



**CITY OF OMAHA  
CITY COUNCIL AGENDA  
TUESDAY, AUGUST 10, 2021**

**LEGISLATIVE CHAMBERS @ 2:00 P.M.  
1819 Farnam Street, Omaha, NE 68183**

Agenda and materials are available online at:  
<https://cityclerk.cityofomaha.org/city-council/agendas>

Watch the meeting live here: <https://citycouncil.cityofomaha.org/view-council-meetings>

Instructions for virtual participation via Zoom can be found on the City Clerk's web page at [www.cityofomaha.org](http://www.cityofomaha.org).

\*Pre-registration is not required for anyone attending the meeting in person.

\*[Address waiver form](#)

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**CALL TO ORDER**

1. Roll Call
2. Pledge of Allegiance
3. Remarks by Councilmember Aimee Melton of District No. 7

**CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT**

4. City Clerk certifies publication in the Daily Record, the Official Newspaper of the City of Omaha on August 6, 2021, notice of the Pre-Council and Regular City Council Meetings, August 10, 2021.

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

**PRESENTATIONS AND PROCLAMATIONS**

5. Presentations and Proclamations

A person is allowed to speak during the public hearing of any agenda item or if the person is invited to speak by a City Councilmember regarding an item on the agenda. A person shall not be allowed to address the City Council at any other time during a meeting. Public hearings shall be conducted in the following manner: The presiding officer may invite the applicant/representative for an item to speak and/or make a presentation before the public hearing is opened. The presiding officer will then open the public hearing and call for proponents and then opponents. After all speakers have spoken, the presiding officer may provide the applicant/representative an opportunity for rebuttal. The presiding officer will then close the public hearing. The presiding officer shall determine the amount of time for speakers.

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

### **KIEWIT'S SUBDIVISION REPLAT 1**

6. RES. 2021-0752 – Res. that, the Preliminary Plat entitled Kiewit's Subdivision Replat 1, a minor plat inside city limits, located southeast of 27th and Leavenworth Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Neeraj Agarwal – Inside City Limits – [see attached](#).  
**(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

## **PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS**

7. ORD. 42582 – An ordinance to rezone property located at 8557 Boyd Street from DR-Development Reserve District to R5-Urban Family Residential District – (First Reading June 15, 2021; Second Reading June 29, 2021; Third Reading, Public Hearing and Vote July 13, 2021) – [see attached](#). **(POSTPONED FROM THE JULY 13, 2021 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
  - B. Communications in opposition – [see attached](#).
8. ORD. 42605 – An ordinance to rezone property located at 4615 Davenport Street from R4(35)-Single-Family Residential District (High-Density) to R5-Urban Family Residential District – (First Reading July 13, 2021; Second Reading July 20, 2021; Third Reading, Public Hearing and Vote July 27, 2021) – [see attached](#). **(POSTPONED FROM THE JULY 27, 2021 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
  - B. Communications in opposition – [see attached](#).
9. ORD. 42627 – An ordinance to rezone property located at 1116 and 1120 North 40th Street from R5(35)-Urban Family Residential District and R7-Medium-Density Multiple-Family Residential District to R5-Urban Family Residential District – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
10. ORD. 42629 – An ordinance to rezone property located southwest of 162nd and Ida Streets from R4-Single-Family Residential District (High-Density) to R5-Urban Family Residential District – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
  - B. Communications in opposition – [see attached](#).
11. ORD. 42630 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 3404 Q Street – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

