

DIRECTORS'/ORGANIZATIONAL AGENDA ADDENDUM

Monday, February 1, 2021

I. CONSTITUENT CORRESPONDENCE

1. Snow Removal – Andrew Van Deun
2. Proposed Eviction Moratorium – William J Wood
3. Snow Removal – Kim Wiseman
4. Snow Removal – Pat McMillan
5. Snow Towing – Anev Stewart-Williams
6. Proposed Eviction Moratorium – Diane Kulm, Kiteley Farms LLLP
7. Proposed Eviction Moratorium – Chris Evans
8. Snow Removal – Julie Naughton
Staff response provided by Liz Elliott, Director LTU
9. Micro Purchasing Ordinance – Lincoln Chamber of Commerce
10. Proposed Eviction Moratorium – Amanda Dickinson, Property Manager, Living Doors Real Estate
11. Claim against the City – Janelle Barnhard
12. New snow plan a failure – Lisa Good
13. Proposed Eviction Moratorium – Steven T. Ronen
14. Proposed Eviction Moratorium – Richard C. Christensen
15. Proposed Eviction Moratorium – Clint Ackman
16. Proposed Eviction Moratorium – Josh & Amara Nix
17. Proposed Eviction Moratorium – Tyler Anderson
18. Proposed Eviction Moratorium – Jon Rademacher
19. Proposed Eviction Moratorium – Jack Gregg, Performance Property Management
20. Proposed Eviction Moratorium – Jerry jlthraen@yahoo.com
21. South of Downtown Redevelopment and Strategic Plan – Victor Klafter

Angela M. Birkett

From: Andrew Van Deun <andrew.vandeun@gmail.com>
Sent: Thursday, January 28, 2021 4:23 PM
To: Tammy J. Ward
Cc: Council Packet; Mayor
Subject: Snow removal

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

Ms. Ward,

As my Council Representative, I request you launch an investigation by the Council into the snow removal contracts the City has placed with third parties. I live in Ashley Heights and the snow removal service has been less than acceptable this year. The most recent large snow has just exacerbated the issue. The previous snowstorms the neighborhood wasn't touched or they came by in only one direction on the streets. This most recent snow was the same. They came by to open up the school bus route and when they came back the left four feet wide piles of snow between the pile and curb on either side of the street. The streets are to be cleared curb to curb.

Snow removal was never an issue prior to this year and it's likely the City has sub par contractors doing the work either because of inadequate equipment or mismanagement by the sub contractors leadership or both.

I'm sure you have seen on the news that there are dozens of claims around town that the snow removal efforts have been less than adequate this year. The part that is most disturbing is that the City LTU says that 100% of the streets are cleared. This is a false claim and a lot of the streets that have been cleared have only been cleared 50%. This is mismanagement of my tax dollars that are paying these contractors \$85 to \$150/hr for inferior work that leads to disgruntled citizens.

Again, I urge you and the Council to investigate this issue and hope those accountable that are responsible for this unacceptable situation.

A concerned taxpayer,
Andy Van Deun
2333 NW 45th Street
Lincoln, NE 68524

Angela M. Birkett

From: william wood <ww34243@windstream.net>
Sent: Thursday, January 28, 2021 9:09 PM
To: Council Packet
Subject: Eviction Moratorium

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

Council Members:

I understand that recently a group, or groups, have contacted individual council members proposing that the City Council enact an eviction moratorium. This message is written to convey my thoughts that such an action is unnecessary. First of all a Federal moratorium is in place. What good would be accomplished by enacting a City moratorium? It would not provide any additional protection and could lead to expensive litigation if the City and Federal legislation were not worded the same. There seems to be a view that a lot of evictions take place. This is a false view. My wife and I have in excess of 140 units and have not evicted anyone in the last year and I would speculate that we never average more than one or two evictions per year.

Another view is that landlords are making considerable profits, which simply is not true. We do increase rents when units vacate, but don't generally increase rent on existing tenants. The last time we increased rent on existing tenants was 2002. We can't achieve the rents the Assessor is basing values on and are lucky if we can get rents on newly re-rented units within one hundred and twenty-five dollars of what the Assessor projects and this is on units that are well maintained.

If you consider such an ordinance a Council member or two should attend a meeting of the Real Estate Owners and Managers Association to obtain the true facts, rather than basing an ordinance on speculation. Currently out of state buyers are purchasing rental properties in Lincoln driving up values. Should a rent moratorium be enacted, and some of the laws pass that are now pending before the Legislature, it could lead to the small landlords selling out as our profits have dropped significantly in recent years. This would lead to higher rents and a market controlled by large landlords which would make it difficult for tenants to find affordable housing.

Please do not enact an eviction moratorium.

William J. Wood
808 D Street
Lincoln, NE 68502

Angela M. Birkett

From: Kim Wiseman <dkimw@earthlink.net>
Sent: Thursday, January 28, 2021 7:16 PM
To: Council Packet
Subject: Snow removal thank you

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

Thank you for the great work. Arterials are cleared and side streets in our area are good!

