

2ND REGULAR OMAHA CITY COUNCIL MEETING

JANUARY 26, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, January 26, 2016 at 2:00 o'clock P.M. in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Ben Gray.

ROLL CALL

1. City Clerk calls the roll.

CCID # 56 – Present: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

2. Pledge of Allegiance.
3. Invocation by Councilmember Aimee Melton of District No. 7.

CERTIFICATION OF PUBLICATION - NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on January 22, 2016, notice re: Pre-Council and Regular City Council Meetings, January 26, 2016.

CCID # 57 – From Chair on File

A current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

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.

ZONING ORDINANCE ON FINAL READING and Planning Board Recommendation

5. Ord. to rezone properties located at 520 and 600 South Saddle Creek Road from GI-General Industrial District to CC-Community Commercial District (properties are also located within an existing ACI-2(PL)-Area of Civic Importance Overlay District). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1634 – December 22 and January 12 Meetings)
Notice of public hearing on January 26, 2016 published in the Daily Record on December 25, 2015. Ordinance passed on January 26, 2016 published in the Daily Record on February 3, 2016.

CCID # 1634 – Motion by Thompson that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40614 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone properties located at 520 and 600 South Saddle Creek Road from GI to CC (property is also located within an existing ACI-2(PL)-Area of Civic Importance Overlay District) – [see attached](#).
(See Doc. # 1634 – December 22 Meeting)

1634 – From Chair on File

6. Res. that the replat transmitted herewith entitled AMERICAN NATIONAL BANK SADDLE CREEK, located at 520 and 600 South Saddle Creek Road, is hereby approved, and concurrently a portion of the existing plats entitled Metro One Addition and Miljean 2nd Addition, and described on said replat, are hereby vacated – Inside City – over from 12/22/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1635 – December 22 Meeting)

Motion by Thompson that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 1635 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of AMERICAN NATIONAL BANK SADDLE CREEK, located at 520 and 600 South Saddle Creek Road – Inside City – over from 12/22/15 – [see attached](#).
(See Doc. # 1635 – December 22 Meeting)

1635 – From Chair on File

7. Res. that, the Subdivision Agreement between the City of Omaha and American National Bank, a National Banking association, as recommended by the Mayor, providing for the Watershed Management fees, is hereby approved. The Subdivision is to be known as American National Bank Saddle Creek (Lot 1 and Outlots A-C) and is located at 520 and 600 South Saddle Creek Road – over from 12/22/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1636 – December 22 Meeting)

Motion by Thompson that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 1636 – ADOPTED 7-0

RESOLUTIONS RE: PRELIMINARY PLAT AND PLAT

8. Res. that the preliminary plat entitled RENAISSANCE, located Northeast of 38th and Cuming Streets, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 1/12/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 18 – January 12 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 18 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of RENAISSANCE, located Northeast of 38th and Cuming Streets – Inside City – over from 1/12/16 – [see attached](#).
(See Doc. # 18 – December 22 Meeting)

18 – From Chair on File

9. Res. that the replat transmitted herewith entitled RENAISSANCE, located Northeast of 38th and Cuming Streets, is hereby approved, and concurrently a portion of the existing plat entitled Bemis Park Block 12 Replat, and described on said replat, is hereby vacated – Inside City – over from 1/12/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 19 – January 12 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 19 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of RENAISSANCE, located Northeast of 38th and Cuming Streets – Inside City – over from 1/12/16 – [see attached](#). (See Doc. # 19 – December 22 Meeting)

19 – From Chair on File

SPECIAL USE PERMITS – BROADCAST TOWERS

- 10. Res. that the Special Use Permit application submitted by SBA Communications/Verizon Wireless for a Special Use Permit to allow a Broadcast tower, with a waiver of Section 55-108 Height, to allow a 105' tall tower in a DR – Development Reserve District for property located at 16140 Fort 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 above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with; and that the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – over from 10/27/15 – [see attached](#). ((PUBLIC HEARING HELD 3/24/15 – CAN BE ADOPTED TODAY)) (See Doc. # 260 – March 10, March 24, April 21, May 19, June 23, August 25, and October 27 Meetings)

CCID # 260 – Motion by Melton that the Resolution be laid over two weeks to February 9, 2016

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

- (a) Planning Board and Planning Department recommend approval of the request of SBA Communications/Verizon Wireless for a Special Use Permit to allow a Broadcast tower, with a waiver of Section 55-108 Height, to allow a 105' tall tower in a DR District, for property located at 16140 Fort Street – over from 10/27/15 – [see attached](#). (See Doc. # 260 – March 10, March 24, April 21, May 19, June 23, August 25, and October 27 Meetings)

260 – Over to 2/09/2016

- (b) Document submitted by Lynn Heller, Director, Stone Creek Homeowners Association, in opposition of the Special Use Permit application submitted by SBA Communications/Verizon Wireless for a Special Use Permit to allow a Broadcast tower, with a waiver of Section 55-108 Height, to allow a 105' tall tower in a DR – Development Reserve District for property located at 16140 Fort Street – over from 10/27/15 – [see attached](#).
(See Doc. # 260 –March 24, April 21, May 19, June 23, August 25, and October 27 Meetings)

260 – Over to 2/09/2016

- (c) Document submitted by Troy Meyerson, Attorney representing the Stone Creek Homeowners Association, in opposition of the Special Use Permit application submitted by SBA Communications/Verizon Wireless for a Special Use Permit to allow a Broadcast tower, with a waiver of Section 55-108 Height, to allow a 105' tall tower in a DR – Development Reserve District for property located at 16140 Fort Street – over from 10/27/15 – [see attached](#).
(See Doc. # 260 –March 24, April 21, May 19, June 23, August 25, and October 27 Meetings)

260 – Over to 2/09/2016

- (d) Communication from Curtis Holland, representing the applicant, requesting that the resolution approving a Special Use Permit for a broadcast tower at 16140 Fort Street, be laid over two weeks to February 9, 2016 – [see attached](#).

260 – From Chair on File

**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NOS. 11 THROUGH 14 SHALL BE LAID OVER
TWO WEEKS FOR PUBLICATION AND PUBLIC HEARING”**

11. Res. that the Special Use Permit application submitted by SBA Communications Corporation for a Special Use Permit to allow a Broadcast tower, with a waiver of Section 55-186 Height, to allow a 90' tall tower in a R4-Single-Family Residential District (high density) for property located at 15656 Fort 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 above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#).
Notice of public hearing on February 9, 2016 published in the Daily Record on January 29, 2016.

CCID # 102 – Over two weeks for February 9, 2016 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the request of SBA Communications Corporation for a Special Use Permit to allow a Broadcast tower, with a waiver of Section 55-186 Height, to allow a 90' tall tower in a R4 District, for property located at 15656 Fort Street – [see attached](#).

