



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, MARCH 28, 2023**

**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 March 24, 2023, notice of the Pre-Council and Regular City Council Meetings, March 28, 2023.

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 – Omaha Fire Chief Dan Olsen

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.

LIQUOR

6. RES. 2023-0331 – Class C Liquor License for CCP Fig, LLC, dba “Fig”, located at 345 Riverfront Drive. (New application, new location). (Park Rule 7 - Located within 0’ to Lewis & Clark Landing). Notice of public hearing was posted on the property on 03-14-2023; Notification was sent to property owners within 500 feet on 03-17-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 7. RES. 2023-0332 – Class C Liquor License for Chelsie Schroeder, dba “The Bubbly Tart”, located at 3020 Leavenworth Street. (New application, new location). Notice of public hearing was posted on the property on 03-14-2023; Notification was sent to property owners within 500 feet on 03-17-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 8. RES. 2023-0333 – Class K (Catering) Liquor License for Upstream Brewing Company, LLC, dba “Upstream Brewing Company”, located at 514 South 11th Street. (New application, old location). Presently holds Class I and L Liquor Licenses. Notice of public hearing was posted on the property on 03-14-2023; Notification was sent to property owners within 500 feet on 03-17-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 9. RES. 2023-0334 – Liquor License Addition Application – CMC Mouth of the South, LLC, dba “Mouth of the South - Lakeside” (Class C), located at 16909 Lakeside Hills Plaza, Suite 118, requests permission for an area approx. 61’ x 20’. Notice was posted on the property on 03-14-2023; Notification was sent to property owners within 500 feet on 03-17-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 10. RES. 2023-0335 – Liquor License Addition Application – RhythMZ, LLC, dba “RhythMZ Lounge & Bistro” (Class C), located at 10841 “Q” Street, Suites 114-118 & 122-124, requests permission for an area approx. 60’ x 24’. Notice was posted on the property on 03-14-2023; Notification was sent to property owners within 500 feet on 03-17-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Communication in opposition – [see attached](#).
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PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

ROANOKE BUSINESS PARK REPLAT 4

11. RES. 2023-0236 – Res. that, the Preliminary Plat entitled Roanoke Business Park Replat 4, a subdivision inside city limits, located southwest of 120th and Fort Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Greenhall Investments, LLC – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

THE ROWS AT COVENTRY REPLAT 1

12. ORD. 43349 – An ordinance to approve a Major Amendment to the PUD-Planned Unit Development Overlay District located southwest of 207th and Q Streets, to approve the Development Plan – (First Reading March 7, 2023; Second Reading March 14, 2023; Third Reading, Public Hearing and Vote March 28, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 13. RES. 2023-0237 – Res. that, the Final Plat transmitted herewith entitled The Rows at Coventry Replat 1, a cluster subdivision outside city limits, located southwest of 207th and Q Streets, is hereby approved, and concurrently a portion of the existing plat entitled The Rows at Coventry, and described on said replat, is hereby vacated. The applicant is 78 Investment Group, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 14. RES. 2023-0238 – Res. that, the Subdivision Agreement among the City of Omaha, 78 Investment Group, LLC, and The Rows at Coventry Owners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as The Rows at Coventry Replat 1 (Lots 1-40 and Outlots A-E) and is located southwest of 207th and Q Streets – [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 15 through 23 was held on March 14, 2023.)

15. ORD. 43350 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the CSO 212 – 64th Avenue and William Street Project, identified as OPW 51685; 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 – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).

16. ORD. 43351 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the 72nd Street at “D” Street Bridge Replacement Project, identified as OPW 52600; 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 – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
17. ORD. 43352 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the UNMC – Saddle Creek Campus – Public Improvements, project identified as OPW 54229; providing that the City negotiate with the property owners for land acquisition, permanent easements and temporary construction easements, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
18. ORD. 43353 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and NOC Redevelopment Group, LLC, to implement the Greenwood Building Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 3819 North 24th Street, which proposes the comprehensive rehabilitation of the 7,250 square foot building and a small 600 square foot addition on the rear of the structure; the agreement authorizes the use of up to \$205,006.00, which includes capitalized interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
19. ORD. 43354 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the Al Veys Sports Complex Relocation; 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 – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
20. ORD. 43355 – An ordinance to approve an agreement with OCLC for the purchase of a five (5)-year subscription renewal for WorldShare Metadata/OCLC Cataloging and WorldShare Interlibrary Loan Services, involving a unique or non-competitive purchase under Section 5.16 and involving appropriations of more than one (1) year in conformity with Section 5.17, both of the Home Rule Charter of the City of Omaha, 1956; to provide for payment to OCLC for these cataloging and resource sharing services in a total estimated amount of \$280,289.50, covering the period from July 1, 2023 to June 30, 2028 – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).

