CITY COUNCIL AGENDA FOR NOVEMBER 20, 2012
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 M. 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 November 16, 2012, notice re: Pre-Council and Regular City Council Meetings, November 20, 2012.

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 RECEIVE TWENTY MINUTES FOR THEIR PRESENTATION. COUNCILMEMBERS WILL ASK QUESTIONS AT THE CONCLUSION OF THE PUBLIC HEARING.
RESOLUTION RE: BONDS

5. Res. regarding approving, confirming and ratifying the execution and delivery of the Bond Purchase Agreement for the Sanitary Sewerage System Revenue Bonds, Series of 2012 of the City of Omaha and actions heretofore taken by the City relating to the issuance, sale and delivery of such Bonds – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

RESOLUTIONS RE: PRELIMINARY PLATS, PLATS AND SUBDIVISION AGREEMENTS

6. Res. that the preliminary plat entitled MILLARD AND CALDWELL’S ADDITION REPLAT 4, located at 2601 North 16th Street, 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 11/6/12 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 MILLARD AND CALDWELL’S ADDITION REPLAT 4, a minor plat inside the city limits, located at 2601 North 16th Street – Inside City – over from 11/6/12 – see attached.

7. Res. that the preliminary plat entitled WINDGATE RANCH, located South of Pacific Street at 208th Street, 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 WINDGATE RANCH, located South of Pacific Street at 208th Street – Outside City – see attached.
8. Res. that the preliminary plat entitled SORENSEN PLACE, located Northeast of 60th Street and Sorensen Parkway, along with the attached conditions, 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 SORENSEN PLACE, located Northeast of 60th Street and Sorensen Parkway – Inside City – see attached.

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9. Res. that the preliminary plat entitled RIVERFRONT INDUSTRIAL PARK REPLAT 7, located Northwest of Lindbergh Drive and Fort Street, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – see attached.

(a) Planning Board and Planning Department recommend approval of the Preliminary Plat of RIVERFRONT INDUSTRIAL PARK REPLAT 7, Northwest of Lindbergh Drive and Fort Street – Inside City – see attached.
10. Res. that the replat transmitted herewith entitled RIVERFRONT INDUSTRIAL PARK REPLAT 7, located Northwest of Lindbergh Drive and Fort Street, is hereby approved, and concurrently a portion of the existing plat entitled Riverfront Industrial Park, 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 RIVERFRONT INDUSTRIAL PARK REPLAT 7, Northwest of Lindbergh Drive and Fort Street – Inside City – see attached.

11. Res. that the replat transmitted herewith entitled NORTH POINTE REPLAT 2, located Northwest of 50th Street and Ames Avenue, is hereby approved, and concurrently a portion of the existing plats entitled North Pointe and North Pointe Replat 1, 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 NORTH POINTE REPLAT 2, located Northwest of 50th Street and Ames Avenue – Inside City – see attached.

12. Res. that the preliminary plat entitled PAPILLION PARKWAY PLAZA REPLAT 1, located at 11010 North Mill Road; 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 PAPILLION PARKWAY PLAZA REPLAT 1, a minor plat inside the city limits, located at 11010 North Mill Road – Inside City – see attached.
13. Res. that the replat transmitted herewith entitled PAPILLION PARKWAY PLAZA REPLAT 1, located at 11010 North Mill Road, is hereby approved, and concurrently a portion of the existing plat entitled Papillion Parkway Plaza, 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 PAPILLION PARKWAY PLAZA REPLAT 1, a minor plat inside the city limits, located at 11010 North Mill Road – Inside City – see attached.

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING HELD NOVEMBER 27, 2012 AGENDA ITEM NOS. 14 THROUGH 15 SHALL BE LAID OVER FOR THREE WEEKS TO DECEMBER 11, 2012”

14. Res. that, the Subdivision Agreement among the City of Omaha, PDM, Inc., a Nebraska corporation, and Wal-Mart Real Estate Business Trust, a Delaware statutory trust, as recommended by the Mayor, providing for the sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as North Pointe Replat 2 and is located Northwest of 50th Street and Ames Avenue – see attached.

15. Res. that, the Subdivision Agreement between the City of Omaha and V.R.B. Company, a Nebraska General Partnership, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, Parks fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Papillion Parkway Plaza Replat 1 and is located at 11010 North Mill Road – see attached.