102 – Over to 2/09/16

SPECIAL USE PERMIT – MEATPACKING AND RELATED INDUSTRIES

- 12. Res. that the application submitted by Tom Meyer for a Major Amendment to a Special Use Permit to allow Meatpacking and related industries in a HI-Heavy Industrial District, located Northeast of 27th and “N” Streets, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary amended permit therefor, provided the conditions set out in Exhibit "A" of the above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Major Amendment to a 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](#).

Notice of public hearing on February 9, 2016 published in the Daily Record on January 29, 2016.

CCID # 103 – Over two weeks for February 9, 2016 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the request of Tom Meyer for a Major Amendment to a Special Use Permit to allow Meatpacking and related industries in a HI-Heavy Industrial District, located Northeast of 27th and “N” Streets – [see attached](#).

103 – Over to 2/09/16

SPECIAL USE PERMIT RESTAURANT (DRIVE-IN OR FAST FOOD)

- 13. Res. that the Special Use Permit application submitted by Scooter’s Coffee, for a Special Use Permit to allow a Restaurant (drive-in or fast food) in a GI-General Industrial District, located at 5921 “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 above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#).
Notice of public hearing on February 9, 2016 published in the Daily Record on January 29, 2016.

CCID # 104 – Over two weeks for February 9, 2016 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow a Restaurant (drive-in or fast food) in a GI District, located at 5921 “F” Street – [see attached](#).

104 – Over to 2/09/16

AFTER-HOURS DANCE PERMIT

- 14. Res. that the application of Omaha Mining Company for the issuance of an after-hours dance permit at 1715 Leavenworth Street be and hereby is denied – [see attached](#).
Notice of public hearing on February 9, 2016 published in the Daily Record on January 29, 2016.

CCID # 61 – Over two weeks for February 9, 2016 for publication and public hearing pursuant to City Council Rule VII E.

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LIQUOR

- 15. CLASS “C” – Lefty’s, Inc., dba “Lefty’s”, 1310 Mike Fahey Street. New application, New location. Property posted: 01-13-16; Notification sent: 01-15-16. – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Application read

Motion by Jerram that the Resolution to GRANT be adopted as amended

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 77 – ADOPTED AS AMENDED 7-0

- (a) Communication from Bonnie Culjat, President of Lefty's, Inc., dba "Lefty's", 1310 Mike Fahey Street, requesting to amend their application for a Class "C" Liquor license to remove the outdoor area – [see attached](#).

77 – Motion by Jerram that the Amendment be approved

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

16. CLASS "I" – Grae Clothing, LLC, dba "Grae", 1150 Sterling Ridge Drive, Suites 101 & 102. New application, New location. Property posted: 01-11-16; Notification sent: 01-15-16. – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Mike Kelley, 7134 Pacific Street, on behalf of the applicant
Melinda Rutledge

Motion by Thompson that the Resolution to GRANT be adopted with the stipulation for the sale and serving of beer and wine only

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Melton, Pahls, Mr. President

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Melton, Pahls, Mr. President

Pass: Jerram

Councilmember Jerram passed due to a potential conflict of interest

RESOLUTION # 78 – ADOPTED 6-0-1 PASS

- (a) Communication from Sean Kelley, Attorney representing Grae Clothing, LLC, dba "Grae", 1150 Sterling Ridge Drive, Suites 101 & 102, requesting a stipulation on their Class "I" Liquor License for the sale and serving of beer and wine only – [see attached](#).

78 – From Chair on File

RESOLUTION RE: LONG-FORM APPLICATION FOR RENEWAL OF CLASS "C" LIQUOR LICENSE

17. Res. that the Nebraska Liquor Control Commission is hereby requested to require Oasis Hookah Bar & Cafe, LLC, dba "Taza Hookah Lounge" at 1507 Farnam Street in Omaha, Nebraska, to submit a formal application before its Class "C" retail liquor license is renewed for the 2016 - 2017 licensing year – over from 1/12/16 and continue the public hearing - [see attached](#). ((PUBLIC HEARING CONTINUE TO TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 53 – January 12 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Jesse Hill, 3622 North 60th Street
Susie Gentleman, 5708 Marcy Street
Sheritha Jones, 2744 Titus Avenue

For the City: Lt. Steve Cerveny, Omaha Police Department, 505 South 15th Street

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 53 – ADOPTED 7-0

CONSENT AGENDA

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed there from. 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 taken out of order as otherwise provided by the City Council Rules of Order.)

(The public hearings on Agenda Item Nos. 18 through 22 were held on January 12, 2016.)

CONSENT AGENDA – ORDINANCES

18. Ord. vacating the North/South alley bound on the West by Lots 32 – 34 of Paulsen’s Addition, bound on the North by Lake Street, bound on the East by Lot 31 of Paulsen’s Addition, and bound on the South by Lot 8, Block 1 of Idlewild Addition, containing approximately 1,188.50 square feet of the Southwest Quarter of the Southwest Quarter of Section 10-15-13, in the City of Omaha and providing the effective date hereof – [see attached](#).

(See Doc. # 1637 – December 22 and January 12 Meetings)

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2015. Ordinance passed on January 26, 2016 published in the Daily Record on February 3, 2016.

CCID # 1637 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40615 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of the vacation of the north/south alley between 22nd Street and 24th Street from Lake Street south 130 feet and east 26 feet – Inside City – [see attached](#).

(See Doc. # 1637 – December 22 and January 12 Meetings)

1637 – From Chair on File

19. Ord. approving a contract between the City of Omaha and Port-A-Johns for the collection of litter from City-Owned Litter/Recycle Receptacles, 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 Port-A-Johns will provide these services throughout the City of Omaha for a period of one (1) year, beginning January 1, 2016 to December 31, 2018 with the option of two separate and additional one (1) year terms, at a cost of \$114,270.75 per year to the City of Omaha, according to the terms and conditions contained within the Agreement; and to provide an effective date hereof – [see attached](#).

(See Doc. # 1638 – December 22 and January 12 Meetings)

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2015. Ordinance passed on January 26, 2016 published in the Daily Record on February 3, 2016.

CCID # 1638 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40616 - PASSED 7-0

20. Ord. 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 attached Agreement with Holy Name Housing Corporation, a Nebraska Non-profit Corporation, 4324 Fort Street, Omaha, Nebraska 68111, to convey ten (10) properties in the Adams Park area as identified on Attachment “A” of the Agreement, for development of affordable single-family homes for the sum of One and No/100 Dollars (\$1.00); and to provide the effective date hereof – [see attached](#).

(See Doc. # 1639 – December 22 and January 12 Meetings)

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2015. Ordinance passed on January 26, 2016 published in the Daily Record on February 3, 2016.

