CITY COUNCIL AGENDA FOR JULY 12, 2011

LEGISLATIVE CHAMBERS - 2:00 P.M.

Agenda and Link to Agenda Items
Available at http://www.ci.omaha.ne.us

ROLL CALL

1. City Clerk calls the roll.

2. Pledge of Allegiance.

3. Invocation by Council President Thomas Mulligan 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 July 8, 2011, notice re: Pre-Council and Regular City Council Meetings, July 12, 2011.

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 PROPOSENENTS WILL BE GIVEN THE OPPORTUNITY OF FIRST ADDRESSEND THE COUNCIL. THE OPPONENTS OF THE QUESTION WILL BE GIVEN THE OPPORTUNITY TO SPEAK AFTER THE PROPOSENENTS' PRESENTATION. THE PROPOSENENTS 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 RECEIVE TWENTY MINUTES FOR THEIR PRESENTATION. COUNCILMEMBERS WILL ASK QUESTIONS AT THE CONCLUSION OF THE PUBLIC HEARING.
5. Ord. to approve a Major Amendment to a Planned Unit Development Overlay District in a R6-Low Density Multiple Family Residential District for the property located at 5615 Northampton Boulevard; and to provide for an effective date – see attached. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

   (a) Planning Board and Planning Department recommend approval of a request for a Major Amendment to the Planned Unit Development Overlay District in a R6-Low Density Multiple Family Residential District located at 5615 Northampton Boulevard – see attached.

6. Ord. to approve a Major Amendment to the Mixed Use District Development Agreement for Sorensen Park Plaza to allow Auto repair services and relocate the proposed office location in order to meet the minimum office requirement of the Mixed Use Development Agreement, located Southwest of 72nd Street and Sorensen Parkway between the City of Omaha and KDI Omaha, L.P., providing site development standards; and to provide for an effective date – see attached. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

   (a) Planning Board and Planning Department recommend approval of a Major Amendment to the Mixed Use District Development Agreement for Sorensen Park Plaza to allow Auto repair services and relocate the proposed office location in order to meet the minimum office requirement of the Mixed Use Development Agreement, located Southwest of 72nd Street and Sorensen Parkway – see attached.

7. Ord. to rezone property located at 2512 South 105th Avenue and 10620 Gold Plaza from DR-Development Reserve District to DR-Development Reserve District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
8. Ord. to rezone property located at 2512 South 105th Avenue and 10620 Gold Plaza from DR-Development Reserve District and R4-Single-Family Residential District (High Density) to R4-Single-Family Residential District (High Density).  

(PUBLIC HEARING TODAY – CAN BE PASSED TODAY)

(a) Planning Board and Planning Department recommend approval of a request to rezone properties located at 2512 South 105th Avenue and 10620 Gold Plaza from DR and R4 to DR and R4 – see attached.

RESOLUTIONS RE: PRELIMINARY PLATS AND PLATS

9. Res. that the preliminary plat entitled CYPRESS POINTE, located Southwest of 60th Street and Hartman Avenue, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 6/21/11 for publication and public hearing – had publication – see attached.  

(PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY)

(a) Planning Board and Planning Department recommend approval of the Preliminary Plat of CYPRESS POINTE, located Southwest of 60th Street and Hartman Avenue – Inside City – over from 6/21/11 – see attached.

10. Res. that the preliminary plat entitled NORTHERN HILLS AIRPARK located Northeast of 72nd Street and Bennington Road, 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)

(a) Planning Board and Planning Department recommend approval of the Preliminary Plat of NORTHERN HILLS AIRPARK, located Northeast of 72nd Street and Bennington Road – Outside City – see attached.
11. Res. that the preliminary plat entitled LEYTHAM located Northeast of 168th and State 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))

(a) Planning Board and Planning Department recommend approval of the Preliminary Plat of LEYTHAM, located Northeast of 168th and State Streets – Outside City – see attached.

“PURSUANT TO CITY COUNCIL RULE VII E AGENDA ITEM NOS. 12 THROUGH 13 SHALL BE LAID OVER TWO WEEKS FOR PUBLICATION AND PUBLIC HEARING”

12. Res. that the preliminary plat entitled UNION PACIFIC REPLAT 5, located Southwest of 12th and Mike Fahey Streets, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – see attached.

