



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, APRIL 12, 2022**

**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.

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

*[Address waiver form](#)

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Remarks by Councilmember Don Rowe of District No. 5

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 April 8, 2022, notice of the Pre-Council and Regular City Council Meetings, April 12, 2022.

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

FOUNTAIN RIDGE WEST

6. ORD. 42926 – An ordinance to rezone property located Southwest of 193rd and Davenport Streets from AG-Agricultural District to MU-Mixed Use District – (First Reading March 29, 2022; Second Reading April 5, 2022; Third Reading, Public Hearing and Vote April 12, 2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
7. ORD. 42927 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Fountain Ridge West, located Southwest of 193rd and Davenport Streets, between the City of Omaha and Fountain II, LLC, providing site development standards – (First Reading March 29, 2022; Second Reading April 5, 2022; Third Reading, Public Hearing and Vote April 12, 2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
8. RES. 2022-0271 – Res. that, the Final Plat entitled Fountain Ridge West (Lot 2), a subdivision outside city limits, located southwest of 193rd and Davenport Streets, is hereby approved and accepted. The applicant is Jeremy Shepherd, Fountain II, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
9. RES. 2022-0272 – Res. that, the Subdivision Agreement between the City of Omaha and Fountain II, LLC, doing business in Nebraska as Fountain West II, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Fountain Ridge West (Lot 2) and is located southwest of 193rd and Davenport Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PLANNING ORDINANCE ON FINAL READING WITH PLANNING BOARD ATTACHMENT

10. ORD. 42925 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District in a NBD-Neighborhood Business District (property is located within an ACI-1(PL)-Areas of Civic Importance District) located southeast of 38th and Farnam Streets, to approve the Development Plan – (First Reading March 29, 2022; Second Reading April 5, 2022; Third Reading, Public Hearing and Vote April 12, 2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

11. RES. 2022-0253 – Res. that, the Elmwood Townhomes Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at southeast of Leavenworth and South 54th Streets, which proposes the new construction of a 19 unit townhouse development, and authorizes the City's participation through the allocation of TIF in an amount up to \$1,538,199.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, demolition, site preparation, architectural and engineering costs, 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](#). **(POSTPONED FROM THE APRIL 5, 2022 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
- A. Communication – [see attached](#).
- B. Request from the applicant to postpone this item to the April 12, 2022 City Council meeting – [see attached](#).
- C. Amendment of the Whole requested by the Law Department – [see attached](#).
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LIQUOR

12. RES. 2022-0339 – Class I Liquor License for Y&J Maru Sushi Korean Grill, Inc., dba “Maru Sushi Korean Grill”, 5036 South 108th Street. (This is a new application for an old location). Present licensee is J Z Maru, LLC, who has a Class “I” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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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 13 through 17 was held on April 5, 2022.)

13. ORD. 42928 – An ordinance to approve the Collective Bargaining Agreement for the years 2021, 2022, 2023, 2024, and 2025 between the City of Omaha and the Omaha City Employees, Local 251, American Federation of State, County and Municipal Employees, AFL-CIO; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with the provisions of the Collective Bargaining Agreement shall not be applicable to those employees in the Bargaining Unit described in Article 1, Section 1, of said Collective Bargaining Agreement; to provide authorization for the Mayor to execute and the City Clerk to attest her signature – (First Reading March 29, 2022; Second Reading and Public Hearing April 5, 2022; Third Reading April 12, 2022) – [see attached](#).
- A. Personnel Board recommends approval.

