residential District (Medium Density), located at 19111 Western 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 JULY 30, 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](#).

## **ORDINANCES ON FIRST READING**

62. ORD. 41921 – An ordinance (1) to approve an agreement between the City of Omaha and Lutheran Family Services in the amount of \$398,836.00; and (2) to authorize funding for such agreement from the City of Omaha's FY 2018 Justice and Mental Health Collaboration Program (JMHCP) Grant, Award #2018-MO-BX-0004, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding a full-time Heartland Crisis Intervention Team (CIT) Coordinator, a full-time Co-Responder and training as part of the Heartland CIT 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 July 23, 2019; Second Reading and Public Hearing July 30, 2019; Third Reading August 13, 2019)** – [see attached](#).
63. ORD. 41922 – An ordinance amending Ordinance Number 40589 adopted December 22, 2015 to remove language reserving rights to the City in portions of "B" Street and 33rd Street and abutting alleys which were vacated by said Ordinance – **(First Reading July 23, 2019; Second Reading and Public Hearing July 30, 2019; Third Reading August 13, 2019)** – [see attached](#).
64. ORD. 41923 – An ordinance amending Ordinance Number 40345 adopted May 12, 2015, to remove language reserving rights to the City in Ida Circle which was vacated by said Ordinance – **(First Reading July 23, 2019; Second Reading and Public Hearing July 30, 2019; Third Reading August 13, 2019)** – [see attached](#).

65. ORD. 41926 – An ordinance supplemental to Ordinance No. 37507 authorizing and directing an issue as Additional Bonds in one or more series of not to exceed an aggregate principal amount of \$23,500,000.00 Sanitary Sewerage System Revenue Refunding Bonds, of the City of Omaha, Nebraska, to be termed for identification purposes “Sanitary Sewerage System Revenue Refunding Bonds, Series of 2019,” for the purpose of providing funds for the prepayment and redemption of certain outstanding obligations of the City of Omaha with respect to the City of Omaha’s sanitary sewerage system; prescribing the form of the bonds; covenanting to maintain and collect rates and charges for the use and services of the system; pledging the revenue derived from the operation of the system, including all extensions and improvements thereto and equipping thereof, to the payment of the cost of operating and maintaining the system, to the deposits required by Ordinance No. 35840, as supplemented, by Ordinance No. 37507, as previously supplemented, and by this ordinance, to the payment of the principal of and interest on the bonds as the same fall due; covenanting to carry out all other covenants and agreements of this ordinance; limiting the payment of the bonds solely to the system revenues; creating and establishing funds and accounts; authorizing the sale of the bonds by negotiation; providing for continuing disclosure, making other covenants and agreements in connection with the foregoing; and appointing a Paying Agent and Registrar – **(First Reading July 23, 2019;** Second Reading and Public Hearing July 30, 2019; Third Reading August 13, 2019) – [see attached](#).
66. ORD. 41924 – An ordinance to amend Section 33-46 to change the number of permanent inhabitants needed in a single unit to exceed the established solid waste limit from eight to five – **(First Reading July 23, 2019;** Second Reading and Public Hearing July 30, 2019; Third Reading August 13, 2019) – [see attached](#).
67. ORD. 41925 – 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 July 23, 2019;** Second Reading and Public Hearing July 30, 2019; Third Reading August 13, 2019) – [see attached](#).
- A. Communication from Mayor Jean Stothert – [see attached](#).
  - B. Communication from Public Works Director Bob Stubbe – [see attached](#).
  - C. Amendment of the Whole – [see attached](#). (FCC three-cart system)
  - D. Amendment of the Whole – [see attached](#). (WCS two-cart system)
  - E. Amendment of the Whole – [see attached](#). (WCS three-cart system)

## **EXECUTIVE SESSION**

68. 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.**