

**DIRECTORS'/ORGANIZATIONAL AGENDA
ADDENDUM**

Monday, July 20, 2020

I. CONSTITUENT CORRESPONDENCE

1. #masking for a friend - Kenneth Pyle
2. Policy & Program Design - Zeno Hinchey
3. Police funding - Stephanie Bondi
4. City-wide Mask Order - Nathan Koch
5. Use the quarter-cent sales tax to increase street funding - Ron & Lynette Nash
Staff response provided by Councilwoman Raybould
6. LPD Grant Money - Gina King
7. Additional Police & COVID-19 comments - Jonah Hughes
8. Mask Mandate - Aaron Rood

II. CONSTITUENT CORRESPONDENCE IN SUPPORT OF LPD AND COPS GRANT

See attached items

III. CONSTITUENT CORRESPONDENCE PROPOSED SPECIAL PERMIT SP20005

Angela M. Birkett

From: Kenneth <bugboy76@gmail.com>
Sent: Thursday, July 16, 2020 3:02 PM
To: Council Packet
Subject: #masking for a friend

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

Ms. Ward and Council Members,

Hi, my name is Kenneth Pyle and I now live and vote in Lincoln.

Please put in a mandatory mask policy for all businesses, and any local gatherings until we are out of the Covid-19 pandemic.

Thank you for putting up signs at some of the park areas. More signage would also be appreciated Thank you for your time! Thank you for your commitment to our safety.

Warm regards,

Kenneth Pyle

Angela M. Birkett

From: Zeno Hinchey <zeno@wirepunch.com>
Sent: Thursday, July 16, 2020 7:52 PM
To: Council Packet
Subject: policy & program design?

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

hey,

My name is Zeno and I'm with WirePunch where we design policies and programs that will improve the criminal justice system. My firm would love the opportunity to work with the City of Lincoln and find ways to advance your criminal justice policies and programs.

Can we discuss this for 15 minutes? Happy to email if that's better for you.

In the meantime feel free to [visit our site](#) and check out our work.

Thanks!

Zeno
WirePunch | Innovating Criminal Justice

Angela M. Birkett

From: Stephanie Bondi <bondist@yahoo.com>
Sent: Friday, July 17, 2020 7:41 AM
To: Council Packet; Mayor
Subject: police funding

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

I am truly saddened to see additional funding for police in Lincoln. Countless people have demonstrated to reduce police presence and violence and it appears that our government leaders are not listening. There are other mechanisms presented to the city council for reducing gun violence (i.e., policy changes) and dealing with issues in our community (i.e., increased social services) that cost similarly or less and are less likely to involve police who systemically have been connected to violence towards our most vulnerable community members (people of color, children, immigrants, people with disabilities, LGBTQA+ people).

This is truly devastating to see more funding for policing at this time in our country and our community. It is telling of the city's priorities and how it is not able to respond effectively to hurting and targeted members.

Stephanie Bondi
@S_Bondi
she/her/hers
Lincoln, NE

Angela M. Birkett

From: Nathan Koch <njkoch.bsn@gmail.com>
Sent: Friday, July 17, 2020 9:42 AM
To: Council Packet
Subject: City-wide Mask Order

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

Good morning,

I would like to urge the city council & mayor to issue a mandatory mask ordinance as early as possible. Both my partner and I are teachers (he is at a middle school, I'm at UNL), and we are both VERY concerned about going back into the classroom this fall, especially with the recent rise in numbers in Lancaster county. I hope I don't have to convince you that this virus is not a joke, a hoax, or anything of the sort; we moved here from Houston just last August, and one of my partner's coworkers at his former school died from Covid just a couple weeks ago. I also have several friends and acquaintances from around the country who have gotten seriously ill - none of whom have underlying health issues & are around my age (mid-30s).

UNL is doing everything it can to minimize the risk to everyone on campus, which is a Herculean effort and extremely large financial investment, but it will all be in vain if the general public continues its reckless and irresponsible behavior. We hope that LPS is able to follow suit within the draconian restrictions the governor has placed on it (we are also contacting our state representatives & the governor's office with our concerns).

Though we both love teaching, neither one of us entered the profession in order to risk our life in this way, and I find it unfathomable that our local leaders are not doing everything in their power, including a **mandatory mask ordinance**, to literally keep us teachers alive. Additionally, we spoke to our school board member who, in so many words, reminded us that she has city employees and medical professionals who "aren't complaining" about being forced to go back to work (a completely irrelevant comparison, but that's another discussion). Quite frankly it's enough to make me wonder if our elected/appointed leaders are reading and/or ignoring any of the scientific studies being released.

Please help us get back to our normal lives faster by handling the public health aspect of this pandemic. We are happy to give a free mask to anyone that needs it, we're doing our part to stay physically distant, we're ordering from local businesses that have mask policies and/or offer curbside service...but our efforts and those of like-minded citizens are completely wasted without the tangible support of our local governmental officials.

Thank you for your consideration, and I'm always willing to have a more lengthy conversation about this. This email address or my cell are acceptable means of communication (620)617-1299.