14. ORD. 42929 – An ordinance to amend Sections 23-177, 23-178, 23-181, 23-182, 23-185, 23-193, 23-342, 23-364, 23-365, 23-403, 23-404, 23-462, 23-463, 23-468, 23-482, 22-26, 22-30 of the Omaha Municipal Code to reflect changes negotiated between the City of Omaha and the Civilian Management Professional and Technical Employees Council (CMPTEC) for the years 2022, 2023, 2024, and 2025; to provide for placement of employees in the new pay plan; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with this Ordinance shall not be applicable to those employees in CMPTEC – (First Reading March 29, 2022; Second Reading and Public Hearing April 5, 2022; Third Reading April 12, 2022) – [see attached](#).
- A. Personnel Board recommends approval.
15. ORD. 42930 – An ordinance to amend Sections 23-177, 23-178, 23-181, 23-185, 23-342, 23-364, 23-365, 23-417, 23-494, 23-507 and 22-30 of the Omaha Municipal Code to reflect changes negotiated between the City of Omaha and the Administrative and Executive Classifications (AEC) for the years 2022, 2023, 2024, and 2025; to provide for placement of employees in the new pay plan; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with this Ordinance shall not be applicable to those employees in AEC – (First Reading March 29, 2022; Second Reading and Public Hearing April 5, 2022; Third Reading April 12, 2022) – [see attached](#).
- A. Personnel Board recommends approval.
16. ORD. 42931 – An ordinance to create and establish a Charter Study Convention in accordance with Section 8.15 of the Home Rule Charter of the City of Omaha, 1956; to provide for membership and its appointment thereto; to provide for the duties of such Charter Study Convention; to provide that the timetable by which the Charter Study Convention shall undertake of responsibility and by which it is to complete its duties; to provide for the election of officers and adoption of Rules of Procedure; to require the use of City facilities and personnel; to provide that no City funds shall be expended without prior approval by the City Council – (First Reading March 29, 2022; Second Reading and Public Hearing April 5, 2022; Third Reading April 12, 2022) – [see attached](#).
17. ORD. 42932 – An ordinance to amend Chapter 15, Article IV, entitled “Special Designated Liquor Licenses,” Sections 15-60 through 15-63 and Section 15-66, of the Omaha Municipal Code; by adding provisions authorizing promotional farmers market special designated licenses; to designate the City Clerk as the City Council’s agent for approval of said licenses, subject to certain conditions and restrictions; to harmonize subsection identification, remove references to outdated facility names, and remove provisions related to 2011 special designated liquor licenses; to remove the City Clerk and the City Law Department as voting members of the College World Series SDL Committee (First Reading March 29, 2022; Second Reading and Public Hearing April 5, 2022; Third Reading April 12, 2022) – [see attached](#).

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

(The public hearings on Agenda Items 18 through 47 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

18. RES. 2022-0340 – Liquor License Manager Application – German American Society Inc., dba “German American Society”, 3717 South 120th Street, request permission to appoint Jeffrey D. Luehrs manager to their present Class “C” Liquor License location – [see attached](#).
19. RES. 2022-0341 – Liquor License Manager Application – Sakoon, LLC, dba “Sakoon The Spa”, 1529 South 203rd Street, request permission to appoint Casi J. Einspahr manager to their present Class “I” Liquor License location – [see attached](#).
20. RES. 2022-0342 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to NEZAT Training and Consulting LLC, in the amount of \$35,000.00, for the purchase of a Sewer Pipe Maintenance Training Program, 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 2022 funding.) – [see attached](#).
21. RES. 2022-0343 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to NMC Cat, in the amount of \$407,780.00, for the purchase of two (2) Wheel Loaders to be 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 2022 funding.) – [see attached](#).
22. RES. 2022-0344 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Superior Industrial Equipment, LLC, in the amount of \$42,126.22, for the purchase of a Vertical Flow Pump Rebuild, to be utilized by the Papillion Creek Water Resource Recovery Facility. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Papio Creek Recovery Facility Mtce Organization 116614, year 2022 funding.) – [see attached](#).
23. RES. 2022-0345 – Res. that, as recommended by the Mayor, the Joint Funding Agreement and Proposal for Green Infrastructure Monitoring between the City of Omaha and U.S. Department of the Interior, U.S. Geological Survey (USGS), for storm water monitoring at the Public Works Department's Sewer Maintenance Facility, located at 6880 Q Street, to provide data for the City's Municipal Stormwater Management Plan, is hereby approved. (The Finance Department is authorized to pay the City's local share, in the amount of \$26,700.00, being paid from the Storm Water Fee Revenue Fund 12128, Storm Water Management Organization 116312, year 2022 funding.) – [see attached](#).
24. RES. 2022-0346 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Professional Services Agreement with Jacobs Engineering Group Inc., in the amount of \$19,810.99, for software support services for the IBM Maximo On-Call Support Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$19,810.99, from the Sewer Revenue Fund 21121, Missouri River Water Resource Recovery Facility Organization 116612, year 2022 funding.) – [see attached](#).

