



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, APRIL 4, 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 Brinker Harding of District No. 6

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 31, 2023, notice of the Pre-Council and Regular City Council Meetings, April 4, 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

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. 2023-0346 – Class C Liquor License for All-In Hospitality Group, LLC, dba “Ancho & Agave”, located at 17110 Davenport Street, Suite 114. (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 03-24-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 7. RES. 2023-0347 – Class CK Liquor License for ML Brands, LLC, dba “Pour Decisions”, located at 319 South 17th Street, Suite 506. (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 03-24-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Communication in support – [see attached](#).
 8. RES. 2023-0348 – Class License Addition Application – Logan Holdings, LLC, dba “Hotel Indigo Omaha”, located at 1804 Dodge Street, requests permission for Mezzanine area approx. 37’ x 46’ and the finished restaurant area approx. 37’ x 120’. Notice was posted on the property on 03-20-2023; Notification was sent to property owners within 500 feet on 03-24-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 9. RES. 2023-0349 – Special Designated Liquor License Application – Taste of Omaha Inc, 7015 Spring Street, requests permission for a Special Designated License for an outdoor music festival at Elmwood Park, 802 South 60th Street on June 2, 2023 from 5:00 p.m. to 11:00 p.m.; June 3, 2023 from 11:00 a.m. to 11:00 p.m. and June 4, 2023 from 12:00 p.m. to 8:00 p.m. – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 10. RES. 2023-0350 – Long Form Application for a Class C Liquor License for K-Bob, Inc., dba “415”, located at 415 South 13th Street. (New application, Old location). UPGRADE. Presently holds a Class “I” Liquor License. (Long form per Resolution #2022-1082 passed November 8, 2022). Notice of public hearing was posted on the property on 03-14-2023; Notification was sent to property owners within 500 feet on 03-24-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

BARTLETTS ADDITION TO OMAHA REPLAT 7

11. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

12. 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](#).
(PUBLIC HEARING AND VOTE TODAY)
- A. Planning Board and Planning Department recommend approval – [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 13 through 16 was held on March 28, 2023.)

13. 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](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
14. 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](#).
- A. Personnel Board recommends approval.
15. 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](#).
- A. Personnel Board recommends approval.

16. 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](#).

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

(The public hearings on Agenda Items 17 through 46 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

17. RES. 2023-0351 – Liquor License Manager Application – Kwik Shop, Inc., dba “Kwik Shop”, request permission to appoint Rosalind R. Sells manager to their present Class “D” Liquor Licenses for the following locations: 9545 “Q” Street; 3103 N 204th Street; 5929 N 72nd Street; 7525 Cass Street; 9606 “F” Street; 15556 Blondo Street; 6845 S 167th Street; and 5306 N 103rd Street – [see attached](#).
18. RES. 2023-0352 – Liquor License Manager Application – Walmart, Inc., dba “Walmart #1637”, 6304 North 99th Street, request permission to appoint Tina K. Christ manager to their present Class “D” Liquor License location – [see attached](#).
19. RES. 2023-0353 – Liquor License Manager Application – Walmart, Inc., dba “Walmart #3152”, 2451 North 90th Street, request permission to appoint Alonzo W. Barber manager to their present Class “D” Liquor License location – [see attached](#).
20. RES. 2023-0354 – Liquor License Manager Application – Walmart, Inc., dba “Walmart #3172”, 5051 “L” Street, request permission to appoint Tanya L. Witter manager to their present Class “D” Liquor License location – [see attached](#).
21. RES. 2023-0355 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Uretek USA, Inc. for the purchase of On-Call Pavement Lifting and Stabilization Services, to be utilized by the Street Maintenance Division, in the amount of \$250,000.00, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Street Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2023 funding.) – [see attached](#).
22. RES. 2023-0356 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Neenah/Deeter Foundry for the purchase of Manhole and Storm Drain Castings to be utilized by the Sewer Maintenance Division in the amount of \$220,000.00, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2023 funding.) – [see attached](#).