12. ORD. 42631 – An ordinance to amend the boundaries of the ACI-3-Area of Civic Importance Overlay District, to incorporate into that district the property located at 11515 Miracle Hills Drive – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
13. ORD. 42632 – An ordinance to rezone property located at 2411 Castelar Street from HI-Heavy Industrial District to R4-Single-Family Residential District (High-Density) – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
14. ORD. 42633 – An ordinance to repeal the ACI-1-Areas of Civic Importance Overlay District, for property located at 2411 Castelar Street – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
15. ORD. 42634 – An ordinance to approve a Major Amendment to the PUD-Planned Unit Development Overlay District in a LO-Limited Office District located at 11707 Miracle Hills Drive, to approve the Development Plan – (First Reading July 20, 2021; Second Reading July 27, 2021; Third Reading, Public Hearing and Vote August 10, 2021) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY, REQUIRES SUPER MAJORITY VOTE OF 5 MEMBERS)**
- A. Planning Board and Planning Department recommend DENIAL – [see attached](#).
16. RES. 2021-0753 – Res. that, the Major Amendment to the Conditional Use Permit (assumed) application submitted by Rick Rapp for a Conditional Use Permit to allow Communication services in a LO-Limited Office District, located at 11707 Miracle Hills Drive, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, and all applicable local or state statutes, ordinances or regulations are complied with; and that the proposed Major Amendment to the Conditional Use Permit (assumed) 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](#). **(PUBLIC HEARING AND VOTE TODAY, REQUIRES SUPER MAJORITY VOTE OF 5 MEMBERS)**
- A. Planning Board and Planning Department recommend DENIAL – [see attached](#).

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## **LIQUOR**

17. RES. 2021-0802 – Class "C" Liquor License Application – High Life Pacific, LLC, dba "Good Life Sports Bar & Grill, 1203 South 180th Street. (This is a new application for an old location). UPGRADE TO CLASS "C" Liquor License. Present licensee is MJL, LLC, dba "The Good Life Sports Bar & Grill", who has a Class "I" Liquor License. Notice was posted on the property on 07-28-2021; Notification was sent to property owners within 500 feet on 07-30-2021 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

18. RES. 2021-0803 – Class “I” Liquor License Application – Pepperjax Development, LLC, dba “Pepperjax Grill”, 510 South 72nd Street. (This is a new application for a new location). Notice was posted on the property on 07-28-2021; Notification was sent to property owners within 500 feet on 07-30-2021 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  19. RES. 2021-0804 – Class “D” Liquor License Application – Shahmeer Petroleum, LLC, dba “NP Mart 11”, 3536 “Q” Street. (This is a new application for a new location). Notice was posted on the property on 07-28-2021; Notification was sent to property owners within 500 feet on 07-30-2021 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  20. RES. 2021-0805 – Special Designated Liquor License Application – Second Wind, Inc., dba “Crescent Moon Ale House”, 3578 Farnam Street, requests permission for a Special Designated License for an outdoor live music/beer garden for Oktoberfest at 3578 Farnam Street on September 24-25, 2021 from 3:00 p.m. to 2:00 a.m. with music ending at 12:00 a.m. each night – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  21. RES. 2021-0806 – Special Designated Liquor License Application – Septemberfest-Salute to Labor, 6910 Pacific Street, Suite 450, requests permission for a Special Designated License for an outdoor festival for Septemberfest at CHI Health Center in Lot D located at 455 N 10th Street from September 3, 2021 from 5 p.m. to 12:00 a.m.; September 4-5, 2021 from 12:00 noon to 12:00 a.m. with music ending at 12:00 a.m. each day and September 6, 2021 from 9:00 a.m. to 11:00 p.m. – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  22. RES. 2021-0807 – Long Form Class “C” Liquor License Application – Fama, LLC, dba “Azul Sports Bar”, 5132 “L” Street. (This is a new application for old location). Long Form required per Resolution #2021-0446 passed April 27, 2021. Notice was posted on the property on 07-28-2021; Notification was sent to property owners within 500 feet on 07-30-2021 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communications in opposition – [see attached](#).

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## **CONSENT AGENDA**

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed. Items removed from the Consent Agenda shall be taken up by the City Council immediately following the Consent Agenda in the order in which they were removed unless otherwise provided by the City Council Rules of Order.)