25. RES. 2022-0347 – Res. that, as recommended by the Mayor, the Professional Services Agreement with George Butler Associates, Inc., in the amount of \$99,966.00, to provide professional engineering services on OPW 52769, being the Combined and Sanitary Sewer System Evaluation Survey in Missouri River Sewersheds Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,966.00, from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918.) – [see attached](#).
26. RES. 2022-0348 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Inc., in the amount of \$26,150.00, to provide professional engineering services on OPW 54239, being the 90th Street Wall Replacement, Park Drive to Berry Street Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$26,150.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
27. RES. 2022-0349 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Inc., in the amount of \$375,137.99, to provide professional engineering services on OPW 54316, being the 2022 Concrete Pavement Repair - Residential Area 4512 Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$375,137.99, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
28. RES. 2022-0350 – Res. that, as recommended by the Mayor, the Professional Services Agreement with The Schemmer Associates, Inc., in the amount of \$651,197.48, to provide professional engineering services on OPW 52879, being the Fort Street Improvements - 120th to 134th Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$651,197.48, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
29. RES. 2022-0351 – Res. that, as recommended by the Mayor, the Professional Services Agreement with JEO Consulting Group, Inc., in the amount of \$898,710.00, to provide professional construction phase engineering services on OPW 53897, being the I Street - 102nd Street to I-80 Ramp - 108th & I Street Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$898,710.00, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
30. RES. 2022-0352 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Kirkham, Michael & Associates, Inc., in the amount of \$54,819.12, to provide professional engineering services on OPW 53946, being the Monroe Street from S 13th Street to Terminus Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$54,819.12, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
31. RES. 2022-0353 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Jacobs Engineering Group Inc., in the amount of \$462,628.07, to provide professional design engineering services on OPW 54258, being the Missouri River Inplant Lift Station Upgrade Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$462,628.07, from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913.) – [see attached](#).

32. RES. 2022-0354 – Res. that, as recommended by the Mayor, the Services Agreement with Emspace + Lovgren, in the amount of \$84,000.00, for marketing and communications services, as administered by the Parking Division, is hereby approved. (The Finance Department is authorized to pay the cost from the Parking Revenue Fund 21116, Organization 116241, year 2022 funding.) – [see attached](#).
33. RES. 2022-0355 – Res. that, as recommended by the Mayor, the Amendment to the Construction and Maintenance Agreement and Related Pedestrian Overhead Bridge Documents with BNSF Railway Company and the City of Omaha authorizing the City to remove the pedestrian bridge over the Railroad's Right of Way, located in Heartland of America Park, is hereby approved. (100% of the eligible costs of this work are covered by funds through Metropolitan Entertainment & Convention Authority (MECA), per a separate agreement.) – [see attached](#).
34. RES. 2022-0356 – Res. that, the Subdivision Agreement among the City of Omaha, CSC Properties, LLC, and BITINC Investments, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is known as Kami's Crossing Replat One (Outlots A-B) and is located northeast of Blair High Road and State Street – [see attached](#).
35. RES. 2022-0357 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Environmental Restoration, LLC for the addresses listed on the bid tabulation results for the Omaha Soil Remediation Program Project Group No. 487. (The Finance Department is authorized to pay the cost of the project in the amount of \$379,000.00 from City of Omaha -U.S. EPA Cooperative Agreement Assistance ID No. V-97748601 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).
36. RES. 2022-0358 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Environmental Restoration, LLC for the addresses listed on the bid tabulation results for the Omaha Soil Remediation Program Project Group No. 486. (The Finance Department is authorized to pay the cost of the project in the amount of \$368,500.00 from City of Omaha - U.S. EPA Cooperative Agreement Assistance ID No. V-97748601 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).
37. RES. 2022-0288 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Wayne and Toni Homes, LLC, for the sale of one parcel of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to Wayne and Toni Homes, LLC, to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is known as 2301 North 16th Street, in consideration of the sum of \$4,800.00; and no expenses associated with the transfer of this property – [see attached](#). **(POSTPONED FROM THE MARCH 29, 2022 CITY COUNCIL MEETING)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

