



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, JUNE 13, 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 Pete Festersen of District No. 1

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 9, 2023, notice of the Pre-Council and Regular City Council Meetings, June 13, 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. 2023-0625 – Class I Liquor License for Babylon, Inc., dba “Pla Too Thai Cuisine”, located 5092 South 136th Street. (New application, new location). Park Rule 7 - Located within 40’ to Anderson Park. Notice of public hearing was posted on the property on 05-22-2023; Notification was sent to property owners within 500 feet on 06-02-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 7. RES. 2023-0626 – Class D Liquor License for Redman Supermarket, LLC, dba “Redman Supermarket”, located 4205 Redman Avenue. (New application, new location). Notice of public hearing was posted on the property on 05-30-2023; Notification was sent to property owners within 500 feet on 06-02-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Communication in opposition – [see attached](#).
 8. RES. 2023-0627 – Liquor License Addition Application – VI OPCO, LLC, dba “Village Inn 110801”, located at 3839 North 138th Street, request permission for an addition of an outdoor area approx. 18’ x 24’ to the west. Notice of public hearing was posted on the property on 05-30-2023; Notification was sent to property owners within 500 feet on 06-02-2023 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

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

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

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

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION

12. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
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CONSENT AGENDA

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

(The public hearing on Agenda Items 13 through 15 was held on June 6, 2023.)

13. 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](#).

14. 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](#).
15. 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](#).

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

(The public hearings on Agenda Items 16 through 31 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

16. RES. 2023-0628 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Sapp Bros, Inc. for the purchase of Oil, Lubricants and Fluids to be utilized by the Fleet Management Division in the amount of \$233,537.80. (The Finance Department is authorized to pay the cost of this purchase from the General Fund 11111, Preventive Maintenance Organization 116171, year 2023 expenditure.) – [see attached](#).
17. RES. 2023-0629 – Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC, for OPW 54527, being the 2023 Concrete Pavement Repair, Residential Area 4510 Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$863,371.75, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
18. RES. 2023-0630 – Res. that, as recommended by the Mayor, the Joint Funding Agreement and Proposal for Green Infrastructure Monitoring between the City of Omaha and U.S. Department of the Interior U.S. Geological Survey (USGS) for storm water monitoring at the Public Works Department's Sewer Maintenance Facility, located at 6880 Q Street, to provide data for the City's Municipal Stormwater Management Plan, is hereby approved. (The Finance Department is authorized to pay the City's local share, in the amount of \$26,700.00, being paid from the Storm Water Fee Revenue Fund 12128, Storm Water Management Organization 116312, year 2023 funding.) – [see attached](#).

19. RES. 2023-0631 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Q-Free America, Inc. to provide professional construction phase engineering services on OPW 54604, being the Traffic Signal Controller Hardware and Software Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$167,853.80; \$131,000.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, and \$36,853.80, from the Street Allocation Fund 12131, Traffic Signals & Computer Systems Organization 116187.) – [see attached](#).
20. RES. 2023-0632 – 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(155), State Control No. 22911 and OPW 54424, being the West Maple Road from I-680 to Highway 275 Corridor Study, considering concepts and benefits for expansion from 4 lanes to 6 lanes, is hereby approved. (NDOT agrees to pay the majority of the eligible costs of the study, which is currently estimated at \$551,250.00; and, the City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
21. RES. 2023-0633 – Res. that, the Subdivision Agreement among the City of Omaha, Wind River, LLC, and Centennial Farms, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is known as Centennial Farms 2nd Addition (Lots 1-2 and Outlot A) and is located southwest of 84th Street and Rainwood Road – [see attached](#).
22. RES. 2023-0634 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to EGM Inc. for the addresses listed on the bid tabulation results for the Omaha Soil Remediation Program Project Group No. 505. (The Finance Department is authorized to pay the cost of the project in the amount of \$311,500.00 from City of Omaha U.S. EPA Cooperative Agreement Assistance ID No. V-97799901 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).
23. RES. 2023-0635 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Shekar Engineering for the addresses listed on the bid tabulation results for the Omaha Soil Remediation Program Project Group No. 506. (The Finance Department is authorized to pay the cost of the project in the amount of \$349,385.00 from City of Omaha -U.S. EPA Cooperative Agreement Assistance ID No. V-97799901 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).
24. ~~RES. 2023-0636 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Summit Media 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 \$35,425.00 from City of Omaha –U.S. EPA Cooperative Agreement Assistance ID No. V-97799901 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).~~ **(REMOVED FROM THE AGENDA ON 6-9-2023 @ 2:45 P.M.)**
25. RES. 2023-0637 – Res. that, as recommended by the Mayor, the purchase based upon the contract pricing of Bobcat of Omaha in the amount of \$129,792.00 for two (2) T66 T4 Bobcat Compact Track Loaders (\$64,896.00), having been determined to be the best available current price, is hereby accepted. (The Finance Department is authorized to pay the cost from the City Capital Improvement Fund No. 13112 and Organization No. 115029, Parks Capital.) – [see attached](#).

