I. DIRECTORS CORRESPONDENCE
1. Public Works & Utilities - Waster water Fiscal Impact Statement dated June 11, 2018

II. CONSTITUENT CORRESPONDENCE
1. In Support of the Bridge - Matt Litt
2. Proposed DACA Resolution - Eleanor Hart
3. Proposed DACA Resolution - Barbara Johnson Frank
4. Proposed DACA Resolution - Particia Anderson
5. Proposed DACA Resolution - Robert Way Main
6. Proposed DACA Resolution - Jan Gradwohl
FISCAL IMPACT STATEMENT

DEPARTMENT/DIVISION: Public Works & Utilities - Wastewater   DATE: 06-11-2018

NEED: The department created and recently filled a new position for a Bio-solids Coordinator in Wastewater. These efforts had been performed previously under contract by the County. As a part of that contract the City purchased a pickup for use by the County. The current pickup is no longer in an acceptable condition to become part of the City’s fleet. A 4x4 field equipped service pickup is a necessity in the performance of duties for the position and for program requirements such as field and crop inspection, soil sampling and hauling spreader equipment to and from fields.

FUTURE IMPACT: Ongoing

<table>
<thead>
<tr>
<th>REVENUES GENERATED</th>
<th>LEGISLATIVE CHANGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>By terminating the county contract and performing the coordination services at the department/division level there will be an estimated savings of $60,000 annually.</td>
<td>City Yes □ No x</td>
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<tr>
<td></td>
<td>County Yes □ No x</td>
</tr>
<tr>
<td></td>
<td>State Yes □ No x</td>
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<table>
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<tr>
<th>IMPACT</th>
<th>Current Fiscal Year</th>
<th>Next Fiscal Year Annualized</th>
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<tr>
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<tr>
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<td>TOTAL EXPENDITURES</td>
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SOURCE OF REVENUES Wastewater Revenue

DIRECTOR DATE 4/12/18
WHEN TO USE FISCAL IMPACT STATEMENT

1. Requesting transfer of operating appropriations.
2. Requesting increase in personnel (full time equivalents) appropriations.
3. Requesting transfer of capital improvement appropriations.
4. Requesting operational change not authorized during the budget process.
5. Requesting appropriations based on receipt of additional funds from outside sources.
6. Requesting use of Contingency funds.

HOW TO USE FISCAL IMPACT STATEMENT

NEED: There should be a detailed explanation of why a change to the previously approved budget is necessary. If the change will have any impact beyond the current fiscal year, it should also be noted.

FUTURE IMPACT: One of the boxes should be checked. An example of an item with ongoing impact would be a request for additional fte authorization that will also be requested in upcoming budgets. This would necessitate filling out the "Next Fiscal Year Annualized" column. An example of an item with limited impact would be asking for authorization to use salary savings for the one time purchase of equipment. If "Projected Completion Date" applies, please fill in.

REVENUES GENERATED: Please note if the request will affect current and future revenues.

LEGISLATIVE CHANGES: These boxes should be marked yes or no. Some of the actions this form is used for (transfer of capital improvement appropriations, Contingency Funds) require a City Council ordinance.

PERSONNEL (full time equivalents): Please note the number of fte’s the request involves, if applicable.

PERSONNEL (cost), SUPPLIES, OTHER SERVICES AND CHARGES, EQUIPMENT: All entries in these boxes must have the business unit, object code, and object code description along with the dollar amount. Negative amounts must be indicated by brackets.

TOTAL EXPENDITURES: This box should contain the sum of the dollar amounts in the various expenditure categories.

SOURCE OF REVENUES: This box should contain the name of the fund the action is required for.
All

I hope this finds you well. I was made aware that each of you signed a letter to the governor in regards to The Bridge. For you awareness, the Department sent the attached letter to The Bridge yesterday. The letter highlights our continued efforts to work with organization and to provide information regarding licensure and accreditation.

Please let me know if you have any questions. Thank you and have a great weekend.

