



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, JUNE 6, 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 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 June 2, 2023, notice of the Pre-Council and Regular City Council Meetings, June 6, 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 – La Casa Pizzeria

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. 2023-0579 – Class C Liquor License for BTR, LLC, dba “Bomb Taco”, located at 12321 West Maple Road. (New application, old location). Present licensee is Burrito Envy West, LLC, who has a Class “CK” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 7. RES. 2023-0580 – Class C Liquor License for No Coast Hospitality, LLC, dba “True American Bar and Spirits”, located 3710 Leavenworth Street. (New application, new location). Notice of public hearing was posted on the property on 05-22-2023; Notification was sent to property owners within 500 feet on 05-26-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 8. RES. 2023-0581 – Class I Liquor License for New Gold Mountain, LLC, dba “New Gold Mountain”, located 6750 Mercy Road, Suite 102B. (New application, new location). Notice of public hearing was posted on the property on 05-22-2023; Notification was sent to property owners within 500 feet on 05-26-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Communication from the Planning Department – [see attached](#).
 9. RES. 2023-0582 – Class D Liquor License for Midwest Site, LLC, dba “Russell Speeder’s Car Wash”, located 11212 Wright Circle. (New application, old location). CHANGE OF STOCKHOLDERS – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 10. RES. 2023-0583 – Liquor License Addition Application – Sips on 10th, LLC, dba “Sips on 10th”, located at 1022 South 10th Street, request permission for an addition of an outdoor area approx. 57’ x 11’ to the North. Notice of public hearing was posted on the property on 05-22-2023; Notification was sent to property owners within 500 feet on 05-26-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

DEER CREEK REPLAT 27

11. RES. 2023-0574 – Res. that, the Preliminary Plat entitled Deer Creek Replat 27, a minor plat outside the city limits, located at 12903 Deer Creek Drive and 13014 Scott Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is DWS Land Surveying – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

SONNENTANZ

12. RES. 2023-0575 – Res. that, the Preliminary Plat entitled Sonnentanz, a subdivision outside city limits, located northwest of Skyline Drive and Old Center Road, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Raymond D. Anderson III – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

HAGEN HILLS

13. RES. 2023-0576 – Res. that, the Preliminary Plat entitled Hagen Hills, a subdivision outside city limits, located northeast of 168th Street and Military Road, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Hagen Hills LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

OMAHA WORKS INDUSTRIAL PARK REPLAT SIXTEEN

14. RES. 2023-0577 – Res. that, the Final Plat transmitted herewith entitled Omaha Works Industrial Park Replat Sixteen, a minor plat inside city limits, located northwest of 120th and I Streets, is hereby approved, and concurrently a portion of the existing plat entitled Omaha Works Industrial Park Replat 10, and described on said replat, is hereby vacated. The applicant is PSG Properties, LLC – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

15. RES. 2023-0578 – Res. that, the Subdivision Agreement between the City of and PSD LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Omaha Works Industrial Park Replat Sixteen (Lot 1) and is located northwest of 120th and I Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

16. ORD. 43426 – An ordinance to rezone property located at 1469 South 16th Street from GC-General Commercial District to R7-Multiple-Family Residential District (Medium Density) – (First Reading May 16, 2023; Second Reading May 23, 2023; Third Reading, Public Hearing and Vote June 6, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

17. ORD. 43427 – An ordinance to rezone property located at 5125 South 24th Street from GI – General Industrial District to NBD – Neighborhood Business District (the property is located within an ACI – Area of Civic Importance Overlay District) – (First Reading May 16, 2023; Second Reading May 23, 2023; Third Reading, Public Hearing and Vote June 6, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

