

27TH REGULAR CITY COUNCIL MEETING

AUGUST 23, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, August 23, 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 # 1145 – Present: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson, Mr. President

2. Pledge of Allegiance.

3. Invocation by Councilmember Rich Pahls of District No. 5.

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 August 19, 2016, notice re: Pre-Council and Regular City Council Meetings, August 23, 2016.

CCID # 1146 – 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.

BUDGET RESOLUTIONS FOR YEAR 2017

((PUBLIC HEARING ON THE BUDGET WAS HELD AUGUST 9, 2016))

5. Res. that the Recommended 2017 Budget be revised by increasing appropriations in the General Fund in Parks by \$62,880, and decreasing appropriations in Other Budgetary Accounts in Contingency Reserve by \$62,880 (DAY CAMP) – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

Brook Bench, Parks and Recreation Director, appeared and spoke.

Resolution read

Motion by Jerram that the Resolution be adopted as amended

Seconded by Festersen

ROLL CALL:

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

Nay: Melton

RESOLUTION # 1152 - ADOPTED AS AMENDED 6-1

- (a) Amendment requested by Councilmember Thompson – [see attached](#).

1152 – Motion by Jerram that the Amendment be approved

Seconded by Festersen

ROLL CALL:

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

Nay: Melton

Motion Carried 6-1

6. Res. that the Recommended 2017 Budget be revised by increasing appropriations in the General Fund in Other Budgetary Accounts in Community Service Programs by \$21,500 and by decreasing appropriations in Contingency Reserve by \$21,500 (RECONNECT PROGRAM) – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

Steve Curtiss, Finance Director, appeared and spoke.

Motion by Festersen that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1150 - ADOPTED 7-0

7. Res. that the Recommended 2017 Budget be revised by increasing appropriations in the General Fund in Other Budgetary Accounts in Community Service Programs by \$20,000 and by decreasing appropriations in Contingency Reserve by \$20,000 (PACE PROGRAM) – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

FOR THE CITY: Antonio Espejo, Omaha Police Department
Gail Braun, Mayor's Office
Steve Curtiss, Finance Director

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Nay: Thompson

RESOLUTION # 1148 - ADOPTED 6-1

8. Res. that the Recommended 2017 Budget be revised by increasing appropriations in the General Fund in City Council by \$171,508, and decreasing Law appropriations by \$171,508 (CITY LOBBYIST) – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

CCID # 1151 – Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Gernandt, Jerram, Thompson,

Nays: Festersen, Melton, Pahls, Mr. President

MOTION LOST 3-4

9. Res. that the Recommended 2017 Budget be revised by increasing property tax revenues in the General Fund by \$798,727 and by increasing appropriations in the General Fund in Public Works by \$790,740, and increasing Other Budgetary Accounts- Misc appropriations by \$7,987 – [see attached](#). (5 VOTES REQUIRED) ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

CCID # 1149 – Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Mr. President

Nays: Melton, Pahls, Thompson

MOTION LOST 4-3

10. Res. that the Recommended 2017 Budget be revised by increasing personnel appropriations in Public Works for the adjustment in pay classifications for Civil Engineers per Ordinance 40810 by increasing appropriations in the Street & Highway Fund by \$346,436, Parking Revenue Fund by \$16,750, Sewer Revenue Fund by \$70,062, and the Air Quality Fund by \$8,213 – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1187 - ADOPTED 7-0

11. Res. to raise revenue estimates and revise the expenditures of the 2017 Budget, including General Fund revenues of \$396,878 and appropriations of \$396,878, Debt Service Fund revenues of \$996,029 and appropriations of \$1,512,249, Redevelopment Fund revenues of \$72,005 and appropriations of \$720, Judgment Fund revenues of \$27,104 and appropriations of \$271, Street and Highway Allocation Fund revenues of \$434,993 and appropriations of \$785,775, City Street Maintenance Revenue of \$183,000, Storm Water Fee Fund appropriations of \$88,968 and Sewer Revenue Fund appropriations of \$75,344 because of the areas annexed into the City on August 24, 2016 – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1188 - ADOPTED 7-0