Matt Litt | Communications Director
COMMUNICATIONS & LEGISLATIVE SERVICES
Nebraska Department of Health and Human Services
OFFICE: 402-471-9313 | CELL: 531-289-9682
DHHS.ne.gov | Facebook | Twitter | LinkedIn
Dear Ms. Stevenson:

We received your correspondence and have done our best to address your questions in this letter. Before proceeding, we would like to once again express our desire to assist The Bridge with its license renewal and potential accreditation. It is our hope that with this letter, our previous meetings and other in-person conversations, previous written correspondence, and the CARF visit meeting, we can move forward in collaboration.

Summary

As has been shared previously, the state can only distribute federal funds for services designated by our federal partners; however, we can, and would like to, assist you in maintaining this funding. As we have discussed, in order to receive funding there are two items needed: licensure and accreditation. If desired, The Bridge may choose to continue with license renewal only.

The Division of Public Health Licensure Unit (PHLU) is eager to review and provide feedback on all policies relating to CPC and we ask that you provide the documents for collaborative review and discussion. Representatives of the unit held a call with Lincoln and Lancaster County legal representatives on June 8 to make clear that licensure is eager to assist with review of written policies toward assurance of license renewal in late September.

The Divisions of Behavioral Health (BH) and Medicaid and Long-Term Care (MLTC) can only pay for services/treatment and not confinement. Additionally, providers delivering services such as Social Detoxification are required to be accredited. It is a Substance Abuse Treatment Center's (SATC) choice on whether to be accredited.

Licensure

The Bridge is currently licensed as a SATC. The license is set for renewal review prior to September 30, 2018. Our May 22nd letter stated that a SATC that employs restraints or seclusion can be licensed whether or not it is accredited (stated in 175 NAC 18-006.14(2)) provided it is "only to the extent necessary to protect the client and others from harm." The citation after that sentence in the May 22nd letter was intended to give the example for accredited vs. non-accredited (18-006.14A-B) and it is our understanding you confirmed that 18-006.14(2) created an exception for CPC in a call with Becky Wisell two weeks ago. This is correct. To confirm, the CPC exception stated in 18-006 14(2) is an exception to the prohibitions against restraint/seclusion listed in 18-006.14A-C. The client must not be secluded when no longer a danger to themselves or others.
You inquired, in your letter dated May 31st, if there has been a change since 2011, and also what has indicated The Bridge is not in compliance. In our tour on May 3rd, your staff indicated that clients are not removed from the locked rooms when they are no longer a risk of harm, unless the individual is picked up by a responsible party, or has a BAC of .000, or it has been 24 hours, which is not in compliance with 18-006.14(2). Staff’s comments are consistent with the CPC policy #115 received at the visit. Policy #115 does not specifically address the circumstances when seclusion is not used, how a client is moved from a secluded locked room to an unlocked area prior to one of the three circumstances above, or the continued assessment thereafter prior to discharge.

PHLU can, and is eager to, assist by reviewing and providing feedback on written policies, procedures, standing physician protocols, and training for staff so The Bridge can renew its license.

Representatives of the PHLU held a call with Lincoln and Lancaster County legal representatives on June 8, and emphasized we are available to assist on a paper-only review of the policies to assist you for renewal but we only have one policy#115 so far, and are ready to review further materials and provide feedback. It is our understanding on tour today that the Bridge will be providing the policies soon.

Accreditation

BH and MLTC are mandated to fund behavioral health treatment services, including substance use disorder treatment, for individuals who are financially and clinically eligible and in need of such treatment. Social detoxification treatment services are included in the BH and MLTC continuum of care. Both BH and MLTC will reimburse for covered services, including social detoxification, regardless of whether the services are delivered voluntary or involuntary.

While The Bridge is a drop off center for persons taken into CPC, services delivered to individuals under CPC do not meet service definitions of social detoxification or any other BH or MLTC covered service. Thus, are not eligible for reimbursement.