18. ORD. 43428 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the properties located at 4110 and 4102 South 13th Street – (First Reading May 16, 2023; Second Reading May 23, 2023; Third Reading, Public Hearing and Vote June 6, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
19. ORD. 43429 – An ordinance to rezone the property located at 11607 and 11655 M Circle from R7-Medium-Density Multiple-Family Residential District and CC-Community Commercial District to CC-Community Commercial District – (First Reading May 16, 2023; Second Reading May 23, 2023; Third Reading, Public Hearing and Vote June 6, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
20. ORD. 43430 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 11607 and 11655 M Circle – (First Reading May 16, 2023; Second Reading May 23, 2023; Third Reading, Public Hearing and Vote June 6, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
21. ORD. 43431 – An ordinance to rezone property located at 4810 Polk Street from R5(35)-Urban Family Residential District to R6-Low-Density Multiple-Family Residential District – (First Reading May 16, 2023; Second Reading May 23, 2023; Third Reading, Public Hearing and Vote June 6, 2023) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY, REQUIRES VOTE OF 5 COUNCILMEMBERS)**
- A. Planning Board and Planning Department recommend DENIAL – [see attached](#).
22. RES. 2023-0520 – Res. that, the Special Use Permit application submitted by Tessa Domingus for a Special Use Permit to allow Transitional living in the R6-Low-Density Multiple-Family Residential District (pending) located at 4810 Polk Street, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, and all applicable local or state statutes, ordinances or regulations are complied with – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY, REQUIRES VOTE OF 5 COUNCILMEMBERS)**
- A. Planning Board and Planning Department recommend DENIAL – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTIONS

23. RES. 2023-0511 – Res. that, The Larimore Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 3483 Larimore Avenue, which proposes the rehabilitation and reuse of the long vacant structure as an affordable housing senior living project, and authorizes the City’s participation through the allocation of TIF in an amount up to \$213,518.00, which includes capitalized interest, to offset TIF eligible expenses including, but not limited to building rehabilitation construction costs and 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)**
24. RES. 2023-0512 – Res. that, the Hamilton Village Senior Suites Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 4102 Hamilton Street, which proposes the new construction of a four and five story mixed income senior apartment building with 59 apartment units, and authorizes the City’s participation through the allocation of TIF in an amount up to \$558,092.00, which includes capitalized interest, to offset TIF eligible expenses including, but not limited to acquisition, building demolition, site work, 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)**
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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 25 through 28 was held on May 23, 2023.)

25. SPECIAL ORD. 10342 – An ordinance to amend certain portions of Special Ordinance No. 10338, levying a special tax and assessment on certain lots, parts 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, to reduce the assessment on the property listed below in the amount of \$3,493.41 plus accrued interest – (First Reading May 16, 2023; Second Reading and Public Hearing May 23, 2023; Third Reading June 6, 2023) – [see attached](#).

26. ORD. 43432 – An ordinance to approve a Major Amendment to a Major Amendment to the Lakeside Plaza Mixed Use Development Agreement, located at 17202 Lakeside Hills Plaza, to allow Indoor Sports and Recreation within an existing multi-tenant building, between the City of Omaha and Bowl New England, Inc. dba Spare Time Omaha, providing site development standards – (First Reading May 16, 2023; Second Reading and Public Hearing May 23, 2023; Third Reading June 6, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
27. ORD. 43433 – An ordinance in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, to transfer \$43,867.00 in unencumbered appropriations in the 2023 Budget of the City of Omaha from the Wage Adjustment account to the Fire Department; and to fix the effective date hereof to be immediately upon passage in accordance with Section 2.12 of the Home Rule Charter of the City of Omaha, 1956, as amended – (First Reading May 16, 2023; Second Reading and Public Hearing May 23, 2023; Third Reading June 6, 2023) – [see attached](#).
28. ORD. 43434 – An ordinance to approve the Contracts between the City of Omaha and Thomson Reuters, for more than one year, to provide specialized books and services to the Law Department – (First Reading May 16, 2023; Second Reading and Public Hearing May 23, 2023; Third Reading June 6, 2023) – [see attached](#).

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

(The public hearings on Agenda Items 29 through 56 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. 2023-0584 – Liquor License Manager Application – Davidson Hotel Co., LLC, dba “Kimpton Cottonwood Hotel”, 302 South 36th Street, request permission to appoint Dayna K. Baker manager to their present Class “C” Liquor License location – [see attached](#).
30. RES. 2023-0585 – Liquor License Manager Application – NOW Initiative, dba “North Omaha Music & Arts”, 2510 North 24th Street, request permission to appoint Alice F. Comer manager to their present Class “I” Liquor License location – [see attached](#).
31. RES. 2023-0586 – Liquor License Manager Application – Sodexo America, LLC, request permission to appoint Angela G. Alexander manager to their present Class “IK” Liquor License locations at Harper Center, 602 North 20th Street and Kiewit Fitness & Student Center, 2400 Cass Street and Class “C” Liquor License location at Ryan Center & Morrison Stadium, 701 Florence Blvd – [see attached](#).
32. RES. 2023-0587 – Liquor License Manager Application – Walmart, Inc., dba “Walmart 3172”, 5051 “L” Street, request permission to appoint Allison R. Le manager to their present Class “D” Liquor License location – [see attached](#).