12. Res. that upon affirmative vote by more than 75% of the City Council the budgeted restricted funds for Fiscal Year 2017 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Statute §13-519 – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

Motion by Melton that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

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

RESOLUTION # 1189 - ADOPTED 7-0

13. Res. that the Budget of the City of Omaha for the year 2017 as submitted to the City Council by the Mayor and the Finance Director of the City of Omaha together with revisions evidenced by resolutions attached hereto and adopted by the City Council at the Council Meeting of August 23, 2016, be and the same is hereby adopted as the Budget of the City of Omaha for the year 2017 – [see attached](#). ((MOTION NEEDED TO ADOPT OR NOT TO ADOPT))

Steve Curtiss, Finance Director, appeared and spoke.

Motion by Thompson that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1190 - ADOPTED 7-0

- (a) Communication from Maurice Jones opposing the property tax rate decrease as currently proposed by the Mayor – [see attached](#).

1190 – From Chair on File

RESOLUTION RE: 2017 – 2022 CAPITAL IMPROVEMENT PROGRAM

- 14. Res. that the 2017-2022 Capital Improvement Program as attached hereto shall be and the same is hereby approved – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

RESOLUTION # 1153 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the 2017-2022 Capital Improvement Program – [see attached](#).

1153 – From Chair on File

PRESIDENT GRAY STEPS DOWN FROM THE CHAIR AND LEAVES THE LEGISLATIVE CHAMBERS

VICE PRESIDENT JERRAM TAKES THE CHAIR

RESOLUTIONS RE: PRELIMINARY PLATS, PLATS AND SUBDIVISION AGREEMENTS

- 15. Res. that the preliminary plat entitled FALCON RIDGE REPLAT 3, located Northwest of 180th and Harrison Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson

RESOLUTION # 1156 - ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of FALCON RIDGE REPLAT 3, located Northwest of 180th and Harrison Streets – Outside City – [see attached](#).

1156 – From Chair on File

- 16. Res. that the replat transmitted herewith entitled FALCON RIDGE REPLAT 3, located Northwest of 180th and Harrison Streets, is hereby approved, and concurrently a portion of the existing plat entitled Falcon Ridge, and described on said replat, is hereby vacated – Outside City – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson

RESOLUTION # 1157 - ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of FALCON RIDGE REPLAT 3, located Northwest of 180th and Harrison Streets – Outside City – [see attached](#).

1157 – From Chair on File

- 17. Res. that, the First Amendment to Subdivision Agreement among the City of Omaha, Dragon Storage, LLC, Edgewater Investments, LLC, and SSAM Holdings, LLC, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Falcon Ridge Replat 3 (Lots 1-2 and Outlots A-B) and is located northwest of 180th and Harrison Streets – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson

RESOLUTION # 1158 - ADOPTED 6-0

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD SEPTEMBER 6, 2016 AGENDA ITEM NOS. 18 THROUGH 19 SHALL BE LAID OVER THREE WEEKS TO SEPTEMBER 13, 2016 FOR PUBLICATION AND PUBLIC HEARING”

18. Res. that the preliminary plat entitled HANA HANA, located east of the 67th and “F” Street intersection, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – [see attached](#).
Notice of Public Hearing on September 13, 2016 published in the Daily Record on August 26, 2016.

CCID # 1154 – Over three weeks to September 13, 2016 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of HANA HANA, located east of the 67th and “F” Street intersection – Inside City – [see attached](#).

1154 – Over to 9/13/16

19. Res. that the plat entitled HANA HANA, located east of the 67th and “F” Street intersection, is hereby approved and accepted – Inside City – [see attached](#).
Notice of Public Hearing on September 13, 2016 published in the Daily Record on August 26, 2016.

CCID # 1155 – Over three weeks to September 13, 2016 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of HANA HANA, located east of the 67th and “F” Street intersection – Inside City – [see attached](#).