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SPECIAL USE PERMIT – BODY AND FENDER REPAIR SERVICES

16. Res. that the Special Use Permit application submitted by Boyd Dingman for a Major Amendment to a Special Use Permit to allow Body and fender repair services in a GC-General Commercial District, located at 12020 Emmet 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 – over from 10/2/12 and continue the public hearing – see attached. ((PUBLIC HEARING CONTINUED TO TODAY – CAN BE ADOPTED TODAY))

(a) Planning Board and Planning Department recommend approval of the request of Boyd Dingman for a Major Amendment to a Special Use Permit to allow Body and fender repair services in a GC District located at 12020 Emmet Street – over from 10/2/12 – see attached.

(b) Communication submitted by Jerry G. Banks, NewStreet Properties, LLC in opposition to the Resolution to allow Body and fender repair services in a GC-General Commercial District located at 12020 Emmett Street – over from 10/2/12 – see attached.

(c) Communication from Jerry Slusky, Attorney representing Boyd Dingman, requesting withdrawal of their request for a Major Amendment to a Special Use Permit to allow Body and fender repair services in a GC – General Commercial District, located at 12020 Emmet Street – see attached.
SPECIAL USE PERMIT – AUTOMOTIVE SALES

17. Res. that the Special Use Permit application submitted by Gary Hawkins, for a Special Use Permit to allow Automotive Sales in a CC-Community Commercial District located at 5810 South 142nd 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 – over from 11/6/12 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 a Special Use Permit to allow Automotive Sales in a CC-Community Commercial District located at 5810 South 142nd Street – over from 11/6/12 – see attached.

SPECIAL USE PERMIT – SCRAP AND SALVAGE SERVICES

18. Res. that the Special Use Permit application submitted by Silvino Gomez for a Special Use Permit to allow Scrap and Salvage Services in a HI-Heavy Industrial District, located at 1613 North 11th 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 – over from 11/6/12 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 request of Silvino Gomez for a Special Use Permit to allow Scrap and Salvage Services in a HI District located at 1613 North 11th Street – over from 11/6/12 – see attached.
SPECIAL USE PERMIT – LARGE GROUP LIVING

19. Res. that the Special Use Permit application submitted by Patrick McNeil for a Special Use Permit to allow Large group living in a CC-Community Commercial District, located at 11111 “M” 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.

(a) Planning Board and Planning Department recommend approval of the request of Patrick McNeil for a Special Use Permit to allow Large group living in a CC District located at 11111 “M” Street – see attached.
SPECIAL USE PERMIT – LARGE PROJECT

20. Res. that the Special Use Permit application submitted by PDM, Inc. for a Large Project Special Use Permit in a CC-Community Commercial District with a MCC-Major Commercial Corridor Overlay District, for property located Northwest of 50th Street and Ames 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 – see attached.

(a) Planning Board and Planning Department recommend approval of the request of PDM, Inc. for a Large Project Special Use Permit to allow development in a CC / MCC District for property located Northwest of 50th Street and Ames Avenue – see attached.

LIQUOR AND RESOLUTIONS RE: KENO

21. CLASS “C” – Fareway Stores, Inc., dba “Fareway Stores #132”, 3070 North 90th Street. New application, New location. Property posted: 11-05-12; Notification sent: 11-09-12 – see attached. ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

22. CLASS “C” – Silver Chalice Hospitality, Inc., 17857 Pierce Plaza. New application, New location. Property posted: 11-07-12; Notification sent: 11-09-12 – see attached. ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))
23. CATERING – Silver Chalice Hospitality, Inc., 17857 Pierce Plaza. New application, New location. Property posted: 11-07-12; Notification sent: 11-09-12 – see attached. (YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO APPROVE OR NOT TO APPROVE)

24. CATERING – Omaha Exposition & Racing, Inc., dba “Horsemen’s Park”, 6303 “Q” Street. New application, Old location. Property posted: 10-23-12; Notification sent: 11-9-12. Presently holds a Class “C” Liquor License – see attached. (YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO APPROVE OR NOT TO APPROVE)

25. Casey’s Retail Company, dba “Casey’s General Store #2886”, 1202 South 13th Street, requests permission for an addition of an area approx. 20’ x 36’ to the north of their present Off Sale Beer License location. Property posted: 11-01-12; Notification sent: 11-09-12 – see attached. (PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE)

26. Casey’s Retail Company, dba “Casey’s General Store #2985”, 5120 South 118th Street, requests permission for an addition of an area approx. 22’ x 35’ to the north of their present Package Liquor License location. Property posted: 11-07-12; Notification sent: 11-09-12 – see attached. (PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE)

27. Casey’s Retail Company, dba “Casey’s General Store #2987”, 15275 Weir Plaza, requests permission for an addition of an area approx. 40’ x 11’ to the north of their present Package Liquor License location. Property posted: 11-07-12; Notification sent: 11-09-12 – see attached. (PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE)