33. RES. 2023-0588 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Mobotrex, Inc. for the purchase of Pedestrian Push Buttons to be utilized by the Traffic Division in the amount of \$41,000.00. (The Finance Department is authorized to pay the cost of this purchase from the Street Allocation Fund 12131, Traffic Signals & Computer Systems Organization 116187, year 2023 expenditure.) – [see attached](#).
34. RES. 2023-0589 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Safe Software, Inc. for the purchase of FME Software Licensing & Maintenance, to be utilized by the Parking & Mobility Division, in the amount of \$20,000.00, is hereby approved. (The Finance Department is authorized to pay 50% of the cost of this purchase from the Parking Revenue Fund 21116, Parking Administration Organization 116241 and 50% from the Street Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2023 funding.) – [see attached](#).
35. RES. 2023-0590 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to WesTech for the speed sensor for the trickling filter, to be utilized by the Papillion Creek Water Resource Recovery Facility, in the amount of \$24,975.00, 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](#).
36. RES. 2023-0591 – Res. that, as recommended by the Mayor, the contract with Spencer Management LLC, for 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 the cost of \$798,781.50, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
37. RES. 2023-0592 – Res. that, as recommended by the Mayor, the contract with McGill Restoration, Inc., for OPW 54548, being the 2023 Penetrating Concrete Sealer at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$474,749.25, from the 2020 Street Preservation Bond Fund 13191, Residential Street Rehab Organization 116161.) – [see attached](#).
38. RES. 2023-0593 – Res. that, as recommended by the Mayor, the contract with Young's General Contracting, Inc., for OPW 53937, being the Levee Sluice Gate Replacement - Various along levee Project, is hereby approved. (The Finance Department is authorized to pay 50% (\$400,918.75), of the cost of \$801,837.50, from the 2014 Environment Bond Fund 13124, Environmental Bonds Organization 117217 and 50% from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918: Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
39. RES. 2023-0594 – Res. that, as recommended by the Mayor, the Professional Services Agreement with SCS Engineers to provide stormwater inspection and reporting services to maintain compliance with the Municipal Separate Storm Sewer System (MS4) Inspections Permit administered by the State of Nebraska, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$22,650.00, to be paid from the Storm Water Fee Revenue Fund 12128, Storm Water Management Organization 116312, year 2023 expenditure.) – [see attached](#).

40. RES. 2023-0595 – Res. that, as recommended by the Mayor, the Professional Services Agreement with CNC Surveying LLC to provide surveying services on OPW 54139, being the Signal Infrastructure Phase E2 Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,000.00, to be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
41. RES. 2023-0596 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company to provide professional engineering staff augmentation services, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,900.00, to be paid from the Street Allocation Fund 12131, Engineering Organization 116132, year 2023 expenditure.) – [see attached](#).
42. RES. 2023-0597 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Snyder & Associates, Inc. to provide professional construction phase engineering services on OPW 54527, being the 2023 Concrete Pavement Repair, Residential Area 4510 Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$160,627.41, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
43. RES. 2023-0598 – Res. that, as recommended by the Mayor, the Professional Services Agreement with HGM Associates, Inc. to provide professional services on OPW 54599, being the Dahlman Avenue Bridge over UPRR Girder Repair Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$23,946.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
44. RES. 2023-0599 – Res. that, the Interlocal Cooperation Agreement between the City of Omaha and Sanitary and Improvement District (S.&I.D.) 582 of Douglas County, Nebraska, as recommended by the Mayor, for design and construction of interceptor sewer links as contemplated in the 2015 update to the Sanitary Interceptor Sewer Element of the City's Master Plan, is hereby approved. The total cost of the interceptor sewer, currently estimated at \$11,657,910.37, shall be paid from the Interceptor Sewer Construction, Organization 116921, Fund 12133 – [see attached](#).
45. RES. 2023-0600 – Res. that, as recommended by the Mayor, the Program Agreement between the City of Omaha and the Nebraska Department of Transportation (NDOT) for MAPA-28(156), State Control No. 22913 and OPW 54487, being the Cuming Street, NW Radial Hwy, Military Avenue Corridor Study, comprised of safety improvements for all users, walkability and multi-modal opportunities, is hereby approved. (NDOT agrees to pay the majority of the eligible costs of the study, which is currently estimated at \$375,000.00; and, the City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
46. RES. 2023-0605 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Hearst Television (KETV) for a Lead Education Outreach Campaign for the Omaha Soil Remediation Program Project. (The Finance Department is authorized to pay the cost of the project in the amount of \$58,800.00 from City of Omaha - U.S. EPA Cooperative Agreement Assistance ID No. V-97799901 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).

