



**CITY OF OMAHA  
CITY COUNCIL AGENDA  
TUESDAY, APRIL 18, 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](http://www.cityofomaha.org).

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

\*[Address waiver form](#)

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**CALL TO ORDER**

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

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

4. City Clerk certifies publication in the Daily Record, the Official Newspaper of the City of Omaha on April 14, 2023, notice of the Pre-Council and Regular City Council Meetings, April 18, 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. 2023-0392 – Class C Liquor License for Yo Muchacho Omaha, LLC, dba “Muchachos”, located at 1258 South 13th Street. (New application, new location). Notice of public hearing was posted on the property on 04-03-2023; Notification was sent to property owners within 500 feet on 04-07-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
    - A. Communication from the Planning Department – [see attached](#).
  7. RES. 2023-0393 – Class I Liquor License for The Backline Comedy Theatre, LLC, dba “The Backline Comedy Theatre”, located at 1618 Harney Street. (New application, old location). UPGRADE. Presently under individual Rohde, Dylan who has a Class “A” License. Notice of public hearing was posted on the property on 04-03-2023; Notification was sent to property owners within 500 feet on 04-07-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  8. RES. 2023-0394 – Class I Liquor License for The Brunch Box, LLC, dba “The Brunch Box”, located at 1308 Jackson Street, Suite 1. (New application, new location). Notice of public hearing was posted on the property on 04-03-2023; Notification was sent to property owners within 500 feet on 04-07-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  9. RES. 2023-0395 – Class I Liquor License for Capitol Pizza Company, dba “Frank’s Pizzeria”, located at 1170 Capitol Avenue. (New application, new location). Notice of public hearing was posted on the property on 04-03-2023; Notification was sent to property owners within 500 feet on 04-07-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  10. RES. 2023-0396 – Class I Liquor License for 402 Jam, Inc., dba “Omaha Sports Academy”, located at 21015 Cumberland Drive. (New application, old location). Present licensee is Fast Break Sports, LLC, who has a Class “I” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  11. RES. 2023-0397 – Special Designated Liquor License Application – Sunken Ship Investments LLC, dba “The Brokedown Palace”, 8805 Maple Street, requests permission for a Special Designated License for an outdoor Beer Garden/Concert on May 11-13, 2023 from 6:00 a.m. to 2:00 a.m. with music until midnight each night – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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## **PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS**

### **HARRIS ADDITION**

12. RES. 2023-0386 – Res. that, the Final Plat entitled Harris Addition, a minor plat outside city limits, located northwest of North Post Road and 40th Street, is hereby approved and accepted. The applicant is John P. Farrell – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

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

13. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**

## **SPECIAL USE PERMITS**

14. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
15. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).  
B. Communication in opposition – [see attached](#).
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## **CONSENT AGENDA**

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

(The public hearing on Agenda Items 16 through 28 was held on April 4, 2023.)

16. 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](#).
17. 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](#).
18. 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](#).
19. 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](#).
20. 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](#).

21. 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](#).
22. 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](#).
23. 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](#).
24. 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](#).
25. 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](#).

26. 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](#).
27. 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](#).
28. 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](#).

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

(The public hearings on Agenda Items 29 through 61 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**

29. RES. 2023-0398 – Liquor License Manager Application – Apple Ten Hospitality Management, Inc., request permission to appoint Michael J. Kosalka manager to their present Class “C” Liquor License locations for Hampton Inn & Suites Omaha Downtown, 1212 Cuming Street and Homewood Suites Omaha Downtown, 1314 Cuming Street – [see attached](#).
30. RES. 2023-0399 – Liquor License Manager Application – DC HIE Omaha West, LLC, dba “Holiday Inn Express Hotel and Suites”, 17677 Wright Street, request permission to appoint Vincent Wang manager to their present Class “I” Liquor License location – [see attached](#).
31. RES. 2023-0400 – Liquor License Manager Application – Howard’s Charro Café, Inc., dba “Howard’s Charro Café”, 4443 South 13th Street, request permission to appoint David Murillo manager to their present Class “I” Liquor License location – [see attached](#).