28. Aimbridge Concessions, Inc., dba “Element Omaha at Midtown Crossing”, 3253 Dodge Street, Suite 1103, requests permission to appoint Kyle J. Fulcher manager of their present Class “C” Liquor License location – see attached. (PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE)
29. GMRI, Inc., dba “Red Lobster #0115”, 330 South 72nd Street, requests permission to appoint Merri K. Stefka manager of their present Class “C” Liquor License location – see attached.  ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

30. Shamrock Nifty, LLC, dba “Nifty Bar & Grill”, 4721 NW Radial Hwy, requests permission to appoint Charles V. Kline manager of their present Class “C” Liquor License location – see attached.  ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

31. Granite City Restaurant Operations, Inc., dba “Granite City Food & Brewery”, 1001 North 102nd Street, requests permission to appoint Anthony B. Ulses manager of their present Class “C” Liquor License location – see attached.

(a) Granite City Restaurant Operations, Inc., dba “Granite City Food & Brewery”, 1001 North 102nd Street, requests permission to appoint Anthony B. Ulses manager of their present Class “L” (Brew Pub) Liquor License location – see attached.  ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

32. Bemis Center For Contemporary Arts, 724 South 12th Street, requests permission to appoint Justine J. Petsch manager of their present Class “I” Liquor License location – see attached.  ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

33. Res. that, in accordance with the Lottery Operator’s Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 3922 Ames Ave., Doc’s Legacy Lounge, in Omaha, Nebraska – see attached.  ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
34. Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 14477 W. Center Road, Impulse Bar, in Omaha, Nebraska – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

35. Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 9523 & 9525 Q Street, Moonshiners Bar & Grill, in Omaha, Nebraska – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

36. Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 13909 S Plaza, Ratigan's Pheasant Tavern, in Omaha, Nebraska – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

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 hearing on Agenda Item No. 37 was held on November 6, 2012.)

CONSENT AGENDA – ORDINANCE

37. Ord. to amend section 25-26 of the Omaha Municipal Code pertaining to registration of intrusion and fire alarms; to change the late registration fee to establish a graduated schedule instead of imposing one uniform fee; to repeal section 25-26 of the Omaha Municipal Code as heretofore existing; and to provide for the effective date hereof – see attached.

((MOTION NEEDED THAT THE ORDINANCE ON THE CONSENT AGENDA BE PASSED))
(The public hearings on Agenda Item Nos. 38 through 54 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

38. Res. that, as recommended by the Mayor, the Construction Engineering Services Agreement between the City of Omaha and Nebraska Department of Roads (NDOR) for project management and construction engineering for safety improvements to the intersection of 58th Street and Northwest Radial Highway in the City of Omaha, known as Project MAPA-5086(1), State Control No. 22363, and OPW 51536, at the sole cost of the City, 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.

39. Res. that, as recommended by the Mayor, the Task Order Agreement for Environmental Documentation Services between the City of Omaha and Felsburg Holt & Ullevig for professional engineering services on Project ENH-28(99), State Control No. 22414 and OPW 51825, being improvements in the 32nd Avenue corridor along Hanscom Park and the Field Club Historic District, with a cost to the City of $1,833.61, which will 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.

40. Res. that, as recommended by the Mayor, the Professional Services Agreement with E&A Consulting Group, Inc. for design services on Project OPW 52341, being the Dahlman Avenue Reconstruction – F Street to H Street, is hereby approved; and that the Finance Department is authorized to pay a fee not to exceed $59,500.00 for these professional services from the 2010 Transportation Bond Fund 13183, Organization 117117 – see attached.

41. Res. that, as recommended by the Mayor, a waiver of the current City policy regarding neighborhood street resurfacing in order to improve Country Club Road from 60th Street to 72nd Street to facilitate the dedicated shuttle route for the US Open Championship, at a current estimated cost of less than $491,000 to be funded as a part of the allocation for major and residential street resurfacing within the 2013 Public Works Department Budget, is hereby approved – see attached.
42. Res. that, as recommended by the Mayor, the Public Works Department requests that the contract with Trans-Continental Consultants, Inc. for construction inspection and project management services for facilities remodeling and construction projects for the year 2013 be approved; further that the Finance Department is authorized to pay an amount not to exceed $66,400.00 for these services from various project funding sources as identified in the City's Capital Improvement Program (Public Facility Bond, Public Safety Bond, Library Capital Bond, MIRF, etc.) – see attached.

43. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Cimline, Inc. for the purchase of a heated rubberized asphalt crack sealing machine with an equipment shop repair manual, engine shop repair manual, equipment parts manual and 1,500 watt 110 volt overnight heater 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 2012 expenditures – see attached.

44. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue Purchase Orders to Crafco, Inc. in the amount of $119,900.00 as primary supplier and to Logan Contractors Supply in the amount of $130,625.00 as secondary supplier for the purchase of an estimated 275,000 pounds of Crafco Sealant (Asphalt) 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 2012 expenditures – see attached.

45. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a purchase order to Navarro Lawn & Landscape for grounds maintenance in Area 2 generally located from 90th Street east to the river and from Cuming Street south to Harrison Street in the amount of $53,816.00; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, ROW Maintenance Organization 116152, year 2012 expenditures – see attached.
46. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a purchase order to Blade Masters Grounds Maintenance for the purchase of approximately 10,000 tons of sand/gravel mix for the 2012-2013 winter season in the amount of $82,000.00; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2012 expenditures – see attached.

47. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Norseman Environmental Sales for the purchase of 5,000 curbside recycling containers to be utilized by the Environmental Quality Control Division at a cost of $31,250.00; and, that the Finance Department is authorized to pay this cost from the General Fund 11111, Solid Waste Collection and Disposal Organization 116321, year 2012 expenditures – see attached.

48. Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a purchase order to Brad Bates Painting for the 2922 Jackson Street and 543 Park Avenue EPA Lead-based Paint Stabilization Program Project; and that the Finance Department is authorized to pay $21,100.00 from the City of Omaha – U.S. EPA Cooperative Agreement Assistance ID No. V-97733501 out of Lead Hazard Fund 12136, Organization 128017 – see attached.

49. Res. that, the City accepts and the Mayor is authorized to execute the following Shelter Plus Care Program Grant Agreement between the City of Omaha and the U. S. Department of Housing and Urban Development: NE0039C7D011002 for the "Rental Assistance for the Chronically Homeless" project in the amount of $158,928.00 (Funding Year 2011, Fund 12196, Organization 128034); and that the Mayor is authorized to approve all revisions to this Shelter Plus Care Program Grant Agreement, as approved by HUD, except that revisions involving a change in the subrecipient, a change in the project site, or a change in the category of participants to be served shall require the prior approval of the City Council – see attached.
50. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of $22,250.00 for the rehabilitation and lead reduction work, when applicable, to the property owned and occupied by Michelle M. Lukowski, located at 1005 South 27th Street, Omaha, Nebraska 68105, is hereby approved. The contract is to be awarded to White's Construction. Funds in the amount of $13,000.00 shall be paid from the NAHTF Program Fund, NAHTF Award No. 10-TFHO-7065, Fund No. 12141, Org. No. 12801 and $9,250.00 from the CDBG Program, Fund No. 12186, Organization No. 129114 – see attached.

51. Res. that, as recommended by the Mayor, the bid in the total amount of $44,800.00, from Professional Tree Service, to furnish labor, materials, and all incidentals necessary to complete the removal of dead trees at N. P. Dodge Park, 11001 John J. Pershing Drive, as the lowest and best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The work shall include, but not be limited to the cutting down and hauling off-site dead trees and other incidentals necessary to complete the work. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of $44,800.00 shall be paid from the 2010 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond – see attached.

52. Res. that, as recommended by the Mayor, the bid in the total amount of $24,232.00, from Midwest Turf & Irrigation, to purchase one (1) Toro Procore 648-09200, 3-09796, for the Golf Division of the Parks, Recreation, and Public Property Department, being the best bid received, attached hereto and made a part hereof, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from the Golf Operations Fund No. 21114, and Organization No. 115511, Johnny Goodman – see attached.

53. Res. that, the Purchasing Agent is authorized to issue a purchase order for the warranty to L3 Communications in the amount of $26,250.00, to provide maintenance support for the Omaha Police Department Air Support Unit’s FLIR (forward looking infrared camera); and that the Finance Department of the City of Omaha is authorized to pay $26,250.00 for the cost of the warranty from the Omaha Police Department Year 2012, General Fund 11111, Organization 113182 Air Support Unit, Account 42411 Maintenance Contract – see attached.
54. Res. that the reappointment by Mayor Jim Suttle of Jack Ryan to serve as the Mechanical Engineer member of the Building Board of Review, said term commencing December 12, 2012, and expiring December 11, 2015, is hereby confirmed – see attached.