21. ORD. 43357 – An ordinance approving an Interlocal Agreement between the City of Omaha and Douglas County, Nebraska, involving the payment of money from appropriations of more than one (1) year, in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions, under which Omaha will provide a cost share to utilize the services of the Douglas County GIS Department for the service period of January 1, 2023 through December 31, 2027; to authorize the Finance Department to pay the cost share based on the usage by the various City Departments, including the Public Works Department, Parks Department, Police Department, Fire Department and Planning Department – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
22. ORD. 43358 – An ordinance approving an Agreement by and between the City of Omaha and KJ Crossroads Venture, LLC, and its successors or assigns, for the for the construction of the public infrastructure improvements within the Crossroads Redevelopment Area, pursuant to the Crossroads Redevelopment Plan, for public street and utility infrastructure improvements for Dodge Street, Cass Street and 75th Street – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
23. ORD. 43356 – An ordinance to approve a Lease Agreement between Community Information Trust dba Do Space (“Lessee”), and the City of Omaha (“Lessor”) – (First Reading March 7, 2023; Second Reading and Public Hearing March 14, 2023; Third Reading March 28, 2023) – [see attached](#).
- A. Communication in opposition – [see attached](#).

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

(The public hearings on Agenda Items 24 through 52 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

24. RES. 2023-0336 – Liquor License Manager Application – Joslyn Castle Trust, Inc., dba “Joslyn Castle”, 3902 Davenport Street, request permission to appoint Joshua M. Preister manager to their present Class “I” Liquor License location – [see attached](#).
25. RES. 2023-0337 – Liquor License Manager Application – Walmart, Inc., dba “Walmart 3153”, 6710 South 167th Street, request permission to appoint Michael J. Martins manager to their present Class “D” Liquor License location – [see attached](#).
26. RES. 2023-0304 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue Purchase Orders to PreCise MRM LLC for data capture services for use of the AVL GPS Tracking Units already installed in snowplows, in the approximate annual amount of \$70,000.00, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2023 funding.) – [see attached](#).

27. RES. 2023-0305 – Res. that, as recommended by the Mayor, the payment to DLT Solutions, LLC for the annual license fees for the use of the “AutoCAD” computerized design package to be used in the Public Works Department Design Division, is hereby approved. (The Finance Department is authorized to pay DLT Solutions, LLC \$34,176.25, for the use of the “AutoCAD” design software package for the next year, which will be paid from the Street Allocation Fund 12131, Engineering Organization 116132, year 2023 funding.) – [see attached](#).
28. RES. 2023-0306 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to X-Stream LLC for Aluminum Sign Blank Reclaiming Services, to be utilized by the Traffic Division, estimated at \$22,388.38, is hereby approved. (The Finance Department is authorized to pay the cost of these purchases, according to actual use, from the Street Allocation Fund 12131, Pavement Markings Organization 116184, year 2023 funding.) – [see attached](#).
29. RES. 2023-0307 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue Purchase Orders to Metropolitan Utilities District and Trillium Energy for the purchase of Compressed Natural Gas, to be utilized by the Fleet Management Division, in the amount of \$40,000.00. (The Finance Department is authorized to pay the cost of this purchase from the General Fund 11111, Preventive Maintenance Organization 116171, year 2023 funding, with departments’ budgets charged back according to actual usage.) – [see attached](#).
30. RES. 2023-0308 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Husker Auto Group for the purchase of two (2) Compact Pickups to be utilized by the Parking & Mobility Division, in the amount of \$78,988.00. (The Finance Department is authorized to pay the cost of this purchase from the Parking Revenue Fund 21116, Parking Administration Organization 116241, year 2023 funding.) – [see attached](#).
31. RES. 2023-0309 – Res. that, as recommended by the Mayor, the Finance Department is authorized to pay the Omaha-Council Bluffs Metropolitan Area Planning Agency for the administration and project allocation fee required for the City of Omaha’s portion of the cost of managing the regional Transportation Improvement Program, in the amount of \$188,762.00, from the Transportation Bond Fund 13185, Organization 117117, and the Street Allocation Fund 12131, Organization 116159 – [see attached](#).
32. RES. 2023-0310 – Res. that, as recommended by the Mayor, the contract with Divine Mowing Services, Inc. (DMS, Inc.), for OPW 54525, being the 2023 Brick Street Restoration at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$632,881.63, from the 2020 Street Preservation Bond Fund 13191, Residential Brick Street Repair Organization 116122.) – [see attached](#).
33. RES. 2023-0311 – Res. that, as recommended by the Mayor, the City Council concurs with the bid award to Hawkins Construction Company for OPW 52487, being improvements to North Downtown Riverfront Pedestrian Connector Bridge, in the amount of \$6,069,876.91, to be paid from the 2018 Transportation Bond Fund 13185, Organization 117117; other local funding to be reimbursed to this fund via separate agreements. (The City Council hereby authorizes the Mayor and the City Clerk to sign the construction contract on behalf of the City of Omaha, and that the Mayor and the City Clerk are also authorized to sign the NDOT documents.) – [see attached](#).