32. RES. 2023-0401 – Liquor License Manager Application – Sullivan’s Restaurants of NE, LLC, dba “Sullivan’s Steakhouse”, 222 South 15th Street, request permission to appoint Bailey A. Davenport manager to their present Class “I” Liquor License location – [see attached](#).
33. RES. 2023-0402 – Res. that, as recommended by the Mayor, the Public Works Department will obtain GIS software maintenance services for the period of May 4, 2023 to May 3, 2024 from Environmental Systems Research Institute, Inc. per Quotation Number 26128646; that the bidding procedures be waived in accordance with Section 5.16 of the Home Rule Charter of 1956 for the purchase of unique and non-competitive items; and that, the Purchasing Agent is authorized to issue a purchase order to Environmental Systems Research Institute, Inc. in the amount of \$90,819.30 to be paid from the Street Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2022 expenditure, with reimbursements to this organization from various Public Works Department Divisions’ budgets and other City Departments as outlined in the schedule – [see attached](#).
34. RES. 2023-0403 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to FirstWireless, Inc. for the purchase of Handheld Radio System, Alarm Interface, Repeater, Rack Charger, and Radios, to be utilized by the Missouri River Water Resource Recovery Facility in an amount not to exceed \$43,645.85, is hereby approved. (The Finance Department is authorized to pay the cost of these purchases from the Sewer Revenue Fund 21121, Missouri Resource Recovery Facility Maintenance Organization 116613, year 2023 funding.) – [see attached](#).
35. RES. 2023-0404 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Municipal Pipe Tool Co., LLC for the purchase of Repair Parts and Factory Repairs to CCTV Cameras, to be utilized by the Sewer Maintenance Division in an amount not to exceed \$45,000.00, is hereby approved. (The Finance Department is authorized to pay the cost of these purchases from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2023 funding.) – [see attached](#).
36. RES. 2023-0405 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Passport Labs, Inc. for processing of Mobile App, Citation and Credit Card Fees, as administered by the Parking & Mobility Division, in the amount of \$505,000.00. (The Finance Department is authorized to pay the cost of this purchase from the Parking Revenue Fund 21116; \$335,000 from Organization 116183 and the remaining \$170,000 from Organization 116231, all in year 2023 funding.) – [see attached](#).
37. RES. 2023-0406 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to add to Purchase Order No. 1284846 issued to Interstate PowerSystems for the routine, predictive/preventative and corrective maintenance to all engines, their auxiliary equipment and air compressor systems, to be utilized by the Missouri River Water Resource Recovery Facility and Papillion Creek Water Resource Recovery Facility, in the amount of \$588,476.00, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Papio Creek Recovery Facility Maintenance Organization 116614.) – [see attached](#).

38. RES. 2023-0407 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Empsace + Lovgren for the purchase of Parking Ecosystem Services to be utilized by the Parking & Mobility Division totaling \$99,500.00, 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](#).
39. RES. 2023-0408 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Liberty Process Equipment, Inc. for the purchase of pump rebuild parts, to be utilized by the Papillion Creek Water Resource Recovery Facility, in the amount of \$27,176.00, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Papio Creek Recovery Facility Maintenance Organization 116614, year 2023 funding.) – [see attached](#).
40. RES. 2023-0409 – Res. that, as recommended by the Mayor, the contract with Spencer Management LLC, for OPW 54528, being the 2023 Concrete Pavement Repair, Various Locations within the City of Omaha Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$1,524,315.60, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
41. RES. 2023-0410 – Res. that, as recommended by the Mayor, the contract with Spencer Management LLC, for OPW 54508, being the 2023 to 2024 Citywide Utility Cuts Project; multiple-award contract number two of two, is hereby approved. (The Finance Department is authorized to pay the cost of \$391,575.00, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2023 expenditure.) – [see attached](#).
42. RES. 2023-0411 – Res. that, as recommended by the Mayor, the contract with Diamond Surface, Inc., for OPW 54544, being the 2023 Concrete Diamond Grinding, Various Locations within the City of Omaha Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$1,195,785.50, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
43. RES. 2023-0412 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HDR Engineering, Inc. to provide professional services on OPW 54566, being the Hydraulic Modeling: Combined Sewer Overflow Modeling Maintenance and Infill Analysis, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,900.00, from the Sewer Revenue Improvements (Bond) Fund 21124, CSO Control Implementation (Bond) Organization 116918.) – [see attached](#).
44. RES. 2023-0413 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Inc. to provide professional construction phase engineering services on OPW 54528, being the 2023 Concrete Pavement Repair, Various Locations within the City of Omaha Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$403,759.00, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).