In 2017, during the transition to managed care, MLTC and BH found that The Bridge was not providing services to the involuntary population in compliance with the social detoxification service definition. At that time, MLTC ceased funding of services that did not meet service expectations, while BH agreed to continue to fund the service while actively working with The Bridge and other stakeholders to address the issue. We have met with you and other stakeholders on numerous occasions to review and revise the current social detoxification service definition to more appropriately reflect services delivered to patients brought in involuntarily. As of May 2018, these modifications were agreed upon by stakeholders.

BH Title 206 regulations, Chapter 5-000, requires providers receiving funds by contract through the Regional Behavioral Health Authorities to be accredited. Title 206, 5-001 item 3, outlines the requirement for accreditation.

At this time, The Bridge is not accredited for services delivered to patients brought in under CPC hold. We would be happy to work with you to achieve accreditation. BH reached out to CARF and SAMHSA Regional Administrator, Region VII, and provided you, on June 1st, a list of programs to model your CPC program after.
The Bridge may submit an accreditation development plan for progressively bringing the organization into full compliance with accreditation status for individuals brought into social detoxification, regardless of legal status. As we have previously shared, a CARF representative would be available this week to consult with your team. Per the onsite CARF visit, held yesterday, The Bridge would be eligible for accreditation should you modify treatment programming and seclusion and restraint protocols to be in compliance with those expectations. We are committed to continuing to work with you and Region 5.

The revised social detoxification service definition, developed in consultation with providers, will be included in contract. It is our intention to continue payments to Region V for The Bridge if all contract requirements are met.

Conclusion

The state can only distribute federal funds for services designated by our federal partners. The Bridge can maintain funding through renewing its license and accreditation. Once again, we would like to extend an invitation to assist you through the process, as we did for Douglas County.

Sincerely

Sheri Dawson, RN
Director
Division of Behavioral Health

Thomas Williams, MD
Chief Medical Officer & Director
Division of Public Health

Matthew Van Patton, DHA
Director
Division of Medicaid and Long-Term Care

cc: Mariana Schell, President, The Bridge Behavioral Health Board of Directors
    Todd Duncan, President-elect, The Bridge Behavioral Health Board of Directors
    Todd Wiltgen, District 5 Commissioner, Lancaster County
    C.J. Johnson, Regional Administrator, Region V
    Matt Miltenberger, Chief of Staff, Governor Ricketts Office
    Dr. Courtney Phillips, Chief Executive Officer, DHHS
    Carl Eskridge, Deputy Ombudsman, Nebraska Legislature
City Council - Contact

Date: 6/16/2018 10:42:11 AM

name   Eleanor (Elly) Hart
address 129 N. 10th St. Apt. 203
       Lincoln
state NE
       zip 68508
email  ellyhartandcarl@gmail.com

comments I strongly support the DACA Resolution -- a moral choice and also the reasonable one. As my representatives, I want you to take a stand on this issue -- it's what democracy is all about. Eleanor (Elly) Hart, Lincoln NE.

IP: 70.121.240.249
Form: https://lincoln.ne.gov/city/council/contact.htm
User Agent: Mozilla/5.0 (Windows NT 6.0) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/49.0.2623.112 Safari/537.36
Dear City Council Members:

I am writing in support of the DACA resolution. Some believe the Council should not address matters beyond its jurisdiction. Typically, this may be true, but the events of recent weeks show that these are not ordinary times. Additionally, my efforts to ascertain the positions of our US Senators and Representative on this and similar issues have proven to be fruitless. I receive this response from their staff members: "The Senator/Congressman has not taken a position on this issue." When democracy is not working at one level, the people deserve to be heard in other ways.

Thank you for considering my opinions and noting my full support for the resolution. I hope to be in attendance at Monday's Council meeting.

Sincerely yours,
Barbara Johnson Frank

IP: 76.84.34.212
Form: https://lincoln.ne.gov/city/council/contact.htm
User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_12_6) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/11.1 Safari/605.1.15
Dear Council members,
I am writing to ask your support of DACA youth. They are an important key to our future. Imagine the motivation it takes for them to go to school and work as a first generation with little support. They should not have to pay because their parents risked everything to bring them here for a better life. It’s the same American dream that has brought families here for generations. Please show your support and maybe Congress will get it together to fix our immigration policies.
Pat Anderson-Sifuentes

Sent from my iPhone
Dear Council Members,

Below are the links to the religious statements concerning DACA recipients being held hostage to political maneuvering. These are statements from which I will draw my comments at tomorrow’s meeting.