-Nathan



Dr. Nathan Koch

Assistant Professor of Bassoon and Music Theory

Glenn Korff School of Music
University of Nebraska-Lincoln
(402) 472-2489

Angela M. Birkett

From: Jane Raybould
Sent: Friday, July 17, 2020 10:01 AM
To: 1lnash@windstream.net; Mayor
Cc: James M. Bowers; Roy A. Christensen; Richard W. Meginnis; Bennie R. Shobe; Tammy J. Ward; Sandra J. Washington
Subject: Re: USE THE QUARTER-CENT SALES TAX MONEY TO INCREASE STREET FUNDS

Follow Up Flag: Follow up
Flag Status: Completed

Thank you Ms. Nash. It is unfortunate that council members Meginnis and Christensen misspoke yesterday at our meeting and have misinformed the public. The 1/4 cents sales tax can only be used for the purpose of street improvements and street repairs, including a % that will go towards the 33rd and Cornhusker Highway project. This money can only be used to increase what we are spending on our roads. To be clear we are NOT reducing any funds that we are spending on our roads. We, on the City Council, are all committed to making sure that happens as that is the wishes of our voters.

Thank you for reaching out to me and please email me if you have any questions.

Jane

From: 1lnash@windstream.net <1lnash@windstream.net>
Sent: Friday, July 17, 2020 8:25 AM
To: Mayor <mayor@lincoln.ne.gov>
Cc: James M. Bowers <JBowers@lincoln.ne.gov>; Roy A. Christensen <RChristensen@lincoln.ne.gov>; Richard W. Meginnis <RMeginnis@lincoln.ne.gov>; Jane Raybould <JRaybould@lincoln.ne.gov>; Bennie R. Shobe <BShobe@lincoln.ne.gov>; Tammy J. Ward <TJWard@lincoln.ne.gov>; Sandra J. Washington <SWashington@lincoln.ne.gov>
Subject: USE THE QUARTER-CENT SALES TAX MONEY TO INCREASE STREET FUNDS

[CAUTION] This email comes from a sender outside your organization.

Dear Mayor Gaylor-Baird and Lincoln City Council Members:

We encourage you to support Richard Meginnis' Proposal with Roy Christensen's support to - Use the quarter-cent sales tax money to increase street funds. The citizens of Lincoln voted and passed this only for the purpose to use the quarter-cent sales tax money to increase street funds to repair our streets in Lincoln.

We are watching closely on how you use the quarter-cent sales tax which was passed for repairing our streets in Lincoln.

Sincerely,

Ron and Lynette Nash
1110 Cottonwood Drive
Lincoln, NE 68510

Angela M. Birkett

From: Angela M. Birkett
Sent: Monday, July 20, 2020 8:27 AM
To: Jeffrey Bliemeister; JJ Mayer-Adams
Cc: Richard W. Meginnis; 'royforlincoln@gmail.com'; Bennie R. Shobe; Tammy J. Ward; James M. Bowers; Jane Raybould; Sandra J. Washington; 'Richard Meginnis'; Roy A. Christensen
Subject: FW: LPD grant money

Good Morning Chief Bliemeister,

Below is an email from Gina King inquiring about the use of the COPS grant. She has asked three specific question to the use of the funds. Can you assist in responding to Ms. King's inquiry.

Thanks,

Angie Birkett
Administrative Secretary
Lincoln City Council
555 South 10th St., Ste 111
Lincoln, NE 68508
Phone 402-441-6867
Fax 402-441-6533
abirkett@lincoln.ne.gov



From: Rae King [mailto:rking529@yahoo.com]
Sent: Friday, July 17, 2020 2:33 PM
To: Council Packet <CouncilPacket@lincoln.ne.gov>
Subject: LPD grant money

[CAUTION] This email comes from a sender outside your organization.

Good afternoon:

As per the LJS article reporting that grant money has been accepted to increase LPD police force, I would appreciate additional information.

1. Will this grant money be used solely to hire "street" cops?

2. Will the accepted funds allow LPD to enhance any programs with a diversity/community unity focus?

3. What specific actions are in place to address police brutality concerns locally; specifically , dialogue with citizens? (forums not specific to Malone)

Thank you

Gina King
340 S. 54th
Lincoln

[Sent from Yahoo Mail on Android](#)

Angela M. Birkett

From: Jonah Hughes <jonahhughes17@gmail.com>
Sent: Friday, July 17, 2020 9:55 PM
To: Council Packet
Subject: Additional Police and COVID Comments

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

Hello Lincoln City Council,

I am contacting you in regards to the decision being made about hiring additional police officers in Lincoln, NE. I would like to say that I highly support hiring more officers and obtaining extra funds for a reason such as this. I have been living in the Lincoln area for around four years and I highly appreciate our police force and would like to see it grow.

On another note, I would like to say I do not support in any way, shape or form the mandatory wearing of masks in public spaces. This impedes on my rights as a human and it is very obvious that there is an agenda being pushed. Everyone knows the recent spike in virus cases is due to rioters "expressing their feelings" and destroying property. I am highly disappointed that there has not been any large actions taken place to stop this lawlessness from continuing or happening again. It is ridiculous to think that these lawless people are now the reason that law-abiding citizens have to suffer. We saw it in the curfews and in quarantining. I believe the leadership in Lincoln has so far done a very poor job.