CCID # 1639 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40617 - PASSED 7-0

21. Ord. to amend Section 18-21 in Article III of Chapter 18 of the Omaha Municipal Code, entitled “Definitions,” to include an additional definition of “litter”; to amend 18-22 in Article III of Chapter 18 of the Omaha Municipal Code, entitled “Prohibited conditions,” to include a new subsection which prohibits uncontrolled or uncultivated growth of brush, vines, woody volunteers, or other such vegetation which (a) prohibit the city from abating an existing offense; (b) presents a serious health or safety risk to occupants, structures or the public; or (c) offers vector or rodent harborage; and to provide the effective date thereof – [see attached](#).

(See Doc. # 1644 – December 22 and January 12 Meetings)

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2015. Ordinance passed on January 26, 2016 published in the Daily Record on February 3, 2016.

CCID # 1644 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40618 - PASSED 7-0

22. Ord. to amend Sections 22-23 and 22-63 of Chapter 22 of the Omaha Municipal Code to modify the definition of beneficiary to provide a process for both the City of Omaha Employees Retirement System and the City of Omaha Police and Fire Retirement System to objectively determine a next-of-kin when no beneficiary is identified; to amend Sections 22-51 and 22-96 of Chapter 22 of the Omaha Municipal Code to comply with changes in the law prior to requesting that the Internal Revenue Service issue favorable determination letters for both the City of Omaha Employees Retirement System and the City of Omaha Police and Fire Retirement System; to have a provision that allows non-spouse beneficiaries to rollover to an IRA any death benefit payable in a lump sum; to create Sections 22-56 and 22-101 of the Omaha Municipal Code to make clear that the board of trustees of both the City of Omaha Employees Retirement System and the City of Omaha Police and Fire Retirement System have broad discretionary authority to interpret the terms of each plan; and to provide an effective date – [see attached](#).

(See Doc. # 1646 – December 22 and January 12 Meetings)

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2015. Ordinance passed on January 26, 2016 published in the Daily Record on February 3, 2016.

CCID # 1646 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40619 - PASSED 7-0

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

* * * * *

(The public hearings on Agenda Item Nos. 23 through 71 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

23. Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC, in the amount of \$7,024,500.00 for OPW 52494 (CSO), being the Missouri River Wastewater Treatment Plant Bank Stabilization project is hereby approved; and that, the Finance Department is authorized to pay this cost from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 79 – ADOPTED 7-0

24. Res. that, as recommended by the Mayor, the contract with Western Specialty Contractors for OPW 52638, being the Omaha Missouri River Wastewater Treatment Plant – Roughing Filter Facility Repairs for the City of Omaha, in the amount of \$163,594.50 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Sewer Revenue Improvements Fund 21124, and Capital Asset Replacement Program Organization 116913, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 80 – ADOPTED 7-0

25. Res. that, as recommended by the Mayor, the contract with Ray Martin Company for OPW 52709, being the Papillion Creek Wastewater Treatment Plant MCC Building HVAC Upgrade project, in the amount of \$155,000.00 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Sewer Revenue Improvements Fund 21124, and the Capital Asset Replacement Organization 116913 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 81 – ADOPTED 7-0

26. Res. that, as recommended by the Mayor, the contract with Elkhorn West Construction, Inc. for OPW 52868, being the Station 52 Renovation for the City of Omaha, in the amount of \$337,500.00 is hereby approved; and, that the Finance Department is authorized to pay this cost from the 2010 Public Facilities Fund 13245, and Fire Capital Organization 114512, year 2015 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 82 – ADOPTED 7-0

27. Res. that, as recommended by the Mayor, the Professional Services Agreement with Gonzalez Companies, LLC for field investigation and engineering services on approximately 300 manholes at various locations in the City, known as OPW 52917, being the Backlog Manhole Inspection/Bid package and Manhole Inspection in the WP2 Basin project, is hereby approved; and that the Finance Department is authorized to pay Gonzalez Companies, LLC \$99,621.00 for these professional engineering services from the Sewer Revenue Fund 21121, Organization 116512 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 83 – ADOPTED 7-0

28. Res. that, as recommended by the Mayor, the Professional Services Agreement with HDR Engineering, Inc. for design, bid, and construction phase services on OPW 52915, being the Papillion Creek Wastewater Treatment Plant Digester 904 Cover Replacement project, is hereby approved; and that the Finance Department is authorized to pay HDR Engineering, Inc. \$88,148.00 for these professional engineering services from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 84 – ADOPTED 7-0

29. Res. that, as recommended by the Mayor, the Professional Services Agreement with JEO Consulting Group, Inc. for field investigation, design, bid-phase and construction engineering phase services on OPW 52880, being the 120th and Maple Sewer Crossing project, is hereby approved; and that the Finance Department is authorized to pay JEO Consulting Group, Inc. \$42,497.00 for these professional engineering services from the Street and Highway Allocation Fund 12131, Design Engineering Organization 116132 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 85 – ADOPTED 7-0

30. Res. that, as recommended by the Mayor, the Professional Services Agreement with JEO Consulting Group, Inc. for design, bid, and construction phase services on OPW 52801, being the Citywide Levee Structure Repairs project, is hereby approved; and that the Finance Department is authorized to pay JEO Consulting Group, Inc. \$72,144.00 for these professional engineering services from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 86 – ADOPTED 7-0

31. Res. that, as recommended by the Mayor, the Professional Services Agreement with TREKK Design Group, LLC for field investigation on the 30th & McKinley Sanitary Sewer Evaluation (CCTV) project, located parallel to McKinley Street from approximately 30th Street to 52nd Street, is hereby approved; and that the Finance Department is authorized to pay TREKK Design Group, LLC \$99,236.75 for these professional engineering services from the Sewer Revenue Fund 21121, Maintenance Organization 116511 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 87 – ADOPTED 7-0

32. Res. that, as recommended by the Mayor, the Professional Services Agreement with TREKK Design Group, LLC for field investigation on the Cole Creek Phase III Sanitary Sewer Evaluation (CCTV) project, located parallel to Cole Creek between Blondo Street and Dodge Street, is hereby approved; and that the Finance Department is authorized to pay TREKK Design Group, LLC \$99,987.50 for these professional engineering services from the Sewer Revenue Fund 21121, Maintenance Organization 116511 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 88 – ADOPTED 7-0

33. Res. that, as recommended by the Mayor, the Supplemental Agreement #1 to the Professional Services Agreement with HGM Associates, Inc. to provide additional construction engineering services for HSIP-133-2(112), State Control No. 22336, and OPW 51496, being intersection improvements to N-133 (90th Street) and N-64 (Maple Street), is hereby approved; and that, the Finance Department is authorized to pay a fee not to exceed an additional \$43,446.92, to be paid from the 2010 Transportation Fund 13183, Transportation Bonds Organization 117117 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 89 – ADOPTED 7-0

34. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 7 between the City of Omaha and The Schemmer Associates, Inc. for improvements to 120th Street from Stonegate Drive to Roanoke Boulevard, known as Federal Aid Project MAPA-5009(3), State Control No. 22277, and OPW 50949, with a cost to the City of \$878 to be paid from the 2010 Transportation Bond Fund 13183, Organization 117117, is hereby approved; and that the City Council hereby authorizes the Mayor and City Clerk to sign the attached Agreement on behalf of the City of Omaha – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 90 – ADOPTED 7-0

35. Res. that, as recommended by the Mayor, the Program Agreement between the City of Omaha and the Nebraska Department of Roads for Project NH-85-2(111), State Control No. 22203, OPW 52785, being the Ralston Viaduct project, comprised of reconstruction of the viaduct and bridge approaches, as well as associated safety improvements, located along Nebraska Highway N-85 (South 84th Street) between Park Drive and Madison Street, with the City's share of the project cost, estimated to be \$374,130.00 to be paid from the Nebraska Department of Roads Grant Fund 17116, Capital Grants – Transportation Organization 132044, is hereby approved; and that the City Council hereby authorizes the Mayor and City Clerk to sign the attached Agreement on behalf of the City of Omaha – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 91 – ADOPTED 7-0

36. Res. that, the attached Declaration of Use, formally dedicating a portion of City owned property commonly known as 4316 N 30th Street, legally described as Lot 1, Obeco Addition Replat 1, for use as a permanent subsurface stormwater sewer easement, and other related purposes, for the Minne Lusa Stormwater Conveyance Sewer Project, also known as OPW 52004; be and is hereby approved, and further authorizes the Mayor of the City of Omaha is authorized to execute the Declaration of Use – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 92 – ADOPTED 7-0

37. Res. that, as recommended by the Mayor, the Public Works Department will obtain Cityworks Update and software maintenance services from Azteca Systems, Inc. per Invoice #11304 and that bidding procedures be waived in accordance with Section 5.16 of the Home Rule Charter of 1956 for the purchase of unique and non-competitive items; and that the Purchasing Agent is authorized to issue a purchase order to Azteca Systems, Inc. in the amount of \$109,000.00 to be paid from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, with reimbursements to this organization from the various Public Works Department Divisions' budgets and other Departments as outlined in the attached schedule – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 93 – ADOPTED 7-0

38. Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a purchase order to Midwest Storage Solutions, Inc. in the amount of \$48,918.06, for the procurement, delivery, and installation of a high density mobile storage solution to be used for homicide and sexual assault evidence and property and will be installed at the Omaha Police Department Headquarters, located at 505 South 15th Street, with the cost to be paid from the 2010 Public Safety Fund 13298, Police Capital Organization 131592 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 94 – ADOPTED 7-0

39. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Municipal Pipe Tool Company LLC, in the amount of \$80,750.00 for retrofit of televising and sewer inspection equipment, recording equipment and software for one existing televising van; and, that the Finance Department is authorized to pay this cost from the Sewer Revenue Fund 21121, Sewer Maintenance Organization 116511, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 95 – ADOPTED 7-0

40. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a purchase order to the 3M Company for a price agreement for the purchase of sign supplies, street name sign supplies and pavement marking supplies, considered to be unique and non-competitive and made without bidding in accord with Section 5.16 of the Home Rule Charter, 1956, as amended, for use on the City's street system through December 31, 2016; and, that the Finance Department is authorized to pay the cost of sign supplies, street name sign supplies and pavement marking supplies purchased under this Price Agreement, estimated to be \$225,000.00, from the Street and Highway Allocation Fund 12131, Traffic Engineering Organizations 116184 and 116188, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 96 – ADOPTED 7-0

41. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Anderson Ford Lincoln Mercury Mazda for the purchase of a 2016 Ford Explorer, FF E85 Midsize SUV, to be utilized by the Construction Division in the amount of \$26,604.00; and that the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Construction Survey & Inspect Organization 116121, year 2015 funding – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 97 – ADOPTED 7-0

42. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Cornhusker International Trucks for the purchase of four (4) 58,000 GVWR Tandem Axle Cab/Chassis' at \$107,500.00 each, four (4) 30,000 lb. Hook Interchange Systems at \$106,380.00 each, two (2) 37,000 GVWR Single Axle Cab/Chassis' at \$77,000.00 each, and two (2) 20,000 lb. Hook Interchange Systems at \$91,059.00 each, for a total cost of \$1,191,638.00 to be utilized by the Street Maintenance Division; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2016 expenditures – [see attached](#).

THE FOLLOWING PERSONS APPEARED AND SPOKE:

For the City: Bob Stubbe, Director, Public Works Department

Marc McCoy, Fleet Management Division, Public Works Department

Todd Pfitzer, Public Works Department

Steve Curtiss, Director, Finance Department

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 98 – ADOPTED 7-0

43. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Husker Auto Group for the purchase of two (2), 2016 Chevrolet Equinoxes, FF E85 Midsize SUVs, to be utilized by the Construction Division in the total amount of \$41,528.00; and that the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Construction Survey & Inspect Organization 116121, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 99 – ADOPTED 7-0

44. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Sid Dillon Wahoo, Inc. for four (4) 2016 Chevrolet Silverado ½ ton pickups and one (1) 2016 Chevrolet Silverado 2500 ¾ ton pickup to be utilized by the Traffic Maintenance Division in the total amount of \$135,143.00; and that the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Traffic Control Signs Organization 116188, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 100 – ADOPTED 7-0

45. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Sid Dillon Ford, Inc. for two (2) 2016 Ford F-250 Super Cab pickups to be utilized by the Construction Division in the total amount of \$56,760.00; and that the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Construction Survey & Inspect Organization 116121, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 101 – ADOPTED 7-0

46. Res. that, the attached Declaration of Use, formally dedicating City owned property near 42nd & Lake Streets for use as street/alley right of way, be and hereby is approved, and the Mayor is authorized to execute the said document – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 105 – ADOPTED 7-0

47. Res. that the application of The Residences at the Capitol District, LLC for a lease of City property adjacent to 225 North 12th Street, Omaha, Nebraska for purposes of stairs and a ramp, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 58 – ADOPTED 7-0

48. Res. that the application of SRE TAB Brandeis, LLC for a lease of City property adjacent to 1705 Douglas Street, Omaha, Nebraska for purposes of a parking garage, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Opponent: Lee Myers, 105 South 9th Street

For the City: James Thele, Director, Planning Department

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 59 – ADOPTED 7-0

AGENDA ITEM NO. 49 REMOVED FROM THE CONSENT AGENDA AT THE REQUEST OF COUNCILMEMBER GERNANDT

49. Res. that, as recommended by the Mayor, the bid in the total amount of \$3,105,743.00 from DeNovo Constructors, Inc., to furnish all labor, materials, and equipment necessary for the demolition of the Civic Auditorium, 1804 Capital Avenue, being the best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The work includes, but is not limited to, removal of the existing structure, hazardous materials removal, site grading, and seeding. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$3,105,743.00 shall be paid from the City Capital Improvement Fund No. 13112 and Organization No. 115012, Park Planning and Construction, for the 2016 fiscal year – [see attached](#).