23. RES. 2023-0357 – Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Superior Industrial Equipment in the total amount of \$50,995.43 for 16" Worthington Dresser Trickling Filter Pump Rebuild Services to be utilized by the Missouri River Water Resource Recovery Facility. (The Finance Department is authorized to pay the cost of this service from the Sewer Revenue Fund 21121, Missouri Resource Recovery Facility Maintenance Organization 116613, 2023 expenditure.) – [see attached](#).
24. RES. 2023-0358 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Superior Industrial Equipment, LLC for the purchase of 28" Worthington Dresser Trickling Filter Pump Rebuild, to be utilized by the Missouri River Water Resource Recovery Facility, in the amount of \$79,971.23. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Missouri Resource Recovery Facility Maintenance Organization 116613, year 2022 funding.) – [see attached](#).
25. RES. 2023-0359 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Stryker Medical for the purchase of Stryker Power Loads Cot Parts, to be utilized by the Fleet Management Division, in the amount of \$74,737.47, is hereby approved. (The entire cost will be reimbursed by the Omaha Fire Department.; and the Finance Department is authorized to pay the cost of this purchase from the General Fund 11111, Preventive Maintenance Organization 116171, year 2023 funding.) – [see attached](#).
26. RES. 2023-0360 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Office Interiors & Design for the purchase of office furniture to be utilized by the Parking & Mobility Division totaling \$26,634.85, is hereby approved. (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](#).
27. RES. 2023-0361 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Cornhusker International Trucks, Inc. for the purchase of ten (10) 35,000 GVW Plow Trucks, to be utilized by the Street Maintenance Division, in the amount of \$2,565,000.00, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Street Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2023 funding.) – [see attached](#).
28. RES. 2023-0362 – Res. that, as recommended by the Mayor, the contract with Neuvirth Construction, Inc., for OPW 53899, being the Hickory Street Sanitary Sewer Service Relocation Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$727,882.38, from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
29. RES. 2023-0363 – Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC, for OPW 54219, being the West Center Road from 120th to I-680 Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$254,962.40, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).

30. RES. 2023-0364 – Res. that, as recommended by the Mayor, the contract with MSW Concrete & Landscaping, LLC, for OPW 54440, being the Concrete Speed Bumps At Various Locations 2023 Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$124,587.50, from the Street Allocation Fund 12131, Capital (Traffic) Organization 116189, year 2023 expenditure.) – [see attached](#).
31. RES. 2023-0365 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson, Inc. to provide professional design phase engineering services on OPW 54206, being the 72nd Street Retaining Wall Replacements, 72nd Street between Cedar Street and Western Avenue Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,684.97, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
32. RES. 2023-0367 – Res. that, as recommended by the Mayor, the Supplemental Agreement No. 2, with the Nebraska Department of Transportation (NDOT) and AECOM Technical Services, Inc. for the Signal Infrastructure Phase B3 Project known as Project No. MAPA-28(132), State Control No. 22728B and OPW 53299, to adjust service expenses and to shift Consultant hours from direct expenses to labor, with a cost to the City of \$4,110.35, is hereby approved. (Will be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117. The City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
33. RES. 2023-0368 – Res. that, the application of Woodmen of the World Life Insurance, for a lease of City property adjacent to 225 S 19th Street for purposes of an outdoor seating, awning and ramp, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

