

**DIRECTORS'/ORGANIZATIONAL AGENDA  
ADDENDUM**

**Monday, September 28, 2020**

- I. CONSTITUENT CORRESPONDENCE**
1. Legislative Bodies Fail to Do Their Job - Robert Borer
  2. Transitional Living Facilities - Vish Reddi

## Angela M. Birkett

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**From:** Robert Borer <robert.borer@doane.edu>  
**Sent:** Thursday, September 24, 2020 2:44 PM  
**To:** pete.ricketts@nebraska.gov; Mayor  
**Subject:** Legislative Bodies Fail to Do Their Job of Checking the Executive Branch

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### Legislative Bodies Fail to Do Their Job of Checking the Executive Branch

Dear Fellow Citizens (all Bcc'd)—

Too many of our executives have been acting like tyrants and semi-tyrants.

Our legislative bodies have failed to do their job of providing checks and balances.

Therefore, We the People have had to resort to the courts, which is an expensive proposition, especially given the fact we are already paying people to do that job.

Keep this in mind on election day.

Here are a few more quotes from Judge Stickman's decision in the PA case regarding executive overreach:

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"Two considerations inform this decision—the ongoing and open-ended nature of the restrictions and the need for an independent judiciary to serve as a check on the exercise of emergency government power."

....

"There is no question that our founders abhorred the concept of one-person rule. They decried government by fiat. Absent a robust system of checks and balances, the guarantees of liberty set forth in the Constitution are just ink on parchment. There is no question [actually there is] that a global pandemic poses serious challenges for governments and for all Americans. But the response to a pandemic (or any emergency) cannot be permitted to undermine our system of constitutional liberties or the system of checks and balances protecting those liberties. Here, Defendants are statutorily permitted to act with little, if any, meaningful input from the legislature. For the judiciary to apply an overly deferential standard would remove the only meaningful check on the exercise of power."

....

"...the Constitution applies even in times of emergency. As the Supreme Court has observed: "[t]he Constitution was adopted in a period of grave emergency. Its grants of power to the federal government and its limitations of the power of the States were determined in the light of emergency, and they are not altered by emergency."

....

"Further, testimony and evidence presented by Defendants does not establish any specified exit gate or end date to the emergency interventions."

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In other words (with respect to that first and last quote), the tyrants have NO exit strategy!! ...and their collaborators in the legislative bodies DON'T either!!

Once again, remember this on election day. Drain the swamp.

Bob

## Angela M. Birkett

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**From:** Vish Reddi <Vish.Reddi@nearsouth.org>  
**Sent:** Sunday, September 27, 2020 1:46 PM  
**To:** Council Packet  
**Subject:** REG: Transitional Living Facilities

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

Dear Members of City Council,

At our September 14, 2020 board of directors meeting, the Near South Neighborhood Association (NSNA) voted to support the proposed changes to Alternatives to Imprisonment Facilities. The name change is needed to reflect that these facilities are not actually an alternative to imprisonment. They are a temporary residence for those leaving incarceration and wanting support and programming prior to establishing permanent housing. The change from a special permit to a conditional permit makes sense to achieve consistency in applications. NSNA is as supportive, and likely more than many others, of Lincoln's diversity of population and welcomes people into our neighborhood fabric. We recognize that housing is among one of the many challenges individuals face when they transition from incarceration.

The Near South neighborhood already includes many residential group living facilities. We understand the need to provide housing for people of different needs and abilities within residential settings. We recognize those efforts have been part of a decades-old strategy to de-institutionalize people and offer them a mainstream residential home. We believe that the whole of Lincoln should support the need for alternative housing, as well as other group living arrangements, as it's important that these sorts of living arrangements be integrated into the whole of Lincoln. The spacing of facilities is an essential tool in order to accomplish that goal. Without thoughtful spacing requirements, you simply recreate a campus or institutional setting within an existing neighborhood. That serves no one entity well and all involved entities poorly.

Accordingly, we truly appreciate the efforts of the Planning Department to establish additional guidelines, including spacing requirements, for Transitional Housing/Alternatives for Imprisonment. We support the proposal in front of the Planning Commission and are particularly supportive of the spacing being measured against not only other Transitional Housing, but also other group living facilities as well. We believe that this is a reasonable and effective way to maintain the residential setting intended for everyone in a neighborhood whether single family, home, apartment, or group living situation. The data assembled from the Planning Department demonstrates that the Near South Neighborhood has certainly absorbed a disproportionate share of group living facilities in comparison to much of the rest of Lincoln.

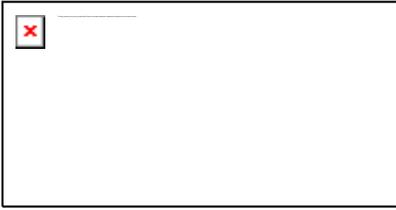
A significant part of our deliberations involved whether the proposed 500 feet spacing in R-5 through R-8 and 1,000 feet spacing in R-1 through R4 should be increased. In the end, we support the proposed 500/1,000 limits, recognizing that spacing against other similar uses provides a buffer that in many ways works better than simply adding more distance. If the Planning Commission or City Council feels that increasing the distances above 500/1,000 feet is needed, we would potentially support that – but not if spacing against other uses is eliminated.

We respectfully ask that the Planning Commission adopt the proposed changes and recommend the City Council do the same. Finally, we would humbly like to ask that the City of Lincoln take sincere steps to encourage a more uniform distribution of group living facilities throughout Lincoln in fairness and equity to both the residents of

these facilities, as well as the adjacent property dwellers; and further, that the plan be periodically reviewed to determine whether such beneficial distribution results from the proposed regulations.

Sincerely,

Vish Reddi



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