26. RES. 2023-0638 – Res. that, as recommended by the Mayor, the Resolution in the total amount of \$89,326.00 for Sid Dillon to provide (2) 2023 Chevrolet Silverado 1500 Trucks (\$44,663.00), for Parks, Recreation, and Public Property Department, is hereby approved. (The Finance Department is authorized to pay the total amount of \$89,326.00 from the General Fund 11111, Organization No. 115031, Park Facilities Services.) – [see attached](#).
27. RES. 2023-0639 – Res. that, as recommended by the Mayor, the contract in the total amount of \$23,954.96 from Safeware, Inc., to purchase one-year maintenance and support services for Kidde Fire Trainer T1000 Live Fire Training System, commencing February 28, 2023 and ending February 27, 2024, to be utilized by the Omaha Fire Department, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith, and the Finance Department is authorized to pay \$23,954.96 from the Omaha Fire Department General Fund 11111, Organization 114571, Account 42411.) – [see attached](#).
28. RES. 2023-0640 – Res. that, as recommended by the Mayor, the purchase based upon the quote from Jones Automotive in the amount of \$24,637.13, for equipment and installation for seven (7) CIB Gang unmarked vehicles for the Omaha Police Department, 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. (Funds of \$24,637.13 for the equipment and installation for seven (7) CIB Gang vehicles have been appropriated 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](#).
29. RES. 2023-0641 – Res. that, as recommended by the Mayor, the extension to the Agreement with Douglas County Community Mental Health Center, in the total amount not to exceed \$45,000.00, for approximately six (6) months from July 1, 2023 to December 31, 2023, to provide a protective custody program and facility for intoxicated individuals, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the funds in the monthly amount of \$7,500.00, with the total amount not to exceed \$45,000.00, to Douglas County Community Mental Health Center. Funds will be allocated in the amount of \$32,500.00 from 2023 Keno Fund 12118, Organization 126017; and \$12,500.00 from 2023 General Fund 11111, Organization 111111 Chief Administrative Functions, Account 42239 Professional Fees – Other.) – [see attached](#).
30. RES. 2023-0642 – Res. that, the Human Resources Policy 22 – Outside Employment promulgated by the Human Resources Director and approved by the City of Omaha Personnel Board be and hereby is approved – [see attached](#).
31. RES. 2023-0643 – Res. that, as recommended by the Mayor, the amendment of the Office of National Drug Control Policy Grant Agreement #G23MW0008A in the amount of \$58,499.00 for an amended award total of \$538,114.00, 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 is hereby approved. Copies of such grant award modifications and terms and conditions and revised budget detail are by this reference made a part hereof – [see attached](#).

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

ORDINANCES ON SECOND READING

32. 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](#). **(PUBLIC HEARING TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
33. 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](#). **(PUBLIC HEARING TODAY)**
34. 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](#). **(PUBLIC HEARING TODAY)**
35. 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](#). **(PUBLIC HEARING TODAY)**
36. 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](#). **(PUBLIC HEARING TODAY)**

37. 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](#). **(PUBLIC HEARING TODAY)**
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BID REJECTION APPEAL

38. RES. 2023-0619 – Martin Outdoor Advertising appeals the rejection of their bid from May 10, 2023 for “RFP-CI-2023-2024 Bus Bench Advertising and Maintenance” – [see attached](#). **(MOTION NEEDED TO ALLOW OR DENY THE APPEAL, IF ALLOWED, DIRECT THE DEPARTMENT ACCORDINGLY)**
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NON-ACTION ITEMS

(Items 39 through 61 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

39. 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

40. 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

41. 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

42. 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](#).

43. 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](#).

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

44. ORD. 43448 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 15050 West Maple Road – (**First Reading June 13, 2023**; Second Reading June 27, 2023; Third Reading, Public Hearing and Vote July 11, 2023) – [see attached](#).

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

45. ORD. 43449 – An ordinance to rezone property located at 7101 Mercy Road from GO-General Office District to R8-High-Density Multiple-Family Residential District – (**First Reading June 13, 2023**; Second Reading June 27, 2023; Third Reading, Public Hearing and Vote July 11, 2023) – [see attached](#).

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

46. ORD. 43450 – An ordinance to amend the boundaries of the ACI-2 – Area of Civic Importance Overlay District, to incorporate into that district the property located at 7101 Mercy Road – (**First Reading June 13, 2023**; Second Reading June 27, 2023; Third Reading, Public Hearing and Vote July 11, 2023) – [see attached](#).

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

47. ORD. 43451 – An ordinance to rescind the MCC-Major Commercial Corridor Overlay District for the property located at 7101 Mercy Road – **(First Reading June 13, 2023; Second Reading June 27, 2023; Third Reading, Public Hearing and Vote July 11, 2023)** – [see attached](#).