34. RES. 2023-0312 – Res. that, as recommended by the Mayor, Change Order No. 1 with Building Crafts, Inc. for additional work on OPW 53839, being the Missouri River Water Resource Recovery Facility Flood Protective Measures Part A: Flood Hardening Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$2,906,398.00, for this change order, from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
35. RES. 2023-0313 – Res. that, as recommended by the Mayor, Change Order No. 4 with Eriksen Construction Company, Inc. for additional work on OPW 53408, being the Transfer Lift Station Pump Replacement Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$546,639.73 for this change order, to be paid from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2023 expenditure.) – [see attached](#).
36. RES. 2023-0314 – Res. that, as recommended by the Mayor, Amendment No. 3 to the Agreement with Garret's Lawn Service for additional green infrastructure maintenance services on OPW 53687, being the CSO Green Infrastructure Maintenance Project, for Adams Park Green Infrastructure Maintenance, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$29,400.00, from the Sewer Revenue Fund 21121, Combined Sewer Overflow & Stormwater Program Organization 116714.) – [see attached](#).
37. RES. 2023-0315 – Res. that, the City Clerk is hereby authorized and directed to publish the Petition for improvement of Quail Ridge Circle, from Skyline Drive to its terminus, within Road Maintenance District No. 2022-01, to publish notice of the right to protest the said Petition and the said improvement, and to mail the said notice to record owners of taxable property within the said District, all as provided in this Resolution – [see attached](#).
38. RES. 2023-0316 – Res. that, the City Clerk is hereby authorized and directed to publish the Petition for improvement of South 67th Avenue, between Farnam Street and Dodge Street, within Road Maintenance District No. 2022-02, to publish notice of the right to protest the said Petition and the said improvement, and to mail the said notice to record owners of taxable property within the said District, all as provided in this Resolution – [see attached](#).
39. RES. 2023-0317 – Res. that, per NEB. REV. STAT. §39-1359, the City of Omaha officially designates the temporary use of State Highway 50 between "L" Street and "P" Street on August 26, 2023, between the hours of 10:00 AM and 1:15 PM, for the entire route of the Millard Days Parade – [see attached](#).
40. RES. 2023-0338 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson, Inc. to provide professional design phase engineering services on OPW 54540, being the North Saddle Creek Business District Streetscape Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$49,854.92, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).