(The public hearing on Agenda Items 23 and 24 were held on July 27, 2021.)

## **CONSENT AGENDA – ORDINANCES**

23. ORD. 42635 – An ordinance to accept the bid from Galls, LLC, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; to provide firm price commitments per item for two years, on Omaha Police Department standard uniform items, which are to be provided to members of the Omaha Police Department, although prices have been specifically determined by the bid, the exact costs are indeterminate and will vary depending on the purchases, they are anticipated to be in the approximate area of, with the possibility of exceeding, the sum of \$1,150,555.14, over the two-year period – (First Reading July 20, 2021; Second Reading and Public Hearing July 27, 2021; Third Reading August 10, 2021) – [see attached](#).

24. ORD. 42636 – An ordinance to approve a three-year Agreement between the City of Omaha and the Nebraska Humane Society for animal control services for the years 2021-2023; to authorize payments of \$903,300.00 for 2021, \$944,238.00 for 2022, and \$1,023,600.00 for 2023 as specified therein from Omaha Keno/Lottery Fund 12118, Organization 126021 – (First Reading July 20, 2021; Second Reading and Public Hearing July 27, 2021; Third Reading August 10, 2021) – [see attached](#).

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

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(The public hearings on Agenda Items 25 through 44 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**

25. RES. 2021-0808 – Manager’s Application – Davidson Hotel Company, LLC, dba “Kimpton Cottonwood Hotel”, 302 South 36th Street request permission to appoint Gabrielle M. Carstens manager of their present Class “C” Liquor License location – [see attached](#).
26. RES. 2021-0809 – Manager’s Application – Buck, LLC, dba “Bucky’s Express”, request permission to appoint Krystal M. Carter manager of their present and pending 20 Class “D” Liquor License locations within the City of Omaha – [see attached](#).
27. RES. 2021-0810 – Manager’s Application – Casey’s Retail Company, dba “Casey’s General Store”, request permission to appoint Krystal M. Carter manager of their present 9 Class “D” Liquor License locations within the City of Omaha – [see attached](#).
28. RES. 2021-0811 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Deeter Foundry, in the amount of \$56,000.00, for the purchase of Cast Steel Manhole Frames and Covers to be utilized by the Sewer Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2021 funding.) – [see attached](#).
29. RES. 2021-0812 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to AFL, LLC, in the amount of in the amount of \$131,124.00, for the purchase of four (4) 1/2 ton Crew Cab Pick-up 4X4s, to be utilized by the Sewer Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Sewer Planning Unit Organization 116512, year 2021 funding.) – [see attached](#).
30. RES. 2021-0813 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to IPS Group, Inc., in the amount of \$81,000.00, for merchant processing of credit card transactions and fees for 2021, utilized by the Parking Division. (The Finance Department is authorized to pay the cost of this purchase from the Parking Revenue Fund 21116, Parking Meters Organization 116183, year 2021 funding.) – [see attached](#).