47. RES. 2023-0606 – Res. that, the application of Kellner Salvage & Recycling LLC dba Element Recycling to establish a salvage dealer business at 4918 F Street, Omaha, Nebraska, be and hereby is approved and the Permits and Inspections Division is directed to issue the necessary permit therefore, contingent upon continued compliance with all requirements made and provided by law – [see attached](#).
- A. Planning Department, Planning Board, and Police Department recommend approval – [see attached](#).
48. RES. 2023-0608 – Res. that, as recommended by the Mayor, the Agreement between the City of Omaha and Omaha Economic Development Corporation (OEDC), to rehabilitate forty-five (45) multi-family housing units for tenant households located at 3483 Larimore Avenue is hereby approved. The project includes twenty-three (23) CDBG-assisted units to be rented as their principal place of residence to qualified tenant household who have incomes at or below 80% of the Median Family Income (MFI), and Five (5) “Fixed” HOME-assisted units to be rented as their principal place of residence to qualified tenant households with four (4) of these units available to eligible households who have incomes at or below 80% of the MFI and one (1) unit available to households at or below 50% of the MFI. (Funding in the amount of \$500,000.00 shall be payable from the FY 2022 Larimore Building Rehabilitation CDBG 2022 Program Fund No. 12186, Organization 128072, Award No. 100943, and funding in the amount of \$500,000.00 shall be payable from the FY 2022 Larimore Building Rehabilitation HOME 2022 Program Fund No. 12179, Organization No. 128071, Award No. 100944.) – [see attached](#).
49. RES. 2023-0609 – Res. that, as recommended by the Mayor, the purchase based upon the pricing from Vermont Systems, not to exceed \$225,000.00 to provide PayTrac Payment Processing Service, for the Parks, Recreation and Public Department, providing a unique and non-competitive service as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds from Marinas Fund No. 21111 and Organization No. 115451 – NP Dodge Marina (\$5,000.00), Tennis Operations Fund No. 21113 and Organization No. 115403 – Koch Family Tennis-Tranquility (\$5,000.00), and Golf Operations Fund No. 21114 and Organization No. 115461 – Golf Operations (\$120,000.00), and General Fund No. 11111 and Organization Nos. 115111 – Community Center Admin. (\$48,000.00) and 115335 – Pool Admin. (\$15,000.00).) – [see attached](#).
50. RES. 2023-0610 – Res. that, as recommended by the Mayor, the purchase based upon the pricing from Harms Oil Company, in the amount of \$90,000.00 to provide fuel supply at the N.P. Dodge Park Marina Crow’s Nest, providing a unique and non-competitive service as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds and in the amount of \$90,00.00 Harms Oil Company from the Marinas Fund No. 21111, Organization No. 115451, NP Dodge Marina.) – [see attached](#).
51. RES. 2023-0611 – Res. that, as recommended by the Mayor, the bid in the total amount of \$194,300.00 to A.W.S. Well Co. Inc to furnish all labor, materials and equipment necessary to complete the installation of a new septic system at Ta Ha Zouka Park, being the only bid received within bid specifications, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and the Finance Department is authorized to pay the Funds in the amount of \$194,300.00 to A.W.S. Well Co. Inc, from 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2000P505.) – [see attached](#).