Thank you for reading my message and I look forward to seeing Lincoln turn into a great city, because the way it is headed with recent events, it is far from great.

Warmest regards,
Jonah

Angela M. Birkett

From: Aaron Rood <arood23@gmail.com>
Sent: Sunday, July 19, 2020 7:19 AM
To: Council Packet
Subject: Mask mandate

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

The mask mandate has to be stopped. This is a government overreach. I don't believe the numbers add up here and I believe it is going to hurt local business. And, like everything else, there seems to be no end in sight to all of this. We were first told that we needed to flatten the curve. We did that and yet the nonsense goes on. Also, is this an empty threat like the curfew was. I just want to know.

Aaron Rood

Sent from my iPhone

Angela M. Birkett

From: Dan Klein Jr <dakleinjr@gmail.com>
Sent: Thursday, July 16, 2020 5:19 PM
To: Council Packet
Subject: Federal Grant for police officers \$635

[CAUTION] This email comes from a sender outside your organization.

Please support the acceptance of the Federal grant applied for by Mayor Beutler for additional officers in the Police Department.

Our City has continued to grow and we need more Officers in the Police Department which is already below the average for a city our size. We've had two murders this week too which stresses resources for other calls.

Thank you for your consideration.

Dan Klein Jr
68506

Angela M. Birkett

From: Alan Hansen <togdsglry@gmail.com>
Sent: Thursday, July 16, 2020 7:51 PM
To: Council Packet
Subject: Great Police Officers

[CAUTION] This email comes from a sender outside your organization.

Wanted to copy you on a letter I sent the the Mayor.
Alan Hansen

Dear Mayor,

Today is Jackson Clark's 12th birthday, and Jackson is my neighbor.

He totally admires policemen and I think he aspires to become a police officer when he grows up. So, his mom called the non-emergency police number to see if an officer would be able to stop by his yard party. She was told if they had someone available they would try to show up.

Well, three police cars drove by with lights flashing and sirens going intermittently then they turned around and came back, stopped, got out and wished Jackson happy birthday.

Jackson was so excited! It was a fantastic surprise!

I am telling you this because I want you to know LINCOLN HAS THE BEST POLICE OFFICERS IN THE NATION.

Thank you for everything you do to encourage and support our police force.

Alan M. Hansen

Angela M. Birkett

From: Dick Veik <dickveik@gmail.com>
Sent: Thursday, July 16, 2020 9:25 PM
To: Council Packet
Subject: Thank you for adding the police officers.

[CAUTION] This email comes from a sender outside your organization.

I am Richard Veik and live in Lincoln. Thank you. We really do appreciate the support of the police force here in Lincoln.

Angela M. Birkett

From: Korvur <korvur@gmail.com>
Sent: Friday, July 17, 2020 1:43 PM
To: Council Packet
Subject: Cop Grant that has been Awarded

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This email comes from a sender outside your organization.

We saw what happened in Seattle. Take away a regulated system of power, a vacuum will allow an unregulated power to take it's place.

Police/Law Enforcement systems are not perfect and even broken, in some parts of the Country.

Defunding or even lessening the numbers is not the answer. Better training, updated training on how to handle unique crisis, is what this Country needs.

Do Not Cave into the Minority. Keep our Police. Keep them Trained. Keep them Funded.

A Voter, Scott Keel

Angela M. Birkett

From: Lonnie Veik <april47.lv@gmail.com>
Sent: Friday, July 17, 2020 4:23 PM
To: Council Packet
Subject: Supporting our police

[CAUTION] This email comes from a sender outside your organization.

Thank you for your recent decision to accept the funding to add more officers. As a citizen of Lincoln, it is important to feel that our safety and protection of our property matters.

Sincerely,
LaVonne Veik

Angela M. Birkett

From: Allan B Petersen <petersena47@gmail.com>
Sent: Sunday, July 19, 2020 12:05 PM
To: Council Packet
Subject: Police support

[CAUTION] This email comes from a sender outside your organization.

Support our police dept.

Angela M. Birkett

From: Ronica Stromberg <ronicawrites@yahoo.com>
Sent: Sunday, July 19, 2020 5:47 PM
To: Mayor; Council Packet
Subject: Police Matters

[CAUTION] This email comes from a sender outside your organization.

Dear Mayor Leirion Gaylor Baird and the City Council:

I have been truly disheartened by all the violence occurring across our nation and the fact that it seems to be growing in cities taking funds from the police and reducing their police forces. I am asking that you continue to keep law and order in Lincoln by supporting the police and not decreasing any of their funds. Perhaps the police need de-escalation training and perhaps citizens could use this also (we could go over in schools and with new citizens how to interact with police if pulled over or arrested), but we do not need less police protection. I have worked with social workers before in child protective treatment and investigations, and I can't see social workers wanting to do the work of police or being able to handle it. Most social workers I have known (about 100) are young women not prepared to fight crime.