1155 – Over to 9/13/16

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD SEPTEMBER 6, 2016 AGENDA ITEM NO. 20 SHALL BE LAID OVER THREE WEEKS TO SEPTEMBER 13, 2016”

20. Res. that, the Subdivision Agreement among the City of Omaha, Hana Hana, L.L.C., a Nebraska Corporation, and Daniel L. Veskerna, as recommended by the Mayor, providing for the Watershed Management fees, and the waiver of the right to protest the creation of a future sidewalk improvement district, is hereby approved. The Subdivision is to be known as Hana Hana (Lots 1-2) and is located east of the 67th and “F” Street intersection – [see attached](#).
Notice of Public Hearing on September 13, 2016 published in the Daily Record on August 26, 2016.

CCID # 1159 – Over three weeks to September 13, 2016 pursuant to City Council Rule VII H.

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PRESIDENT GRAY RE-ENTERS THE LEGISLATIVE CHAMBERS

VICE PRESIDENT JERRAM STEPS DOWN FROM CHAIR

PRESIDENT GRAY TAKES THE CHAIR

SPECIAL USE PERMIT – LARGE GROUP LIVING

21. Res. that the Special Use Permit application submitted by Sheltering Tree, Inc. for a Special Use Permit to allow Large group living in an R2-Single-Family Residential District (Low Density) (property is also located within an ACI-3(PL) Overlay District), located at 7400 Military 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 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 – over from 8/9/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1088 – August 9 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, on behalf of the applicant, appeared and spoke.

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1088 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the request of Sheltering Tree, Inc. for a Special Use Permit to allow Large group living in an R2 District (property is also located within an ACI-3(PL) Overlay District), located at 7400 Military Avenue – over from 8/9/16 – [see attached](#).
(See Doc. # 1088 – August 9 Meeting)

1088 – From Chair on File

LIQUOR

22. Wal-Mart Stores, Inc., dba "Walmart Store 4139", 360 N Saddle Creek Road, requests permission to appoint John G. Carlin II manager of their present Package Liquor License location – over from 8/16/16 – [see attached](#). ((PUBLIC HEARING CONTINUED TO TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))
(See Doc. # 1135 – August 16 Meeting)

John Carlin, Wal-Mart Store 4139, 360 N. Saddle Creek Road, appeared and spoke.

CCID # 1135 - Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

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

23. CLASS "I" – West Center Lodging, LLC, dba "Staybridge Suites", 2720 Oak Drive. New application, New location. Property posted: 08-10-16; Notification sent: 08-12-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Steve Young, 4421 Newman Lane, Lincoln, NE, appeared and spoke.

Motion by Melton that the Resolution to Grant be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson, Mr. President
RESOLUTION # 1147 - ADOPTED 7-0

24. Maria Bonita Mexican Cuisine, Inc., dba "Maria Bonita Mexican Cuisine", 5132 "L" Street, requests permission to appoint Leonel H. Martinez Pinzon manager of their pending On Sale Beer License – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Steven Ranum, Attorney, Croker Huck Kasher De Witt Law Firm, 2120 S. 72nd Street, Suite #1200, on behalf of the applicant, appeared and spoke.

CCID # 1160 - Motion by Gernandt that the request be approved

Seconded by Thompson

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson, Mr. President
Motion Carried 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. 25 through 27 were held on August 16, 2016.)

CONSENT AGENDA – ORDINANCES

25. Ord. approving an Interlocal Agreement between the City of Omaha, Douglas County, and Sarpy County involving the disbursement and receipt of money involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which Omaha is to cooperate with Douglas County and Sarpy County to provide Household Hazardous Waste services for the residents of Douglas and Sarpy County; to authorize the Finance Department to disburse and receive a cost share from Douglas County and Sarpy County not to exceed \$106,800 annually per participant according to the schedule contained within the Agreement; and to provide an effective date hereof – [see attached](#).
(See Doc. # 1114 – August 9 and August 16 Meetings)
Notice of public hearing on August 16, 2016 published in the Daily Record on August 12, 2016. Ordinance passed on August 23, 2016 published in the Daily Record on August 31, 2016.