45. RES. 2023-0414 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Inc. to provide professional construction phase engineering services on OPW 54539, being the Concrete Pavement Repair – 72nd Street, Dodge Street to Western Avenue Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$398,540.00, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
46. RES. 2023-0415 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company to provide professional construction phase engineering services on OPW 54522, being the 2023 Residential Street Resurfacing Package 1, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$2,328,428.00, from the 2020 Street Preservation Bond Fund 13191, Residential Street Rehab Organization 116161.) – [see attached](#).
47. RES. 2023-0416 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company to provide professional construction phase engineering services on OPW 51810, being the 108th Street - Decatur Street to Burt Street Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$448,681.14, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
48. RES. 2023-0417 – Res. that, per NEB. REV. STAT. §39-1359, the City of Omaha officially designates the temporary use of State Highway 64 (Maple Street) from 61st Street to 63rd Street within Omaha City Limits on June 3, 2023, between the hours of 8:00 AM and 10:00 PM, for the Benson Beer Festival – [see attached](#).
49. RES. 2023-0418 – Res. that, the application of HCD River Crossing Owner LLC, for a lease of City property adjacent to 930 Harney Street for purposes of an Outdoor Dining/Restaurant Patio, 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](#).
50. RES. 2023-0420 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Siena Francis House, in the amount of \$155,517.78 for the purpose of providing shelter to homeless persons and families at its emergency shelter facilities for approximately 3,000 homeless persons over the course of the one year period of said Agreement, is hereby approved. (Funds shall be paid from the City of Omaha FY 2022 Emergency Solutions Grant, Fund No. 12139, Organization No. 130812.) – [see attached](#).
51. RES. 2023-0421 – Res. that, as recommended by the Mayor, the payment to Lion's Gate Security Solutions, Inc. for safety and security at City of Omaha pools for the 2023 swimming pool season, not to exceed the amount of \$187,000.00, from the General Fund No. 11111 and Organization No. 115335, Pool Admin – [see attached](#).
52. RES. 2023-0422 – Res. that, as recommended by the Mayor, the purchase order not exceed the amount of \$65,000.00 to Midwest Turf & Irrigation, for mower repair parts and irrigation supplies for the Parks Golf Division, is hereby approved. (To be paid from the Golf Operations Fund No. 21114.) – [see attached](#).

53. RES. 2023-0423 – Res. that, as recommended by the Mayor, Change Order No. 1 to the contract and Purchase Order No. #1285847, in the total amount of \$38,579.20 for The Waldinger Corporation to furnish the materials and/or perform the work such as: proposal for a second plumber to supplement the plumbing on various locations throughout parks in the City of Omaha, is hereby approved. (The Finance Department is authorized to pay the total amount of \$38,579.20 from the General Fund 11111, Organization No. 115031, Park Facilities Services.) – [see attached](#).
54. RES. 2023-0424 – Res. that, as recommended by the Mayor, between 11:00 p.m. on Tuesday, June 27, 2023 and 5:00 a.m. on Saturday, July 1, 2023, Memorial Park, 6005 Underwood Avenue, shall be open to accommodate the set-up of equipment and overnight security for the City of Omaha Celebrates America event – [see attached](#).
55. RES. 2023-0425 – Res. that, Section 18-28 of the Omaha Municipal Code provides that the actual cost of cutting of weeds, grass and worthless vegetation, and/ or removal of litter for 2023 shall be in such amounts as determined by approval of this Resolution – [see attached](#).
56. RES. 2023-0426 – Res. that, as recommended by the Mayor, the bid in the total amount of \$586,000.00 to Ray Martin Company to replace the HVAC system for the building and pool areas at Mockingbird Community Center, 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 \$586,000.00 to Ray Martin Company, from 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2005P507.) – [see attached](#).
57. RES. 2023-0427 – Res. that, as recommended by the Mayor, the bid in the total amount of \$33,750.00 from Jacksons Complete Concrete to furnish all labor, materials, and equipment necessary to complete the removal and replacement of concrete pavement, which includes demolition of existing concrete or asphalt pavement, grading, layout, and installation of new concrete pavement, located at various City of Omaha trails and 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 total amount of \$33,750.00 from the 2018 Parks and Recreation Fund No. 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2010P512.) – [see attached](#).
58. RES. 2023-0428 – 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 Cengage Learning, Inc. in an amount not to exceed \$40,297.50 for the subscription renewal of Gale Courses Unlimited for a one (1)-year term beginning April 1, 2023 and ending on March 31, 2024. (The Finance Department is authorized to pay \$40,297.50 for the cost of purchases from the 2023 General Fund 11111, Organization 117016.) – [see attached](#).
59. RES. 2023-0429 – 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 articles or services from OverDrive, Inc. in an amount not to exceed \$80,000.00 during the period of January 1, 2023 through December 31, 2023. (The Finance Department is authorized to pay \$80,000.00 for the cost of purchases from the 2023 Trust Fund 12114, Organization 123024.) – [see attached](#).