31. RES. 2021-0814 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to PreCise MRM LLC, in the amount of \$70,000.00, to renew the Pooled Data Service Agreement for 2021, utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Street Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2021 funding.) – [see attached](#).
32. RES. 2021-0815 – Res. that, as recommended by the Mayor, the contract with Hawkins Construction Company, in the amount of \$24,391,157.00, for OPW 53082, being the Monroe Street Lift Station Improvements Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$24,391,157.00, from the Sewer Revenue Improvements Bond Fund 21124, CSO Control Implementation Organization 116918; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
33. RES. 2021-0816 – Res. that, as recommended by the Mayor, the Professional Services Agreement with CNC Surveying LLC, in the amount of \$44,520.00, to provide professional engineering services on OPW 53270, being the Blake Street Lift Station Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$44,520.00, from the Sewer Revenue Improvements Bond Fund 21124, CSO Control Implementation Organization 116918. Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
34. RES. 2021-0817 – Res. that, as recommended by the Mayor, the Professional Services Agreement with E & A Consulting Group, Inc., in the amount of \$45,046.40, to provide professional engineering services on OPW 53960, being the N 48th Street from McKinley Street to Battlefield Drive Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$45,046.40, from the 2020 Street Preservation Bond Fund 13191, Street Improvement Organization 116165.) – [see attached](#).
35. RES. 2021-0818 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc., in the amount of \$120,766.12, for construction phase engineering services on OPW 53989, being the 2021 Residential Concrete Pavement Repair, Area 4530 Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$120,766.12 for these services to be paid from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
36. RES. 2021-0819 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Professional Services Agreement with Wade Trim, Inc., in the amount of \$99,893.00, for construction phase engineering services on OPW 53816, being the SOIA Lift Station Improvements Study - 2214 Washington Street Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$99,893.00 for these services to be paid from the Sewer Revenue Improvements Bond Fund 21124, Capital Asset Replacement Program Bond Organization 116913; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
37. ~~RES. 2021-0822 – Res. that, the nomination of “Marlon Brando Street” as a commemorative street name on 32rd Street north of Pacific Street to its termination point (approximately 320 feet) is hereby approved; and the Public Works Department is authorized to erect the acceptable sign(s) therefore, in compliance with all applicable local and state statutes, ordinances or regulations, and policies with all costs to be borne by the applicant – [see attached](#).~~ **(THIS ITEM WAS WITHDRAWN FROM THE AGENDA ON AUGUST 6, 2021 @ 1:00 P.M.)**

38. RES. 2021-0823 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$25,355.00 for the Lead-based Paint Hazard Control work to the property owned by Maria Vandewark located at 4211 Decatur Street, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Rife Construction Inc. (Funds shall be paid as follows: \$25,355.00 from Lead 2019 NELHD, Fund No. 12136, Org. No. 128104.) – [see attached](#).
39. RES. 2021-0824 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and the Housing Authority of the City of Omaha (OHA), in the amount of \$250,000.00 comprised of 2020 CDBG Funds, which will assist a minimum of 130 low-income households with radon testing and mitigation services for the period from January 1, 2021 through March 31, 2022 is hereby approved. (Radon testing and mitigation services totaling \$250,000.00 shall be paid from Fund No. 12186, Organization No. 128072.) – [see attached](#).
40. RES. 2021-0825 – Res. that, as recommended by the Mayor, the purchase based upon the contract pricing from Ray Martin of Omaha, Inc., not to exceed the amount of \$35,000.00 to provide ongoing service, operation and maintenance; which includes the Ice Machine for the Ice Rink at the Motto McLean Ice Arena, located at 5015 South 45th Street, Omaha, NE, for the Parks, Recreation and Public Department, providing a unique and non-competitive service as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds and not to exceed in the amount of \$35,000.00 to Ray Martin of Omaha, Inc. from the General Fund No. 11111, Organization No. 115211.) – [see attached](#).
41. RES. 2021-0826 – Res. that, as recommended by the Mayor, the bid in the total amount of \$580,250.00 from Blade Masters Grounds Maintenance, Inc. to repair the sea wall at N.P. Dodge, which was damaged due to the March 2019 flood event, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith. The Finance Department is authorized to pay the Funds in the amount of \$580,250.00 to Blade Masters Grounds Maintenance, Inc. from the 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2000P505.) – [see attached](#).
42. RES. 2021-0827 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, the Omaha Public Library is hereby authorized to purchase unique and non-competitive products and services from Bibliotheca, LLC in an amount not to exceed \$67,506.00 for the annual rental, license, and subscription agreement of the radio frequency identification (RFID) system for a one year term beginning September 4, 2021 and ending on September 3, 2022. (The Finance Department is authorized to pay \$67,506.00 for the cost of products and services from Fiscal Year 2021 Fund 11111, Organization 117000.) – [see attached](#).
43. RES. 2021-0828 – Res. that, the City of Omaha retains its membership in the League of Nebraska Municipalities and pay its dues in the amount of \$84,495.00 to be paid from the 2021 General Fund 11111, General Expense 119014, Account 42852 Membership Dues – [see attached](#).