Ronica Stromberg Kettelhake
7405 S. Hampton Road
Lincoln, NE 68506
402-613-0448

Angela M. Birkett

From: lloyd kettelhake <lkettelhake@yahoo.com>
Sent: Sunday, July 19, 2020 6:27 PM
To: Mayor@lincolnNE.gov; Council Packet
Subject: Police Officers

[CAUTION] This email comes from a sender outside your organization.

Hello,

I just wanted to send a quick email to let you know my stance in regards to police presence in light of recent events in this country. In no way do I support defunding the police or cutting police budgets. We need to reform police unions protecting bad cops and sheltering them from being fired or prosecuted. We need more police not less. People need to feel safe or you will kill activity in the area where it is not. We will see a mass exodus from Lincoln if it gets bad enough. There are plenty of examples out there already.

Thanks,

Lloyd

Angela M. Birkett

From: Peggy Olson <peggyohno@gmail.com>
Sent: Sunday, July 19, 2020 10:27 PM
To: Council Packet
Subject: SP20005 before City Council 7.20.2020

[CAUTION] This email comes from a sender outside your organization.

I would like to reaffirm my opposition to SP20005. Please see the comments I submitted to the Planning Commission as to why I think the permit should be rejected.

I respectfully request this permit, and any other Alternative to Imprisonment Facility requests, be denied until clear, enforceable rules and regulations are in place to ensure health, safety and support of those housed within an AIF and those who live in the neighborhoods. A permit that doesn't require renewal or oversight and is transferred along with the property is unable to provide that safety and support.

Peggy Olson
509 S 28th Street Lincoln NE 68510-1328
402.730.4557

Sent from my iPhone

Angela M. Birkett

From: Daniel Sloan <dan@millcoffee.com>
Sent: Sunday, July 19, 2020 9:34 PM
To: Council Packet
Subject: Letter opposing SP20005

[CAUTION] This email comes from a sender outside your organization.

Members of the Lincoln City Council:

As a resident and home owner in the Woods Park / Elm Park neighborhood (405 S. 28th Street) I am opposed to the granting of Special Permit SP20005 for 420 S. 28th Street.

There are a number of things about this facility that deeply concern me. I know you have received letters and will hear testimony going into some detail on them. I will not belabor those points except to say I too share many, if not most of them.

My biggest concern, and the reason I appealed the Planning Commission's approval of SP20005, is the lack of definition, lack of guidelines and rules, lack of oversight. There is a great need for these facilities. I agree with that and am supportive of them. However, with no coherent set of enforceable rules and standards the individuals placed in these facilities and the neighborhoods they are in are at the whims of the operators. There is literally no one to call until things rise to the level of a police matter. Whether or not the current scenario proposed as SP2005 is appropriate or not there is absolutely nothing to prevent a complete change of the operation with no oversight or input by anyone other than the operators. A number of other cities have these facilities and have enacted prudent constraints and oversight. Lincoln has, to date, not enacted what would seem reasonable and appropriate regulations and oversight.

This special permit gives the operators almost unlimited latitude to operate any facility that loosely falls into the AIF regardless of what is proposed currently. They or some subsequent owner of the property could change their minds and modify what they are doing with little or no oversight. This permit stays with the property and is irrevocable. They can sell the property to anyone else, regardless of their history or capabilities, and those new owners can then operate any AIF type facility they choose.

The women served in these facilities are vulnerable. Our older, inner city neighborhoods are vulnerable. I believe it is the duty of local government to take prudent, measured steps to ensure the safety of its citizens and the neighborhoods in which they live.

I ask Council to deny this and all other Special Use Permits for AIF's until proper rules can be developed and an appropriate agency can be charged with oversight. I further ask that as part of these rules a renewal and inspection component be included to insure the proper operation over time. These permits should lapse when the current owners sell the property or fail to renew the license. That will ensure that future facilities on that location will be fully vetted prior to taking custody of such a vulnerable population.

I applaud those whose calling it is to serve humankind by caring for these individuals. I believe transitional settings are an important tool to help reintegrate previously incarcerated individuals back into a safe and productive role in society. I simply am asking that modest and prudent safeguards to be in place prior to granting a permit that is irrevocable and lasts until the end of time with no appropriate oversight.

Thank you

Daniel Sloan

Angela M. Birkett

From: Ron Cerny <rcerny434@gmail.com>
Sent: Saturday, July 18, 2020 11:42 AM
To: Council Packet
Subject: Opposition to SP20005

[CAUTION] This email comes from a sender outside your organization.

Members of the Lincoln City Council.

First of all, thank you for taking the time to address this issue and to consider my thoughts on this important issue.

We are a caring and welcoming neighborhood. On our block alone 4 families have provided safe and nurturing environments for foster children. Several residents have utilized Housing Assistance from the city to be able to live here. Many of us have served on advisory boards for numerous organizations, including those that focus on people of color. My point is, this is NOT a NIMBY situation. We do care about the welfare of the women being released from prison and believe in second chances. That is why we are so concerned with facilities like these. We believe this is another case where the women can be exploited for a profit and given little chance for success.