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Opponents: Ted Becker, 11225 Davenport Street #100, representing Anderson Excavating
Tanner Almery, 16604 Ala Moana Circle, Papillion
Spencer McGruder, 1524 Cuming Street
For the City: Michelle Peters, Deputy City Attorney
Brook Bench, Director, Parks, Recreation & Public Property Department
Cassie Paban, Mayor's Office
Paul Kratz, City Attorney
Spencer Danner, Director, Human Rights & Relations Department

CCID # 75 – Motion by Gernandt that the Resolution NOT be adopted

Seconded by Gray

Substitute Motion by Melton that the Resolution be laid over one week to February 2, 2016

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Festersen, Jerram, Melton, Pahls, Mr. President

Nay: Gernandt

Substitute Motion Carried 6-1

- (a) Document submitted by Ted Becker, representing Anderson Excavating, re: the bid from DeNovo Constructors, Inc. for the demolition of the Civic Auditorium – [see attached](#).

75 – Over to 2/02/16

50. Res. that, as recommended by the Mayor, the bid in the total amount of \$23,495.00 from Airtech Service, Inc. to furnish all labor, materials, and equipment necessary for the replacement and removal of the pool heater for Common Ground Recreation Center, 1701 Veterans Drive, is hereby approved. The work includes, but is not limited to, new outdoor air ducted to boiler and new double-wall flue up through the existing old flue, new piping connection, set-up, and start-up. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$23,495.00 shall be paid from the General Fund No. 11111 and Organization No. 115031, Parks and Facilities Services, for the 2016 fiscal year – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 76 – ADOPTED 7-0

51. Res. that, as recommended by the Mayor, between 11:00 p.m. on Thursday, July 14, 2016 and 5:00 a.m. on Sunday, July 17, 2016, Glenn Cunningham Lake, 8305 Rainwood Road, Omaha, Nebraska, shall be open to accommodate setup and tear down of equipment and overnight security for the 6th Annual Omaha Triathlon event – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 67 – ADOPTED 7-0

52. Res. that, as recommended by the Mayor, between 11:00 p.m. on Friday, June 3, 2016 and 6:00 a.m. on Sunday, June 5, 2016, Lawrence Youngman Lake, 192nd & West Dodge Road, shall be open to accommodate the set-up of equipment and overnight security for the 5th Annual Omaha Women's Triathlon event – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 68 – ADOPTED 7-0

53. Res. that the City of Omaha Human Resources Department is authorized to exercise the automatic renewal of the Agreement with International Business Machines (IBM) for use of the Kenexa 2X BrassRing application at a cost of forty-seven thousand six hundred dollars (\$47,600) for the term of January 1, 2016 through December 31, 2016. The Finance Department is authorized to pay the cost of this contractual obligation from the 2016 budget, Human Resources Department, Fund No. 11111, Organization 105011, Account 42266 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 69 – ADOPTED 7-0

54. Res. that, as recommended by the Mayor, the purchase based upon the bid from Aercor Wireless, Inc. in the amount of \$41,482.50, for the purchase, installation, and maintenance of 2FA ONE authentication platform software for the Omaha Police Department mobile data computers, is hereby approved, and that the Finance Department of the City of Omaha is authorized to pay \$41,482.50 for the cost of the 2FA ONE authentication platform software from Year 2015, General Fund 11111, Organization 113213 Information Technology, Account 43317 Computer Software – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 70 – ADOPTED 7-0

55. Res. that as recommended by the Mayor, in accordance with Section 5.16 of the Omaha Home Rule Charter, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, publications, and materials from Amazon.com in an amount not to exceed \$75,000 during the period of January 1, 2016 through December 31, 2016; and, the Finance Department is authorized to pay the \$75,000 cost thereof from the Library's General Fund 11111, Organization 117016, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 108 – ADOPTED 7-0

56. Res. that as recommended by the Mayor, in accordance with Section 5.16 of the Omaha Home Rule Charter, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, publications, and materials from Baker and Taylor in an amount not to exceed \$850,000 during the period of January 1, 2016 through December 31, 2016; and, the Finance Department is authorized to pay the \$850,000 cost thereof from the Library's General Fund 11111, Organization 117016, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 109 – ADOPTED 7-0

57. Res. that, as recommended by the Mayor, the Annual Subscription Fee based upon the invoice of Bibliocommons Inc., providing a unique and non-competitive service, in the amount not to exceed \$57,597.90 for the Annual Subscription Service Fee, for one year, through December 31, 2016 is hereby approved; and, the Finance Department is authorized to pay the \$57,597.90 cost thereof from the Library's General Fund 11111, Organization 117017, Account 42266, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 110 – ADOPTED 7-0

58. Res. that as recommended by the Mayor, in accordance with Section 5.16 of the Omaha Home Rule Charter, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, publications, and materials from Midwest Tape in an amount not to exceed \$300,000 during the period of January 1, 2016 through December 31, 2016; and, the Finance Department is authorized to pay the \$300,000 cost thereof from the Library's General Fund 11111, Organization 117016, year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 111 – ADOPTED 7-0

59. Res. that as recommended by the Mayor, in accordance with Section 5.16 of the Omaha Home Rule Charter, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, publications, and materials from OverDrive, Inc. in an amount not to exceed \$180,000 during the period of January 1, 2016 through December 31, 2016; and, the Finance Department is authorized to pay up to the \$180,000 cost thereof from the Library's General Fund 11111, Organization 117016, Year 2016 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 60 – ADOPTED 7-0

60. Res. that the nomination and appointment by the Honorable Mayor Jean Stothert of Mark Santo as a member of the Administrative Appeals Board for a three-year term, shall commence on January 15, 2016, and expire on January 14, 2019, be and hereby is confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 112 – ADOPTED 7-0

61. Res. that the reappointment by the Honorable Mayor Jean Stothert of Kevin Toxword to serve a three-year term as a Non-Union Shop representative member of the Air Conditioning & Air Distribution Board, to serve a three-year term to commence on January 15, 2016, and expire on January 14, 2019, be and hereby is confirmed and approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 113 – ADOPTED 7-0

62. Res. that, the reappointment by the Honorable Mayor Jean Stothert of James F. Farho, owner of property at 3722 Dewey Avenue, to be a member of the Blackstone Business Improvement Board commencing upon January 29, 2016, and expiring on January 28, 2019, is hereby confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 71 – ADOPTED 7-0