This list does not compromise a complete list of all of the denunciations of the present policy, that list would be much longer. This list is a sample of many different faiths that are practiced in our city, our state, and our nation and clear indication of the religious consensus on this issue.

Catholic-

Second paragraph -
“expressed extreme disappointment with the administration's decision to end DACA…”

Fourth paragraph-
“the Committee urges the Catholic faithful and all people of good will to contact their representatives in Congress to urge the passage of the DREAM Act or similar legislation as a prompt, humane, and durable solution to this problem of greatest urgency.”


LDS-
“Specifically, we call upon our national leaders to create policies that provide hope and opportunities for those, sometimes referred to as ‘Dreamers,’ who grew up here from a young age and for whom this country is their home. They have built lives, pursued educational opportunities, and been employed for years based on the policies that were in place. These individuals have demonstrated a capacity to serve and contribute positively in our society, and we believe they should be granted the opportunity to continue to do so.”


United Methodist-

“United Methodists are calling on Congress to pass — and for President Trump to sign — legislation that allows “Dreamers” to remain in the U.S. and provides them with a pathway to citizenship.”


Baptist Press-

"Central to our vision for reform is a rejection of the idea that our commitment to both Christian compassion and respect for the rule of law are irreconcilable. As a country, we advocate for a fair and just solution for the undocumented young men and women, not just because it is the 'right thing to do,' but because it accords with biblical principles."

http://www.bpnews.net/50377/baptists-weigh-in-on-senate-immigrationdaca-debate

Anti-defamation’s league-

“This action by the president and his administration is cruel, unnecessary and inconsistent with the core values of our country,” Jonathan A. Greenblatt, CEO of the Anti-Defamation League, wrote in a statement on Tuesday.

Sincerely,

Robert Way

801 El Avado Ave

Lincoln, NE

Sent from my iPhone
I am unable to attend the City Council hearing today, but I submit the following letter and respectfully request that it be admitted as written testimony to be considered by the members of the City Council in their deliberations on Resolution 18R-111.

Respectfully,

Jan
June 18, 2018

To the Members of the City Council of Lincoln, Nebraska

Bennie Shobe, Chair
Cyndi Lamm, Vice-Chair
Jon Camp, Member, SE District 2
Roy Christensen, Member At-Large
Carl Eskridge, Member NW District 4
Leirion Gaylor Baird, Member At-Large
Jane Raybould, Member SW District 3

Dear Chair Shobe and Members of the Council,

I am unable to attend the City Council hearing today, but I submit the following letter and respectfully request that it be admitted as written testimony to be considered by the members of the City Council in their deliberations on Resolution 18R-111. My name is Jan Gradwohl. I have been a resident, taxpayer, and voter in Lincoln, Nebraska for the past 58 years, and have been a member of the Nebraska Bar for 64 years (now on inactive status).

This testimony is submitted in support of Resolution 18R-111, the resolution that would express Lincoln’s support for “Dreamers,” the young people who will be impacted by the termination of DACA. As a matter of history, in 2012 President Barack Obama entered an executive order creating DACA (Deferred Action for Childhood Arrivals) for young immigrants who were brought to the U.S. as children without full documentation, or whose documentation was no longer valid. Under the program young immigrants who registered with DACA were given a protected status, allowing them to remain in the United States for work or to attend school or college. As you no doubt are aware, on September 5, 2017, President Donald Trump terminated the Executive Order regarding DACA, with the effective date for termination being March 5, 2018. Two federal judges ruled that President Trump’s order would not be effective as long as there was pending litigation on the subject.¹ Those cases have not been finally decided. Currently at least two bills are being negotiated in Congress.