41. RES. 2023-0319 – Res. that, the Omaha-Council Bluffs Consortium Consolidated Submission for Community Planning and Development Programs - 2023 Annual Action Plan is hereby approved. That, upon receipt from the U.S. Department of Housing and Urban Development, the Mayor is authorized to execute the Funding Approval and Agreements for the Fiscal Year 2023 Community Development Block Grant, HOME Investment Partnerships, and Emergency Shelter Grant Programs – [see attached](#).
42. RES. 2023-0320 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$33,137.50 for the rehabilitation and lead reduction work, when applicable, to the property owned by Bilal R. Nosilla located at 3465 Larimore Avenue, is hereby approved. The Contract is to be awarded to Aztec Contracting LLC. (Funds shall be paid from CDBG Exterior 2022 SF Housing Rehabilitation Program, Award No. 100864, Fund No. 12186, Org. No. 128072.) – [see attached](#).
43. RES. 2023-0321 – Res. that, the Deferred Payment Loan, as recommended by the Mayor, to provide funding in the amount of \$46,500.00 for the rehabilitation and lead removal work to the property located at 2405 North 33rd Avenue, owned by Sanibel LLC, is hereby approved. (Funds in the amount of \$46,500.00 shall be paid as follows: FY 2021/2022 HOME Rental Rehabilitation Program funds in the amount of \$46,500.00, Organization No. 128071, Fund No. 12179.) – [see attached](#).
44. RES. 2023-0322 – Res. that, the Deferred Payment Loan, as recommended by the Mayor, to provide funding in the amount of \$31,250.00 for the rehabilitation and lead removal work to the property located at 2508 Bristol Street, owned by Brisco Opportunities Fund, LLC, is hereby approved. (Funds in the amount of \$31,250.00 shall be paid as follows: FY 2020 HOME Rental Rehabilitation Program funds in the amount of \$31,250.00, Organization No. 128071, Fund No. 12179.) – [see attached](#).
45. RES. 2023-0323 – Res. that, as recommended by the Mayor, the purchase based upon the contract pricing from Ray Martin of Omaha, Inc., not to exceed in 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, 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 \$35,00.00 to Ray Martin of Omaha, Inc. from the General Fund No. 11111, Organization No. 115211.) – [see attached](#).
46. RES. 2023-0324 – Res. that, as recommended by the Mayor, the purchase order not exceed the amount of \$40,000.00 to Guns Unlimited for supplies and equipment for the Harry A. Koch Trap & Skeet Range. (To be paid from the City Wide Sports Revenue Fund No. 21108 and Organization No. 115366, Trap & Skeet.) – [see attached](#).
47. RES. 2023-0325 – Res. that, as recommended by the Mayor, the bid in the total amount of \$52,500.00 to Garrets Lawn Service to plant 178 trees for the Flanagan Lake Park Mitigation at Flanagan Park, being the best bid received within bid specifications, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and the Finance Department is authorized to pay the Funds in the amount of \$52,500.00 to Garrets Lawn Service, from 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2008P514.) – [see attached](#).

48. RES. 2023-0326 – Res. that, as recommended by the Mayor, the bid in the total amount of \$26,720.00 to Color Dynamics LLC, to furnish all labor, materials and equipment necessary for pool tub sandblasting at Elkhorn Pool, located at 3200 North 208th Plaza, Omaha, Nebraska, being the only bid received within bid specifications, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and the Finance Department is authorized to pay the Funds in the amount of \$26,720.00 to Color Dynamics LLC, from the General Fund No. 11111, Organization No. 115031, Park Facilities Services.) – [see attached](#).
49. RES. 2023-0327 – Res. that, as recommended by the Mayor, the Professional Services Agreement in the total amount of \$40,200.00 for Olsson Studio dba Olsson, Inc. to provide construction documentation service for the Koch Family Tennis Center renovation project, is hereby approved. (The Finance Department is authorized to pay the total amount of \$40,200.00 from 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2010P515.) – [see attached](#).
50. RES. 2023-0328 – Res. that, as recommended by the Mayor, the payment based upon the quote from Aercor, Inc. in the amount of \$29,520.00, for the NetMotion (Absolute) software subscription, providing a unique and non-competitive product, and 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 \$29,520.00 for the NetMotion (Absolute) software subscription from Year 2023, General Fund 11111, Organization 113213 Information Technology, Account 42266 Information Technology Contracted.) – [see attached](#).
51. RES. 2023-0329 – Res. that, as recommended by the Mayor, the purchase based upon the quote from Jones Automotive in the amount of \$40,821.28, for equipment and installation for sixteen (16) Motorcycle computer mounts and docking stations for the Omaha Police Department Traffic Unit, providing a unique and non-competitive article, and 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 \$40,821.28 for the equipment and installation for the motorcycle mounts and docking stations from the Omaha Police Department Equitable Sharing Fund 17121, Organization 177771, Project 7060, Task D.1, Award 101040, Account 44234 Cars/Small Trucks/Vans.) – [see attached](#).
52. RES. 2023-0330 – Res. that, the reappointment by Mayor Jean Stothert of Daniel Lawse as a member of the Board of Directors for the Regional Metropolitan Transit Authority of the City of Omaha said term to commence April 16, 2023 and expire at such time as the newly elected members are sworn into office, be and hereby is confirmed and approved – [see attached](#).