Others have and will address our concerns regarding rules and regulations, oversight, accountability and transparency. I am writing in opposition to the special permit SP20005 because it represents exploitation. And this situation is not limited to the Alternative to Imprisonment Facility at 420 S. 28th St. Let me be perfectly clear. This is about money, not the well-being of formerly incarcerated persons. The Nebraska Department of Probations will pay up to \$90 per day per individual for housing of these individuals. Initially the applicants at 420 S 28th wanted to put up to 10 women in this facility -- a single family home with one full bathroom. Do the math, \$900 per day, \$27,000 per month or \$324,000 PER YEAR. This is warehousing of people. Somehow Health and Safety / Zoning reduced that in the application to 6 people (even though the stated limit for occupancy of a single dwelling is 3 non related occupants) so the profit potential is only \$16,000 per month or \$192,000 per year.

The major point is that this is just one of many in core Lincoln Neighborhoods (MOST that are not permitted); there are at least 10 that I know of. Under the Name of New Life Place, two properties are utilizing this legislation. At a recent meeting in York, the principal of these facilities boasted that they already have 28 such beds in Lincoln Again, the numbers speak for themselves. \$2,500 per day. \$75,000 per month or \$900,000 PER YEAR.

As you can see, this is a lucrative business. With courts ordering the Nebraska Prison System to reduce overcrowding there is no lack of opportunity. And with no rules or regulations, no oversight, no accountability and no transparency it's a pretty easy cash cow to milk. Most of these are layered in ownership by LLCs and then Translational Living Providers. City officials appear to be powerless in addressing this, simply because there are no laws that address these types of businesses.

These properties are in core Lincoln neighborhoods; there will be a lot more if action isn't taken. Note that none are in the more expensive neighborhoods of Lincoln. An additional impact of this action is that this mode of profiteering depletes the market of affordable housing for young families just trying to get a start. Lincoln desperately needs affordable housing.

I strongly urge you to not only deny this application, but to put a moratorium on ALL such properties until the City of Lincoln can develop a comprehensive plan that maximizes the positive results for the formerly

incarcerated and minimizes the exploitation of both these individuals and the neighborhoods in the core of Lincoln.

Angela M. Birkett

From: Jose J Soto <jsoto@southeast.edu>
Sent: Friday, July 17, 2020 9:40 PM
To: Council Packet
Subject: SP20005 Appeal

[CAUTION] This email comes from a sender outside your organization.

This serves to inform City Council members of my strong opposition to approval of SP20005, a request to allow an Alternative to Imprisonment Facility (AIF) proposed at 420 S. 28th Street, Lincoln, NE. I join dozens of my neighbors in the Woods Park area in opposing this corrections facility.

While I am generally supportive of providing health/human services and support to members of the community, I cannot support an operation that is faulty in design and concept, lacks any city/county guidelines/monitoring/oversight or enforcement, and which, in my opinion, belies the City's long-standing commitment to promoting, preserving and advancing Lincoln's older neighborhood in a manner that incentivizes single-family, owner occupied, residential use.

The AIF operations lack any substantive rules/regulations that are common for any congregate living arrangement, including group homes, duplexes, half-way houses, etc. in the city. The only guidance relates to whether the proposed facility meets some amorphous and undefined minimal and bureaucratic requirements as to the structure, the plat, and lighting. Admittedly, these are important considerations but are lacking when it comes to introducing a commercial for profit enterprise into an establish residential neighborhood that has, for two decades, worked assiduously to preserve the historic residential character of the area.

While the Planning Commission gave conditional approval to the special permit request, several members expressed significant concerns regarding the nature of the operation, it's proposed location, and the lack of any oversight regarding it's operation and operators. The Woods Park Neighborhood Association, dozens of Woods Park residents, and I share those concerns and would respectfully request that the City Council delay approval of the special permit until meaningful rules/regulations/expectation can be developed and vetted to ensure that AIF operations are stable, predictable, and regulated. It is in the best interests of the City, the neighborhood, Lincoln taxpayer, and, most importantly, the intended recipients of the services.

Please do not hesitate to contact me for additional information and clarification. I would welcome the opportunity to expand on my concerns.

Sincerely,
Jose J. Soto
509 S. 28th Street
402-613-1181

Sent from [Mail](#) for Windows 10

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Angela M. Birkett

From: Cindy Cerny <ccerny.79@gmail.com>
Sent: Friday, July 17, 2020 6:10 PM
To: Council Packet
Subject: Opposition to SP20005

[CAUTION] This email comes from a sender outside your organization.

I would like state my opposition to SP20005. Please reject this permit, and any other Alternative to Imprisonment Facility requests, until enforceable rules and regulations are in place. Please make any AIF permit provisional, reviewable, and nontransferable.

-The proposed AIF is a for profit entity. The records are not accessible and there is no accountability. This not safe for the residents or the neighborhood. It can exist without over-site or accountability.

-There are no health and safety inspections required of AIFs, and no fines or penalties for negligence

-There are no distance requirements, which allows for clusters of AIFs in a single area, or AIFs in inappropriate areas.