44. RES. 2021-0829 – Res. that, authority is hereby granted and approval is hereby given for an Extension Amendment to the Agreement between the City of Omaha and Life Line Billing Systems, LLC dba LifeQuest Services, originally agreed to on July 29, 2014 as Ordinance No. 40062. The Extension Amendment shall be from August 1, 2021 through October 31, 2021 and will provide for medic unit billing and collection services for that period, at a rate of 8.25 percent of the net monthly receipts, in accordance with the terms and conditions of the Extension Amendment. (The City's obligations under this Extension Amendment are authorized to be provided from General Fund No. 11111, General Expense Organization No. 119014.) – [see attached](#).

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

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**RESOLUTION**

45. RES. 2021-0830 - Res. that, the lawsuit pending in the District Court for Douglas County, Nebraska, entitled *Robert Bartlett v. Quinn Sowokinos and City of Omaha*, Case No. CI 20-0963, should be and hereby is settled, upon payment by the City to the Plaintiff and his attorney in the amount of \$42,000.00, inclusive of all costs and attorney fees; in exchange for which the Plaintiff will dismiss his case against Quinn Sowokinos and the City with prejudice; that a settlement in the amount of \$42,000.00 is hereby approved. (The said \$42,000.00 shall be paid from the Contingent Liability Fund, Fund 11114, Org. 122101, Account 46113.) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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**ORDINANCES ON SECOND READING**

46. ORD. 42639 – An ordinance to amend Omaha Municipal Code 34-144, 34-145, 34-151, 34-157, 34-158, and 34-163; to provide definitions for terms; to establish procedures and rules for the use and lease of public right-of-way; to repeal Sections 34-144, 34-145, 34-151, 34-157, 34-158, and 34-163 as heretofore existing – (First Reading July 27, 2021; Second Reading and Public Hearing August 10, 2021; Third Reading August 17, 2021) – [see attached](#). **(PUBLIC HEARING TODAY)**
47. ORD. 42640 – An ordinance to accept the bid from Priority 1 Courier & Delivery, LLC to provide delivery and sorting services to various Omaha Public Library facilities, in accordance with the lowest and best bid meeting specifications, for an estimated annual cost of \$139,623.00 (2021 \$59,071.27; 2022 \$139,623.00; 2023 \$80,551.73 for a total contract amount of \$279,246.00), for a period of two (2) years beginning August 1, 2021, with an option to extend the contract for two (2) additional one (1)-year periods – (First Reading July 27, 2021; Second Reading and Public Hearing August 10, 2021; Third Reading August 17, 2021) – [see attached](#). **(PUBLIC HEARING TODAY)**
48. ORD. 42641 – An ordinance (1) to approve an agreement between the City of Omaha and the Women's Center for Advancement in the amount of \$49,171.18; and (2) to authorize funding for such agreement from the City of Omaha's FY 2020 STOP Violence Against Women (VAWA) Grant, Award #2020-WF-AX-0025 Sub-Grant #197-2021-VW4008 and FY 2018 STOP VAWA Grant, Award #2018-WF-AX-0015 Sub-Grant #197-2021-VW4008, awarded by the Nebraska Crime Commission; to provide partial funding for one (1) full-time Client Attorney and one (1) full-time Victim Advocate, Supplies, and Indirect Costs as part of the Douglas County Community Response Team; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter – (First Reading July 27, 2021; Second Reading and Public Hearing August 10, 2021; Third Reading August 17, 2021) – [see attached](#). **(PUBLIC HEARING TODAY)**