34. RES. 2023-0369 – Res. that, the City Council of the City of Omaha, upon completion of certain stipulations, recommends to Douglas County the vacation of a tract of land located in part of the SW1/4 of the NW1/4, the NW1/4 of the SW1/4 and the NE1/4 of the SW1/4, all located in Section 20, Township 16 North, Range 12 east of the 6th p.m., Douglas County, Nebraska. More particularly described as follows: Commencing at the southwest corner of said NW1/4 of Section 20; thence N89°57'50"E (assumed bearing) along the south line of said NW1/4 of Section 20, a distance of 50.00 feet; thence N00°06'22"E along a line 50.00 feet east of and parallel with the west line of said NW1/4 of Section 20, a distance of 537.74 feet to a point on the southerly right-of-way line of Hadan Street, said point also being the point of beginning; thence continuing N00°06'22"E along a line 50.00 feet east of and parallel with said west line of the NW1/4 of Section 20, a distance of 152.03 feet to a point on the northerly right-of-way line of said Hadan Street; thence southeasterly along said northerly right-of-way line of Hadan Street and the easterly right-of-way line of North 117th Street on the following four (4) described courses; (1) thence southeasterly on a curve to the left with a radius of 411.86 feet, a distance of 328.41 feet, said curve having a long chord which bears S39°15'24"E, a distance of 319.78 feet; (2) thence S62°06'01"E, a distance of 993.96 feet; (3) thence southeasterly on a curve to the right with a radius of 386.42 feet, a distance of 419.48 feet, said curve having a long chord which bears S31°00'05"E, a distance of 399.18 feet; (4) thence S00°05'51"W, a distance of 921.25 feet; thence S89°56'00"W, a distance of 66.00 feet to a point on the westerly right-of-way line of North 117th Street; thence northwesterly along said westerly right-of-way line of North 117th Street and said southerly right-of-way line of Hadan Street on the following four (4) described courses; (1) thence N00°05'51"E, a distance of 921.44 feet; (2) thence northwesterly on a curve to the left with a radius of 320.42 feet, a distance of 347.83 feet, said curve having a long chord which bears N31°00'05"W, a distance of 331.00 feet; (3) thence N62°06'01"W, a distance of 993.96 feet; (4) thence northwesterly on a curve to the right with a radius of 477.86 feet, a distance of 232.93 feet, said curve having a long chord which bears N48°08'11"W, a distance of 230.63 feet to the point of beginning. Said tract of land contains an area of 169,770 square feet or 3.897 acres, more or less, as delineated in Exhibit "A", which by this reference becomes a part hereof – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
35. RES. 2023-0371 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$34,398.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Patricia Lozano located at 1701 North 66th Street, is hereby approved. The Contract is to be awarded to Select Contracting LLC. (Funds shall be paid from CDBG Exterior 2022 SF Housing Rehabilitation Program, Award No. 100943, Fund No. 12186, Org. No. 128072.) – [see attached](#).
36. RES. 2023-0372 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$29,900.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Mary Hudgens located at 4115 North 17th Street, is hereby approved. The Contract is to be awarded to Select Contracting LLC. (Funds shall be paid from CDBG Exterior 2021 SF Housing Rehabilitation Program, Award No. 100864, Fund No. 12186, Org. No. 128072 and 2022 SF Housing Rehabilitation Program, Award No. 100943, Fund No. 12186, Org. No. 128072.) – [see attached](#).

37. RES. 2023-0373 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and The Salvation Army, in the amount of \$200,000.00, for partial funding of its “A Way to Work” Program for the period from January 1, 2023, through December 31, 2023, is hereby approved. (Funds shall be paid from the CDBG Way to Work Program 2022, Fund No. 12186, Organization No. 128072, Award No. 100943.) – [see attached](#).
38. RES. 2023-0374 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Family Housing Advisory Services, Incorporated, in the total amount of \$75,000.00 for housing counseling services to individuals and families participating in City-sponsored housing loan programs for the period from January 1, 2023 through December 31, 2023, is hereby approved. (Funds shall be paid from the 2022 Community Development Block Grant, Housing Development Program, Fund No. 12186, Organization No. 128072, Award No. 100943.) – [see attached](#).
39. RES. 2023-0375 – Res. that, as recommended by the Mayor, the bid in the total amount of \$1,412,000.00 to Chas. Vrana & Son Construction Co., to furnish all labor, materials and equipment necessary to complete the construction of a one mile long, 10 foot wide, concrete multi-use trail and related improvements, which includes layout and grade staking, excavation, installation of the concrete, new retaining walls, trail signage, fine grading and seeding for the Riverfront Trail IV – Miller’s Landing to Kiwanis Parks, 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 \$1,412,000.00 to Chas. Vrana & Son Construction Co., from 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2014P110.) – [see attached](#).
40. RES. 2023-0376 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, Omaha Public Library is hereby authorized to purchase unique or non-competitive products or services from NewsBank, Inc. in an amount not to exceed \$53,023.00 for the subscription renewal of America’s News by NewsBank, the Omaha World-Herald, and the Omaha Star Historical Archive (1938-2011 Access) for a one (1)-year term beginning April 1, 2023 and ending on March 31, 2024. (The Finance Department is authorized to pay \$53,023.00 for the cost of purchases from the 2023 General Fund 11111, Organization 117016.) – [see attached](#).
41. RES. 2023-0377 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, Omaha Public Library is hereby authorized to purchase unique or non-competitive products or services from Innovative Interfaces, Incorporated in an amount not to exceed \$137,983.24 for the annual subscription and maintenance of Sierra and Sierra Cloud Hosting (Integrated Library Software program) for a one (1)-year term beginning May 1, 2023 and ending on April 30, 2024. (The Finance Department is authorized to pay \$137,983.24 for the cost of purchases from the 2023 General Fund 11111, Organization 117017.) – [see attached](#).
42. RES. 2023-0378 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, Omaha Public Library is hereby authorized to purchase unique or non-competitive products or services from Library Ideas, LLC in an amount not to exceed \$59,377.50 for the subscription renewal of Freegal Music and Streaming for a one (1)-year term beginning March 21, 2023 and ending on March 20, 2024. (The Finance Department is authorized to pay \$59,377.50 for the cost of purchases from the 2023 General Fund 11111, Organization 117016.) – [see attached](#).