-AIF operator-landlords are under no obligation to keep any promise they've made to the City, and can't be penalized for breaking them, and the permit can't be revoked.

-Planning Department's only concern is land use only, not the health, safety and general welfare of either facility or neighborhood residents

-These AIFs are apparently banned by covenants in wealthy, suburban neighborhoods, so the AIFs all end up in less wealthy, urban neighborhoods, which is unfair--responsibilities aren't equally shared by all Lincolniters.

-This is a for profit business in a residential neighborhood. A business without rules and regulations would be operating in an R2 neighborhood is not an appropriate setting.

As a member of the South 28th Street neighborhood I strongly oppose the permit for The Alternative to Imprisonment Facility at 420 South 28th Street as well any others that are operating or plan to operate in Lincoln. There have to be rules and regulations to keep all safe and for accountability.

Sincerely
Cindy Cerny

Angela M. Birkett

From: Dominique Cheenne <dcheenne@earthlink.net>
Sent: Friday, July 17, 2020 3:47 PM
To: Council Packet; Jane Raybould
Subject: Opposition to SP20005
Attachments: Testimony to Planning Commission_CHEENNE.pdf

[CAUTION] This email comes from a sender outside your organization.

Dear City Council Members,

I testified in front of the Planning Commission in opposition to SP20005 and I attach my comments for your review. To this day I remain dismayed that the issue of such a facility (and others like it) potentially becoming a 'hot spot' for COVID-19 has not been considered. It seems that the members of Planning Commission were directed by legal counsel to base their votes on a very narrow set of permit requirements and that nothing else was allowed for consideration; if this proves to be correct, then such a group should be disbanded as it serves little purpose when it comes to effective planning...

The arguments that I presented are factual, focused, and they clearly demonstrate that SP20005 is a bad idea. Housing six (6) unrelated individuals with different potential work schedules in a single-family home with minimum accommodations is not a good idea to start with; when these individuals are 'assessed as high risk to re-offend', the idea becomes a stupid one.

It is my hope that you will find the wisdom to reject this application and to introduce relevant standards into the process, as documented by other opponents to this permit. At the very least, such a permit should have to be re-applied for on a yearly basis and it should never be transferable.

Respectfully

Dominique J. Chéenne
1636 S 23rd St
Lincoln, NE 68502-2826
(402) 477-7033
dcheenne@earthlink.net

Angela M. Birkett

From: dan <taraha10@gmail.com>
Sent: Friday, July 17, 2020 9:58 AM
To: Council Packet
Subject: Comments for AIF SP 20005
Attachments: IMG_5870.jpeg

[CAUTION] This email comes from a sender outside your organization.

July 17th 2020

City Council Members

We live at 410 South 28 St. in Lincoln.

As immediate neighbors to 420 So 28th we would like to reiterate our opposition to the operation of an AIF next door as envisioned by the Planning Commission and about which we have serious safety concerns. The limit to six female residents, as approved by the Planning Commission, seems to us to be twice too many unrelated adults for a one family home with single family facilities(i.e. 1 kitchen and 1 and a half bath).

The number of these up to now unregulated residents might be unsurprisingly bumped up by the added presence of possible visitors bringing the number of residing adults to 10 or 12 and beyond. And this brings to our mind the strong possibility of fights in their midst and the worry we or our visiting grandchildren may be placed in harm's way even when we are inside our house: A mere 17 feet distance separates us from 420 So 28th. This proximity affords the neighbors direct view into our dining room from their ground floor and into our living room from their top floor and porch. Consequently when an incident arises it is too close for comfort. The fact that there has been no shortage of incidents in the past prompted us to secure a police history for 420 So 28th from public records. You will find it as an attachment to this mail.

During the time of Tina and Tony Arsiaga's ownership of the property, public records show that the police have interacted with the 420 S. 28th St. property 28 times, 12 times while they were residents, and 16 times while it was a rental property. To be clear, we are not alleging that the owners, or their tenants, were engaged in any misconduct, criminal or otherwise, during that time. However, the case numbers are available, should one want to investigate any particular incident in question. We are told that the number of interactions with the police here is out of the ordinary compared to a typical family home.

Please reject this permit, and any other Alternative to Imprisonment Facility requests, until enforceable rules and regulations are in place. Please make any AIF permit provisional, reviewable, and nontransferable."

Daniel and Micheline NEVILLE

Angela M. Birkett

From: Thomas Kiefer <TKiefer@msn.com>
Sent: Friday, July 17, 2020 9:55 AM
To: Council Packet
Subject: Letter concerning SP20005/For July 20th Hearing

[CAUTION] This email comes from a sender outside your organization.