49. ORD. 42642 – An ordinance supplemental to Ordinance No. 37507 authorizing and directing an issue as Additional Bonds in one or more series of not to exceed an aggregate principal amount of \$31,000,000.00 Sanitary Sewerage System Revenue Bond, of the City of Omaha, Nebraska, to be termed for identification purposes "Sanitary Sewerage System Revenue Bond, Series of 2021 (NDEE Project)," for the purpose of providing funds to finance the acquisition, construction, improving and equipping of capital improvements to the City's sanitary sewerage system; prescribing the form of the bond; covenanting to maintain and collect rates and charges for the use and services of the system; pledging the revenue derived from the operation of the system, including all extensions and improvements thereto and equipping thereof, to the payment of the cost of operating and maintaining the system, to the deposits required by Ordinance No. 35840, as supplemented, by Ordinance No. 37507, as previously supplemented, and by this ordinance, to the payment of the principal of and interest on the bond as the same fall due; covenanting to carry out all other covenants and agreements of this ordinance; limiting the payment of the bond solely to the system revenues; creating and establishing funds and accounts; authorizing the sale of the bond to the Nebraska Department of Environment and Energy ("NDEE"); making other covenants and agreements in connection with the foregoing; appointing a Paying Agent and Registrar; authorizing the form of the NDEE Loan Agreement between the City and NDEE and the execution and delivery thereof – (First Reading July 27, 2021; Second Reading and Public Hearing August 10, 2021; Third Reading August 17, 2021) – [see attached](#). **(PUBLIC HEARING TODAY)**
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## **NON-ACTION ITEMS**

(Items 50 through 70 do not require a public hearing or City Council consideration at the present meeting, but will be placed on a future agenda for a public hearing and City Council consideration. The reason for non-action is noted after the item on the agenda as well as the date the item is expected to appear on an agenda for City Council consideration.)

(CITY COUNCIL WILL NOT MEET ON SEPTEMBER 7, 2021)

## **BLUE SAGE CREEK 2**

50. ORD. 42637 – An ordinance to rezone property located northeast of 213th and F Streets from AG-Agricultural District to R4-Single Family Residential District (High Density) – (First Reading July 27, 2021; **Second Reading August 10, 2021**; Third Reading, Public Hearing and Vote August 17, 2021) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
51. RES. 2021-0766 – Res. that, the Final Plat entitled Blue Sage Creek 2, a subdivision outside city limits, located northeast of 213th and F Streets, is hereby approved and accepted; that the replat transmitted herewith entitled Blue Sage Creek 2, a subdivision outside city limits, located northeast of 213th and F Streets, is hereby approved, and concurrently a portion of the existing plat entitled Blue Sage Creek, and described on said replat, is hereby vacated. The applicant is Caleb Snyder, Lamp Rynearson – Outside City Limits – [see attached](#). **(LAID OVER TO THE AUGUST 17, 2021 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 50)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

52. RES. 2021-0769 – Res. that, the Subdivision Agreement among the City of Omaha, Lanoha Pacific, Inc., The Blue Sage Creek Homeowners Association, Papio-Missouri River Natural Resource District, and Sanitary and Improvement District (S.&I.D.) 575 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Blue Sage Creek 2 (Lots 1-65 and Outlots A-D) and is located northeast of 213th and F Streets – [see attached](#). **(LAID OVER TO THE AUGUST 17, 2021 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 50)**

### **IRVINGTON INDUSTRIAL REPLAT THREE**

53. ORD. 42638 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 4845 North 90th Street – (First Reading July 27, 2021; **Second Reading August 10, 2021**; Third Reading, Public Hearing and Vote August 17, 2021) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

54. RES. 2021-0767 – Res. that, the Preliminary Plat entitled Irvington Industrial Replat Three, a minor plat inside city limits, located at 4845 North 90th Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Thompson, Dreesen & Dorner – Inside City Limits – [see attached](#). **(LAID OVER TO THE AUGUST 17, 2021 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 53)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