43. RES. 2023-0379 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, Omaha Public Library is hereby authorized to purchase unique or non-competitive products or services from Mango Languages in an amount not to exceed \$22,519.61 for the subscription renewal of Mango Conversations Enterprise for a one (1)-year term beginning April 1, 2023 and ending on March 31, 2024. (The Finance Department is authorized to pay \$22,519.61 for the cost of purchases from the 2023 General Fund 11111, Organization 117016.) – [see attached](#).
44. RES. 2023-0380 – Res. that, the City of Omaha pays its portion of the election costs to the Douglas County Treasurer in the amount of \$141,327.21 to be paid from the 2023 General Fund 11111, General Expense 119014, Account 46114 Election Expense – [see attached](#).
45. RES. 2023-0381 – Res. that, as recommended by the Mayor, the acceptance of a Peter Kiewit Foundation Capital Challenge Grant Award in the amount of \$535,000.00, for the project period of January 1, 2023 through December 31, 2023. The 2023 Peter Kiewit Foundation Grant will provide funding for the Omaha Parks, Recreation, and Public Property Department to facilitate completion of the West Trail Connection to Cunningham Lake. (The Finance Department of the City of Omaha is authorized to disburse funds from the 2023 Peter Kiewit Foundation Award.) – [see attached](#).
46. RES. 2023-0382 – Res. that, the reappointment by the City Council of Jay B. Noddle to be a member of MECA's Board of Directors to serve a term commencing May 10, 2023 and expiring May 9, 2028, be and hereby is confirmed and approved – [see attached](#).

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

RESOLUTIONS

47. RES. 2023-0370 – Res. that, the nomination of "Patricia 'Big Mama' Barron Street" as a commemorative street name on Patrick Avenue from 30th Street to 31st Street 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](#).
(PUBLIC HEARING AND VOTE TODAY)
48. RES. 2023-0366 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Felsburg Holt & Ullevig, Inc. to provide professional design phase engineering services on OPW 53944, being the Farnam Street Two-way Conversion from Happy Hollow Boulevard to 46th Street Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$433,900.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communication in opposition – [see attached](#).

ORDINANCES ON SECOND READING

49. 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](#). **(PUBLIC HEARING TODAY)**
50. 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](#). **(PUBLIC HEARING TODAY)**
51. 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](#). **(PUBLIC HEARING TODAY)**
52. 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](#). **(PUBLIC HEARING TODAY)**
53. 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](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
54. 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](#). **(PUBLIC HEARING TODAY)**

55. 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](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
56. 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](#). **(PUBLIC HEARING TODAY)**
57. 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](#). **(PUBLIC HEARING TODAY)**
58. 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](#). **(PUBLIC HEARING TODAY)**
59. 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](#). **(PUBLIC HEARING TODAY)**
60. 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](#). **(PUBLIC HEARING TODAY)**

61. 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](#). **(PUBLIC HEARING TODAY)**
- A. Communication in opposition – [see attached](#).
62. 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](#). **(PUBLIC HEARING TODAY)**
63. 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](#). **(PUBLIC HEARING TODAY)**
64. 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](#). **(PUBLIC HEARING TODAY)**
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NON-ACTION ITEMS

(Items 65 through 83 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)

STATE AND HIGHWAY 133 ADDITION

65. ORD. 43385 – An ordinance to rezone property located northwest of State Street and Blair High Road from AG – Agricultural District to GI – General Industrial District – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).

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

66. RES. 2023-0341 – Res. that, the Final Plat entitled State and Highway 133 Addition (Lot 3, Outlot C) a subdivision outside city limits, located northwest of State Street and Blair High Road, is hereby approved and accepted; and concurrently that a portion of the existing plat entitled State and Highway 133 Addition is hereby vacated. The applicant is Westwood Solutions – Outside City Limits – [see attached](#). (**LAI D O V E R T O T H E A P R I L 25, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 65**)

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

67. RES. 2023-0342 – Res. that, the Large Project Special Use Permit application submitted by Westwood Solutions, LLC, for a Major Amendment to the Large Project Special Use Permit to allow Communication services in the GI-General Industrial District, located northwest of State Street and Blair High 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, that the proposed Large Project 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 A P R I L 25, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 65**)

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

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

68. ORD. 43377 – An ordinance to rezone property located at 405 and 411 Bancroft Street from GC – General Commercial District to R4(35) – Single-Family Residential District (High-Density) – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).