(a) Planning Board and Planning Department recommend approval of the Preliminary Plat of UNION PACIFIC PLACE REPLAT 5, located Southwest of 12th and Mike Fahey Streets – Inside City – see attached.

13. Res. that the replat transmitted herewith entitled UNION PACIFIC PLACE REPLAT 5, located Southwest of 12th and Mike Fahey Streets, is hereby approved, and concurrently a portion of the existing plats entitled Union Pacific Place and Original City of Omaha, and described on said replat, is hereby vacated – Inside City – see attached.

(a) Planning Board and Planning Department recommend approval of the Final Plat of UNION PACIFIC PLACE REPLAT 5, located Southwest of 12th and Mike Fahey Streets – Inside City – see attached.

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“PURSUANT TO CITY COUNCIL RULE VII E AGENDA ITEM NO. 14 SHALL BE LAID OVER TWO WEEKS”

14. Res. that the plat entitled MUD ACRES located Southeast of 120th Street and Military Road is hereby approved and accepted – Outside City – see attached.

(a) Planning Board and Planning Department recommend approval of the final plat of MUD ACRES located Southeast of 120th Street and Military Road – Outside City – see attached.

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“PURSUANT TO CITY COUNCIL RULE VII E AGENDA ITEM NO. 15 SHALL BE LAID OVER TWO WEEKS FOR PUBLICATION AND PUBLIC HEARING”

SPECIAL USE PERMIT – LARGE PROJECT

15. Res. that the Special Use Permit application submitted by Metropolitan Utilities District for a Large Project Special Use Permit in a GI-General Industrial District located Southeast of 120th Street and Military Road, 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.

(a) Planning Board and Planning Department recommend approval of a request by Metropolitan Utilities District for a Large Project Special Use Permit in a GI-General Industrial District located Southeast of 120th Street and Military Road – see attached.

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LIQUOR

16. CLASS “C” – Century-Omaha Hospitality, LLC, dba “Ramada Tropics Resort & Conference Center”, 3321 South 72nd Street. New application, Old location. Present licensee is Sage Restaurant Manager, LLC, dba “CoCo Key Water Resort & Hotel – Omaha”, 3321 South 72nd Street, who has a Class “C/K” Liquor License – see attached. ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))


19. CATERING – Homestead Café Y Algo Mas, Inc., dba “Homestead Café”, 4826 “Q” Street. New application, Old location. Presently holds a Class “I” Liquor License. Property posted: 06-29-11; Notification sent: 07-01-11 – see attached. ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO APPROVE OR NOT TO APPROVE))

20. CATERING – Omaha Zoological Society, dba “Henry Doorly Zoo”, 3701 South 10th Street. New application, Old location. Presently holds a Class “I” Liquor License. Property posted: 06-28-11; Notification sent: 07-01-11 – see attached. ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO APPROVE OR NOT TO APPROVE))

22. Carlisle Management, L.L.C., dba “Carlisle Hotel Omaha”, 10909 “M” Street, requests permission for an addition of a beer garden approx. 33’ x 123’ to the east of their present Class “C” Liquor License location. Property posted: 06-30-11; Notification sent: 07-01-11 – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

23. Dave & Buster’s of Nebraska, Inc., dba “Dave & Buster’s”, 2502 South 133rd Plaza, Suite 111, requests permission to appoint Ethan W. Petrashek manager of their present Class “I” Liquor License location – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

24. STL of Nebraska, Inc., dba “Target Store T-1777”, 17810 West Center Road, requests permission to appoint Vickie K. Meade-Travis manager of their present Package & Catering Liquor License location – see attached.

(a) STL of Nebraska, Inc., dba “Target Store T-2010”, 6636 North 73rd Street, requests permission to appoint Jeff J. Pitzl manager of their present Package & Catering Liquor License location – see attached.