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

TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTIONS

48. 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)**
49. 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)**
50. 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)**

SPECIAL USE PERMITS

51. RES. 2023-0620 – Res. that, the Special Use Permit application submitted by Adela Yanez for a Special Use Permit to allow Day care services (general) in the R4(35)-Single-Family Residential District, located at 6017 South 20th Street, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE 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](#).
52. RES. 2023-0621 – Res. that, the Special Use Permit application submitted by Amanda Wheeler for a Special Use Permit to allow Day care services (general) in the R4 District, located at 14822 Ruggles Street, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE 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](#).
53. RES. 2023-0622 – Res. that, the Special Use Permit application submitted by Nebraska Youth Justice Initiative for a Major Amendment to a Special Use Permit to allow Large group living in the R1 District, located at 5020 Grand Avenue, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. 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 27, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
54. RES. 2023-0623 – Res. that, the Special Use Permit application submitted by Nebraska Youth Justice Initiative for a Major Amendment to a Special Use Permit to allow Emergency residential care in the R1 District, located at 5020 Grand Avenue, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. 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 27, 2023 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

55. RES. 2023-0624 – Res. that, the Special Use Permit application submitted by Nebraska Youth Justice Initiative for a Major Amendment to a Special Use Permit to allow a Recreational Club in the R1 District, located at 5020 Grand Avenue, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the above 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 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](#).

ORDINANCES ON FIRST READING

56. ORD. 43452 – An ordinance approving Amendment No. 1 to revise language as detailed in the attached Amendment to Agreement, initially approved by the City Council by Ordinance No. 42272, between the City of Omaha, Nebraska, the Omaha Public Power District (OPPD), the Heartwood Preserve Master Property Owners Association, and Sanitary and Improvement District (S.&I.D.) 583, involving the payment of money 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 the terms and conditions under which the Heartwood Preserve Master Property Owners Association will hire and pay a contractor to install and maintain non-City standard street lights throughout the Heartwood Development – **(First Reading June 13, 2023; Second Reading and Public Hearing June 27, 2023; Third Reading July 11, 2023)** – [see attached](#).
57. ORD. 43453 – An ordinance approving an Agreement between the City of Omaha, Nebraska, the Omaha Public Power District (OPPD), the Heartwood Preserve Master Property Owners Association, and Sanitary and Improvement District (S.&I.D.) 584, involving the payment of money 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 the terms and conditions under which the Heartwood Preserve Master Property Owners Association will hire and pay a contractor to install and maintain non-City standard street lights throughout the Heartwood Development; to authorize the Finance Department to pay annual sums following future annexation of the Heartwood Preserve Development, not to exceed the agreed to baseline amount for City Standard street lights from the Street and Highway Allocation Fund 12131, Street Lighting Organization 116211 – **(First Reading June 13, 2023; Second Reading and Public Hearing June 27, 2023; Third Reading July 11, 2023)** – [see attached](#).
58. ORD. 43454 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Antler View, located at 18902 Evans Street, to waive the bufferyard requirement from 20 to 14 feet along the east property line on Lot 2, Replat 1, to develop a multi-tenant retail building – **(First Reading June 13, 2023; Second Reading and Public Hearing June 27, 2023; Third Reading July 11, 2023)** – [see attached](#).

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

59. ORD. 43455 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the FY 2021 Fire Prevention & Safety Grant (FPS) Grant Award #EMW-2021-FP-00621 from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), in the amount of \$85,714.28 with a required match of \$4,285.72 by the Omaha Fire Department from Fund 12168, Organization 114516, for a total program amount of \$90,000.00, during the award period extending from May 3, 2023 to May 2, 2025; the grant and match is to provide funding for tamper resistant smoke and carbon monoxide detectors; to authorize payment from such grant funding and required match involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter – (**First Reading June 13, 2023**; Second Reading and Public Hearing June 27, 2023; Third Reading July 11, 2023) – [see attached](#).
60. ORD. 43456 – An ordinance to amend Sections 10-242 and 10-245 of the Omaha Municipal Code to increase the amount permitted to be spent for recognition and retirement dinners from \$25.00 to \$50.00; to increase the amount permitted to be spent on plaques, certificate of achievement or similar items from \$75.00 to \$150.00; to provide that reimbursement of subsistence expenses for meals and incidentals shall be the federal per diem rate rather than on the basis of actual expenditures – (**First Reading June 13, 2023**; Second Reading and Public Hearing June 27, 2023; Third Reading July 11, 2023) – [see attached](#).
61. ORD. 43457 – An ordinance to approve a Non-Exclusive Public ROW License Agreement between the City of Omaha and Gigapower, LLC, for a period of ten years with additional ten-year options; authorizing the Mayor to sign and the City Clerk to attest the Non-Exclusive Public ROW License Agreement – (**First Reading June 13, 2023**; Second Reading and Public Hearing June 27, 2023; Third Reading July 11, 2023) – [see attached](#).

EXECUTIVE SESSION

62. 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 13, 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 9, 2023, notice of the Pre-Council and Regular City Council Meetings, June 13, 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.