55. RES. 2021-0768 – Res. that, the Final Plat transmitted entitled Irvington Industrial Replat Three, a minor plat inside city limits, located at 4845 North 90th Street, is hereby accepted; and concurrently portions of the existing plat entitled Irvington Industrial and described on said replat, are hereby vacated. The applicant is Thompson, Dreesen & Dorner – Inside City Limits – [see attached](#). **(LAID OVER TO THE AUGUST 17, 2021 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 53)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

### **PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS**

56. ORD. 42644 – An ordinance to rezone property located southwest of 144th Street and West Dodge Road from R7-Medium-Density Multiple-Family Residential District and MU-Mixed Use District to MU-Mixed Use District – (**First Reading August 10, 2021**; Second Reading August 17, 2021; Third Reading, Public Hearing and Vote August 24, 2021) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

57. ORD. 42645 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement between the City of Omaha and New West Farm Holdings, LLC for West Farm, located southwest of 144th Street and West Dodge Road, to allow changes to increase the commercial and office square footage and the number of potential apartment units in the development as a whole, providing site development standards – (**First Reading August 10, 2021**; Second Reading August 17, 2021; Third Reading, Public Hearing and Vote August 24, 2021) – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

58. ORD. 42643 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 445 South 193rd Street – **(First Reading August 10, 2021;** Second Reading August 17, 2021; Third Reading, Public Hearing and Vote August 24, 2021) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
59. RES. 2021-0801 – Res. that, the Special Use Permit application submitted by Baxter Development for a Special Use Permit to allow Assisted living in the R5 District, with a waiver to Section 55-206, Height, to allow a 42 foot tall building, located at 445 South 193rd 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with; and that the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE AUGUST 24, 2021 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 58)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

#### **TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTIONS**

60. RES. 2021-0820 – Res. that, the Eastside North 18 Ohio Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at northwest of 17th and Ohio Streets, which proposes the construction of thirteen (13) new rowhome residential units on an assemblage of eleven (11) vacant, contiguous parcels located in north Omaha, and authorizes the City's participation through the allocation of TIF in an amount up to \$310,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to site work, architectural and engineering costs, various studies, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE AUGUST 31, 2021 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
61. RES. 2021-0821 – Res. that, the Eastside 1620 Clark Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 1620 Clark Street, which proposes to construct twelve (12) new rowhome residential units, and authorizes the City's participation through the allocation of TIF in an amount up to \$310,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to site work, architectural and engineering costs, various studies, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE AUGUST 31, 2021 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

## **SPECIAL USE PERMIT**

62. RES. 2021-0800 – Res. that, the Special Use Permit application submitted by American Tower Delaware Corporation for a Special Use Permit to allow a Broadcast tower in the DR-Development Reserve District, with approval of a waiver to Section 55-506, Height, to allow a 195 foot temporary monopole, located at 11805 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with.; and that the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE AUGUST 24, 2021 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

## **ORDINANCES ON FIRST READING**

63. SPECIAL ORD. 10302 – An ordinance levying a special tax and assessment on all lots and pieces of real estate within Street Improvement District (SID) 6886, in the City of Omaha, to cover the cost of constructing and improving South 85th Street, from Pacific Street north to the end of the cul-de-sac north of Shamrock Road, in Portland cement concrete – **(First Reading August 10, 2021; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021)** – [see attached](#).
64. SPECIAL ORD. 10303 – An ordinance levying a special tax and assessment on all lots and pieces of real estate within Street Improvement District (SID) 6887, in the City of Omaha, to cover the cost of constructing and improving South 86th Street, from Pacific Street to Shamrock Road, in Portland cement concrete – **(First Reading August 10, 2021; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021)** – [see attached](#).
65. SPECIAL ORD. 10304 – An ordinance levying a special tax and assessment on certain lots, part of lots and pieces of real estate in the City of Omaha to cover the cost of clearing snow and ice from sidewalks in the District No. SWSR 2021-01 – **(First Reading August 10, 2021; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021)** – [see attached](#).
66. ORD. 42646 – An ordinance approving the Lease Agreement for a private road crossing near 41st & "D" Streets between the City of Omaha (lessee) and Union Pacific Railroad Company (lessor) involving the payment of money for more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended. (The Finance Department will be authorized to pay the 2021 fee, in the amount of \$1,320.00 with an automatic increase of two percent (2%) annually, cumulative and compounded, will be paid from the Street Allocation Fund 12131, Organization 116158.) – **(First Reading August 10, 2021; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021)** – [see attached](#).