60. RES. 2023-0430 – Res. that, as recommended by the Mayor, the purchase based upon the quote from Jones Automotive in the amount of \$25,323.99, for equipment and installation for a 2023 Ford Transit Cargo Arrest Van for the Omaha Police Department Uniform Patrol Bureau, 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 \$25,323.99 for the equipment and installation for the Arrest Van 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](#).
61. RES. 2023-0431 – Res. that, the appointment by Mayor Jean Stothert of Tiffany Hunter to the Board of Directors for the Omaha Municipal Land Bank as a resident of City Council District 3, and with experience in real estate development and financing, said term to commence March 19, 2023 and expire March 18, 2026, is hereby confirmed – [see attached](#).

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

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#### **ORDINANCES ON FINAL READING**

62. 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](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Public Works Department – [see attached](#).
63. 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](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Parks Department – [see attached](#).
64. 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](#). **(VOTE TODAY)**
- A. Amendment of the Whole requested by the Parks Department – [see attached](#).

## **RESOLUTION**

65. RES. 2023-0419 – Res. that, the nomination of “Vivian Strong Street” as a commemorative street name on 21st Street from Clark Street to Paul 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)**
- 

## **ORDINANCES ON SECOND READING**

66. 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](#). **(PUBLIC HEARING TODAY)**
67. 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](#). **(PUBLIC HEARING TODAY)**
68. 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](#). **(PUBLIC HEARING TODAY)**
-

## **NON-ACTION ITEMS**

(Items 69 through 111 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 MAY 30, 2023)

## **STATE AND HIGHWAY 133 ADDITION**

69. 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](#).

70. 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](#). **(LAID OVER TO THE APRIL 25, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 69)**

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

71. 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](#). **(LAID OVER TO THE APRIL 25, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 69)**

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

## **ENCLAVE FLATS REPLAT 1**

72. ORD. 43393 – An ordinance to rezone property located northeast of 189th and Fort Streets from DR – Development Reserve District and R4 – Single-Family Residential District (High-Density) to DR – Development Reserve District – (**First Reading April 18, 2023**; Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).



73. ORD. 43394 – An ordinance to rezone property located northeast of 189th and Fort Streets from DR – Development Reserve District and R4 – Single-Family Residential District (High-Density) to R4 – Single-Family Residential District (High-Density) – **(First Reading April 18, 2023;** Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
74. RES. 2023-0387 – Res. that, the Preliminary Plat entitled Enclave Flats Replat 1, a subdivision inside city limits, located northeast of 189th 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 18818 Fort, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 2, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 72-73)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
75. RES. 2023-0388 – Res. that, the Final Plat transmitted herewith entitled Enclave Flats Replat 1, a minor plat inside city limits, located northeast of 189th and Fort Streets, is hereby approved, and concurrently a portion of the existing plat entitled Enclave Flats, and described on said replat, is hereby vacated. The applicant is 18818 Fort, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 2, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 72-73)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
76. RES. 2023-0389 – Res. that, the Subdivision Agreement among the City of Omaha, 18818 Fort, LLC, the Enclave Flats Homeowners Association, Inc., and Sanitary and Improvement District (S.&I.D.) 590 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Enclave Flats Replat 1 (Lots 1-133 and Outlots A-C) and is located northeast of 189th and Fort Streets – [see attached](#). **(LAID OVER TO THE MAY 2, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 72-73)**

## **THE HILL**

77. ORD. 43395 – An ordinance to rezone property located northeast of 168th and State Streets from AG-Agricultural District to DR-Development Reserve District – **(First Reading April 18, 2023;** Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
78. ORD. 43396 – An ordinance to rezone property located northeast of 168th and State Streets from AG-Agricultural District to R6-Low-Density Multiple-Family Residential District – **(First Reading April 18, 2023;** Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
79. ORD. 43397 – An ordinance to rezone property located northeast of 168th and State Streets from AG-Agricultural District to MU-Mixed Use District – **(First Reading April 18, 2023;** Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