Kim Wiseman
3421 N. 73rd St

Angela M. Birkett

From: Pat Mcmillan <pattymcwalnut@gmail.com>
Sent: Friday, January 29, 2021 8:54 AM
To: Council Packet
Subject: Snow removal in the Clinton neighborhood has not been done at all. Its been 5 days. Most of us have gotten stuck or can not get out at all. Please do something.

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

Angela M. Birkett

From: Anev Stewart-Williams <anevsw@gmail.com>
Sent: Friday, January 29, 2021 9:59 AM
To: Council Packet
Subject: Snow towing

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

Hello,

I'm upset for my fellow Lincolniters who are being threatened with potentially ruinous fees if they don't move their cars. The amount of money it costs to get your car back after it's been towed will make or break most households living paycheck to paycheck. Thankfully I happen to live in an apartment complex with a parking lot, but so many don't, so many citizens only have street parking available to them.

Also, I'd like to know what the relief plan is if someone is, say, in the hospital while their car is towed. Or out of state. Or disabled. Or elderly. Or too poor to buy a shovel (yes, that level of poverty exists, and it exists in our city). Or who are working two jobs and are exhausted. Or new mothers. People who, for myriad reasons, simply do not have the ability to clear their car and move it. Will the city pay the fee? Will the city reimburse them?

I'm a healthy adult, an unusually strong adult even, and yesterday it took me over half an hour just to clear the snow on top of my car, and my back is in agony today. There are so many people in Lincoln who can't afford to pull a muscle when they work physical jobs. It will impact their performance or exacerbate other injuries or put them in so much pain that they have to miss work- will they be reimbursed by the city for this?

Think about who this will impact. Only the poor. Only the people who can't afford it, who don't deserve it, who are putting themselves at risk for the rest of us every day in this plague. This is unconscionable, and another solution must be found. When can we expect a statement? When can we expect a proposed alternative?

Respectfully,

An outraged Lincolnite

Angela M. Birkett

From: Diane Kulm <dlk12654@aol.com>
Sent: Friday, January 29, 2021 11:41 AM
To: Council Packet
Subject: Blanket ban on evictions

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

As a property owner in the city of Lincoln I would like to express my extreme concern over the possibility of passing a blanket ban on evictions.

We property owners have mortgages and bills to pay and families to take care of as well as the tenants and I feel it would be an infringement on our rights as property owners to say tenants can get away with just not paying their rent throughout the entire pandemic

We have worked with our tenants and have allowed them to skip a payment and catch up On back rent later with no penalties and everyone has been satisfied with this solution . We have never found it necessary to evict anyone and I hope we never do but I am I'm sure there are cases when it is necessary And a blanket ban would not allow landlords to evict tenants that may be engaging in illegal activities on their property or not abiding by the covenants set In the rental agreement let alone not paying their rent for months at a time causing extreme financial problems for the landlord

Thank you for allowing us to express our concerns

Diane Kulm
Kiteley Farms LLLP

Sent from my iPhone

Angela M. Birkett

From: Chris Evans <tehchriso@gmail.com>
Sent: Friday, January 29, 2021 1:22 PM
To: Council Packet
Subject: Feedback regarding tenant eviction bans

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

Good afternoon,

I am writing you today in regards to the upcoming proposal on a total eviction ban for residential tenants.

I stand in support with the Tenants Rights Activists and I believe that it is unconscionable and un-Nebraskan to evict tenants in the cold of winter during an extended pandemic and national economic crisis.

I firmly reject the Realtor's Association and other groups' push to prioritize these privileged people who hoard residential property in Lincoln over the struggling families who are on the verge of losing everything. I urge you to reject their selfish pleas and to stand up for Tenants Rights in our home city, beautiful Lincoln, Nebraska. We have a chance to clearly and firmly take the side of PEOPLE over PROPERTY and to show that Lincoln values every citizen no matter how little they have.

Best wishes,

Chris Evans

1700 N 56th St

Lincoln NE 68504

Angela M. Birkett

From: Elizabeth D. Elliott
Sent: Friday, January 29, 2021 3:38 PM
To: julienaughtonediting@gmail.com
Cc: Angela M. Birkett
Subject: FW: Constituent complaint/concern - Snow removal

Ms. Naughton,

Thank you for reaching out to us. Lincoln Transportation and Utilities appreciates the public's patience and support as we work to clear an historic amount of snow that fell Monday and Tuesday. Our Snow fighters have been working day and night to provide service to Lincoln residents. We are using more resources than ever before in the history of this department.

I will have the team look into this and get someone out as soon as possible. Thank you again for your patience.