67. ORD. 42647 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Outlook Properties East 72, LLC, to implement the Outlook Properties Industrial Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 6935 F Street, which proposes the construction of a 149,000 square foot warehouse/distribution building with 220 parking stalls plus space to park about 47 semi-trailers; the agreement authorizes the use of up to \$1,166,829.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading August 10, 2021**; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021) – [see attached](#).
68. ORD. 42648 – An ordinance to approve a lease, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended, by and between the City of Omaha and Project Harmony, for the use of premises at 11949 “Q” Street, Omaha, Nebraska by the Omaha Police Department as office space for a term commencing January 1, 2022 and extending through December 31, 2024, in the annual amount of \$125,640.00 to be paid in quarterly installments of \$31,410.00 for Year 2022; and in the annual amount of \$129,408.00 to be paid in quarterly installments of \$32,352.00 for Year 2023; and in the annual amount of \$133,288.00 to be paid in quarterly installments of \$33,322.00 for Year 2024 – (**First Reading August 10, 2021**; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021) – [see attached](#).
69. ORD. 42649 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a Class “B” Flammable Liquids Storage District to be known as District No. B-208 at 2410 Center Street, as requested by David Moench of Rasmussen Group for subsidiaries (Central Iowa Ready-Mix Inc, & Concrete Supply) for 2410 Center Street – (**First Reading August 10, 2021**; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021) – [see attached](#).
70. ORD. 42650 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code an increase in volume to the Class “B” Flammable Liquids Storage District to be known as District No. B-181 at 7302 Pacific Street, as requested by Aaron Savetsky of Fiserv- First Data Resources for 7302 Pacific Street – (**First Reading August 10, 2021**; Second Reading and Public Hearing August 17, 2021; Third Reading August 24, 2021) – [see attached](#).

## **EXECUTIVE SESSION**

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

## **ADJOURNMENT**

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

All requests for accommodations, including interpreters and signers, will require at least 2 business days advance notice. Please contact the City Clerk’s Office at [cityclerk@cityofomaha.org](mailto:cityclerk@cityofomaha.org) to request a copy of the required form if arrangements need to be made.





**CITY OF OMAHA  
CITY COUNCIL PRE-COUNCIL MEETING AGENDA  
TUESDAY, AUGUST 10, 2021**

**CONFERENCE ROOM, SUITE LC-1 @ 10:30 A.M.  
Omaha/Douglas Civic Center  
1819 Farnam Street, Omaha, NE 68183  
[www.cityofomaha.org](http://www.cityofomaha.org)**

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**CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT**

1. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on August 6, 2021, notice of the Pre-Council and Regular City Council Meetings, August 10, 2021.
2. A current copy of the Open Meeting Act is located on the table next to the City Clerk.

**DISCUSSION TOPICS**

3. Discussion of Agenda Items and matters pertaining thereto.

**EXECUTIVE SESSION**

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

**ADJOURNMENT**

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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 Street, Suite LC-1, Omaha, NE, during normal business hours.**

**All requests for sign language interpreters (signers) will require a minimum of 48 hours advance notice. Alternative formats require a minimum of 72 hours advance notice. Please contact Kimberly Hoelsing at (402) 444-5552 if arrangements need to be made.**