(b) STL of Nebraska, Inc., dba “Target Store T-2383”, 12500 “K” Plaza, requests permission to appoint David E. Duff manager of their present Package & Catering Liquor License location – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))
25. Native Omahan’s Club, Inc., 3819 North 24th Street, requests permission for a Special Designated license for a beer garden during Native Omahan’s Days on July 28-29, 2011 from 7:00 p.m. to 1:00 a.m. with music until 1:00 a.m. – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

26. El Alamo, Inc., dba “El Alamo”, 4917 South 24th Street, requests permission for a Special Designated license for a beer garden during Native Omahan’s Days at vacant lot, 2303 North 24th Street, on July 29, 2011 from 5:00 p.m. to 12:00 midnight and July 30, 2011 from 11:00 a.m. to 12:00 midnight with music until 11:00 p.m. – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

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. 27 through 28 were held on June 28, 2011.)

CONSENT AGENDA – ORDINANCES

27. Ord. to accept, for public purposes and use, from the Metropolitan Utilities District (MUD) the conveyance of three parcels of real property located, respectively, at 20229 Hopper Street, 20706 Flavin Street, and north of the northwest corner of the intersection of West Maple Road and 204th Street, as more particularly described in the attached warranty deeds, which were previously owned by the former City of Elkhorn and conveyed to MUD for water utility purposes; to approve the warranty deeds therefore; and to provide an effective date – see attached.
28. Ord. to approve an Agreement between the City of Omaha and the Douglas County Board of Commissioners, on behalf of the Douglas County Sheriff’s Office, in the amount of twenty thousand four hundred ninety-five dollars ($20,495); and to authorize funding for this agreement from the 2009 Nebraska Crime Commission American Recovery and Reinvestment Act Metro Drug Task Force Justice Assistance Grant, #09-DX-9010, Fund 17118, Organization 117743; 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, to provide for the effective date hereof – see attached.

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

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(The public hearings on Agenda Item Nos. 29 through 36 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

29. Res. that, as recommended by the Mayor, the contract with JMN Construction for OPW 52181-SP, being repair of deck and expansion joints on the “Q” Street bridge between 26th and 27th Streets in the amount of $88,822.00 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Bridge Maintenance Rehabilitation Organization 116164 in the amount of $71,057.60 and from the 2006 Transportation Bonds Fund 13182, 2008 Issue Transportation Bonds Organization 117113 in the amount of $17,764.40, year 2011 expenditures – see attached.

30. Res. that the Planning Director has the authority to create the Woodland Ridge Homeowner’s Association, a residential project owned and developed by the City of Omaha, located on 42nd and Lake Streets, Omaha, Douglas County, Nebraska, in order to maintain the residential development from completion to the time all units are sold to homebuyers. The cost of services shall be paid out of Community Development Block Grant Fund No. 12186, Organization No. 129161 – see attached.
31. Res. that the attached Contract between the City of Omaha and the Eastern Nebraska Office on Aging, providing for the City’s Handyman Program to make minor alterations, safety modifications and repairs to dwelling units of Omaha’s older citizens, with compensation for the same being paid by Eastern Nebraska Office on Aging to the City in the amount of up to $40,000.00, for the year ending June 30, 2011, be and hereby is approved – see attached.

32. Res. that the attached contract purchasing equipment, software and maintenance from Dell Marketing, L.P. in the total amount of $150,095 to expand the virtual server environment is hereby approved as is contemplated by paragraph 5(b) of the Technology Use Agreement between the City of Omaha, Douglas County and DOT.Comm which was approved by Resolution No. 1455 on December 7, 2010, and all funding for this contract will be provided by the City Capital Improvement Fund, Fund 13112, Organization 131555 – see attached.

33. Res. that the appointment by the Mayor of Mark A. Santo as the building contractor member of the Building Board of Review, said term to commence on August 17, 2011, and to expire three years thereafter, is hereby confirmed – see attached.

34. Res. that the appointment by Mayor Jim Suttle of Marc Kraft to the City Naming Committee to serve a one year term commencing on July 12, 2011, and ending on July 11, 2012, be and hereby is confirmed and approved – see attached.