Sincerely,

Elizabeth Elliott

Director of Transportation and Utilities | Administration

O: 402-405-3544 | M: 402-405-3544

555 S. 10th St.
Lincoln, NE 68508

tu.lincoln.ne.gov | [APWA Accredited](#)

Follow Us: [Facebook](#) / [Twitter](#) / [RSS](#)



From: Julie Naughton [<mailto:julienaughtonediting@gmail.com>]
Sent: Friday, January 29, 2021 2:04 PM
To: bennie.shobe@gmail.com; Council Packet <CouncilPacket@lincoln.ne.gov>
Subject: Constituent complaint/concern - Snow removal

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

Hi. My name is Julie Naughton and I am the owner of 1803 E Street. While I greatly appreciate the fact that the city has plowed E Street, 18th Street (at least between D and E) has not been touched. My detached garage is

behind my house and my exit point from the alley is on 18th between D and E. This means that the only way I've been able to drive to get anywhere since the storm stopped Monday night has been by having Good Samaritans literally push me and my front-wheel drive car to the intersection where my tires can get traction.

I have reported this to UPLNK every day since Tuesday, but the road remains completely covered. This is why I am reaching out to you, in the hopes that you can help.

I understand there are many streets in Lincoln and that this was a historical storm. I also feel that I've been patient, but it is now Friday afternoon and I am unable to leave my house via my vehicle unless I am assured of at least two strong men to push me to the intersection and then push me back into the alley when I return. Although the temperatures are warmer today, 18th Street between D and F (at least) is still snow and slush-covered.

It also means I've been unable to get to my office. My supervisor has been understanding, but I'm disappointed by the fact that with 80-plus snowplows in the city, none of them seem to have made it to the numbered streets in my general area. I'm especially concerned as we are supposed to get additional precipitation over the weekend.

I am respectfully asking if 18th Street could be plowed today/tonight before the next weather system moves in.

My most sincere thanks in advance for any help you can provide.

Best,
Julie Naughton
(201) 519-9144 (personal cell)
(402) 405-7202 (work cell)

Angela M. Birkett

From: Todd Wiltgen <TWiltgen@lcoc.com>
Sent: Friday, January 29, 2021 2:15 PM
To: Bennie R. Shobe; Sandra J. Washington; Jane Raybould; Tammy J. Ward; Richard W. Meginnis; Roy A. Christensen; James M. Bowers
Cc: Council Packet
Subject: Micro-Purchasing Ordinance
Attachments: Micropurchasing_Letter_1_27_21.pdf

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

Dear Council Members,

The attached letter supporting the proposed ordinance creating a micro-purchasing category is sent for your consideration. It should also be included in the record for the public hearing in lieu of testimony.

Please do not hesitate to reach out with any questions. Thank you.

TW

TODD WILTGEN | PUBLIC POLICY SPECIALIST
LINCOLN CHAMBER OF COMMERCE

3 Landmark Centre | 1128 Lincoln Mall, Suite 100 | LINCOLN, NE 68508
P: 402.436.2352 C: 402.304.7685 | TWILTGEN@LCOC.COM | WWW.LCOC.COM



Proud supporter of the Lincoln Airport. Check LNK every time you fly.

Protection & Privacy Notice: This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message.



January 25, 2021

Lincoln City Council
555 South 10th Street, Room 111
Lincoln, NE 68508

Dear Lincoln City Council Members,

The Lincoln Chamber of Commerce supports creating a “buy local” micro-purchasing category for purchases less than \$10,000.

A survey of Nebraska businesses indicated 87% have been negatively impacted by the coronavirus outbreak, reporting negative impacts on both revenue and employment. This is an important time to support local businesses. Purchasing goods and services locally can leverage as much as a 1.5 percent economic impact.

The Chamber appreciates the Mayor’s initiative to support local businesses that help to keep our community strong and vibrant. Lincoln business leaders have done the same. As you may know, I recently joined Ava Thomas, Publisher of the Lincoln Journal Star, and Angie Muhleisen, President and CEO of Union Bank & Trust, illustrating our business community’s commitment to directing 1% more to local spending.

We encourage your support of this municipal code change. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "WB", with a long, sweeping horizontal line extending to the right.

Wendy Birdsall
President and CEO

Angela M. Birkett

From: Living Doors Real Estate <rentlivingdoors@gmail.com>
Sent: Friday, January 29, 2021 2:21 PM
To: Council Packet
Subject: Eviction Moratorium

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

Dear Lincoln City Council,

It has brought to my attention and a lot of other local landlords that there is an effort to create a ban on all evictions during and while COVID19 is still in play.

I own and operate a property management company in Lincoln and Seward. I manage around 90 units and over 100 residents. I take great pride in providing my residents with a quality and comfortable place to live. I have great relationships with all of my residents and when they are in need of assistance or help in paying rent, I am also, willing to be their first contact and support to help them find rental assistance or come up with a payment plan to help them for the time being.

I understand that there have been many people out of work during COVID19 and bills got tight. I do not think an eviction ban will help this matter.

I know many other great landlords in the area that only want to help their residents find assistance or a job to pay for their rent. We do not want to put our residents out on the street. We got into this business to provide a service for our neighbors and keep them all safe at home.

As a landlord we have a responsibility to keep our residents safe in their homes. If I have one resident in a fourplex that is engaging in illegal activities that is threatening the safety of my other 3 residents, it is my responsibility to keep those other residents safe, which in return is asking the one resident of harm to leave and could end up in an eviction.