07/17/2020

Dear Members of the Lincoln City Council,

My wife and I would like to register our opposition to SP20005 despite our support of safe and regulated transitional housing. We are among over 70 people who submitted thoughtfully composed and informed public comments against this application to Planning. Several valuable leaders of the Lincoln community are among these letter writers, but also many ordinary citizens concerned about safety issues for residents and neighbors alike. We have lived next door to 420 S. 28th St. for 34 years, with our house less than 7' from the shared 142' lot line of our properties. We were here when the Arsiaga family moved into 420 in 2000, and when they moved out after buying a new family home in January 2007. They turned 420 into a rental property and have gone through at least seven different sets of renters in the subsequent 14 years, including two of their children who lived there only for the last six months of 2019. Sold for \$0 to Connecting Links LLC in January 2020, the property immediately began housing women transitioning out of prison, well before the Arsiagas applied for a special permit to rezone the single-family dwelling to an Alternative to Imprisonment Facility on February 2. This is a for-profit private business located on a densely packed street in a historic landmark district of owner-occupied homes with few duplexes or rentals. The Planning Staff conditions on this permit do not include mandatory 24/7 on-site professional supervision or program/zoning certification review. They do not insist that the residents always be women or that Building and Safety have the power to insure conformity to the cap on 6 residents. They do not require minimum distance from any other Probation facility.

We believe that this permit should be rejected on the grounds of its lack of safety regulations for both the vulnerable residents requiring supervised probation and the many close-by neighbors in a dense R-2 neighborhood, such as those that apply to group homes. Indeed, the AIF was under the definition for group homes prior to 2005 when it was moved out of that category for reasons that remain mysterious to us. We ask that you create a task force, as suggested by Commissioner Dick Campbell and other Planning Commissioners at the June 10 public hearing, to establish clear, enforceable safety guidelines, including distance requirements and a licensing process for landlords/providers, as is the case with group homes and domestic shelters. We especially urge you to rescind Section 3.3 from the Staff Report's analysis for SP20005, which states: "the terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns." In its stead, we urge the task force to make any AIF special permit provisional, reviewable, and revocable, and to attach the permit to the operator of the facility, not the land or property.

The Planning Recommendation to approve SP20005 is so flawed that 3 out of the 5 Commissioners present at the June 10 hearing voted against or abstained from voting for it. Commission Chair Tracy Corr abstained in the final vote, saying she was uncomfortable with the classification of the facility as an AIF instead of another category in the municipal code. Commissioner Campbell and one other commissioner initially voted against it, but his motion to reject failed to get the required 5 votes. Forced to a second vote on June 24, the Planning Commission split 6-2, with Tracy Corr and Cindy Ryman Yost voting against. Both expressed concerns about the lack of licensing and oversight for such facilities, unlike group homes which are overseen by the Health Department. Even those who voted for the permit expressed similar concerns, such as Dennis Scheer who was quoted in the paper as saying: "I do think there are a lot things that need to be addressed." (LJS 6/25/20, "Facility for women leaving prison OK'd")

What are some of the "things that need to be addressed" mentioned by Commissioner Scheer? Since there are no distance requirements in the current statute preventing an AIF landlord from establishing another at a nearby property, even right next door to a current AIF, as is true of group homes and domestic shelters, there are strong financial incentives for landlords to apply for them. Because the permit allows them to double their occupancy in single-family rentals from three unrelated persons to six, and to receive greater income than a normal rental property would, they have powerful financial incentives to acquire one. Multiple AIFs could be present on a single street or block, and the Planning Department would have no regulatory grounds to stop them. Thus SP20005, and the current AIF statute, open the door to a concentration of transitional living facilities in Woods Park or any other neighborhood. The Staff Report Section 3.3 would make this concentration *permanent*. As long as cosmetic standards in the report are maintained, the permit is irrevocable, no matter how detrimental the transitional living facility may turn out to be to the neighborhood or facility residents.

The lack of any licensing requirement, mandatory specific safety regulations, or inspection oversight compounds these problems. To quote a February 24 email we received from Transitional Living Specialist Hannah Glenn: "In regards to regulations regarding number of residents per square foot, adjacent residence, etc. Probation does not set those regulations. We put the burden on the Provider to ensure they meet the licensure/zoning requirements of their local municipal codes." Since there are no distance or license requirements in Lincoln for an AIF, the responsibilities and obligations for landlords/operators are non-existent on these points. Moreover, per the documents attached, Probation has only "expectations", not mandatory requirements, for Connecting Links or any other provider of "Probation Transitional Living with Programming", even though the target population is "assessed at high risk to reoffend". There are no mandatory requirements for professional staff experience, licenses, or a 24/7 on-site trained supervisor who is there for residents when they need help or encouragement during moments of stress. There are no enforceable rules for health and safety inspections, for filling the nutritional or sanitary needs of the residents, for program certification review. There are no penalties for negligence or abuse, and no means for facility residents to raise complaints safely. There are no obligations for landlords to even inform nearby residents they are housing probationers, and there are no fines for any harm caused. Most egregiously, the landlord/provider seemingly will never have their AIF permit revoked by

the city, no matter how poorly the facility is run or how detrimental it is to the surrounding neighborhood.