63. Res. that the appointment by the Honorable Mayor Jean Stothert of Adrian Hernandez, being Vice President of Dundee Bank which is the owner of property located at 38th and Farnam Streets, to be a member of the Blackstone Business Improvement Board to serve a three-year term commencing upon January 29, 2016, and expiring on January 28, 2019, is hereby confirmed and approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 130 – ADOPTED 7-0

64. Res. that, the reappointment by the Honorable Mayor Jean Stothert of Kenneth L. Hansen, Associate Vice Chancellor of Facilities Management and Planning of the University of Nebraska Medical Center, which is the owner of space in the District, to be a member of the Blackstone Business Improvement Board commencing upon January 29, 2016 and expiring on January 28, 2019, is hereby confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 72 – ADOPTED 7-0

65. Res. that the reappointment by the Honorable Mayor Jean Stother of Jack E. Ryan to serve as the sanitary engineer member of the Building Board of Review, said term shall commence on January 15, 2016, and expire January 14, 2019, is hereby confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 114 – ADOPTED 7-0

66. Res. that the appointment by the Honorable Mayor Jean Stothert of Paul Kulik, the owner of Le Bouillon, to be a member of the Downtown Business Improvement Area Board to serve from January 29, 2016, until his term shall expire on January 28, 2021, is hereby confirmed and approved by the City Council – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 131 – ADOPTED 7-0

67. Res. that, the appointment by the Honorable Mayor Jean Stothert of Timothy O'Brien, Economic Development Manager of the Omaha Public Power District, to be a member of the Downtown Business Improvement Area Board to serve from January 29, 2016 until his term shall expire on January 28, 2021, is hereby confirmed by the City Council – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 73 – ADOPTED 7-0

68. Res. that the reappointment by the Honorable Mayor Jean Stothert of Patrick M. Gobel, the operator of Dundee Dell, to be a member of the Dundee Business Improvement District Area Board to serve a five-year term running through January 28, 2021, is hereby confirmed and approved by the City Council – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 132 – ADOPTED 7-0

69. Res. that the appointment by the Honorable Mayor Jean Stothert of Theresa Thibodeau as a member of the City of Omaha Personnel Board to serve a five-year term commencing upon January 29, 2016, and expiring on January 28, 2021, be and hereby is confirmed and approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 133 – ADOPTED 7-0

70. Res that the reappointment by the Honorable Mayor Jean Stothert of James (Mike) Miller to serve a two-year term as a 1st Grade Stationary Engineer member, residing in the zoning jurisdiction representative on the Stationary Engineers Examiners Board, said term shall commence on January 15, 2016, and expire on January 14, 2018, is hereby confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 115 – ADOPTED 7-0

71. Res. that the appointment by the Honorable Mayor Jean Stothert of Robert Woodling to serve a three-year term as the member representing the owners of multiple residential/commercial properties on the Board of Directors of the Omaha Municipal Land Bank, and as a resident of City Council District 6, said term to commence on January 29, 2016, and to expire on January 28, 2019, is hereby confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 116 – ADOPTED 7-0

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

* * * * *

RESOLUTIONS

72. Res. that, as recommended by the Mayor, the contract with The Sherwin-Williams Company for Paint (Pavement Marking and Crosswalks) for the City of Omaha, in the amount of \$303,792.50 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Street Highway and Allocation Fund 12131, and Pavement Markings Organization 116184, year 2016 expenditures – over from 1/12/16 and continue the public hearing – [see attached](#).
((PUBLIC HEARING CONTINUED TO TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 44 – January 12 Meeting)

CCID # 44 – Motion by Melton that the Resolution be laid over one week to February 2, 2016 and continue the public hearing

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

**“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD
FEBRUARY 16, 2016 AGENDA ITEM NOS. 73 THROUGH 74
SHALL BE LAID OVER FOUR WEEKS TO FEBRUARY 23, 2016
FOR PUBLICATION AND PUBLIC HEARING”**

73. Res. that, the attached The Slips in Blackstone Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 124 South 39th Street which proposes to rehabilitate 30 one bedroom apartments at affordable market rents, recommending the City’s participation through the allocation of TIF in an amount up to \$250,000.00 to offset TIF eligible expenses such as acquisition, rehabilitation construction costs, site work, demolition, architectural and engineering fees, surveys, and all public improvements as required and includes a \$10,000.00 allocation of the TIF loan proceeds toward the Midtown Public Improvement Fund, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).
Notice of public hearing on February 23, 2016 published in the Daily Record and Omaha World Herald on January 28, 2016 and February 4, 2016.

CCID # 106 – Over four weeks to February 23, 2016 for publication and public hearing pursuant to City Council Rule VII H.

74. Res. that, the attached The Breakers Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 415 Leavenworth Street which proposes to convert the former OPPD power plant into a 217 unit residential community of one, two and three bedroom market-rate apartments and on-site parking, recommending the City’s participation through the allocation of TIF in an amount up to \$6,200,000.00 to offset TIF eligible expenses such as demolition, site work and preparation, architectural and engineering fees, surveys, and all public improvements as required and includes \$100,000.00 of the TIF allocation toward the improvement of a section of Leavenworth Street near the project site, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved. – [see attached](#).
Notice of public hearing on February 23, 2016 published in the Daily Record and Omaha World Herald on January 28, 2016 and February 4, 2016.

CCID # 107 – Over four weeks to February 23, 2016 for publication and public hearing pursuant to City Council Rule VII H.

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**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 75 THROUGH 78
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON SECOND READING

75. Ord. to rezone property located Southwest of Coventry Drive and “V” Street from DR-Development Reserve District to MU-Mixed Use District.
(See Doc. # 11 – January 12 Meeting)

CCID # 11 – ORDINANCE ON SECOND READING – Final reading to be held on February 2, 2016 as per City Charter requirements.

76. Ord. to approve a Major Amendment to a Mixed Use District Development Agreement for Legacy, to allow for a Broadcast tower, located at 17677 Wright Street between the City of Omaha and Fox Den Properties, LLC, providing site development standards – [see attached](#).
(See Doc. # 45 – January 12 Meeting)

CCID # 45 – ORDINANCE ON SECOND READING – Final reading to be held on February 2, 2016 as per City Charter requirements.

77. Ord. to rezone property located Northeast of 192nd and Sahler Streets from AG-Agricultural District to DR-Development Reserve District.
(See Doc. # 12 – January 12 Meeting)

CCID # 12 – ORDINANCE ON SECOND READING – Final reading to be held on February 2, 2016 as per City Charter requirements.