35. Res. that, the re-appointment by the Mayor of Jose Garcia as a museum representative member of the Landmarks Heritage Preservation Commission, to serve a three-year term commencing on August 19, 2011 and ending on August 18, 2014, is hereby confirmed – see attached.

36. Res. that the Nebraska FarmHouse Association is hereby granted permission to conduct one (1) raffle within the City of Omaha from July 28 to October 28, 2011, pursuant to the special permit issued in accordance with state law – see attached.
((MOTION NEEDED THAT THE RESOLUTIONS ON THE CONSENT AGENDA BE ADOPTED))

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ORDINANCE ON FINAL READING and Planning Board Attachment

37. Ord. to approve the North Omaha Village Revitalization Plan for the City of Omaha located in an area generally and irregularly bound by Pratt Street on the North, Cuming Street on the South, 16th Street on the East and 36th Street on the West; and to provide for the effective date hereof – see attached. ((PUBLIC HEARING CONTINUED TO TODAY – CAN BE PASSED TODAY))

(a) Planning Board and Planning Department recommend approval of the North Omaha Village Revitalization Plan for the City of Omaha located in an area generally and irregularly bound by Pratt Street on the North, Cuming Street on the South, 16th Street on the East and 36th Street on the West – see attached.

RESOLUTIONS

38. Res. the attached Livestock Commons, LLC Tax Increment Financing Project Plan contemplates the construction of two new four-story mixed-used buildings located at 4910 South 30th Street; each building will be a combination of clinics operated by OneWorld Community Health Centers, Inc. and 32 affordable senior housing units; the housing units will be a mixture of one- and two-bedroom units; and the plan recommends the City’s participation through the allocation of Tax Increment Financing (TIF) in an amount up to $350,000.00 to offset the costs of site development, architectural and engineering costs, curbs, sidewalks and landscaping, and any additional public improvements as may be required; and, total projects costs estimates related to the TIF portion of this project are $5,235,001.00 with TIF eligible costs of $979,679.00, and is prepared by the Omaha City Planning Department, 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 – over from 6/21/11 for publication and public hearing – had publication – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

(a) Communication from Andrea Skolkin, CEO, One World Community Health Centers, Inc., re: Livestock Commons, LLC Tax Increment Financing Project Plan – over from 6/21/11 – see attached.
39. Res. that the attached 3703 Davenport, LLC Tax Increment Financing Project Plan proposes a redevelopment project at the Austin Apartment Building located at 3703 Davenport Street resulting in phasing in the rehabilitation of the five apartment structures by overhauling the electrical and mechanical systems in the buildings and by rehabilitating each apartment unit – all units will be one-bedroom units; the plan also contemplates constructing six basement apartment units to meet ADA requirement; the plan recommends the City’s participation through the allocation of Tax Increment Financing (TIF) in an amount up to $400,000.00 to offset the costs of overhauling the electrical and mechanical systems in the building, rehabilitating the units, paving of new sidewalks, and repair of the adjacent alley; the plan contemplates total project cost estimates to be $4,973,387.00 with approximately $3,579,086.00 in TIF eligible costs; and, is prepared by the Omaha City Planning Department, 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.

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ZONING ORDINANCE ON SECOND READING

40. Ord. to rezone property located Northeast of 15th and Mike Fahey Streets from HI-Heavy Industrial District to CBD-Central Business District.

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ORDINANCES ON SECOND READING and Planning Board Attachment

41. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from 78th Street to 83rd Street and Craig Street to Sorensen Parkway, Glenbrook and Adjacent areas and Sorensen Parkway (SID 250) – see attached. ((PUBLIC HEARING TODAY))
42. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from 153rd Street to 154th Street, Madison Street to Harrison Street, Le Beau West (SID 288) – see attached. ((PUBLIC HEARING TODAY))

43. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from 152nd Street West to the Union Pacific Railroad, South of Hickory Street to Pacific Street, Pacific Hollow and Adjacent areas (SID 322) – see attached. ((PUBLIC HEARING TODAY))

44. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from the West Papio Creek to 156th Street, North of Grover Street to South of Howe Street, Oakbrook Meadows (SID 327) and Oakbrook Meadows 2nd Addition (SID 359) – see attached. ((PUBLIC HEARING TODAY))

45. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from 160th Street West to the Union Pacific Railroad, West Dodge Road to South of Jones Street, Pacific Meadows 2nd Addition and Adjacent areas (SID 347) – see attached. ((PUBLIC HEARING TODAY))

46. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from 168th Street to West of 174th Street, “Q” Street to North of “O” Street, Autumn Ridge (SID 354) – see attached. ((PUBLIC HEARING TODAY))

47. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from 180th Street to West of 174th Street, “Q” Street to South of “L” Street, Hawthorne (SID 393) – see attached. ((PUBLIC HEARING TODAY))
48. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located from East of 174th Street to 169th Street, South of Shirley Street to Pacific Street, Banyan Hills (SID 388) – see attached. ((PUBLIC HEARING TODAY))

49. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, generally located North of Nebraska Avenue to Sorensen Parkway, Wenninghoff Road to 78th Street, Wynnewood 1st Addition and Adjacent areas (SID 362) – see attached. ((PUBLIC HEARING TODAY))

(a) Planning Board and Planning Department recommend approval of the 2011 Annexation Package – see attached.

ORDINANCES ON SECOND READING

50. Ord. to approve and authorize a contract between the City of Omaha, a municipal corporation, and Metropolitan Technical Community College Area, a political subdivision in the state of Nebraska, for services involving the payment of money from appropriations of more than one year in accordance with sections 5.16 and 5.17 of the Omaha Home Rule Charter of the City of Omaha, 1956 as amended; to provide for payment to Metropolitan Technical Community College Area on per-student basis for various training for 2011 through 2014, with the cost of training varying from twenty-eight dollars ($28.00) per person to eight hundred twenty-five dollars ($825.00) per person in 2011 paid from the Omaha Fire Department Fund 11111, Organization 114572, Account 42853 for tuition and Account 42239 for administrative costs; the term of the contract is for three years with a potential for three additional one-year options with the mutual agreement of the parties; and to provide for an effective date hereof – see attached. ((MOTION NEEDED TO LAY OVER THE THIRD READING TWO WEEKS TO JULY 26, 2011 AND CONTINUE THE PUBLIC HEARING))

(a) Communication from Bernard in den Bosch, Assistant City Attorney, requesting that the third reading on the ordinance approving a contract with Metropolitan Community College for Fire Department training be laid over two weeks to July 26, 2011 and continue the public hearing – see attached.
51. Ord. to accept the bid of Aramark Uniform Services to provide Linen, Towels (Laundered) for the Omaha Fire Department; the term of the agreement is for one year in the approximate amount of four hundred eighty three dollars ($483) per week with the City having the sole option to extend the agreement for an additional twelve (12) months on a month-to-month basis at no increase in cost; and to provide an effective date thereof – see attached. ((PUBLIC HEARING TODAY))

“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 52 THROUGH 57
SHALL BE HELD ON THE THIRD READING”

ZONING ORDINANCES ON FIRST READING and Planning Board Attachments

52. Ord. to rezone property located Southwest of 63rd and Arbor Streets from DR-Development Reserve District and GI-General Industrial District to GI-General Industrial District (portions of which property lie within the flood fringe and floodway).

(a) Planning Board and Planning Department recommend approval of a request to rezone property located Southwest of 63rd and Arbor Streets from GI and DR to GI (portions of which property lie within the flood fringe and floodway) – see attached.

53. Ord. to rezone the property located Southeast of 120th Street and Military Road from DR-Development Reserve District to DR-Development Reserve District.

54. Ord. to rezone the property located Southeast of 120th Street and Military Road from DR-Development Reserve District to GI-General Industrial District.

(a) Planning Board and Planning Department recommend approval of a request to rezone the property located Southeast of 120th Street and Military Road from DR to DR and GI – see attached.
55. Ord. to rezone properties located at 13636 Ohio Street and 13641 Miami Street from R3-Single-Family Medium Density Residential District to R4-Single-Family High-Density Residential District.

(a) Planning Board and Planning Department recommend approval of a request to rezone properties located at 13636 Ohio Street and 13641 Miami Street from R3 to R4 – see attached.