52. RES. 2023-0612 – Res. that, as recommended by the Mayor, the bid in the total amount of \$613,300.00 from Blade Masters Grounds Maintenance, Inc. to provide flood repairs to Freedom Park, which was damaged due to the March 2019 flood event, being the only bid received within bid specifications, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and the Finance Department is authorized to pay the Funds in the amount of \$613,300.00 to Blade Masters Grounds Maintenance, Inc., from the 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2000P505, the City of Omaha will be reimbursed by Federal Emergency Management Agency (FEMA).) – [see attached](#).
53. RES. 2023-0613 – Res. that, as recommended by the Mayor, the agreement between the City of Omaha and the Omaha Downtown Improvement District Association for a promotional partnership on waste receptacles in the Old Market, in an amount not to exceed \$53,000.00 is hereby approved. (The Finance Director is authorized to make payment in an amount not to exceed \$53,000.00 for Fiscal Year 2023, from Fund No. 21109 - Omaha Convention and Visitors Bureau, Organization No. 115922 - Services-Convention, Account No. 42284 - Convention Services Expense.) – [see attached](#).
54. RES. 2023-0614 – Res. that, an amended version of Human Resources Policy 11 – Employee Reimbursement of Training Expenses, promulgated by the Human Resources Director and approved by the City of Omaha Personnel Board be and hereby is approved – [see attached](#).
55. RES. 2023-0615 – Res. that, as recommended by the Mayor, the payment based upon the quote from PepperBall in the amount of \$29,742.50 for the PepperBall launchers, projectiles, parts and equipment for the Omaha Police Department Training Unit, providing a unique and non-competitive product, and as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay \$13,796.97 for the PepperBall products from Year 2023, General Fund 11111, Organization 113171 Training Academy, Account 43915 Guns; and \$14,807.38 from Year 2023, General Fund 11111, Organization 113171 Training Academy, Account 43916 Ammunition; and \$1,169.15 from in Year 2023, General Fund 11111, Organization 113171 Training Academy, Account 43925 Training Supplies.) – [see attached](#).
56. RES. 2023-0616 – Res. that, the Mayor is authorized to sign, the City Clerk to attest, the Contract between the City of Omaha and the Greater Omaha Chamber of Commerce for the REACH Program for year 2023 and to provide payment of \$190,000.00 with funding from General Fund 11111, Organization No. 119014, and Account No. 42239 – [see attached](#).

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

RESOLUTIONS

57. RES. 2023-0607 – Res. that, the nomination of “Gale Sayers Street” as a commemorative street name on Pinkney Street from 24th Street to Florence Boulevard 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)**
58. RES. 2023-0601 – Res. that, as recommended by the Mayor, the Program Agreement between the City of Omaha and the Nebraska Department of Transportation (NDOT) for MAPA-28(157), State Control No. 22916 and OPW 54512, being the Omaha Urban Core Street Reconfiguration Study, comprised of safety improvements for all users, walkability and multi-modal opportunities, is hereby approved. (NDOT agrees to pay the majority of the eligible costs of the study, which is currently estimated at \$500,000.00; and, the City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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ORDINANCES ON SECOND READING

59. ORD. 43437 – An ordinance approving a Memorandum of Understanding between the parties of the Tri-County Planning, Exercise and Training Region of the Nebraska State Homeland Security Program, including the City of Omaha, Douglas County, Sarpy County, and Washington County, for the years 2023 through 2025, covering procurement of equipment, custody and control of equipment, equipment training, availability of equipment, administration, and policies and procedures of the four parties as relating to this MOU, involving appropriations of more than one year in conformity with Sections 5.16 and 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended – (First Reading May 23, 2023; Second Reading and Public Hearing June 6, 2023; Third Reading June 13, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**
60. ORD. 43438 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the U.S. Department of Housing and Urban Development, Office of Administration, FY 2022 Community Project Funding (CPF) Grant Program, Award #B-22-CP-NE-0557, in the amount of \$3,000,000.00, during the project period extending from December 23, 2022 to August 31, 2030; the North 24th Street Streetscape Improvements Plan will address infrastructure needs and improvements within the North 24th Street Corridor from Ohio Street to Patrick Avenue, improving sidewalks, traffic flow, landscaping, parking, and multimodal transit, in the North 24th Street Corridor; 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 May 23, 2023; Second Reading and Public Hearing June 6, 2023; Third Reading June 13, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**
61. ORD. 43439 – An ordinance approving an Interlocal Agreement between the City of Omaha and the City of Valley, Nebraska, for more than one year, for the Omaha City Prosecutor’s Office to provide certain prosecutorial services for Valley – (First Reading May 23, 2023; Second Reading and Public Hearing June 6, 2023; Third Reading June 13, 2023) – [see attached](#). **(PUBLIC HEARING TODAY)**