¹ “Federal court blocks Trump plan to end DACA program for immigrants,” The Guardian (January 10, 2018), available online at: https://www.theguardian.com/us-news/2018/jan/10/judge-blocks-trump-dreamers-daca-program-immigrants
This written testimony addresses three major issues: 1. The authority of the Lincoln City Council to take a position urging federal legislation; 2. The rationale for the resolution; and 3. The economic consequences to the City of Lincoln if the Dreamers were to be deported.

In an editorial published in the June 15 edition of the *Lincoln Journal Star*, the statement was made that there was no point in the Lincoln City Council’s making a recommendation as to a federal issue. **There is a very solid reason for the Council to take such action.** It is important that Congress understand the sentiments of communities that are presently home to a number of Dreamers. Lincoln is such a city, and there should be no hesitation in standing up for the amazing young Dreamers who have grown up in Lincoln and who have so much to contribute to the future of this city. It is vital that our senators and members of Congress understand the sentiment of a community in which the Dreamers have grown up and currently live.

1. **AUTHORITY OF THE CITY COUNCIL TO ACT**

   The general powers of the City are articulated in Article II., Sec. 1. of the City Charter, which provides, in part:

   The city shall have such right and power to make such ordinance, by-laws, rules, and regulations, except as prohibited by the state constitution or restricted by this charter, as may be necessary or expedient for maintaining the peace, good government, and welfare of the city, its trade, commerce, and for manufacturing, and for preserving order, securing persons and property from violence, danger, and destruction, . . . for promoting the public health, safety, convenience, comfort, morals, and general interests and welfare of the inhabitants of the city. (Emphasis supplied.)

   - Clearly the Dreamers, who presently live in Lincoln, and who are covered by DACA are “residents of Lincoln” within the terms of the Charter. They also have these ties to the city:
     - They have attended K-12 schools in Lincoln.
     - Many have gone on to receive college degrees while attending the University of Nebraska and other colleges in Lincoln.
     - Those who have worked in Lincoln have also been taxpayers. As such, their welfare is a legitimate concern of the City Council of Lincoln.

   The Dreamers in Lincoln are not strangers on our doorsteps seeking entrance to the U.S. They are products of our schools, and deserve consideration of the City Council for the same protection of their health, safety, comfort, and general interests and welfare that we would expect for our own children.

   - The additional factor that justifies action by the City Council is its authority for “maintaining the . . . welfare of the city, its trade, commerce, and for manufacturing.”
As will be shown in the subsequent sections of this testimony, the loss of the Dreamers in Nebraska would have disastrous results on the economy of the state, and consequently on Lincoln, the second largest city in the state and the site of research and development both commercially and at the colleges in the city.

Any time an action by the federal government impacts the economy of the city, there must be a concern for successfully maintaining the local economy at the highest level possible. Deporting the Dreamers would have a negative impact on the city, in the loss of tax dollars that they contribute to the economy; in creating an impossibility of recouping funds spent on the education of the Dreamers in the city’s public schools and the state university; and the federal tax impact on the public of the immense cost of deporting the Dreamers if that were to be done.

2. RATIONALE FOR THE RESOLUTION URGING PRESERVATION OF DACA

There are both economic and human arguments for supporting the Dreamers by urging the adoption of federal legislation to codify the actions contained in the Executive Order that created DACA. Because the City Council must consider the fiscal impact of any action, we will start with the economic aspects of supporting DACA.

- A 2017 national study demonstrated that 97 percent of DACA recipients are in school or working, with 72 percent of those in school working on bachelor or advanced degrees.²
  - Those who are employed are engaged in the professions, ranging from medicine, law, engineering, education, and others are employed using advanced technical skills.
  - The study revealed that after completing their educations, the average income for Dreamers under 25 rose by 70 percent, and for those over 25 the income rose by 84 percent.

- Because of the generally higher educational level of the Dreamers, they will not negatively affect the general labor market in Lincoln or in Nebraska;
  - Persons with educational specialties and technical skills are needed in Lincoln’s labor market; and
  - Because of their higher educational levels, the Dreamers will contribute substantially to the economy, both as taxpayers and as consumers of goods and services within the community.