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

69. ORD. 43378 – An ordinance to rezone property located at 2219 South 13th Street from GI – General Industrial District to NBD – Neighborhood Business District – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
70. ORD. 43379 – An ordinance to rezone property located at 3510 South 24th Street from GI – General Industrial District to CC – Community Commercial District – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
71. ORD. 43380 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 13105 West Center Road – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
72. ORD. 43381 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 15656 Fort Street – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
73. ORD. 43382 – An ordinance to rezone property located northeast of Military Avenue and Aurora Drive from R2 – Single-Family Residential District (Low-Density), R8 – High-Density Multiple-Family Residential District, and CC – Community Commercial District to R2 – Single-Family Residential District (Low-Density) – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
74. ORD. 43383 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located northeast of Military Avenue and Aurora Drive – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
75. ORD. 43384 – An ordinance to rescind the ACI-3 – Areas of Civic Importance Overlay District for property located northeast of Military Avenue and Aurora Drive – (**First Reading April 4, 2023**; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

76. 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)**

SPECIAL USE PERMITS

77. RES. 2023-0343 – Res. that, the Special Use Permit application submitted by Gloria Pavalos, for a Major Amendment to the Special Use Permit to allow Daycare services (general) in the R5(35) – Urban Family Residential District, located at 4102 and 4110 South 13th Street, 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 Large Project 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 18, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
78. RES. 2023-0344 – Res. that, the Special Use Permit application submitted by CHI Engineering, for a Major Amendment to the presumed Special Use Permit pursuant to Section 55-883(q) to allow Major utility facilities in the DR – Development Reserve District, with a waiver to Section 55-108, Height, to allow a 62-foot-tall structure, located northeast of 120th and Fort Streets, 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 Large Project 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 18, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

79. RES. 2023-0345 – Res. that, the Special Use Permit application submitted by David Shaffer for a Special Use Permit to allow Automotive sales in the GC District, located at 1941 South 42nd Street, 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. 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 25, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS AND TO COINCIDE WITH ITEM 80)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
80. ORD. 43386 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 1941 South 42nd Street – **(First Reading April 4, 2023; Second Reading April 18, 2023; Third Reading, Public Hearing and Vote April 25, 2023)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

81. ORD. 43387 – An ordinance to approve the Second Amendment to the HSA Bank Services Agreement between the City of Omaha and HSA Bank, for claims/administrative services for the City health savings account, flexible spending account, and COBRA Plans; the Second Amendment to the HSA Bank Services Agreement is for a term of three (3) years with an additional two (2) one-year options at the City's sole discretion; funds for this Agreement will be paid from the Human Resources Department Fund No. 11111, Organization No. 118018 – **(First Reading April 4, 2023; Second Reading and Public Hearing April 18, 2023; Third Reading April 25, 2023)** – [see attached](#).
82. ORD. 43388 – An ordinance (1) to approve an Agreement between the City of Omaha and the Boys & Girls Clubs of the Midlands in the amount of \$50,000.00; and (2) to authorize funding for such agreement from the City of Omaha's FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Award #15PBJA-22-GG-02068-JAGX, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding for two (2) Gang Specialist positions; 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 April 4, 2023; Second Reading and Public Hearing April 18, 2023; Third Reading April 25, 2023)** – [see attached](#).
83. ORD. 43389 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and 5902 N 9th Street, LLC, a Nebraska limited liability company, to implement the 5902 N 9th Street Industrial Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 5902 N 9th Street, which proposes the new construction of a one story industrial building of about 202,404 square feet; the agreement authorizes the use of up to \$4,266,745.00, which includes capitalized interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – **(First Reading April 4, 2023; Second Reading and Public Hearing April 18, 2023; Third Reading April 25, 2023)** – [see attached](#).

EXECUTIVE SESSION

84. 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 4, 2023**

JESSE LOWE CONFERENCE 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 March 31, 2023, notice of the Pre-Council and Regular City Council Meetings, April 4, 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.