ELECTION OF OFFICERS

- 62. Election of President of the City Council of the City of Omaha.
 - 63. Election of Vice President of the City Council of the City of Omaha.
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NON-ACTION ITEMS

(Items 64 through 81 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 JUNE 20, 2023)

CHILD SAVING ADDITION

- 64. RES. 2023-0571 – Res. that, the Preliminary Plat entitled Child Saving Addition, a minor plat inside city limits, located southeast of 46th and Dodge Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Roger Keaton – Inside City Limits – [see attached](#). **(LAID OVER TO THE JUNE 27, 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](#).

PROGRESSIVE PROTEIN

- 65. RES. 2023-0572 – Res. that, the Preliminary Plat entitled Progressive Protein, a minor plat inside city limits, located northwest and southwest of 26th and O Streets along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Greater Omaha Packing Co – Inside City Limits – [see attached](#). **(LAID OVER TO THE JUNE 27, 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](#).

ELKHORN LANDING

- 66. RES. 2023-0573 – Res. that, the Preliminary Plat entitled Elkhorn Landing, a minor plat inside city limits, with a waiver to Section 53-8(4)(d), Lot frontage, located south of 206th Street and Elkhorn Drive, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Elkhorn Landing, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE JUNE 27, 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](#).

PLANNING ORDINANCES ON SECOND READING WITH PLANNING BOARD ATTACHMENTS

67. ORD. 43435 – An ordinance to rezone property located southwest of 46th and Dodge Streets from R7-Medium-Density Multiple-Family Residential District, GO-General Office District, GC-General Commercial District, and GI-General Industrial District to GO-General Office District – (First Reading May 23, 2023; **Second Reading June 6, 2023**; Third Reading, Public Hearing and Vote June 13, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
68. ORD. 43436 – An ordinance to amend the boundaries of the ACI-2 – Area of Civic Importance Overlay District, to incorporate into that district the property located southwest of 46th and Dodge Streets – (First Reading May 23, 2023; **Second Reading June 6, 2023**; Third Reading, Public Hearing and Vote June 13, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
69. RES. 2023-0541 – Res. that, the Special Use Permit application submitted by Roger Keaton for a Special Use Permit to allow Surface parking in the GO District, located southwest of 46th and Dodge 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. 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 JUNE 13, 2023 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 67-68)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

70. ORD. 43440 – An ordinance to rezone property located southeast of 31st and Marcy Streets from R6 – Low-Density Multiple-Family Residential District and R7 – Medium-Density Multiple-Family Residential District to R7 – Medium-Density Multiple-Family Residential District – (**First Reading June 6, 2023**; Second Reading June 13, 2023; Third Reading, Public Hearing and Vote June 27, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
71. ORD. 43441 – An ordinance to approve a Major Amendment to a PUR-Planned Unit Redevelopment Overlay District located southeast of 31st and Marcy Streets, to approve the Development Plan – (**First Reading June 6, 2023**; Second Reading June 13, 2023; Third Reading, Public Hearing and Vote June 27, 2023) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTIONS

72. RES. 2023-0564 – Res. that, the Central Park Plaza Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment site at 222 South 15th Street which proposed the renovation of the two existing towers as well as the addition of a newly-constructed third 80,000 SF tower that links the two existing towers, prepared by the Omaha City Planning Department and containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, adopted by the City Council on February 1, 2022 by Resolution No. 2022-0029, be and hereby is rescinded – [see attached](#). **(LAID OVER TO THE JUNE 13, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
73. RES. 2023-0602 – Res. that, the Digs Apartments Mason Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located southeast of Marcy and South 31st Street, which proposes the four existing, vacant single family homes on the project site will be demolished and two new apartment buildings of four and five stories will be constructed, and authorizes the City's participation through the allocation of TIF in an amount up to \$4,114,758.00, which includes capitalized interest, to offset TIF eligible expenses including, but not limited to acquisition, demolition, site work, and 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 JUNE 27, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
74. RES. 2023-0603 – Res. that, the 7101 Mercy Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 7101 Mercy Road, which proposes an older office building will be demolished and a new four story apartment building will be constructed. A new five story parking structure will also be built on the site, with a bridge connecting it to the apartment building on the third floor, and authorizes the City's participation through the allocation of TIF in an amount up to \$6,549,341.00, which includes capitalized interest, to offset TIF eligible expenses including, but not limited to acquisition, demolition, materials used for increased exterior aesthetic design appeal, 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 JUNE 27, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