56. Ord. to rezone property located East and West of North Main Street North of Blondo Street from MU-Mixed Use District to R6-Low-Density Multiple-Family Residential District.

(a) Planning Board and Planning Department recommend approval of a request to rezone property located East and West of North Main Street North of Blondo Street from MU to R6 – see attached.

ORDINANCES ON FIRST READING and Planning Board Attachments

57. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 8820 Arbor Street; and to provide for an effective date – see attached.

(a) Planning Board and Planning Department recommend approval of an MCC-Major Commercial Corridor Overlay District for the property located at 8820 Arbor Street – see attached.

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“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 58 THROUGH 69
SHALL BE HELD ON THE SECOND READING”

58. Ord. vacating the east/west alley between Farnam and Harney Streets from 13th to 14th Streets, and providing the effective date hereof – see attached.

(a) Planning Board and Planning Department recommend approval of the vacation of the east/west alley between Farnam and Harney Streets from 13th to 14th Streets – Inside City – see attached.
59. Ord. approving the contract with Solvent Recovery, LLC, a subsidiary of PSC Environmental Services, LLC for OPW 51340, being Under the Sink – Household Hazardous Waste Collection Contract, in the amount of $166,250.00; to provide for payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for payments from a specific account; and, to provide an effective date hereof – see attached.

60. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described property located at 4527 North 37th Street, and legally described as Lot 21, Block 1, in Moes Subdivision of Lots 3 and 15 of Tuttle’s Subdivision to the City of Omaha, an addition to the City of Omaha, as surveyed, platted, and recorded in Douglas County, Nebraska, for subsequent use in implementing the Consolidated Submission for Community Planning and Development Programs FY 2011 Action Plan; provided that as to each specified parcel, proceedings in eminent domain may be undertaken and completed for the purposes of clearing title; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the attached Agreement between the City of Omaha and New Creations, Inc., 2401 Lake Street, #250, Omaha, NE 68111, to acquire the property for the sum of Three Thousand and 00/100 Dollars ($3,000.00) is approved; project costs will be paid from FY 2011 Community Development Block Grant Program, Fund 12186, Organization No. 129138, Project No. 3526, Task No. 2.22; and to provide the effective date hereof – see attached.

61. Ord. to approve and authorize a contract between the City of Omaha, a municipal corporation, Woodhaven Counseling Associates, Inc., and their affiliate Forensic Behavioral Health, Inc. for professional services involving the payment of money from the appropriations of more than one year in accordance with sections 5.16 and 5.17 of the Omaha Home Rule Charter of the City of Omaha 1956 as amended; to provide for the payment to Woodhaven Counseling Associates, Inc. and their affiliate Forensic Behavioral Health, Inc. the sum of one hundred thirty dollars ($130.00) per hour for psychological services provided to sworn members of the Police Department and their families and a three hundred forty dollar ($340.00) fee per candidate for each applicant for employment within the Omaha Police Department; the term of the contract is for thirty-six (36) months with the City having an option to extend it for a period of two one-year terms; and to provide for an effective date hereof – see attached.

63. Ord. to amend certain portions of Special Levy Ordinance No. 10119 levying an assessment for weed abatement in the year 2011, by repealing the assessment on the properties located at 3474 Grand Avenue, 3738 Wirt Street, 2619 N 16th Street, 2617 N 16th Street, 3930 Blondo Street and 3929 Burdette Street and to provide for an effective date hereof – see attached.

64. Ord. to amend certain portions of Special Levy Ordinance No. 10120 levying an assessment for weed abatement in the year 2011, by repealing the assessment on the properties located at 4530 N 18th Street, 3708 N 39th St and 3930 Blondo Street and to provide for an effective date hereof – see attached.

65. Ord. to amend certain portions of Special Levy Ordinance No. 10121 levying an assessment for litter removal in the year 2011, by repealing the assessment on the properties located at 3708 N 39th St, 3930 Blondo Street and 3929 Burdette Street and to provide for an effective date hereof – see attached.