38. RES. 2022-0289 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Wayne and Toni Homes, LLC, for the sale of one parcel of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to Wayne and Toni Homes, LLC, to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is known as 2521 and 2525 Blondo Street, in consideration of the sum of \$3,700.00; and no expenses associated with the transfer of this property – [see attached](#). **(POSTPONED FROM THE MARCH 29, 2022 CITY COUNCIL MEETING)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
39. RES. 2022-0290 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and Secondof11, LLC, for the sale of two parcels of land be approved; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to Secondof11, LLC, to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is known as 2610 North 28th Avenue and 2858 Ohio Street, in consideration of the sum of \$4,300.00; and no expenses associated with the transfer of this property – [see attached](#). **(POSTPONED FROM THE MARCH 29, 2022 CITY COUNCIL MEETING)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
40. RES. 2022-0359 – Res. that, as recommended by the Mayor, the purchase order to Ambiance ACV, which will exceed \$20,000.00 but will not exceed \$55,000.00 to provide repairs, service and installation on Parks camera systems at various park locations, for the Parks, Recreation and Public Department, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds not to exceed \$55,000.00 to Ambiance ACV from the General Fund No. 11111, 115025, Ground Maintenance Contracts.) – [see attached](#).
41. RES. 2022-0360 – Res. that, as recommended by the Mayor, the purchase based upon the pricing from Omaha Public Power District in the total amount of \$31,545.00 to furnish all labor, materials and equipment necessary to complete the installation of a new 120/240V at Hillsborough Park, is hereby approved. The new electrical service shall include, but not be limited to: installation of new service, pull box, cable duct, and transformer. (The Finance Department of the City of Omaha is authorized to pay the Funds in the amount of \$31,545.00 to Omaha Public Power District from the from the 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bond, Project I.D. No. 1989P504.) – [see attached](#).

42. RES. 2022-0361 – Res. that, as recommended by the Mayor, payment to RTG Building Services, Inc. to provide custodial services at various Recreational Facilities, in the amount of \$279,000.00, is hereby approved. (The Finance Department is authorized to pay the Funds in the amount of \$279,000.00 to RTG Building Services, Inc. from the General Fund No. 11111, and Organization Nos. 115112 – Adams Community Center (\$12,600.00), 115123 – A.V Sorensen Community Center (\$12,600.00), 115114 – Camelot Community Center (\$21,600.00), 115115 – Christie Heights Community Center (\$21,600.00), 115125 – Common Ground Community Center (\$59,400.00), 115117 – Florence Community Center (\$12,600.00), 115211 – Motto Mclean Ice Arena (\$25,200.00), 115119 – Mockingbird Community Center (\$21,600.00), 115121 – Montclair Community Center (\$44,100.00), 115116 – Subby Anzaldo Columbus Community Center (\$21,600.00), 115352 – Day Camp Summer (\$9,900.00); Tennis Operations Fund No. 21113, Organization Fund No. 115403 – Koch Tennis (\$16,200.00).) – [see attached](#).
43. RES. 2022-0362 – Res. that, as recommended by the Mayor, the bid in the total amount of \$36,320.00 from David's Electrical, Inc. to furnish all labor, materials and equipment necessary for the construction of the lighting project at Tranquility Soccer, is hereby accepted. (The Finance Department is authorized to pay the Funds in the total amount of \$36,320.00 to David's Electrical, Inc., from the 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2010P515.) – [see attached](#).
44. RES. 2022-0363 – Res. that, as recommended by the Mayor, the bid in the total amount of \$963,000.00 from Shekar Engineering, PLC to furnish all labor, materials and equipment necessary to complete the construction of 10 foot wide, concrete, multi-use trail and related improvements at the Omaha Riverfront Trail, is hereby accepted. (The Finance Department is authorized to pay the Funds in the total amount of \$963,000.00 to Shekar Engineering, PLC, from the 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2014P110.) – [see attached](#).
45. RES. 2022-0364 – Res. that, as recommended by the Mayor, the Professional Services Agreement in the total amount of \$69,900.00 for Lamp Rynearson, Inc. to perform professional services for the Gallagher Park Phase 2 Improvements, is hereby approved. (The Finance Department is authorized to pay the total amount of \$69,900.00 from the 2018 Parks and Recreation Fund No. 13357 and Organization No. 117317, Parks and Culture Bond, Project I.D. No. 2011P501.) – [see attached](#).
46. RES. 2022-0365 – Res. that, as recommended by the Mayor, the expenditure based upon the quote from Bobcat of Omaha/Doosan of Omaha in the amount of \$163,675.00, for a used/demo 2020 Doosan DL250-5 Wheel Loader with car body forks for the Omaha Police Department Vehicle Impound Unit, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay \$163,675.00 for the used/demo 2020 Doosan DL250-5 Wheel Loader with car body forks for the Omaha Police Department Vehicle Impound Unit from the Omaha Police Department Year 2022, General Fund 11111, Organization 113142 Vehicle Impound Unit, Account 47038 Vehicle Equipment Large.) – [see attached](#).