CCID # 1114 – Motion by Gernandt that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40853 - PASSED 7-0

26. 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-193 at Greater Omaha Leasing, LLC, 4626 Dahlman Avenue as requested by Brenton J. Falgione; to increase the total capacity to 1,967 gallons of Class 2 liquid at that site; and to provide the effective date hereof – [see attached](#).
(See Doc. # 1115 – August 9 and August 16 Meetings)
Notice of public hearing on August 16, 2016 published in the Daily Record on August 12, 2016. Ordinance passed on August 23, 2016 published in the Daily Record on August 31, 2016.

CCID # 1115 – Motion by Gernandt that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson, Mr. President
ORDINANCE # 40854 - PASSED 7-0

27. Spec. Ord. levying a special tax assessment for condemned buildings or structures in accordance with Section 48-93 of the Omaha Municipal Code on certain lots in the City of Omaha, Group No: 2016-01 – [see attached](#).
(See Doc. # 1117 – August 9 and August 16 Meetings)
Notice of public hearing on August 16, 2016 published in the Daily Record on August 12, 2016. Special Ordinance passed on August 23, 2016 published in the Daily Record on August 31, 2016.

CCID # 1117 – Motion by Gernandt that the Special Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson, Mr. President
SPECIAL ORDINANCE # 10202 - PASSED 7-0

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

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(The public hearings on Agenda Item Nos. 28 through 46 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

28. Res. that, Councilmembers Pete Festersen, Chris Jerram, and Aimee Melton shall assess damages, if any, to owners and parties affected by the vacation of Emile Street from the east right-of-way line of Saddle Creek Road to the west right-of-way line of 42nd Street, 45th Street from the north right-of-way line of Emile Street to the north right-of-way line of Dewey Avenue, including the traffic circle, Dewey Avenue from the west right-of-way line of 45th Street to the east right-of-way line of 44th Street, and 44th Street from the south right-of-way line of Dewey Avenue to the south right-of-way line of Farnam Street. Said committee shall give reasonable notice to the owners and parties interested in the property affected by such vacation – [see attached](#).

Motion by Festersen that the Resolution be adopted
Seconded by Melton

ROLL CALL:

Yeas: Festersen, Gernandt, Jerram, Melton, Pahls, Thompson, Mr. President
RESOLUTION # 1161 - ADOPTED 7-0

29. Res. that, Councilmembers Pete Festersen, Chris Jerram, and Aimee Melton shall assess damages, if any, to owners and parties affected by the vacation of South 40th Street from the north right-of-way line of Leavenworth Street to the south right-of-way line of Jones Street. Said committee shall give reasonable notice to the owners and parties interested in the property affected by such vacation – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1162 - ADOPTED 7-0

30. Res. that, as recommended by the Mayor, Amendment No. 2 to the Professional Services Agreement with CDM Smith, Inc. to provide additional final design and bidding assistance services for OPW 52472 (CSO), being the Burt IZard Lift Station Improvements Project, is hereby approved; and that, the Finance Department is authorized to pay an additional \$505,190.00 for these items, to be paid from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918. Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1163 - ADOPTED 7-0

31. Res. that, as recommended by the Mayor, Change Order No. 1 with Eletech Incorporated for additional work including electrical modifications and upgrades and the removal of plastic laminate panels in the elevator structure for OPW 52700-C, being the Park One Elevator Upgrades Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$79,092.00 for this change order, from the Parking Revenue Fund 21116, Omaha Park One Organization 116243, year 2016 expenditure – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1164 - ADOPTED 7-0

32. Res. that, as recommended by the Mayor, Change Order No. 2 to Graham Construction Company for additional excavation and hauling on OPW 52049A (CSO), being the Saddle Creek Retention Treatment Basin Early Soils Removal Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$529,963.32 for this change order, from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1165 - ADOPTED 7-0

33. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue Purchase Orders to American Concrete Products Co. in the total amount of \$150,000.00 for curb inlet tops to be delivered to job sites throughout the City; and that, the Finance Department is authorized to pay the cost of curb inlet tops purchased under this bid from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2016 expenditures – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1166 - ADOPTED 7-0

34. Res. that, as recommended by the Mayor, the purchase order to Leigh Environmental Equipment, Incorporated for the replacement of a Hidrostal Dewatering Pump, in accordance with Section 5.16 of the Home Rule Charter of 1956, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$27,299.50 from the Sewer Revenue Fund 21121, Missouri River Wastewater Treatment Plant Maintenance Organization 116613, year 2016 expenditure – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1167 - ADOPTED 7-0

35. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Logan Contractors Supply, Incorporated for two (2) concrete saws with electric clutches to be utilized by the Street Maintenance Division in the amount of \$47,180.00; and that, 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 2016 funding – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1168 - ADOPTED 7-0

36. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Northwest Electric, LLC in the total amount of \$27,801.00 for a 30” Ingersol Dresser Pump Rebuild to be utilized by the Papillion Creek Wastewater Treatment Plant; and that, the Finance Department is authorized to pay the cost of this rebuild from the Sewer Revenue Fund 21121, Papillion Creek Wastewater Treatment Plant Maintenance Organization 116614, year 2016 expenditures – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1169 - ADOPTED 7-0

37. Res. that, as recommended by the Mayor, a Purchase Order to the United States Postal Service for the fall mailing of 136,892 Wasteline newsletters, in accordance with Section 5.16 of the Home Rule Charter of 1956 for the purchase of unique or non-competitive items, is hereby approved; and that, the Finance Department is authorized to pay the total cost for postage in the amount of \$24,771.64 from the General Fund 11111, Solid Waste Collection and Disposal Organization 116321, year 2016 expenditures – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1170 - ADOPTED 7-0

38. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to River City Recycling for loading, hauling, and processing scrap tires during Fall Tire Clean-up 2016 in an amount not to exceed \$24,232.00; and that, the Finance Department is authorized to pay this cost from the General Fund 11111, Solid Waste Disposal Organization 116321, year 2016 expenditures – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1191 - ADOPTED 7-0

39. Res. that, the Interlocal Cooperation Agreement between the City of Omaha and The Board of Regents of the University of Nebraska, a public body corporate of the State of Nebraska and governing body of the University of Nebraska Medical Center ("UNMC"), as recommended by the Mayor, providing for the funding by UNMC of public improvements to the intersection of 42nd and Leavenworth Streets in exchange for the City's vacation of rights-of-way in the vicinity (by separate ordinance), is hereby approved – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1171 - ADOPTED 7-0

40. Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Incorporated, for professional services associated with the Raven Oaks Project, located at Willit Street and North 52nd Avenue, is hereby approved; and that, the Finance Department is authorized to pay HGM Associates, Incorporated a fee not to exceed \$21,006.60 for these professional services from the 2014 Environment Bond Fund 13124, Environmental Bonds Organization 117217, year 2016 expenditure (typographical survey) – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1172 - ADOPTED 7-0

41. Res. that, as recommended by the Mayor, the Professional Services Agreement with The Wells Resource LLC, for professional services associated with OPW 53013, being the Jones Street Sewer Relocation Project, is hereby approved; and that, the Finance Department is authorized to pay The Wells Resource LLC a fee not to exceed \$31,295.00 for these professional services from the Sewer Revenue Improvements Fund 21124, Neighborhood Sewer Renovation Organization 116911, year 2016 expenditure – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1173 - ADOPTED 7-0

42. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$41,385.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Omar Banderas, Owner, and Maria G. Ramos Pantoja, Owner's Spouse, located at 2308 S 17 ST, Omaha, NE 68116, is hereby approved. The contract is to be awarded to R & R Construction. Funds shall be paid as follows: \$16,385.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072; and \$25,000.00 from NAHTF 14-TFHO-7074 Owner Occupied Rehabilitation, Fund No. 12141, Org. No. 128101 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1174 - ADOPTED 7-0

43. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$49,400.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Manuel J. Garcia and Maria E. Garcia, located at 3510 S 20 ST, Omaha, NE 68108, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$24,400.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072; and \$25,000.00 from NAHTF 14-TFHO-7074 Owner Occupied Rehabilitation, Fund No. 12141, Org. No. 128101 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1175 - ADOPTED 7-0

44. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$67,750.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Jennifer A. Kelly, located at 1709 MARTHA ST, Omaha, NE 68108, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$25,000.00 from NAHTF 14-TFHO-7074 Owner Occupied Rehabilitation, Fund No. 12141, Org. No. 128101; and \$42,750.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1176 - ADOPTED 7-0

45. Res. that, the City of Omaha retains its membership in the League of Nebraska Municipalities and pays its dues in the amount of \$70,314.00 to be paid from the 2016 General Fund 11111, General Expense 119014, Account 42852 Membership Dues – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1186 - ADOPTED 7-0

46. Res. that, as recommended by the Mayor, the purchase based upon the quote of Anderson Ford Lincoln Mercury Mazda in the amount of \$28,046.00 for the Ford Interceptor Police Utility Vehicle, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price for one 2016 Ford Interceptor, is hereby approved; and that, the Finance Department is authorized to pay the cost of the Ford Interceptor in the amount of \$28,046.00 from the Omaha Police Department, Year 2016, General Fund 11111, Organization 113141 Fleet/Facilities, Account 47031 Vehicles Small/Law Enforcement Only – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1177 - ADOPTED 7-0

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

* * * * *

ORDINANCES ON FINAL READING AND RESOLUTIONS

47. Spec. Ord. levying a special tax and assessment on certain lots, parts of lots and pieces of real estate in the City of Omaha to cover the cost of sidewalk snow removal in District No. SWSR 2016-01 – [see attached](#). ((PUBLIC HEARING WAS HELD ON 8/16/16 – CAN BE PASSED TODAY))
(See Doc. # 1116 – August 9 and August 16 Meetings)
Notice of public hearing on August 16, 2016 published in the Daily Record on August 12, 2016. Special Ordinance passed on August 23, 2016 published in the Daily Record on August 31, 2016.

CCID # 1116 – Special Ordinance read

Motion by Jerram that the Special Ordinance be passed as amended

Seconded by Festersen

ROLL CALL:

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

SPECIAL ORDINANCE # 10203 - PASSED AS AMENDED 7-0

- (a) Amendment requested by the Public Works Department – [see attached](#).

1116 – Motion by Jerram that the Amendment be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

48. Ord. to amend Ordinance No. 40452, creating Road Maintenance District No. 745-22, in the City of Omaha, for the purpose of improving South 78th Avenue from Woolworth Avenue to Poppleton Avenue, to become Street Improvement District No. 6877; to change the type of improvement from an asphalt overlay to a permanent street improvement including grading, curbing and paving in Portland cement concrete; to authorize the Public Works Department to complete the associated improvement project; and to provide for an effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1126 – August 9 and August 16 Meetings)
Notice of public hearing on August 23, 2016 published in the Daily Record on August 11 and 12, 2016. Ordinance passed on August 23, 2016 published in the Daily Record on August 31, 2016.

CCID # 1126 – Motion by Festersen that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40855 - PASSED 7-0

49. Res. that, the City Clerk is hereby authorized and directed to publish the Petition for improvement of 78th Avenue from Woolworth Avenue to Poppleton Avenue within Street Improvement District No. 6877 to publish notice of the right to protest the said Petition and the said improvement, and to mail the said notice to record owners of taxable property within the said District, all as provided in this Resolution – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Festersen that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1124 - ADOPTED 7-0

50. Res. that, the City Council of the City of Omaha hereby expresses its support for the Mayor and the Police Chief to explore the concept of a Joint Crime Lab that would involve the cooperation of the City of Omaha, the University of Nebraska Medical Center, the Nebraska Organ Recovery System, and any other entity that might be interested – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Todd Schmaderer, Police Chief, Omaha Police Department, appeared and spoke.