66. Ord. to amend certain portions of Special Levy Ordinance No. 10123 levying an assessment for weed abatement in the year 2011, by repealing the assessment on the properties located at 2117 Locust Street, 3474 Grand Avenue and 3315 N 36th Avenue and to provide for an effective date hereof – see attached.

67. Ord. to amend certain portions of Special Levy Ordinance No. 10124 levying an assessment for weed abatement in the year 2011, by repealing the assessment on the properties located at 4530 N 18th Street, 3902 Spaulding Street and 3930 Blondo Street and to provide for an effective date hereof – see attached.
68. Ord. to amend certain portions of Special Levy Ordinance No. 10127 levying an assessment for litter removal in the year 2011, by repealing the assessment on the properties located at 3902 Spaulding Street and 3315 N 36th Ave and to provide for an effective date hereof – see attached.

69. Ord. to amend certain portions of Special Levy Ordinance No. 10129 levying an assessment for the removal/trimming of trees, bushes, shrubs, hedges and any other vegetation in the year 2011, by repealing the assessment on the property located at 3902 Spaulding Street and to provide for an effective date hereof – see attached.

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70. Ord. to approve the Collective Bargaining Agreement between the City of Omaha and the Professional Firefighters Association of Omaha, Local No. 385; AFL-CIO-CLC for a term of December 27, 2009 to December 21, 2013; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with the provisions of the Collective Bargaining Agreement shall not be applicable to those employees in the bargaining unit described in Article 1, Section 1, of said Collective Bargaining Agreement; to approve a Memorandum of Understanding addressing implementation of the decision of the Commission of Industrial Relations for 2010 and resolving implementation of the decision of the Commission of Industrial Relations for 2009; and to provide the effective date thereof – see attached. ((MOTION NEEDED TO SET THE SECOND READING AND PUBLIC HEARING ON 7/26/11 AND THE THIRD READING ON 8/9/11))

ADDITIONAL LIQUOR

71. D & W, Inc., dba “Spaulding Bar”, 3825 North 30th Street, requests permission for a Special Designated license for a beer garden during Native Omahan’s Days on July 29-30, 2011 from 3:00 p.m. to 2:00 a.m. with music until 12:00 midnight. Alternate date: July 31, 2011 and alternate location: Detail shop, 3809 North 30th Street – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))
EXECUTIVE SESSION

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

CITY CLERK REPORTS PLAN OF ASSESSMENT RECEIVED FOR BOARD OF EQUALIZATION MEETING TO BE HELD JULY 12, 2011 AT 1:00 O’CLOCK P.M.

This agenda, which shall be kept continually current, shall be available for public inspection in the Office of the City Clerk, Omaha-Douglas Civic Center, 1819 Farnam, LC 1, Omaha, NE, during normal business hours.

All requests for sign language interpreters (signers) will require a minimum of 48 hours advance notice. Alternative formats require a minimum of 72 hours advance notice. Please contact Sandra L. Moses - 444-5552 if arrangements need to be made.
ADDITIONAL RESOLUTION

73. Res. that pursuant to Section 39-1359 R.R.S. Neb. 2008, as amended by Legislative Bill 589 on May 24, 2011, the City of Omaha officially designates the Omaha Triathlon as a special event under LB 589 and Neb. Rev. Stat. §39-1359 R.R.S. 2008 and hereby notifies the State of Nebraska that it accepts the duties imposed by such law, and, if a claim is made against the state, shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event and the temporary use of County Road 17 (State Street/Lake Cunningham Road) from Wenninghoff Road to 72nd Street, 72nd Street from County Road 17 (State Street/Lake Cunningham Road) to State Highway 36 and State Highway 36 from 72nd Street to 138th Street on July 24, 2011, between the hours of 6:00 a.m. and 12:00 p.m., for a part of the bicycling portion of Mimran Event Management's special event, the Omaha Triathlon; and, further that Resolution No. 794 is hereby rescinded – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

This agenda, which shall be kept continually current, shall be available for public inspection in the Office of the City Clerk, Omaha-Douglas Civic Center, 1819 Farnam, LC 1, Omaha, NE, during normal business hours.

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