

State of Nebraska

Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
nadc.nebraska.gov



Centre Terrace, 1225 L St. #400
Phone (402) 471-2522
Fax (402) 471-6599

April 8, 2024

Juanita Johnson
2520 Franklin Street
Omaha, Nebraska 68111

Re: C-2 Potential Conflict of Interest Statement

Dear Councilmember Johnson,

This will acknowledge receipt of a C-2, Potential Conflict of Interest Statement ("Statement"), which you filed with the Nebraska Accountability and Disclosure Commission ("NADC") on Monday, April 8, 2024.

You are a member of the City Council in Omaha, Nebraska. Your Statement concerns an action which will be taken by the Council on Tuesday, April 9, 2024. You have said you intend to abstain from voting on the matter identified in your Statement.

As a City Councilmember, you are governed by the terms and requirements of Section 49-1499.03 of the Nebraska Political Accountability and Disclosure Act ("NPADA"). That Section provides in pertinent part that if you are required to, "take any action or make any decision in the discharge of [your] official duties that may cause financial benefit or detriment to [you],, a member of [your] immediate family, or a business with which [you are] associated," then you should prepare and file with the NADC a written statement describing the matter. You have done this by filing your subject Statement with the NADC. The cited NPADA Section further provides that the NADC will advise you with respect to what action you should take under the circumstances.

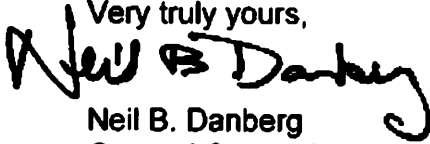
Your Statement raises the question of whether you may take action on a matter which affects the Union Pacific Railroad. You are an employee of the Railroad. Under the facts which you have presented in your Statement, neither you nor any possible immediate family member would receive any financial benefit or detriment from the proposed action on the 72nd and D Street Bridge Replacement.

Juanita Johnson
April 8, 2024
Page 2

The term "business with which the individual is associated" or "business association," is defined in §49-1408 of the NPADA. This would include partners, limited liability company members, directors or officers. Unless you fall into one of these categories, you would not have a "business association" which would require you to abstain from voting upon the action in question.

However, although not required by the NPADA, many public officials choose to recuse themselves where there may be an "appearance" of conflict. The appearance may occur where, as in this case, you are an employee of the business which may receive a financial benefit or detriment from the proposed action. The NPADA does not address the subject of "appearance" of conflict, but public officials, such as yourself, may wish to avoid such an appearance where your employer has a financial interest in the proposed action. As noted, abstention under these circumstances is not required by the NPADA, but is a matter of individual judgment and discretion.

We thank you for filing the subject Statement. Please contact me directly at 402-471-0846, if you have any questions concerning this matter.

Very truly yours,

Neil B. Danberg
General Counsel

NBD/si

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 11 th Floor, State Capitol P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	POTENTIAL CONFLICT OF INTEREST STATEMENT NADC FORM C-2	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">POSTMARK DATE</td> <td style="width: 50%; padding: 2px;">4/08/2024</td> </tr> <tr> <td style="padding: 2px;">MICROFILM NUMBER</td> <td style="padding: 2px;">EM S</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 5px;">OFFICE USE ONLY</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 10px;"> RECEIVED APR 03 2024 NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION </td> </tr> </table>	POSTMARK DATE	4/08/2024	MICROFILM NUMBER	EM S	OFFICE USE ONLY		RECEIVED APR 03 2024 NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION	
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BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3										
- An official or employee of the executive branch of state government or any other official or employee who is required to file Statements of Financial Interests must disclose a potential conflict of interest. - File this Potential Conflict of Interest Statement with the Nebraska Accountability and Disclosure Commission and your immediate superior whenever a potential conflict of interest situation arises. - Persons who fail to disclose potential conflict of interests or who otherwise do not comply with the law are subject to penalties.										
ITEM 1	NAME, ADDRESS AND TELEPHONE NUMBER									
<table style="width: 100%;"> <tr> <td style="width: 33%;">Name <u>Johnson</u></td> <td style="width: 33%;">Name <u>Juanita</u></td> <td style="width: 34%;">Telephone No. <u>402-651-8128</u></td> </tr> <tr> <td style="text-align: center;">Last</td> <td style="text-align: center;">First</td> <td style="text-align: center;">Middle</td> </tr> </table>			Name <u>Johnson</u>	Name <u>Juanita</u>	Telephone No. <u>402-651-8128</u>	Last	First	Middle		
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ITEM 2	TITLE, AGENCY, ADDRESS, PHONE AND SUPERIOR									
Your Title <u>City Councilmember</u> Agency <u>City of Omaha</u>										
Agency Address <u>1819 Farnam Street</u> Agency Phone <u>402-444-5524</u>										
Name of Immediate Superior _____ Title _____										
ITEM 3	DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 7 Continuation, if necessary)									
Date action is to be taken or decision is to be made: <u>April 9, 2024</u>										
Description of Potential Conflict: The City Council of the City of Omaha will vote on a resolution approving a Supplemental Agreement to the Public Highway Overpass Agreement with Union Pacific Railroad, associated with OPW 52600 being the 72nd Street at D Street Bridge Replacement, providing for additional temporary construction easement rights. As I am employed by Union Pacific Railroad, I will not be voting on this resolution.										

ITEM 4 PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT

You

☐ Member of your Immediate Family: _____
NAMEBusiness With Which You
X Are Associated (See Definitions) Union Pacific Railroad Company
NAME OF BUSINESS**ITEM 5 NATURE OF FINANCIAL BENEFITS****ITEM 6 FOR MEMBERS OF THE LEGISLATURE ONLY**

If you will not abstain from acting on a matter state why, despite the potential conflict, you intend to vote or otherwise participate.

ITEM 7 CONTINUATION

(SIGNATURE)



(DATE)

4/8/24

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