Just removing that one resident from their home is hard for me to fathom. But on the other hand, it is my responsibility to keep the others safe.

Please do not create an eviction moratorium for all evictions.

Over the time period of COVID, all my residents have been able to pay rent. If they were having troubles, I sent them the resources of where to find assistance. I had 3 residents out of 103 that received assistance for at least one month of rent.

We have enough rental assistance programs to help during this difficult time that an eviction moratorium is not needed.

I can understand the concern of the other side of this argument, but I only see it hurting renters in the future.

Again, I and most landlords in Lincoln care about our properties and residents. We are in business to serve our residents, without them we do not have a business or a livelihood that helps keep a roof and food on the table for our own families.

Thank you for taking the time to read my email.

Amanda Dickinson, Broker
Property Manager
Living Doors Real Estate
402-937-1709
rentlivingdoors.com



As for our home...*we live!*

#livingdoorsrealestate

Angela M. Birkett

From: Janelle Barnhard <janelle@concordemgmt.com>
Sent: Friday, January 29, 2021 3:07 PM
To: Council Packet; Sue K Burgason
Subject: Claim for 1900 F Street, B12
Attachments: 1900 F Street, B12 Council Notice & Request.pdf

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

Hello,

Attached is documentation of an incident that happened on 12/14/2020 that did damage to the front door of 1900 F Street, B12 while emergency responders were called to do a wellness check on our resident. I do appreciate their attention to the wellness check, however, as an asset manager I am usually given an opportunity to get onsite since most of our residential properties are only minutes away from our home office. In this instance I was not given that opportunity. I am requesting reimbursement of \$100 to fix the lock/door that was damaged due to forcible entry.

I appreciate your attention and review of this request in advance and look forward to your response.

Thanks,



Janelle Barnhard

Property Manager/Real Estate Advisor

Phone: 402-476-0086

Mobile: 303-507-3676

Email: janelle@concordemgmt.com

1314 O Street, #101

Lincoln, NE 68508

<https://concordemgmt.com/>





CITY ATTORNEY

555 South 10th Street, Suite 300 | Lincoln, NE 68508
402-441-7281 | F: 402-441-8812

January 20, 2021

Concorde Management
1314 O Street, Suite 101
Lincoln, NE 68508

RE: Claim Against the City of Lincoln

This is in reference to claim against the City of Lincoln received in this office on January 4, 2021, for damage to rental property at 1900 F Street, Apartment B12, on December 14, 2020.

In order for a claim to be authorized for payment from public funds, it must be shown that there exists a legal basis for such authorization. A review of the incident giving rise to your claim indicates that Lincoln police officers were dispatched to the subject property to check the welfare of Mr. Atwater. When officers arrived at the apartment, they attempted to contact Mr. Atwater by knocking on the locked door. Officers heard someone inside the locked apartment yelling for assistance. Due to the emergency situation, forcible entry was required. Since the actions of the officers were necessary, appropriate and in accordance with proper emergency procedures, I am referring this claim to the Lincoln City Council with a recommendation that the claim be denied.

The Lincoln City Council will consider this claim at its regularly scheduled meeting on February 1, 2021, at 3:00 p.m. in the Council Chambers, 555 South 10th Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by email at council@lincoln.ne.gov. If you do intend to appear at the City Council meeting in person, please advise this office prior to February 1, 2021, by phone at 402-441-7281.

Sincerely,

A handwritten signature in blue ink that reads "Danielle Rowley".

Danielle Rowley
Assistant City Attorney

DR/sb

COPY

December 31, 2020

To whom it may concern,

On December 14, 2020, Roberta Green, the sister of our tenant, Ki-Raka Atwater, called in a wellness check to the Lincoln Police Department after Mr. Atwater's boss contacted her that he had not shown for work and they were unable to reach him by phone. Concorde Management was not made aware of this request or any concerns until Lincoln Police had already arrived at 1900 F Street (apartment B12) and, upon determining a medical emergency, kicked down the tenant's door.

It was then that another tenant who was witness to the scene, Linda Hairl, was asked by one of the responders to contact the owner or management to inform us of what was happening.

While we appreciate the police department's quick thinking and response to Mr. Atwater's distress and need for emergency medical attention, we would like to request reimbursement for the damage done to the door as Concorde was not given the opportunity to be on site. Had we been made aware that a wellness check was being called in, a member of management would have been waiting on site to grant access if needed.

The Case # for this incident with LPD is CO-114746. Unfortunately, no pictures were taken of the damage done to the door as the owner of the building, David Barber, who used to own Lincoln Lock and does his own maintenance, was at the scene minutes after Mr. Atwater was taken to the hospital. He repaired the door immediately in order to secure both the apartment and Mr. Atwater's belongings. He is seeking \$100 to reimburse time and materials.

Thank you,

A handwritten signature in blue ink that reads "A. Braunhard".