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1192 - ADOPTED 7-0

ORDINANCES ON SECOND READING

51. Ord. to approve a series of contracts to implement a new Human Resources Information System (HRIS) for the City of Omaha, the Lawson CloudSuite HRMS; to approve a Master Services Agreement and a SaaS Order Form between the City of Omaha and Infor (US), Inc., for a term of ten (10) years, with the first five years being at an annual cost of four hundred ninety-six thousand six hundred thirty-one dollars and 94/100 (\$496,631.94) per year with such cost to increase by no more than 2% in the 6th year and no more than 3% in the 7th to 10th year; to approve an Installment Purchase Agreement with EverBank Commercial Finance, Inc. to finance the first three years of said installments into nine (9) quarterly payments with the first payment due October 1, 2017; to approve a Master Services Agreement and a Statement of Work with Ciber, Inc., a Delaware corporation for implementation of the Lawson CloudSuite HRMS program with an estimated total project cost of one million, one hundred one thousand eight hundred sixty dollars (\$1,101,860.00); to approve a Software License Agreement between the City of Omaha and MHC Software, Inc. in the amount of thirty-four thousand nine hundred eighty dollars (\$34,980.00) with ongoing maintenance costs of six thousand eight hundred thirty-six dollars and 40/100 (\$6,836.40) per year; to authorize the Finance Director to make payments in conformance therewith for the implementation with Ciber and the initial purchase from MHC from the 13112 Capital Improvement Fund, Organization 107071 and to make payments for the annual maintenance for Infor and MHC from the General Fund 11111, General Expense 119014; and to provide an effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))

(See Doc. # 1141 – August 16 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

FOR THE CITY: Bobby Wernli, IT Coordinator, Human Resources Department
Mikki Frost, Human Resources Director
Deb Sander, City Payroll Manager

CCID # 1141 – Public hearing was held today – Final reading set for August 30, 2016 as per City Charter requirements.

52. Ord. to approve the acceptance of and authorize the disbursement from the FY2015 Assistance to Firefighters Grant Program, Award #EMW-2015-FR-00456, in the amount of two million, two hundred sixty thousand, six hundred seven dollars (\$2,260,607); a match of eighty-two thousand, three hundred seventy-three dollars (\$82,373) provided by participating Douglas County fire departments and a match of one hundred forty-three thousand, six hundred eighty-eight dollars (\$143,688) by the Omaha Fire Department (OFD) from Fund 11111, Organization 114511 (BFY2016 and 2017 OFD Grant Expense), and total program budget in the amount of two million, four hundred eighty-six thousand, six hundred sixty-eight dollars (\$2,486,668); during the project period of May 27, 2016 to May 26, 2017, to provide regional funding for 471 portable single-band radios, 22 portable dual-band radios, and accessories to be distributed to eight (8) professional and volunteer fire departments in Douglas County, including the Omaha Fire Department; 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; and, providing for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1144 – August 16 Meeting)

CCID # 1144 – Public hearing was held today – Final reading set for August 30, 2016 as per City Charter requirements.

53. Ord. to authorize the acceptance of an agreement between Heartland Workforce Solutions (HWS), the Greater Omaha Workforce Development Area Provider, and ResCare Workforce Services in the amount of three million, three hundred one thousand, three hundred thirty-seven dollars (\$3,301,337); for youth, adult, and dislocated worker services at the Greater Omaha Workforce Development Area One Stop Center; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; providing for payment from a specific account; and, providing for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1142 – August 16 Meeting)

Erin Porterfield, 5752 Ames Avenue, Heartland Workforce Solutions, appeared and spoke.

CCID # 1142 – Public hearing was held today – Final reading set for August 30, 2016 as per City Charter requirements.

54. Ord. (1) to approve an agreement between the City of Omaha and Justice For Our Neighbors-Nebraska in the amount of twenty-four thousand dollars (\$24,000); and (2) to authorize funding for such agreement from the City of Omaha's FY 2015 STOP Violence Against Women (VAWA) Grant, Award #15-VW-0714, awarded by the Nebraska Crime Commission; to provide partial funding of one (1) full-time Managing Attorney and one (1) full-time Legal Services Provider as part of the Douglas County Community Response Team; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1143 – August 16 Meeting)

CCID # 1143 – Public hearing was held today – Final reading set for August 30, 2016 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 55
THROUGH 62 SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING and Planning Board Attachments

55. Ord. vacating 27th Avenue from the north right-of-way line of Farnam Street to the south right-of-way line of Douglas Street, abutting Lot 16, Block 6 of Boggs & Hills Addition, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska, and providing the effective date hereof – [see attached](#).