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² The study was conducted by the University of California San Diego, United We Dream, The National Immigration Law Center, and the Center for American Progress. See Tom Wong, Graciela Martinez Rosas, Adam Luna, Henry Manning, Adrian Reyna, Patrick O’Shea, Tom Jawetz, and Philip E. Wolgin, “DACA Recipients’ Economic and Educational Gains Continue to Grow,” DACA’s Impact on Education and DACA’s Impact on Earnings, Center for American Progress (August 28, 2017, available online at: https://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipient들의-economic-educational-gains-continue-grow/
- A Center for American Progress study revealed that the loss of GDP in Nebraska if the Dreamers were to leave the state would be more than $150 million annually\(^3\). As second largest city in the state and one of the two major economic producers, Lincoln would bear a substantial portion of that amount. \(^4\) It is estimated that the nation would lose $460.3 billion in GDP over a period of 10 years.

### 3. COST OF DEPORTING THE DREAMERS

The cost of deporting the Dreamers is staggering, is contrary to sound economics, and would remove some 800,000 well-educated, dedicated young people from the United states.

- A Brookings Institute study estimated that the cost of deporting one individual would be $12,500.\(^5\)
  - There are approximately 3,400 Dreamers in Nebraska, so the cost of deporting the Nebraska Dreamers would be $42.5 million.
  - Deportation would lose the investment in schooling that the community has borne in educating the Dreamers,
- The total cost of deportation of the 800,000 Dreamers in the United States would be in excess of $10 billion.
  - It would not be economically sound to expend funds to banish young people who are contributing substantially to the economy through the taxes they pay and the consumer goods and services they purchase.
  - It is economically logical to support the continued residence in Lincoln of the Dreamers.

This is why a resolution of support for legislation that would continue the DACA program is in the best interest of the City of Lincoln, and why it is relevant for the Lincoln City Council to act in this particular situation.

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\(^4\) Estimated 2016 population for Lincoln is 280,364. U.S. Census figures for Lincoln found at: [https://www.census.gov/quickfacts/fact/table/lincolncitynebraska/PST045216](https://www.census.gov/quickfacts/fact/table/lincolncitynebraska/PST045216). Estimated population for Nebraska for the same period is 1,907,116. U.S. Census figures for Nebraska found at: [https://www.census.gov/quickfacts/NE](https://www.census.gov/quickfacts/NE)

CONCLUSION

I have outlined cogent economic reasons for City Council action in adopting the proposed resolution in support of a continuation of DACA. I have couched my arguments solely in the economic milieu, but I would call attention to the human and the humane aspects of this situation. The Dreamers have known Lincoln and Nebraska as their only home. They have been classmates, teammates, debate partners, fellow band members, dramatic actors and producers, and honor students with our own children and grandchildren. Our Nebraska Dreamers have made a difference in our communities. One young Dreamer who is a teacher in a small town near Lincoln was described by the Superintendent of Schools as “indispensable” to their school system because of his skills in working with students; a Lincoln Dreamer travels throughout Nebraska successfully building strong community and cultural relations between the original townspeople and their new immigrant neighbors. She also managed a mentoring program for individuals taking citizenship examinations, and secured a compete exam passage rate. On a national level Dreamers are in skilled professional and technical positions with the military services, with Fortune 500 companies, with schools and hospitals and technological centers. Some have given their lives saving American victims of natural disasters, and others have saved innumerable lives because of their medical and emergency skills.

I urge you to take the action of passing Resolution 18R-111. It is clearly within your authority as members of the Lincoln City Council. The Resolution protects residents of the city and the economy of the city in a sound manner. And if successful legislation results, it would allow the amazing Dreamers to remain within our midst to help Lincoln grow and prosper.

Respectfully submitted,

Jan Gradwohl
2925 Jackson Drive
Lincoln, Nebraska 68502
jangradwohl@me.com