Concorde Management

1314 O Street, Suite 101

Lincoln, NE 68508

Concorde Management & Development, LLC
1314 "O" Street, #101
Lincoln, NE 68508
Phone - (402) 476-0086
Fax - (402) 476-3892

To:
David Barber
6620 Sumner
Lincoln, NE 68508
Mobile - (402) 890-2301

Work Order #	19715-1
Status	Assigned
Created On	12/14/2020
Estimate Requested On	--
Estimate Amount	--
Estimated On	--
Scheduled On	--
Completed On	--
Tenant(s) Notified	--
Permission to Enter	Yes
Job Site	Fountain Villas Apartments - B12 1900 F Street #B12 Lincoln, NE 68510
Pet(s)	--

Note: property built before 1978.

Tenant(s)

Ki-Raka Atwater Mobile - (402) 430-5001 kirakaatwater@gmail.com

*City Attorney's Office
555 S 10th
68508*

Description

Medical emergency - Police broke down door

charge to tenant or collect from city via police case #

\$100

Risk Management

City - 402.441.7671 - Pam Hoffman

*402.441.7082
City
555 S. 10th
68508*

Created By: Nisha Patel
Authorized By: _____
Signed By: _____
Dated By: _____
Invoice #: _____

Tech

case# CO - 114746

Police Non-Emergency 402-441-6000
Voices of Hope 402-475-7273
Child Abuse Hotline 800-652-1999
Crisis Line/Centerpointe 402-475-6695
Youth Services Center 402-441-7090
Crime Stoppers 402-475-3600
VINE 877-634-8463
Suicide Prevention 800-273-8255
Victim/Witness 402-441-7181
Website: police.lincoln.ne.gov
• Join Our Team
• Safety tips

Angela M. Birkett

From: Lisa G <lgood2you2@gmail.com>
Sent: Friday, January 29, 2021 3:49 PM
To: Council Packet
Subject: New snow plan a failure

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

Dear Council Members:

The new snow plan did not work well for the Antelope Park Neighborhood (27th to apprx 31st street bike trail; South Street to A Street).

Only one side of our streets were plowed, creating havoc for pedestrians, drivers and mail delivery.

The city snow removal plan as it had existed for years, was really not broken for high density neighborhoods. This new "fix" was neither needed, nor is it successful.

Please revert to switching back to parking bans in shorter time frames, from even to odd sides of streets. Leaving city streets half plowed defies common sense, safety and logic. My sincere sympathies to the fool(s) that concocted such a bizarre plan. Please abandon it at once.

Thank you for hearing us.

Lisa Good
3036 Franklin
Lincoln, Ne 68502
402.489.0869
[Lgood2you2@gmail.com](mailto:lgood2you2@gmail.com)
sent by my Samsung Galaxy, Lisa Good

Angela M. Birkett

From: Steve Ronen <sronen@libertycommon.org>
Sent: Friday, January 29, 2021 4:17 PM
To: Council Packet
Subject: proposed ban on evictions

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

Honorable Council Members,

Please consider my opinion as the council convenes to consider the proposed ban on evictions in Lincoln Nebraska. As a property owner, a ban on evictions troubles me greatly. Any ethical property owner will tell you that the eviction process is tiresome, stressful, expensive and the path of last resort for both tenants and owners. It is a lose/lose situation all around. Yet, in instances such as gross neglect of property, illicit activity, and longtime squatters, landlords will be rendered powerless to protect their investments and properties if this ban passes. A passage of this ban also concerns me as the path of the pandemic has proven unpredictable. Who can say how long it will last? Landlords have financial commitments we are contractually bound to follow, and without the ability to protect our income stream, the entire industry could be a house of cards, ready to implode.

Property rights are a pillar of The Constitution and are paramount in the growth and financial strength of our country. Erosion of these rights greatly concerns me and I ask you to err on the side of long standing legal precedence. I know you must balance the needs of the many, and I am sure you will vote your conscience on this issue while prudently considering all sides.

Very cordially,

Steven T. Ronen

--

Steven T. Ronen
4th Grade Teacher
Liberty Common School
1725 Sharp Point Dr.
Fort Collins, CO 80525
sronen@libertycommon.org

Angela M. Birkett

From: Rick and Terry Christensen <chippedaura@yahoo.com>
Sent: Friday, January 29, 2021 8:22 PM
To: Mayor; Council Packet
Subject: Please Vote Against the Proposed "Ban on Rental Property Evictions"

Follow Up Flag: Follow up
Flag Status: Completed

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

January 29, 2021

Dear Madam Mayor & City Council:

As a single unit property owner and landlord in the City of Lincoln, I am enormously concerned about the current efforts to impose a ban on all property/residence evictions until the passing of the COVID-19 pandemic.

We all realize that eviction-relocations have a huge negative impact on tenants. Evictions are disruptive, humiliating and emotionally devastating. During these unique times when defaulting tenants may find themselves in the position where they cannot afford these basic needs due to no fault of their own, this can be especially frustrating.

Please remember, eviction-relocations also have a large negative impact of the property owners. No landlord wants their renter to fall behind. After all, there is already a mandatory "waiting" period before the eviction process can be legally executed. The obligations of the property/landlord do not disappear during this "waiting" period. Mortgages, taxes, property insurance and basic utilities must be kept current. Many property owners trying to keep their property through the "waiting" period often receive irreparable damage to their credit to the point they are in default on the property themselves and foreclosure proceedings have begun.