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

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ORDINANCE ON FINAL READING

55. Ord. to amend Chapter 44 of the Omaha Municipal Code, entitled "Electricity" to amend sections 44-10, 44-52, 44-53, and 44-62, and create section 44-65 to represent minor changes to allow a power limited contractor a permit for the installation of power-limited equipment; to repeal sections 44-10, 44-52, 44-62 as heretofore existing; to create section 44-65; and to provide the effective date thereof – over from 10/16/12 and continue the public hearing – see attached. ((PUBLIC HEARING CONTINUED TO TODAY – CAN BE PASSED TODAY))

(a) Communications opposing the Ordinance to amend Chapter 44 of the Omaha Municipal Code, entitled “Electricity” to amend sections 44-10, 44-52, 44-53, and 44-62, and create section 44-65 to represent minor changes to allow a power limited contractor a permit fee for the installation of power-limited equipment – over from 10/16/12 – see attached.

(b) Communication from Warren Weaver, City Council Chief of Staff, re: the Ordinance to amend Chapter 44 of the Omaha Municipal Code, entitled “Electricity” to amend sections 44-10, 44-52, 44-53, and 44-62, and create section 44-65 to represent minor changes to allow a power limited contractor a permit for the installation of power-limited equipment – over from 10/16/12 – see attached.

(c) Communication from Jay Davis, Assistant Planning Director, requesting that the Ordinance to amend Chapter 44 of the Omaha Municipal Code entitled “Electricity” to amend sections 44-10, 44-52, 44-53, and 44-62, and create section 44-65 to represent minor changes to allow a power limited contractor a permit fee for the installation of power-limited equipment be withdrawn from the City Council Agenda – see attached.
RESOLUTIONS

56. Res. that, the attached The Gavilon Group, LLC Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 1334 Dodge Street which represents the relocation of the corporate headquarters of a local, downtown firm, which entails the new construction of an architecturally significant, 131,225 gross square foot office building, complete with 205 structured parking stalls, recommending the City’s participation through the allocation of Tax Increment Financing in an amount up to $3,942,000.00 to offset costs of acquisition, rehabilitation costs, site work, architectural and engineering, surveys and environmental and any public improvements, which also includes $20,000.00 of the TIF allocation toward the Downtown 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 – over from 10/30/12 for publication and public hearing – had publication – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

57. Res. that, the attached the Slate Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 1815 Capitol Avenue & 1818 Dodge Street which contemplates the adaptive reuse and retrofitting of the 7-story Capitol Plaza Building (1815 Capitol Avenue) and the 1-story, “circular” shaped building, directly adjacent to the south (1818 Dodge Street) into a mix of 116 market-rate apartment units – one and two bedrooms, and a commercial space, recommending the City’s participation through the allocation of Tax Increment Financing in an amount up to $2,250,000.00 to offset costs of acquisition, rehabilitation costs, site work, architectural and engineering, surveys and environmental and any public improvements, which also includes $20,000.00 of the TIF allocation toward the Downtown 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 – over from 10/30/12 for publication and public hearing – had publication – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
58. Res. that, the attached The 2401 Farnam, LLC Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 2401 and 2405 Farnam Streets which represents the adaptive reuse of the office and commercial space as mix of 7 one-bedroom and 5 two-bedroom market-rate apartments, secured parking in the vacant lot directly to the west of the building specifically for the residential tenants, the storefront on 24th and Farnam will remain commercial space and the basement will become renovated commercial space, recommending the City’s participation through the allocation of Tax Increment Financing in an amount up to $288,000.00 to offset costs of acquisition, rehabilitation costs, site work, architectural and engineering, surveys and environmental and any public improvements, which also includes $20,000.00 of the TIF allocation toward the Downtown 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 – over from 10/30/12 for publication and public hearing – had publication – see attached.  ((PUBLIC HEARING TODAY - CAN BE ADOPTED TODAY))

59. Res. that, the attached the Marriott Residence Inn at Aksarben Village Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 67th & Shirley Street which is a continuation of the infill development within the Aksarben Village Redevelopment Area and contemplates the new construction of a 4-story, 120+ room Marriott Residence Inn hotel, recommending the City’s participation through the allocation of Tax Increment Financing in an amount up to $1,320,000.00 to offset costs of acquisition, site work, architectural, surveying, environmental and engineering, with $690,000.00 of the TIF allocation being used for public improvements within the general Aksarben Village Area, 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 – over from 10/30/12 for publication and public hearing – had publication – see attached.  ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