47. RES. 2022-0366 – Res. that, as recommended by the Mayor, the bid in the total amount of \$1,771,116.75 from MacQueen Equipment, LLC and Pierce Manufacturing, Inc. to purchase three (3) Pierce Enforcer Pumper Engines in the total amount of \$1,771,116.75, to be utilized by the Omaha Fire Department, based on a bid to the State of Nebraska Purchasing Bureau through NASPO Value Point Contract #8200060944 for these engines, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith, and the Finance Department is authorized to pay \$1,771,116.75 from the CIP Fund 13301 (2018 Public Safety Bond), Organization 114512 (Fire Capital), which is associated with Capital Improvement Program No. 2018S-101, Account 47033 (\$10,000 or > Vehicles Fire Large).) – [see attached](#).

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

ORDINANCE ON FINAL READING

48. SPECIAL ORD. 10316 – 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 constructing sidewalks in the District No. SWR 2021-01 – (First Reading March 29, 2022; Second Reading and Public Hearing April 5, 2022; Third Reading April 12, 2022) – [see attached](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Public Works Department – [see attached](#).

ORDINANCES ON SECOND READING

49. ORD. 42934 – An ordinance to accept the bid from MaConn Enterprises, LLC for mowing of the Missouri River Flood Levee (Areas A, B, and C) in the amount of \$36,925.00 per year, for a period of two years, with sole option by the City to extend the price agreement for up to two additional one-year periods; providing for the payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956 as amended; to authorize the Purchasing Agent to issue a purchase order – (First Reading April 5, 2022; Second Reading and Public Hearing April 12, 2022; Third Reading April 26, 2022) – [see attached](#). **(PUBLIC HEARING TODAY)**
50. ORD. 42935 – An ordinance to rescind Ordinance #42771 passed by City Council on December 7, 2021, originally awarding a bid to BMI Janitorial Group in the amount of \$301,492.00/ year for janitorial services at the Omaha Police Department Headquarters facility, satellite precinct stations, and facilities located throughout the City as specified by Section – (First Reading April 5, 2022; Second Reading and Public Hearing April 12, 2022; Third Reading April 26, 2022) – [see attached](#). **(PUBLIC HEARING TODAY)**

NON-ACTION ITEMS

(Items 51 through 65 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 APRIL 19, 2022)

JACKSON TOWER REPLAT 1

51. ORD. 42933 – An ordinance to rezone property located Northwest of 27th Street and Saint Mary's Avenue from R8-High-Density Multiple-Family Residential District to CBD-Central Business District (property is located within an ACI-1 Overlay District) – (First Reading April 5, 2022; **Second Reading April 12, 2022**; Third Reading, Public Hearing and Vote April 26, 2022) – [see attached](#).

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

52. RES. 2022-0297 – Res. that, the Final Plat transmitted herewith Jackson Tower Replat 1, a minor plat inside city limits, located northwest of 27th Street and Saint Mary's Avenue, is hereby approved, and concurrently a portion of the existing plat entitled Jackson Tower, and described on said replat, is hereby vacated. The applicant is Youth Emergency Services, Inc – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 26, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51)**

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

53. RES. 2022-0298 – Res. that, the Special Use Permit application submitted by Youth Emergency Services, Inc. for a Special Use Permit to allow Large group living in the CBD-Central Business District (property is located within an ACI-1 Overlay District), located northwest of 27th Street and Saint Mary's 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 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 APRIL 26, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51)**

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

ELMWOOD TOWNHOMES

54. ORD. 42940 – An ordinance to rezone property located southeast of 54th and Leavenworth Streets from R4(35) – Single-Family Residential District (High-Density), R5(35) – Urban Family Residential District, and GO-General Office District to R5 – Urban Family Residential District – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).