In our situation, my wife and I undertook renting our property as a long-term investment. We are almost through our first year of renting and have yet to realize any kind of profit. Every cent of rent money that does not go directly to the cost of the mortgage, taxes and insurance, goes into a reserve for repairs and maintenance which are much more expensive and much more numerous than what we had experienced when we were the primary residents.

My understanding is that the current Lincoln City Housing and Utility Assistance program has been very effective during the COVID-19 pandemic. I am grateful that it is available to those of our citizenry who find their housing difficult to afford at this time.

However, my fear is that the blanket "ban on all evictions until the crisis is over" that is being proposed will not actually help those residents who are experience financial difficulties during the pandemic but will, in fact, actually increase their number.

Please, do not vote to take away my property rights, as guaranteed in the constitution.

Sincerely,

Richard C. Christensen

Angela M. Birkett

From: clint ackman <clintannchan@yahoo.com>
Sent: Saturday, January 30, 2021 4:06 PM
To: Council Packet; Mayor
Subject: "No Eviction" ordinance

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

Good afternoon

My wife and I own a small apartment complex of 18 units here in Lincoln.

During this pandemic we have had two people move out of our units, one wanted to move on his own accord and the second unfortunately had to move due to health reasons that she could not stay by herself anymore. These are the only two cases of people moving out of our units during the pandemic.

Since the beginning of 2020 we have had some of our tenants get behind on their rent. Some of them actually many months behind on their rent. We did not evict anyone and do not plan on evicting anyone that is having financial trouble while we are all dealing with this difficult time period.

On the other hand, through the years we have had a number of tenants take advantage of the system to get free rent while they had no intentions of paying while hiding behind the tenant laws. We have also spent thousands and thousands of dollars repairing apartments that were destroyed by residents who intentionally destroyed their homes and our property when they knew they were moving and they couldn't be held accountable.

Currently we do not have any tenants like this but if we did we would need to have a way to evict them not only to protect our property from being destroyed but for the safety of all our other residents. Usually all the other residents are complaining about the person or party destroying their apartment.

A "no eviction" ordinance would send a message that landlords have absolutely no way of getting people out of their apartment. If we had a large portion of residents that decided they did not want to pay rent there is no way we could pay for any repairs, updates or utilities for the people who were paying rent on time. Everyone needs to understand if there is no rent money being paid there is no money for anything! Why would we want to put everyone else paying rent in this position?

I hope this helps you see the landlord side of things. We need some sort of an option to evict when it is an absolute necessity. Thank you for your time.

Sincerely

Clint Ackman

Sent from my iPhone

Angela M. Birkett

From: Home <joshuaenix@gmail.com>
Sent: Saturday, January 30, 2021 4:25 PM
To: Council Packet
Subject: Against: Eviction Moratorium

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

Please, my wife and I ask you to not support the eviction moratorium. This could/will greatly effect our livelihood and have a negative impact on tenants for the future by increasing cost even more. Lincoln will always have a need for rental properties and we enjoy being there for those people. If you know the rental business you know we aren't getting rich by any means, its our retirement and something we get to pass on to our kids.

Thank you,
Josh & Amara Nix

Angela M. Birkett

From: Tyler Anderson <t.g.anderson@gmail.com>
Sent: Sunday, January 31, 2021 1:27 AM
To: Mayor
Cc: Council Packet
Subject: Tenant's Rights Activist Groups

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

Mayor Baird,

I lived in Lincoln from 1999 to 2016 and have 2 homes rented in Lincoln. Since I moved to Lincoln in 1999 and left in 2016 for California. Since then, I have moved a total of 3 times. (NE > CA > FL > CA) Of the places I've lived and visited, Nebraska is home.

With that said, my property management company notified me that there are Tenant Rights Activist Groups lobbying for a ban on evictions for any reason until the end of Covid. Some questions came to mind and I am not informed very well on any of the details.

- How will owner's pay expenses if Covid is impacting them negatively as well? For example, if my company was to reduce the workforce because of reduced revenue, I would be paying for my own rent, my own utilities, plus mortgage on a rental property as well as taxes, and repairs. That leads to my next question.
- How would I sell either of my properties should I lose my job and need to reduce expenses? Does this mean that a buyer would not be able to evict a tenant?
- Are there any estimates of how long restrictions would be in effect? That would help me estimate how much I would need for emergency funds.

My questions revolve around owner's rights. Essentially, how will those be impacted or changed? Will you please include me on any e-mail lists or discussions about the topic. I am interested in understanding what the issues are.

Thank you,
Tyler Anderson

Angela M. Birkett

From: Jon Rademacher <jonrademacher@hotmail.com>
Sent: Sunday, January 31, 2021 12:25 PM
To: Council Packet
Subject: Evictions

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

Council members,

At tomorrow's meeting you'll hear from groups urging the mayor to unilaterally adopt a sweeping eviction moratorium.