60. Res. that, as recommended by the Mayor, costs in the total amount of $60,946.88, including $5,540.63 in soft costs, for additional picnic tables and associated walks, trash receptacle, irrigation system, and associated drinking fountain near the playground, located near the entrance to the subdivision, for S&ID No. 398, Pacific Springs, located northwest of 174th and Pacific Streets, is hereby approved; and that, the costs incurred by S&ID No. 398, Pacific Springs, to make these improvements will be funded 100% by the general operating budget of the S&ID – over from 11/6/12 for publication and continue the public hearing – see attached.  ((PUBLIC HEARING CONTINUED TO TODAY – CAN BE ADOPTED TODAY))
RESOLUTIONS RE: LEGISLATIVE PACKAGE

61. Res. that at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include support for legislation, if introduced, to amend the Nebraska constitution to make changes to the Tax Increment Finance sections – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

62. Res. that at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include support for legislation, if introduced, to establish the Nebraska Gateway Enhancement Assistance Act – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

63. Res. that at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include support for legislation, if introduced, to create the Nebraska Job Creation and Community Revitalization Act relating to historical property and income tax credits – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

64. Res. that at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include support for legislation, if introduced, to create the Nebraska Municipal Landbank Act – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

65. Res. that at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include a proposal to keep prison inmates convicted of violent or gang related crimes from getting a chance at furlough programs or early release from prison – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
66. Res. that at the request of the Administration and the Law Department, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include a proposal to change penalties for violation of the City’s Building Codes so that violators face up to a fine of $500 or imprisonment up to six months in jail or both – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

67. Res. that, at the request of the Administration and the Law Department, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include support for legislation, if introduced, to provide for the withholding and deposit of insurance proceeds into a trust or escrow account maintained by a county, city or village for the repair or demolition of real property – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

68. Res. that, at the request of Councilmember Garry Gernandt, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include a proposal to amend the Nebraska constitution to provide for the equal distribution of moving violation fines between the local school district and the arresting law enforcement agency – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

69. Res. that, at the request of Councilmember Garry Gernandt, the legislative package of the City of Omaha for the First Session of the One-Hundred and Third Legislature of the State of Nebraska shall include a proposal to return the strict liability portion of state law for injuries caused to an innocent third party in a police pursuit case to a true comparative negligence standard – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

70. Res. that, pursuant to the recommendation of the Law Committee of the City Council, the City Lobbyist, John A. “Jack” Cheloha, is hereby designated as the official lobbyist of the City of Omaha and its citizens before the Legislature, legislative committees and individual senators, and that all City employees are authorized to furnish information, reports, data and testimony before the Legislature, legislative committees and individual senators when deemed necessary or appropriate by the City Lobbyist when he is acting in his capacity as the official representative of the City – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD NOVEMBER 27, 2012 THE THIRD READING AND PUBLIC HEARINGS ON AGENDA ITEM NOS. 71 THROUGH 74 SHALL BE HELD ON DECEMBER 4, 2012”

ZONING ORDINANCES ON SECOND READING

71. Ord. to rezone the property located at 3021 Leavenworth Street from GI-General Industrial District to CC-Community Commercial District.


73. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 22145 West Maple Road; and to provide for an effective date – see attached.

74. Ord. to amend Section 55-925 of the Omaha Municipal Code regarding Build-to/Set-back lines; to repeal Section 55-925 as heretofore existing; and to provide the effective date thereof – see attached.

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD NOVEMBER 27, 2012 THE THIRD READINGS ON AGENDA ITEM NOS. 75 THROUGH 78 SHALL BE HELD ON DECEMBER 4, 2012” ((THE PUBLIC HEARINGS ON THESE ITEMS ARE TODAY))

ORDINANCES ON SECOND READING

75. Ord. declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the Country Club Oaks Lift Station Repair Project, identified as Project No. OPW 52358; providing that the City negotiate with the property owners for land acquisitions, permanent easements and temporary construction easements; providing that as to each specified parcel which cannot be obtained by negotiation, condemnation proceedings be undertaken and completed; and, providing for the effective date hereof – see attached. ((PUBLIC HEARING TODAY))

76. Ord. approving the contract with F & B Constructors for OPW 52354-SP, being Police Headquarters Lower Level Renovations located at 505 South 15th Street in the amount of $1,440,000.00; 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. ((PUBLIC HEARING TODAY))

77. Ord. to renew the cable television franchise held by Qwest Broadband Services, Inc., dba “CenturyLink” for ten (10) years subject to compliance with the franchise agreement; approving the attached franchise agreement and authorizing the Mayor and City Clerk to execute and attest the agreement; and, providing the effective date hereof – see attached. ((PUBLIC HEARING TODAY))