55. ORD. 42941 – An ordinance to rezone property located southeast of 54th and Leavenworth Streets from R4(35) – Single-Family Residential District (High-Density), R5(35) – Urban Family Residential District, and GO-General Office District to GO-General Office District – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
56. ORD. 42942 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District located southeast of 54th and Leavenworth Streets, to approve the Development Plan – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
57. RES. 2022-0337 – Res. that, the Preliminary Plat entitled Elmwood Townhomes, a minor plat inside city limits, with a waiver to Section 53-8(4)(a), Lot Depth located Southeast of 54th 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 Elmwood Townhomes, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 3, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 54-56)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
58. RES. 2022-0338 – Res. that, the Final Plat entitled Elmwood Townhomes, a minor plat inside city limits, located southeast of 54th and Leavenworth Streets, is hereby approved and concurrently a portion of the existing plats entitled Himebaugh's Addition Replat 1 and Himebaugh's Addition, and described on said replat, is hereby vacated. The applicant is Elmwood Townhomes, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 3, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 54-56)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

59. ORD. 42936 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 6603 L Street – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
60. ORD. 42937 – An ordinance to rezone property located at 1808 Sahler Street from GI – General Industrial District to R5 – Urban Family Residential District – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

61. ORD. 42938 – An ordinance to rezone property located at 2316 Madison Street from GI – General Industrial District and HI – Heavy Industrial District to GI – General Industrial District – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
62. ORD. 42939 – An ordinance to amend the boundaries of the ACI-3-Areas of Civic Importance Overlay District, to incorporate into that district the property located at 10910 Mill Valley Road – (**First Reading April 12, 2022**; Second Reading April 26, 2022; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
63. RES. 2022-0336 – Res. that, the Special Use Permit application submitted by Michael Murphy (Fiserv, Inc.) for a Large Project Special Use Permit to allow development over ten acres in size on property located at 10910 Mill Valley Road, 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 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](#). (**LAI D O V E R T O T H E M A Y 3, 2022 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 62**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

64. RES. 2022-0291 – Res. that, the Amendment to the HDR Aksarben Village Zone 6 Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located northeast of 67th and Francis Streets which proposes to make additional, major public improvements in Aksarben Village Zone 6 particularly to the north of the HDR Headquarters as well as the area between the headquarters and the associated parking garage known as the Inner Rail, and authorizes the City's participation through the allocation of additional TIF in an amount up to \$1,236,586.00, resulting in a total revised TIF allocation of up to \$16,237,855.00, plus accrued interest for the entire redevelopment project, and authorizes the City's participation through the TIF loan proceeds to be used to offset eligible, public improvement expenses, 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](#). (**LAI D O V E R T O T H E A P R I L 26, 2022 C I T Y C O U N C I L M E E T I N G T O A D V E R T I S E F O R P U B L I C H E A R I N G**)

SPECIAL USE PERMIT

65. RES. 2022-0335 – Res. that, the Special Use Permit application submitted by John Faulkner for a Special Use Permit to allow Small group living (disabled) in the R7 District and within 600 feet of another group living facility, located at 3423 Cuming 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. 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 APRIL 26, 2022 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

EXECUTIVE SESSION

66. 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 to request a copy of the required form if arrangements need to be made.



**CITY OF OMAHA
CITY COUNCIL PRE-COUNCIL MEETING AGENDA
TUESDAY, APRIL 12, 2022**

ROSKENS ROOM @ 10:30 A.M.
Omaha/Douglas Civic Center
1819 Farnam Street, Omaha, NE 68183
www.cityofomaha.org

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 April 8, 2022, notice of the Pre-Council and Regular City Council Meetings, April 12, 2022.
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

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.