78. Ord. to rezone property located Northeast of 192nd and Sahler Streets from AG-Agricultural District to R4-Single-Family Residential District (high density).
(See Doc. # 13 – January 12 Meeting)

CCID # 13 – ORDINANCE ON SECOND READING – Final reading to be held on February 2, 2016 as per City Charter requirements.

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ORDINANCES ON SECOND READING

79. Ord. declaring, pursuant to Neb. Rev. Stat. §14-374 (2007), the necessity of acquiring property by voluntary acquisition for use by the City of Omaha, certain properties eligible for acquisition under federal regulations implementing the Urban Homestead Program for subsequent use as sites for implementing projects consistent with the Consolidated Submission for Community Planning Development Program for 2013 through 2017; provided that as to each specified parcel, proceedings in eminent domain may be undertaken and completed for the purposes of clearing title only; to provide that project costs will be paid from Urban Homestead Program 2014, Fund No. 12141, Organization No. 128101, Project No. 4946 Award No. 100338; and Urban Homestead Program 2015, Fund No. 12141, Organization No. 128101, Project No. 5091, Award No. 100395; and to provide the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))

(See Doc. # 47 – January 12 Meeting)

CCID # 47 – Public hearing was held today – Final reading set for February 2, 2016 as per City Charter requirements.

80. Ord. 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 attached Agreement with Habitat for Humanity of Omaha, Inc., a Nebraska non-profit Corporation, 1701 N. 24th Street, Omaha, NE 68110, to convey property described in the attached agreement, for development of affordable housing, located at 3080 S. 16th Street, being within the South Omaha Neighborhood Redevelopment Strategy area and the Deer Park Neighborhood Redevelopment Plan area, in consideration of the sum of One and 00/100 Dollars (\$1.00); there are no expenditures associated with the conveyance of the property; and to provide the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))

(See Doc. # 48 – January 12 Meeting)

CCID # 48 – Public hearing was held today – Final reading set for February 2, 2016 as per City Charter requirements.

81. Ord. to grant the attached Communication System Easement to Qwest Corporation d/b/a Centurylink QC, for purposes of allowing them to construct an equipment box and related items in the right-of-way adjacent to the street on the southeast corner of the Omaha Fire Station No. 34 property located at 956 South 48th Street; to authorize the Mayor to execute the attached Communication System Easement; and to provide an effective date thereof – [see attached](#). ((PUBLIC HEARING TODAY))

(See Doc. # 15 – January 12 Meeting)

CCID # 15 – Public hearing was held today – Final reading set for February 2, 2016 as per City Charter requirements.

82. Ord. to approve a lease agreement between the City of Omaha and Circo Strategic Investments, LLC for approximately 2,580 square feet of space on the 1st floor in the LeDoiyt Landmark Building located at 1001 Farnam Street for operation of the Omaha Convention and Visitors Bureau's (OCVB) Visitor Information Center; to authorize the payments specified therein; and to provide an effective date – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 55 – January 12 Meeting)

CCID # 55 – Public hearing was held today – Final reading set for February 2, 2016 as per City Charter requirements.

83. Ord. to amend Section 23-177 of the Omaha Municipal Code to implement changes made in the reorganization of the Omaha Convention & Visitors Bureau by changing the title of the employment classifications without changing the salary range for the classifications; to move the Assistant Director-Omaha Convention and Visitors Bureau (OCVB) from the Administrative and Executive Classifications to Civilian Management and change the title of the classification to Vice President – Operations and assign him to the 25.1 MC salary range (\$80,669 - \$99,550); and to change the salary range of the Vice President – Marketing from 22.1 MC (\$72,689 - \$88,716) to 25.1 MC (\$80,669 - \$99,550), and to change the salary range of the Vice President – Sales & Service to 26.2 MC (\$83,342 - \$104,745); to create the following new positions including Accounting Clerk assigning a salary range of 9.1 MC (\$43,879 - \$56,983), Executive Assistant assigning a salary range of 11.1 MC (\$46,965 - \$56,983), Director of Communications assigning a salary range of 12.3 MC (\$48,682 - \$60,171), Director of Research assigning a salary range of 12.3 MC (\$48,682 - \$60,171), Regional Director of Accounts assigning a salary range of 26.2 MC (\$83,342 - \$104,745), Senior Tourism Sales Manager assigning a salary range of 20.1 MC (\$67,177 - \$81,693), Graphics Designer assigning a salary range of 7.1 MC (\$40,389 - \$48,873), and Administrative Receptionist-OCVB assigning a pay range of \$11.15 to \$13.98; repeal Section 23-177 as heretofore existing; and to provide the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 54 – January 12 Meeting)

CCID # 54 – Public hearing was held today – Final reading set for February 2, 2016 as per City Charter requirements.

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**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 84 THROUGH 93
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON FIRST READING and Planning Board Attachments

84. Ord. to rezone property located Southeast of 10th Street and Capitol Avenue from DS-Downtown Service District to CBD-Central Business District (subject property is also located within an existing ACI-1(PL)-Area of Civic Importance Overlay District.

CCID # 62 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Southeast of 10th Street and Capitol Avenue from DS-Downtown Service District to CBD-Central Business District (subject property is also located within an existing ACI-1(PL)-Area of Civic Importance Overlay District) – [see attached](#).

62 – Over to 2/09/16

85. Ord. to rezone property located Southeast of 18th and Clark Streets from R7-Medium-Density Multiple-Family Residential District to R5-Urban Family Residential District.

CCID # 117 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Southeast of 18th and Clark Streets from R7 to R5 – [see attached](#).

117 – Over to 2/09/16

86. Ord. to rezone the properties located at 2607, 2611 and 2615 “X” Street from HI-Heavy Industrial District to R4-Single-Family Residential District (high density).

CCID # 118 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the properties located at 2607, 2611 and 2615 “X” Street from HI to R4 – [see attached](#).

118 – Over to 2/09/16

87. Ord. to amend the boundaries of an existing ACI-1(PL)-Area of Civic Importance Overlay District to an ACI-2(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property generally located from North 30th Street from Sprague Street to Sorensen Parkway, and Ames Avenue from North 28th Avenue to North 33rd Street; and to provide for an effective date – [see attached](#).

CCID # 119 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of an amendment of an existing ACI-1(PL)-Area of Civic Importance Overlay District to a ACI-2(PL)-Area of Civic Importance, generally located from North 30th Street from Sprague Street to Sorensen Parkway, and Ames Avenue from North 28th Avenue to North 33rd Street – [see attached](#).

119 – Over to 2/09/16

88. Ord. to amend the legal description within Section 1 of Ordinance No. 40460, passed August 25, 2015, for a PUR-Planned Unit Redevelopment Overlay District in a LC-Limited Commercial District and R7-Medium-Density Multiple-Family Residential District (portions of property are within an existing ACI-1(PL) Overlay District) for an area generally located north of Parker Street and south of Grant Street, east of 32nd Street and west of the North Freeway, and to provide the effective date hereof – [see attached](#).