Even though no such legislation currently exists, I would urge all of you to consider what such a ruling would do:

Landlords would be unable to remove squatters or holdover tenants.

Landlords and property owners would also be unable to remove tenants who are damaging the property, or who are engaged in illegal activity at the property. That activity could include domestic violence or dealing drugs.

With no incentive to pay rent, some tenants will simply stop paying. Where does that leave the property owner who has a mortgage to pay? Most of Lincoln's landlords are 'mom & pop' operations, and without rent income, their mortgages won't get paid. Eventually the property will be foreclosed, and the tenants will find themselves on the street.

The voices you'll hear tomorrow are the same voices that cry the loudest about Lincoln's lack of affordable housing. Do they think a blanket eviction moratorium is going to drive rental prices lower? It'll have the opposite effect, because it'll reduce the number of housing options available, which will drive rents higher.

These properties are privately owned. The owners have the right to evict a tenant who is not complying with the legal contract. I would suggest that most landlords will try to work with a tenant to avoid eviction if at all possible, but if the tenant won't cooperate, eviction is the landlord's last result. That legal right cannot be taken from them.

The overwhelming majority of Lincoln's property owners have a good relationship with their tenants - it's not adversarial, and the two sides are not enemies. Each exists in a mutual relationship that benefits the other. A moratorium as proposed would irreparably damage that relationship and cause great harm to the rental community.

Please consider the far-reaching effects of what these groups will propose.

Jon Rademacher
Lincoln

Angela M. Birkett

From: Jack Gregg <jack@ppmlincoln.com>
Sent: Sunday, January 31, 2021 3:29 PM
To: Council Packet
Subject: Eviction Ban Campaign

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

Dear Council Members,

My name is Jack Gregg and I am the Managing Broker for Performance Property Management here in Lincoln. We manage 114 properties with 350 residential rental units for 68 owners and provide housing for 523 tenants, including children. The rental units we manage range from single-family units to small multi-family units (12 units or less). The vast majority of our owners own 1 – 3 properties and represent what is known as the Mom & Pop owners. These are the owners who depend on collecting rents to pay the mortgages on their investment properties, supplement their income (many of them on Social Security), or rely on these investments for their future retirement income. Just your normal, hardworking, tax paying, voting public.

Recently I have become aware that some groups are planning to approach the City Council and the Mayor to campaign for a blanket ban on all evictions until the COVID-19 pandemic ends. First off, who is to say when the COVID-19 pandemic will end, if ever, since there is no cure. Furthermore, this kind of action would be devastating to the owners I serve in my business. Many of them would be unable to pay the mortgages on their investment properties, not to mention their personal homes and that could cause them to face foreclosure, further exacerbating the homelessness situation. These owners would probably be forced to try to sell their properties to avoid foreclosure, but who would buy them if there are tenants in them who can't be removed for any reason? Tenants not paying rent, leaving the owners to still pay water and trash service, as well as property taxes, and still required to maintain the property to building code standards. Where is the money for these expenses to come from if non-paying tenants can't be removed for any reason?

If the goal of these groups is truly on protecting the public from further spread of COVID-19, then I submit this is already being done. The CDC eviction moratorium is already in place for this exact reason. That moratorium protects tenants who are financially impacted by COVID-19 and with the coalition of housing assistance providers in conjunction with the City of Lincoln, the Nebraska Center on Children, Families, and the Law, and the Lincoln Community Foundation, funds and resources are available for those in need. This program is working and is providing some relief and assistance, not only for the affected tenants, but also for the owners of the rental properties.

I can only speak to statistics within my own firm, but last year, in 2020, we only had 4 evictions and during the same time we had 225 tenants voluntarily move-out and relocate to another residence. These numbers tell me that COVID-19 is not having any impact on people moving and voluntarily spreading COVID-19, if you are to believe the claim that people relocating spreads COVID-19. So in my opinion, imposing a blanket ban on all evictions only serves to punish the very people who are providing rental properties for people to live in. Without rental property owners, there would be no place for people to rent.

There is one more aspect that I would like to point out, and that is the financial disaster it will cause the tenants. You may or may not realize that the unpaid rents are not forgiven, only deferred. That means at some point, these tenants are going to face thousands, if not 10's of thousands of dollars in debt when the pandemic is over, or when they voluntarily move out, debt that they will not be able to pay. Many will be forced to file bankruptcy which will cause them to be unable to buy a house, rent an apartment, or even buy a car for many years to come. In 2020, in my firm, the number of past tenants referred to collections more than doubled and the amount of money owed skyrocketed over

\$80,000 from the prior year. No one seems to be looking past today to what the long term effects of an eviction ban are having on the people they are trying to help and protect.