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

ORDINANCES ON SECOND READING

53. ORD. 43360 – An ordinance to amend Sections 55-651 through 55-663 of the Omaha Municipal Code; related to the floodplain regulations and pertaining to the adverse impact of the existing regulations for “cumulative substantial improvements” and other changes required to comply with minimum state and federal floodplain regulations – (First Reading March 14, 2023; Second Reading and Public Hearing March 28, 2023; Third Reading April 4, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
54. ORD. 43361 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Greenhouse Foreman with a salary range of \$60,902.00 to \$79,560.00; to repeal Section 23 - 177 as heretofore existing – (First Reading March 14, 2023; Second Reading and Public Hearing March 28, 2023; Third Reading April 4, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Personnel Board recommends approval.
55. ORD. 43362 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code by changing the salary for the employment classification known as City Maintenance Foreman II from a salary range of \$55,349.00 to \$70,470.00 to salary range of \$60,902.00 to \$79,560.00; to repeal Section 23 - 177 as heretofore existing – (First Reading March 14, 2023; Second Reading and Public Hearing March 28, 2023; Third Reading April 4, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Personnel Board recommends approval.
56. ORD. 43363 – An ordinance to approve the award of a contract 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 to Minnesota Life Insurance Company, to provide life insurance coverage to eligible employees of the City of Omaha for a period of three years from January 1, 2023 to December 31, 2025 with two one year options; to authorize the Mayor to execute and the City Clerk to attest said Agreement; to provide for payment under the terms and conditions of said Agreement from an identified account – (First Reading March 14, 2023; Second Reading and Public Hearing March 28, 2023; Third Reading April 4, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**
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NON-ACTION ITEMS

(Items 57 through 75 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 11, 2023)

BARTLETTS ADDITION TO OMAHA REPLAT 7

57. ORD. 43359 – An ordinance to rezone property located southwest of 30th and Leavenworth Streets from CC-Community Commercial District and NBD-Neighborhood Business District to NBD-Neighborhood Business District (property is located within an ACI Overlay District) – (First Reading March 14, 2023; **Second Reading March 28, 2023**; Third Reading, Public Hearing and Vote April 4, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
58. RES. 2023-0267 – Res. that, the Final Plat transmitted herewith entitled Bartletts Addition to Omaha Replat 7, a minor plat inside city limits, located southwest of 30th and Leavenworth Streets, is hereby approved, and concurrently a portion of the existing plat entitled Bartletts Addition To Omaha, and described on said replat, is hereby vacated. The applicant is Kassie Inness, MRES Square Owner LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 4, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 57)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

59. RES. 2023-0318 – Res. that, the Leavenworth Lofts Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 3612 Leavenworth Street, which proposes the new construction of a single four story apartment building with a total of 24 market rate units on top of one level of structured parking, and authorizes the City's participation through the allocation of TIF in an amount up to \$1,013,496.00, which includes capitalized interest, to offset TIF eligible expenses including, but not limited to acquisition, site work, engineered foundations, 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](#). **(LAID OVER TO THE APRIL 18, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

ORDINANCES ON FIRST READING

60. ORD. 43364 – An ordinance authorizing the issuance of a purchase order to Garret's Lawn Service, for a price agreement for Hell Creek Green Infrastructure Maintenance Services to be utilized by the Environmental Quality Control Division, to be effective for an initial one (1) year term, and is renewable for four (4) separate one-year terms; 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 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).

61. ORD. 43365 – An ordinance authorizing the issuance of purchase orders to Service Master of Sarpy County and SERVPRO of Omaha SW for On-Call, Sanitary Sewer Backup Clean-Up Services to be utilized by the Sewer Maintenance Division; 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 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
62. ORD. 43366 – An ordinance authorizing the extension of a price agreement with Utilities Service Group, for Pipeline Assessment and Cleaning of Sanitary and Combined Sewers which to be utilized by the Sewer Maintenance Division; 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 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
63. ORD. 43367 – An ordinance authorizing the extension of the contract with NSG Logistics, LLC, for the purchase of rock salt, to be utilized by the Street Maintenance Division; 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 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
64. ORD. 43368 – An ordinance vacating that part of Sargent Street lying between 34th Street (formerly Buffalo Street) and 35th Street, abutted by Lot 29, Florence Heights, an Addition to the City of Omaha, Douglas County, Nebraska and Lot 1, Florence Heights Addition Replat 5, an Addition to the City of Omaha, Douglas County, Nebraska; providing for the reversion or transfer of the same – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
65. SPECIAL ORD. 10338 – 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 District No. SWR – 2022-01 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
66. ORD. 43369 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Roanoke Business Park, located northwest of 120th Street and Roanoke Boulevard, to develop Lot 3 with an *Indoor/Outdoor sports and recreation use*, between the City of Omaha and Greenhall Investments, LLC, providing site development standards – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