CCID # 120 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Department recommends approval of an amendment to Ordinance No. 40460, passed by the City Council on August 25, 2015, for a PUR Overlay District in a LC and R7 District (portions of property are within an existing ACI-1(PL) Overlay District), to correct the legal description, for an area generally located north of Parker Street and south of Grant Street, east of 32nd Street and west of the North Freeway – [see attached](#).

120 – Over to 2/09/16

89. Ord. to rezone the properties located at 3852 and 3876 Farnam Street from GC-General Commercial District to NBD-Neighborhood Business District (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District).

CCID # 63 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the properties located at 3852 and 3876 Farnam Street from GC to NBD (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District) – [see attached](#).

63 – Over to 2/09/16

- 90. Ord. to rezone property located at 4914 South 49th Street from DR-Development Reserve District to R4-Single-Family Residential District (High Density).

CCID # 64 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 4914 South 49th Street from DR to R4 – [see attached](#).

64 – Over to 2/09/16

- 91. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 2222 North 84th Street; and to provide for an effective date – [see attached](#).

CCID # 121 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a MCC-Major Commercial Corridor Overlay District for the property located at 2222 North 84th Street – [see attached](#).

121 – Over to 2/09/16

- 92. Ord. to rezone the property located at 11550 Pawnee Road from AG-Agricultural District to DR-Development Reserve District (property is also located within an existing ED-Environmental Overlay District).

CCID # 122 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 11550 Pawnee Road from AG to DR (property is also located within an existing ED-Environmental Overlay District) – [see attached](#).

122 – Over to 2/09/16

93. Ord. to approve a Major Amendment to the Mixed Use District Development Agreement for Tivoli to allow for a new grocery store building and plaza configuration, located at 17510 Gold Plaza between the City of Omaha and SDG Omaha, LLC, providing site development standards; and to provide for an effective date – [see attached](#).

CCID # 65 – Publication to be made and public hearing and third reading to be held on February 9, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a Major Amendment to the Mixed Use District Development Agreement for Tivoli to allow for a new grocery store building and plaza configuration, located at 17510 Gold Plaza – [see attached](#).

65 – Over to 2/09/16

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**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 94 THROUGH 103
SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING

94. Ord. vacating the north eight feet of Grebe Street from west right-of-way line of 28th Street thence west 142 feet, abutting Lot 8 Block 47, Florence Addition and ½ of the previously vacated alley adjacent, containing approximately 1,136 square feet of the Northwest Quarter of the Northeast Quarter of Section 28-16-13, in the City of Omaha; and providing the effective date hereof – [see attached](#).

CCID # 123 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

95. Ord. authorizing the issuance of a purchase order to Alamar Uniform Co. for a 12 month price agreement for the purchase of uniforms for Street Maintenance and Sewer Maintenance Divisions; 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; and to provide an effective date hereof – [see attached](#).

CCID # 124 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

96. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and JHD, LLC, a Nebraska limited liability company, to implement The Woolworth Lofts Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 1114 Howard Street which proposes the rehabilitation of the exterior of the building; upper floors with a mix of 43 market rate apartment units, consisting of 27 two-bedroom units and 16 one-bedroom units; 14,800 square feet of office space on the second floor; and common areas of the building; the agreement authorizes the use of up to \$1,500,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).

CCID # 125 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

97. Ord. to accept the bid of AL & L, Inc. to furnish all labor, materials and equipment to perform grounds maintenance within the Cole Creek Corridor, from 77th & Cass to 65th & Hartman Streets, in the amount of \$14,265.00 per year beginning January 1, 2016 and ending December 31, 2019, extendible for three (3) additional one (1) year periods at the sole option of the City, for a total amount of \$57,060.00, to authorize payment in accordance therewith; to authorize the Purchasing Agent to issue a purchase order; and to provide an effective date – [see attached](#).

CCID # 66 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

98. Ord. pursuant to Section 40-251 of the Omaha Municipal Code to amend an existing Class “B” Flammable Liquids Storage District, known as District No. B-186 at First Data Resources, 805 Crown Point Avenue as requested by Scott A. Altic; to increase the total capacity to 10,600 gallons of Class 2 liquid at that site; and to provide the effective date hereof – [see attached](#).

CCID # 126 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

99. Ord. 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-193 at 4626 Dahlman Avenue, as requested by Brenton J. Falgione for Greater Omaha Leasing, LLC; and to provide the effective date hereof – [see attached](#).

CCID # 127 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

100. Ord. to approve a contract between the Omaha Convention & Visitors Bureau and ASAE: The Center for Association Leadership for promoting the City of Omaha for the period of April 1, 2016 through March 31, 2019 in an amount not to exceed \$145,700 per year; to authorize the payments specified therein; and to provide an effective date – [see attached](#).

CCID # 129 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

101. Special Ord. 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: 2016-01 – [see attached](#).

CCID # 135 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

102. Special Ord. 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: 2016-02 – [see attached](#).

CCID # 136 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

103. Special Ord. levying a special tax assessment for cutting and clearing of 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: 2016-03 – [see attached](#).

CCID # 137 – Publication to be made and public hearing to be held on February 2, 2016 as per City Charter requirements.

CHAIRMAN OF THE BOARD OF EQUALIZATION

104. Chairman of the Board of Equalization reports approval of Plans of Assessment with adjustments and corrections made at their regular meeting held January 12, 2016 – see attached. ((MOTION NEEDED TO APPROVE))

CCID # 128 – Motion by Gernandt that the report be approved

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
Motion Carried 7-0

EXECUTIVE SESSION

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

SUPPLEMENT TO THE CITY COUNCIL AGENDA FOR JANUARY 26, 2016

**LEGISLATIVE CHAMBERS – 2:00 P.M. – PREPARED JANUARY 25, 2016 AT 11:00
A.M.**

**Agenda and Link to Agenda Items
Available at <http://www.cityofomaha.org>**

ADDITIONAL RESOLUTION

106. Res. that, as recommended by the Mayor, the City of Omaha does hereby strongly support, and directs the Public Works Department to submit, the application for grant funding from the United States Department of Transportation's Smart City Challenge – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Melton that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

RESOLUTION # 138 – ADOPTED 7-0

Motion by Gernandt that the meeting be adjourned

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

ADJOURNED: 5:04 P.M.

I, BUSTER BROWN, CITY CLERK OF THE CITY OF OMAHA, do hereby certify that the foregoing is a true and correct copy of the proceedings of the Meeting of the City Council of the City of Omaha held on January 26, 2016.

WITNESS:

s/Jenna L. Garcia

s/Buster Brown
CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 28TH DAY OF JANUARY, 2016.