75. RES. 2023-0604 – Res. that, the 2816 Ames Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 2816 Ames Avenue, which proposes the comprehensive rehabilitation of an existing one story building for use as a medical clinic, and authorizes the City's participation through the allocation of TIF in an amount up to \$321,729.00, which includes capitalized interest, to offset TIF eligible expenses including, but not limited to building rehabilitation construction 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 JUNE 27, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

ORDINANCES ON FIRST READING

76. ORD. 43442 – An ordinance to approve a Major Amendment to the Falling Waters Commercial Mixed Use Development Agreement, located at 6441 and 6425 South 193rd Street, to allow Auto Repair Services use on Lot 1, Replat 4, between the City of Omaha and Royce Falling Waters, LLC, providing site development standards – **(First Reading June 6, 2023; Second Reading and Public Hearing June 13, 2023; Third Reading June 27, 2023)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
77. ORD. 43443 – An ordinance to approve a five year five month, sole-source Agreement between the City of Omaha and Accela Inc. This Agreement covers the software as a service subscription (SaaS), providing the Omaha Planning Department, Omaha Fire Department, and Omaha Public Works Department with ongoing use of a permit processing and inspection management system with remote and public access to approve and authorize the payment of money from appropriations of more than one year in accordance with Sections 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended – **(First Reading June 6, 2023; Second Reading and Public Hearing June 13, 2023; Third Reading June 27, 2023)** – [see attached](#).
78. ORD. 43444 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and 3612 Leavenworth LLC, to implement the Leavenworth Lofts Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 3612 Leavenworth Street, which proposes the new construction of a four story apartment building with a total of 24 market rate units on top of one level of structured parking; the agreement authorizes the use of up to \$1,013,496.00, which includes capitalized interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – **(First Reading June 6, 2023; Second Reading and Public Hearing June 13, 2023; Third Reading June 27, 2023)** – [see attached](#).

79. ORD. 43445 – An ordinance to accept the bid of Quality Containers LLC, in the amount of \$100,000.00 to provide rubbish container service for City of Omaha Parks, located at various Parks throughout the City. The Agreement will commence upon City Council approval and run through December 31, 2023. This Agreement may be extended on the same terms and conditions for an additional three (3) one-year term extensions, if the City exercises the option to do so. Extensions of the contract shall be at the option of the City, exercised by the Parks, Recreation and Public Property Director or their representative – (**First Reading June 6, 2023**; Second Reading and Public Hearing June 13, 2023; Third Reading June 27, 2023) – [see attached](#).
80. ORD. 43446 – An ordinance to accept the quote from Hectorino Cleaning, LLC, to provide janitorial services for an Omaha Police Department sensitive site location, involving appropriations of more than one year as provided in 5.17 of the Home Rule Charter, to be paid monthly with an effective date hereof through December 31, 2023 and for a three-year period thereafter for a total cost not to exceed \$112,075.00; with payment to be made from the Omaha Police Department General Fund 11111, Organization 114231 CIB Admin, Account 42273 Cleaning Contract – (**First Reading June 6, 2023**; Second Reading and Public Hearing June 13, 2023; Third Reading June 27, 2023) – [see attached](#).
81. ORD. 43447 – An ordinance to approve the Interlocal Cooperation Agreement between Douglas County, Nebraska, and the City of Omaha, to facilitate cooperation with respect to the prosecution of criminal cases within the City of Omaha and Douglas County for a period in excess of one year – (**First Reading June 6, 2023**; Second Reading and Public Hearing June 13, 2023; Third Reading June 27, 2023) – [see attached](#).

EXECUTIVE SESSION

82. 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, JUNE 6, 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 June 2, 2023, notice of the Pre-Council and Regular City Council Meetings, June 6, 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.