78. Ord. to amend Chapter 10 of the Omaha Municipal Code entitled “Finance,” by amending Division 5, entitled “Small and Emerging Small Business Program”; and to provide the effective date thereof – see attached. ((PUBLIC HEARING TODAY))

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APPEAL RE: BID REJECTION AND RESOLUTION

79. Damien Wright, Attorney representing Swain Construction, appeals the rejection of their bid of October 17, 2012 for the Fontenelle Park Parking Project – see attached. ((PUBLIC HEARING TODAY – MOTION NEEDED TO ALLOW OR DENY THE APPEAL, AND IF ALLOWED, DIRECT THE DEPARTMENT ACCORDINGLY))

80. Res. that, as recommended by the Mayor, the bid in the total amount of $167,000.00 from Dostals Construction Company, Inc., to furnish labor, materials, and all incidentals necessary to complete the parking lot and paving improvements at Fontenelle Park, 4405 Fontenelle Boulevard, being the lowest and best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The work shall include, but not be limited to site grading, concrete paving, sidewalks, curb ramps, and other incidentals necessary to complete the work. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from the 2010 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD NOVEMBER 27, 2012 THE THIRD READING AND PUBLIC HEARINGS ON AGENDA ITEM NOS. 81 THROUGH 86 SHALL BE HELD ON DECEMBER 11, 2012”

ZONING ORDINANCES ON FIRST READING and Planning Board Attachments

81. Ord. to rezone property located Northwest of Lindbergh Drive and Fort Street from DR-Development Reserve District and GI-General Industrial District to GI-General Industrial District.

(a) Planning Board and Planning Department recommend approval of a request to rezone property located Northwest of Lindbergh Drive and Fort Street from DR and GI to GI – see attached.

82. Ord. to rezone property located Northwest of 50th Street and Ames Avenue from DR-Development Reserve District and CC-Community Commercial District to CC-Community Commercial District.
83. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located Northwest of 50th Street and Ames Avenue; and to provide for an effective date – see attached.

(a) Planning Board and Planning Department recommend approval of a request to rezone property located Northwest of 50th Street and Ames Avenue from DR and CC to CC and approval of an MCC Overlay District – see attached.

84. Ord. to rezone the property located at 11010 North Mill Road from CC-Community Commercial District to R6-Low-Density Multiple Family Residential District.

85. Ord. to rezone the property located at 11010 North Mill Road from CC-Community Commercial District to CC-Community Commercial District.

(a) Planning Board and Planning Department recommend approval of a request to rezone property located at 11010 North Mill Road from CC to R6 and CC – see attached.

ORDINANCES ON FIRST READING

86. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Wal-Mart Real Estate Business Trust, a Delaware statutory trust to implement the 50th & Ames Avenue Wal-Mart Tax Increment Financing (TIF) Redevelopment Project Plan at the project site located at 5018 Ames Avenue; the plan contemplates the acquisition and demolition of the former Baker’s Supermarket building and the construction of a new retail building containing approximately 178,748 square feet and the installation and construction of certain public improvements; the agreement authorizes the use of up to $2,223,556.00 in excess ad valorem taxes (TIF) generated by the redevelopment to help offset the costs of acquisition, demolitions, site preparation, architectural and engineering fees, and the installation and construction of public improvements as set forth in a separate Subdivision Agreement between the parties; and providing for an effective date – see attached.

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87. Ord. declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the Miller Park to Pershing Detention Basin sewer separation project, identified as Project No. OPW 51941 (CSO); providing that the City negotiate with the property owners for land acquisitions, permanent easements and temporary construction easements; providing that as to each specified parcel which cannot be obtained by negotiation, condemnation proceedings be undertaken and completed; and, providing for the effective date hereof – see attached.

88. Ord. authorizing the issuance of a purchase order to Abe’s Trash Service for a price agreement for rubbish container service at various Street Maintenance facilities to be effective through December 31, 2013 with two 1-year extensions at the sole option of the City; 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.

89. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described vacant and improved properties located in the Omaha Campus for Hope Redevelopment Plan Amendment 1, bounded by the North side of the Kellom Green Belt on the North, 16th Street on the East, Nicholas Street on the South, and 18th Street on the West, for acquisition, relocation as appropriate, demolition of structures, preparation of sites, and subsequent use as sites for implementing the Omaha Campus for Hope Redevelopment Plan Amendment 1 by constructing residential facilities and a facility to provide support social services to homeless and recently homeless persons; provided that as to each specified parcel which cannot be obtained by negotiation, proceedings in eminent domain be undertaken and completed; project costs, not to exceed $130,000.00, will be paid from Community Development Block Grant, Fund No. 12186, Organization No. 129134; Project 3526; Award 855; and to provide the effective date hereof – see attached.
90. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Nebraska Furniture Mart, Inc., a Nebraska Corporation to implement the NFM Office Building Tax Increment Financing (TIF) Redevelopment Project Plan at the project site located at 808 South 74th Plaza and 727 South 75th Street; the plan provides for the renovation and rehabilitation of an approximately 44,000 square feet, 2-story vacant office building, the removal and replacement of the existing pedestrian bridge over the Little Papillion Creek adjacent to Rose Blumkin Drive and Jackson Plaza, public improvements to the trail system by extending the trail to South 75th Street and construction of a parking area for the trail system; the agreement authorizes the use of up to $886,520.00 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.

91. 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, 2204 Ames Avenue, Omaha, NE 68110, to convey property located at 18th and Corby Streets and legally described in the attached agreement, for use in development of affordable housing, located within the 18th and Locust Street 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.

92. Ord. to grant a permanent easement for property near 24th Street and Redick Avenue to Metropolitan Utilities District of Omaha for purposes of installing pipelines and all appurtenances thereto, authorizing the Mayor to execute the attached Non-Exclusive Permanent Easement; and to provide an effective date thereof – see attached.

93. Ord. to accept the bid and approve a lease agreement between Dillon Brothers Harley-Davidson and the City of Omaha for sixteen (16) Harley-Davidson motorcycles for use by the Omaha Police Department, over a six year period, with an annual cost per Unit from $2,780.00 in the first year to $3,000.00 in the last, plus other costs, all involving appropriations of more than one year in conformity with Section 5.17 and Section 5.16 of the Home Rule Charter, and providing for the effective date hereof – see attached.
94. Ord. to approve an agreement between the City of Omaha and Raymond Fidone in the amount of thirty nine thousand four hundred eighty six dollars ($39,486) during a period of October 1, 2012 to September 30, 2014; to provide services in the position of Project Safe Neighborhoods (PSN) Director of Operations; 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.

95. Ord. to waive the provisions of Omaha Municipal Code section 15-2 prohibiting the sale of alcoholic liquor, other than beer, before 12:00 noon on Sunday; to authorize sale of distilled spirits commencing at 7:00 a.m. at Maplewood Lanes, 3030 North 101st Street, Omaha, Nebraska, on Sunday, February 24, 2013; and to provide an effective date immediately upon passage – see attached.

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EXECUTIVE SESSION

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

97. Res. that, as recommended by the Mayor, the City Council concurs with the bid award to Tab Construction for Project MAPA-5001(19), State Control No. 22202a, and SP-00-14a, being improvements to 144th Street from Franklin Street to Eagle Run Drive and Blondo Street from 135th Street to Eldorado Drive, in the amount of $7,181,604.20, with the City's local share in the amount of $1,436,320.84 to be paid from the 2006 Transportation Bond Fund 13182, 2010 Issue Transportation Bonds Organization 117115, in accord with the approved program agreement with NDOR for the project; and that the City Council hereby authorizes the Mayor and City Clerk to sign the construction contract on behalf of the City of Omaha, and that the Mayor and City Clerk are also authorized to sign the attached NDOR documents – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

98. Res. that, as recommended by the Mayor, the purchase from Midwest Rescue Airboats, the lowest bidder according to specifications, in the amount of one hundred thousand dollars ($100,000.00) for the purchase of one (1) Air Boat that will be used by the Waterloo Volunteer Fire Department, a partner agency in the Tri-County PET Region, allowing the Waterloo Volunteer Fire Department to better respond to shallow water rescue calls, is hereby approved; and that, the Finance Department of the City of Omaha is authorized to pay Midwest Rescue Airboats in the amount of $100,000.00 for the purchase of one (1) Air Boat, budgeted from and funded by the Nebraska Emergency Management Agency (NEMA) FY 2011 Homeland Security Grant, Award #2011-SS-00017, Fund 12151, Organization 130752 – see attached. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
ADDITIONAL ORDINANCE ON FIRST READING

99. Ord. to approve the acceptance of and authorize payment over more than one fiscal year from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2012 Byrne Criminal Justice Innovation Program Award #2012-AJ-BX-0013 in the amount of four hundred forty six thousand three hundred thirty six dollars ($446,336) for the Omaha Reentry, Integrative Service, and Engagement (RISE) Initiative during the period of October 1, 2012 to September 30, 2015; to provide the Council an opportunity for review and public comment for such application; and upon award of such grant 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.

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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.