80. ORD. 43398 – An ordinance to approve a Mixed Use District Development Agreement for property located northeast of 168th and State Streets between the City of Omaha and Woodsonia 168/State LLC., providing site development standards – (**First Reading April 18, 2023**; Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
81. RES. 2023-0390 – Res. that, the Final Plat entitled The Hill (Lots 394-396, Outlots M-O), a subdivision outside city limits, located northeast of 168th and State Streets, is hereby approved and accepted. And, that the replat transmitted herewith entitled THE HILL (Lots 394-396, Outlots M-O), a subdivision outside city limits, located northeast of 168th and State Streets, is hereby approved, and concurrently a portion of the existing plat entitled The Hill, and described on said replat, is hereby vacated. The applicant is Woodsonia 168/State LLC – Outside City Limits – [see attached](#). (**LAID OVER TO THE MAY 2, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 77-80**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
82. RES. 2023-0391 – Res. that, the Subdivision Agreement among the City of Omaha, Woodsonia 168-State Phase III, LLC, The Hill Landowners Association, Inc., and Sanitary and Improvement District (S.&I.D.) 616 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as The Hill (Lots 394-396 and Outlots M-O) and is located northeast of 168th and State Streets – [see attached](#). (**LAID OVER TO THE MAY 2, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 77-80**)

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

83. 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](#).
84. 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](#).
85. 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](#).

86. 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](#).
87. 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](#).
88. 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](#).
89. 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](#).
90. 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](#).

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

91. ORD. 43390 – An ordinance to rezone property located at 1107 and 1113 Nicholas, and 1001 North 12th Streets from HI – Heavy Industrial District to CBD – Central Business District – (**First Reading April 18, 2023**; Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

92. ORD. 43391 – An ordinance to amend the boundaries of the NCE-Neighborhood Conservation Overlay District, to incorporate into that district the property located at 1107 and 1113 Nicholas, and 1001 North 12th Streets; to approve an amendment to the Urban Design Element of the Master Plan for the City of Omaha to incorporate the Millwork Commons NCE District Plan into the Master Plan – (**First Reading April 18, 2023**; Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
93. ORD. 43392 – An ordinance to rescind the ACI-1(PL) – Area of Civic Importance Overlay District for a portion of the property located at 1107 and 1113 Nicholas, and 1001 North 12th Streets – (**First Reading April 18, 2023**; Second Reading April 25, 2023; Third Reading, Public Hearing and Vote May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

### **SPECIAL USE PERMITS**

94. 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](#).
95. 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](#).
96. RES. 2023-0385 – Res. that, the Special Use Permit application submitted by McNeil Company Builders for a Special Use Permit to allow development in the ED – North Hills Environmental Resources Overlay District, located at 10409 North 72nd 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. 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 MAY 2, 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](#).

## **ORDINANCES ON FIRST READING**

97. ORD. 43399 – An ordinance approving the Relinquishment Agreement between the City of Omaha and the Nebraska Department of Transportation (NDOT) transferring sole jurisdictional control of the 1.5 mile segment of Nebraska State Highway 85 (South 84th Street) from Harrison Street to U.S. Highway 275 (L Street) to the City of Omaha; to provide for payment of funds from NDOT to the City for the completion of improvements to this section totaling an amount not to exceed \$4,000,000.00; to provide for payments to a specific account – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
98. ORD. 43400 – An ordinance to amend Sections 55-14, 55-21, 55-50, 55-68, 55-123, 55-124, 55-143, 55-144, 55-163, 55-164, 55-183, 55-184, 55-203, 55-204, 55-210, 55-211, 55-223, 55-224, 55-243, 55-244, 55-263, 55-264, 55-305, 55-323, 55-345, 55-363, 55-383, 55-403, 55-423, 55-444, 55-463, 55-485, 55-503, 55-523, 55-563, 55-573, 55-734, 55-762, 55-782, and 55-823 of the Omaha Municipal Code; to allow for Urban agriculture – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
99. ORD. 43401 – An ordinance to approve Amendment No. 2 to the Uptown District Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Uptown Properties, LLC, which was approved by Ordinance No. 40805 on June 28, 2016; the amendment proposes the elimination of Phase III and IV, thereby decreasing the number of row houses from 113 mostly three story row houses, to a new total of 69 row houses; the amendment also decreases the original TIF loan from \$5,084,978.00 to \$3,099,228.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
100. ORD. 43402 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Uptown Properties, LLC, to implement the Digs Apartments Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 522 South 30th Street and 522 Park Avenue, which proposes the new construction of a four story apartment building with 43 market rate apartments; the agreement authorizes the use of up to \$1,542,459.00, 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 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
101. ORD. 43403 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Assistant Golf Course Superintendent with an hourly pay range of \$23.91 to \$30.50; to repeal Section 23 - 177 as heretofore existing – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
- A. Personnel Board recommends approval.