SP20005, and the AIF statute it operates under, create counterproductive economic incentives. The permit is transferrable to a new owner without having to re-apply for it, thereby transforming a single-family home into an investment income opportunity. This property might then have a market value much greater than it otherwise would have in a low market value area such as Woods Park. Given the lack of regulations and licensed oversight, a single-family home with an AIF permit attached can be marketed as having the numbers and steady stream of residents of a group home but without the distance and licensing requirements, together with the income generation of a duplex but without being a duplex. SP20005 has already established a dangerous precedent, as the Staff Report recommending a second AIF granted for SP20020 on July 8 shows. Almost the entirety of the report for the latter is word-for-word identical to that of the former and now permits a single-family dwelling less than a block away from Park Middle School to operate as an Alternative to Imprisonment Facility.

Because of these safety and regulation problems, we ask you to reject the AIF permit SP20005 for Connecting Links, LLC. This will prevent a precedent from being set. Rejection of SP20005 will provide an opportunity to press “pause” on the entire AIF permitting process until a task force can establish enforceable safety and welfare regulations with penalties for violations, and rules which make the AIF permit reviewable and revocable. These rules will protect facility and neighborhood residents alike, and will help foster positive relationships between landlords, providers, people in transition, and members of the surrounding community, the very goals of transitional housing. They will ensure sound urban planning and procedures, and proper community stewardship. Thus, by rejecting SP20005, you will enable the city to create the kind of transitional living Lincoln needs, and which Lincoln’s residents such as ourselves support.

Thank you for taking the time to consider our views,
Tom Kiefer and Maureen Honey

Angela M. Birkett

From: RANDALL SMITH <rbsmith943@windstream.net>
Sent: Thursday, July 16, 2020 9:06 PM
To: Council Packet
Subject: Special Permit 20005 - Alternative to Imprisonment Facility at 420 South 28th Street

[CAUTION] This email comes from a sender outside your organization.

Lincoln City Council Members,

As a Woods Park resident, I want to reaffirm my opposition to granting Special Permit 20005 for an Alternative to Imprisonment Facility with up to 6 residents at 420 South 28th Street in an R2 zoning district. I feel strongly that no such permits should be granted until the City of Lincoln establishes adequate regulations and oversight of these facilities.

An Alternative to Imprisonment Facility is currently allowed in residential zoning districts by Special Permit only, but this designation carries no distance or density requirements. Compare this to Conditional Use Requirements for the Group Living Use Group:

Domestic Shelter: distance between shelters not less than one mile; maximum number of residents not to exceed one person per 2,000 square feet of lot area in R2, R3, and RT zoning districts.

Group Home: distance between group homes not less than one-half mile in R1, R2, R3, and RT zoning districts.

The lot size of 420 South 28th Street is approximately 7100 square feet. Applying the Domestic Shelter requirement would limit this facility to 3 residents, in contrast to the 6-resident limit specified in the Special Permit. I feel an Alternative to Imprisonment Facility should have distance and density requirements at least as strict as the Group Living Group requirements.

I appreciate that the applicant has pledged to house only women in the facility and has responded to neighborhood concerns by modifying the facility plan to increase security and provide more staffing. However, none of these plans are enforceable. The Special Permit only limits the number of residents to a maximum of 6 and specifies lighting and parking requirements. If the Special Permit is granted, there is nothing to prevent the applicant or a future purchaser of the property from housing male residents or decreasing staffing or security measures.

The Planning Department has informed the neighbors that the Special Permit is permanent, stays with the property rather than the current owner, and is not revocable. Neither the City nor the State require any license for this type of facility. Therefore if problems impacting

neighbors occur there, Lincoln codes do not provide any obvious recourse to the neighbors or the city.

The State of Nebraska's generous reimbursement to operators of "Transitional Living with Programming" facilities (\$90 per resident per day) creates a strong financial incentive for businesses to convert single family homes into lucrative profit-making ventures funded by Nebraska taxpayers. Similar facilities are already appearing in other core neighborhoods in Lincoln. Along with other neighbors, I am concerned that current city regulations do not adequately protect the neighbors or ensure that the facility residents are receiving the needed assistance to transition out of the corrections system.

Before the City grants any Special Permits for Alternative to Imprisonment facilities, it should establish proper regulations and mechanisms for oversight of these facilities. These should include:

- A requirement for 24-hour on-site staffing
- A limit on the number of residents based on lot size, as for Domestic Shelters
- A minimum spacing requirement between similar facilities
- A mechanism for neighbors to report problems to the City
- A requirement for a fixed-term renewable license issued by the city that is not transferable if the property is sold
- The license should be revocable if the facility operator does not comply with license requirements or the facility creates significant problems to the neighborhood
- Annual inspections by City staff

It is important for the City Council to act now to establish solid regulations to protect neighborhoods, the City of Lincoln, and the residents of these facilities.

Thank you for your consideration.

Randy Smith
705 South 32nd Street
402-438-8942

Angela M. Birkett

From: marie hillabrand <marieneville@hotmail.com>
Sent: Thursday, July 16, 2020 7:01 PM
To: Council Packet
Subject: AIF permit

[CAUTION] This email comes from a sender outside your organization.

"I would like state my opposition to SP20005. Please reject this permit, and any other Alternative to Imprisonment Facility requests, until enforceable rules and regulations are in place. Please make any AIF permit provisional, reviewable, and nontransferable

Sent from my iPhone