67. SPECIAL ORD. 10339 – An ordinance levying a special tax assessment for litter removal in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha - Group 2023 – 04 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
68. SPECIAL ORD. 10340 – An ordinance levying a special tax assessment for cutting and clearing weeds, grass and worthless vegetation in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha – Group 2023-05 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
69. ORD. 43370 – An ordinance to approve a contract between the City of Omaha and LexisNexis® Coplogic Solutions for the ongoing support and maintenance of the LexisNexis® Investigator Crash Reporting (ICR) system, for a term of 18 months; that in consideration, the City shall pay LexisNexis® \$45,484.79 over the 18-month period from November 1, 2022 to May 1, 2024 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
70. ORD. 43371 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year for an agreement between the City of Omaha and the Board of Regents of the University of Nebraska, University of Nebraska at Omaha (UNO) in the amount of \$30,373.00 from the Office of Community Oriented Policing Services (COPS), FY 2022 Law Enforcement Mental Health and Wellness Act (LEMHWA) Grant Program, Award #15JCOPS-22-GG-04063-LEMH, to provide funding for the UNO School of Criminology and Criminal Justice (SCCJ) to develop a wellness survey and evaluate grant program implementation activities for the Omaha Police Department; to authorize payment from such grant funding during the contract period of September 1, 2022 to August 31, 2024 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
71. ORD. 43372 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year for a Professional Services Agreement between the Omaha Police Department and the First Responders Foundation in the amount of up to \$13,860.00 from the FY 2022 Law Enforcement Mental Health and Wellness Act (LEMHWA) Grant Program, Award #15JCOPS-22-GG-04063-LEMH to provide annual mental health sessions for sworn law enforcement officers and civilian personnel in select OPD units during the contract period of March 1, 2023 to December 31, 2023 with a one-time renewal term through August 31, 2023 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
72. SPECIAL ORD. 10341 – An ordinance to approve the Omaha Downtown Improvement District Association (ODIDA) 2023/2024 Budget and Workplan and levying a special tax and assessment on all lots and pieces of real estate within Business Improvement District No. 6874 in the City of Omaha in the amount of \$631,677.61; such assessment shall cover the costs anticipated by the Business Improvement District for March 2023 to February 2024 and contemplated by Ordinance No. 37504 which was approved by the City Council of the City of Omaha on October 3, 2006, and reauthorized by Ordinance No. 38957 approved on March 8, 2011 and amended by Ordinance No. 41463 approved on April 26, 2018 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
- A. Communication in opposition – [see attached](#).

73. ORD. 43373 – An ordinance to approve the acceptance of a proposal by the University of Nebraska at Omaha Medical Center (UNMC) Human DNA Identification Lab submitted in response to Request for Proposal (RFP) issued by the City of Omaha for DNA Testing and Forensic Genetic Genealogy (FGG) Analysis services between April 1, 2023 and September 30, 2025; to authorize the Mayor to execute and the City Clerk to attest all contractual documents to proceed with the proposed services in the amount of up to \$160,000.00 from the FY 2022 Prosecuting Cold Cases Using DNA grant program, Fund 12161, Organization 130717, Account 42911; 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 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
74. ORD. 43374 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the Executive Office of the President, Office of National Drug Control Policy Grant Agreement #G23MW0008A in the amount of \$479,615.00, during the project period extending from January 1, 2023 to December 31, 2024 to support initiatives designed to implement the Strategy proposed by the Executive Board of the Midwest HIDTA including the Greater Omaha Safe Streets Taskforce, Omaha ATF Illegal Firearms Taskforce, Omaha DEA Drug Task Force, Omaha Metro Drug Task Force, and Management and Coordination; 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 – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).
75. ORD. 43375 – An ordinance to establish, pursuant to Section 40-251 of the Omaha Municipal Code, a Class “A” Flammable Liquids Storage District to be known as District No. A-163 at 6717 S 156th Street, as requested by Breakwater LLC, and as described in the legal description and shown on the plat plan – (**First Reading March 28, 2023**; Second Reading and Public Hearing April 4, 2023; Third Reading April 18, 2023) – [see attached](#).

EXECUTIVE SESSION

76. 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, MARCH 28, 2023**

**CONFERENCE ROOM 702 @ 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 March 24, 2023, notice of the Pre-Council and Regular City Council Meetings, March 28, 2023.
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.