CCID # 1178 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of 27th Avenue from the north right-of-way line of Farnam Street to the south right-of-way line of Douglas Street – Inside City – [see attached](#).

1178 – Over to 8/30/16

56. Ord. vacating a portion of the east/west alley beginning at the west right-of-way line of South 31st Street between Marcy Street and Mason Street extending approximately 150 feet to the west, abutting Lot 1, Block 0; Lot 2, Block 14; and Lot 3, Block 0 of the Housel & Stebbins Subdivision Lot 14; and Lot 2 and 3, Block 0 of Clifton Place, subdivisions as surveyed, platted, and recorded in Douglas County, Nebraska, and providing the effective date hereof – [see attached](#).

CCID # 1179 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of the east/west alley adjacent to 31st Street between Marcy Street and Mason Street, stretching from 31st Street west 150 feet – Inside City – [see attached](#).

1179 – Over to 8/30/16

- 57. Ord. vacating a portion of the north/south alley beginning at the north right-of-way line of Mason Street between South 33rd Street and Turner Boulevard extending approximately 132 feet to the north, abutting Lots 14 through 19, Block 1 of Mayne Place, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska, and providing the effective date hereof – [see attached](#).

CCID # 1180 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of the north/south alley adjacent to Mason Street between Turner Boulevard and 33rd Street, stretching north of Mason Street 132 feet – Inside City – [see attached](#).

1180 – Over to 8/30/16

- 58. Ord. vacating a portion of the north/south alley beginning at the north right-of-way line of Mason Street between South 33rd Street and Turner Boulevard extending approximately 176 feet to the south, abutting Lots 1 through 4 and Lots 23 through 26, Block 4 of Mayne Place, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska, and providing the effective date hereof – [see attached](#).

CCID # 1181 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of the north/south alley adjacent to Mason Street between Turner Boulevard and 33rd Street, stretching south of Mason Street 176 feet – Inside City – [see attached](#).

1181 – Over to 8/30/16

- 59. Ord. vacating a portion of the east/west alley beginning at the east right-of-way line of South 38th Avenue between Farnam Street and Dodge Street, abutting Lots 14, 17, and 18, Block 9 of Jerome Park, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska, and providing the effective date hereof – [see attached](#).

CCID # 1182 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of the east/west alley between 38th Avenue and 38th Street that abuts 221 South 38th Avenue and 3814 & 3824 Farnam Street – Inside City – [see attached](#).

1182 – Over to 8/30/16

ORDINANCES ON FIRST READING

- 60. Ord. approving the contract with Allegheny Answering Service for the City of Omaha: Telephone Answering Service Project in accordance with Section 5.16 of the Home Rule Charter of 1956 as amended, as it provides for the purchasing division to make purchases when no bids are received during competitive bidding, based on the attached price quote monthly services of \$425.00 for up to 500 minutes with each minute over 500 charged \$0.76, and an annual estimated cost of \$22,000.00, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for payments from a specific account; and, to provide an effective date hereof – [see attached](#).

CCID # 1183 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- 61. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and Aksarben Apartments South, L.L.C., a Nebraska limited liability company, to implement the Aksarben Apartments III Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 2313 South 63rd Street which proposes to construct a new four-story, 241 unit market-rate apartment structure with apartment amenities in addition to off-street resident and guest parking consisting of 399 structured and 26 surface stalls; the agreement authorizes the use of up to \$4,400,000.00 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 # 1184 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

- 62. Ord. to amend Chapter 21, Article V, of the Omaha Municipal Code, entitled “Park Development Fees”; to lower community park fees and to provide for additional exemptions from park development fees; to repeal Sec. 21-122 and Sec. 21-125 as heretofore existing; and to provide the effective date thereof – [see attached](#).

CCID # 1185 – Publication to be made and public hearing to be held on August 30, 2016 as per City Charter requirements.

EXECUTIVE SESSION

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

Motion by Jerram that the meeting be adjourned

Seconded by Gray

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 4:19 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 August 23, 2016.

WITNESS:

s/Sherri Brown

s/Buster Brown
CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 25TH DAY OF AUGUST, 2016.