102. ORD. 43404 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Grounds Maintenance Technician with a hourly pay range of \$21.96 to \$28.54; to amend Section 23-177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Greenskeeper with a hourly pay range of \$21.96 to \$28.54; to repeal Section 23 - 177 as heretofore existing – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
- A. Personnel Board recommends approval.
103. ORD. 43405 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code by changing the salary for the employment classification known as Golf Course Superintendent from a salary range of \$55,349 to \$71,157 to a salary range of \$60,819 to \$84,011; to repeal Section 23 - 177 as heretofore existing – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
- A. Personnel Board recommends approval.
104. ORD. 43406 – An ordinance to amend Section 23-177 of the Omaha Municipal Code by changing the salary for the employment classification known as Landscape Gardener from a pay range of \$20.26 to \$26.72 to a pay range of \$21.96 to \$28.54; to repeal Section 23-177 as heretofore existing – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
- A. Personnel Board recommends approval.
105. ORD. 43407 – An ordinance to amend Section 23-177, 23-178, 23-343, 23-363, 23-403, 23-558, and 23-570 of Chapter 23 of the Omaha Municipal Code to reflect changes negotiated between the City of Omaha and the Professional Fire Service Manager Association for the years 2023 and 2024; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with this Ordinance shall not be applicable to those employees in the Professional Fire Service Manager Association – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#). (**REQUIRES VOTE OF 5 COUNCILMEMBERS**)
106. ORD. 43408 – An ordinance to accept the quote from Axon Enterprises, Inc., for the purchase and installation of eight (8) video cameras for Omaha Police Department Interview Rooms, with appropriations over a period of five years for a total cost of \$217,709.44; the quote includes storage, warranty, and operational software that is compatible with the current Evidence.com solution used by the Omaha Police Department for body cameras and electronic sharing of cases with area prosecutors for five years; with payment to be made from the Omaha Police Department General Fund 11111, Organization 113213 Information Technology/Mobile IT Unit, Account 42266 Information Technology Contracted in the amount of \$217,709.44 – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).

107. ORD. 43409 – 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-164 at 8750 Vernon Street, as requested by Larry Tatum, and as described in the legal description and shown on the plat plan – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
108. ORD. 43410 – An ordinance to establish, pursuant to Section 40-251 of the Omaha Municipal Code, a Class “B” Oil District to be known as District No. B-215, to be located at 8425 N 114th Street, as requested by Justin Goering with Westwood Solutions LLC, and as described in the legal description and shown on the plat plan – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
109. ORD. 43411 – An ordinance approving a Redevelopment Agreement by and between the City of Omaha and KJ Crossroads Venture, LLC for the redevelopment KJ Crossroads Venture, LLC of the property generally located at 7400 Dodge Street in the City of Omaha, Douglas County, Nebraska, and all adjacent public rights-of-way; and which authorizes the use of up to \$79,400,000.00, plus accrued interest, in excess ad valorem taxes generated by the redevelopment project – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
110. ORD. 43412 – An ordinance providing for the designation of an enhanced employment area; the levy of a general business occupation tax; providing for the administration, imposition and collection of such occupation tax; specifying the use of such occupation tax revenue; and related matters – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).
111. ORD. 43413 – An ordinance approving a Development Agreement for Occupation Tax in an Enhanced Employment Area by and between the City of Omaha and KJ Venture, LLC, a Nebraska limited liability company, and its successors or assigns, for a project site located northwest of 72nd and Dodge Streets, authorizing the use of up to \$64,980,000.00, plus accrued interest in occupation tax revenues generated by the development located in an enhanced employment area, as shown in Exhibit “A”, as properly authorized and designated by the Omaha City Council – (**First Reading April 18, 2023**; Second Reading and Public Hearing April 25, 2023; Third Reading May 2, 2023) – [see attached](#).

## **EXECUTIVE SESSION**

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

## **ADJOURNMENT**

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

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



**CITY OF OMAHA  
CITY COUNCIL PRE-COUNCIL MEETING AGENDA  
TUESDAY, APRIL 18, 2023**

**CONFERENCE ROOM 702 @ 10:30 A.M.  
Omaha/Douglas Civic Center  
1819 Farnam Street, Omaha, NE 68183  
[www.cityofomaha.org](http://www.cityofomaha.org)**

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

1. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on April 14, 2023, notice of the Pre-Council and Regular City Council Meetings, April 18, 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**

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

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