Therefore, I oppose any action towards imposing an eviction ban from local government without equal compensation for the private property owner. To not be able to remove a tenant who is damaging the property, conducting illegal activity in the property, endangering the welfare of children, and engaging in domestic abuse, not to mention holding over illegally against Nebraska State Statute, seems to be an extreme overreach of the government and unconstitutional. These properties are privately held and owned, and as such, the owners should have the right and the ability to remove tenants who are violating the terms of the legally binding agreement they signed with the owner. I understand the purpose of the CDC eviction moratorium is to help contain the health dangers from this unprecedented health crisis. But I'm not sure that it is really having the desired effect, based on the numbers of people relocating voluntarily. But it is the law for now and we are able to work with it with the assistance from the housing assistance coalition. I believe that anything more would cause the system to start to crumble and would have the opposite effect on the number of places for people to live. And we already have a housing shortage in Lincoln.

Sincerely,

--

Jack Gregg, Managing Broker
Performance Property Management
6201 S 58th St., Ste C
Lincoln, NE 68516

Angela M. Birkett

From: Jerry <jlthraen@yahoo.com>
Sent: Sunday, January 31, 2021 9:43 PM
To: Mayor
Cc: Council Packet
Subject: Possible Eviction Ban
Attachments: Evict policy.docx

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

Attached, please find a letter in regards to the possible Eviction Ban that some people are attempting to bring forward to stop evictions. My intent is to also present at the City Council meeting this Monday. Thank you, Jerry Thraen

February 1, 2021

Good afternoon, my name is Jerry Thraen and I have served 27 years as a police officer for the Lincoln Police dept. When I started in the 1980's I also began following my depression era parents advice about saving for retirement, our children's college or just making a better life for ourselves. I chose to do this by investing in real-estate. In 38 years I have never gone to court to evict anybody, although I have given people 30 day notices to move out because of their refusal to pay, engaging in illegal activity such as noise nuisances, drug sells, prostitution and just failure to maintain the property.

As a landlord I have always felt it was my responsibility to maintain my property and tenants to a level that will also make the neighborhood a better place and the neighbors pleased with who lives next to them. I thoroughly interview, do house visits, back ground checks on potential tenants, give my phone number to the neighbors so they can contact me if there are problems and have all my rental properties registered with the police department, so if the police are sent to my properties I know about it within 24 hours and I am following up with the tenant. With all this I still sometimes get problem tenant.

If we get a tenant that is not abiding by the law such as hosting wild party's that disturb the neighbors, starts leaving abandoned junk vehicles on the property or selling drugs the police will first attempt to remedy the problem with the tenant by citing them into court. If that does not work they then come after the landlord. Without the ability to evict a problem tenant, the landlord is now going to be given criminal citations for the tenant he cannot deal with because the City Council has forbade them from taking care of the problem. This goes against everything Problem Oriented Policing is about. A community effort is currently in place in Lincoln, (which includes input from several gov't departments) to deal with problem houses, but by passing a no evict policy you have just dismantled what has been in effect for many years that was designed to make the city a better place. It will tell the police and the neighborhoods that the city gov't does

not care what happens to their neighborhood. It will also destroy the housing market in Lincoln.

I do not know if I have the exact figure, but once upon a time I heard that approx. 40% of the housing in Lincoln were rental properties. If landlords cannot evict then there is no purpose to supply housing for anybody. Investing in real-estate will stop, prices will plummet, tax base will fall and the city will be deluged with nothing but squatters.

The federal gov't freeze on evictions is already hurting landlords. I have a tenant that moved in August, 2020, contracted Covid 19, still has the same full time job working in a retirement home, received all of her stimulus checks and she still has not paid the total damage deposit, is not paying rent and will not respond to phone or text messages. She has applied for help with Lincoln family services in August. Family Services first contacted me in November and advised they were going to help with rent for December. I still have not gotten any payment from Family services for December it is now February. This was supposed to be Covid aid they were to distribute, but it is nowhere to be seen. Three times an employee with Lincoln Family Services has told me the check is in the mail but it has never happened. When asked when and where it's coming from, I am told they do not know. So, it is obvious the social program to distribute covid funds for rent is broken. If this tenant can continue to live in my 3 bedroom, 2 bathroom townhouse for the duration of the 2 year lease without paying, My son's college fund will be \$20,160 less funded. This also does not include the water bills she is not paying that inevitably will fall on the owner of the property for approximately \$1000.00. This tenant has figured out that I have no repercussion at this time.

If you plan on passing a no evict policy then the city should be responsible for paying the landlords rents. But, doing that will not stop the other problems that may occur because of bad tenants. I believe I have mentioned enough reasons why you should not even consider a no evict policy.

Thank you for your consideration,

Jerome Thraen

Angela M. Birkett

From: Victory Klafter <vicklafter@gmail.com>
Sent: Monday, February 01, 2021 9:23 AM
To: Council Packet
Subject: letter of testimony

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

My name is Vic Klafter. I live at 3787 Randolph St. 68510. I request that this letter be included on the public record regarding the agenda item of the South of Downtown Redevelopment and Strategic Plan.

I support adopting this plan. There are some areas in it that have been diluted by interests to maintain the status quo instead of opening up to innovative and progressive policies, especially involving policing. But generally, the plans and strategies identified for developing housing, maintaining housing, fostering community spaces, and tackling barriers to economic mobility are varied enough that I have confidence the outcome will reflect the rich diversity of both skills and needs of South of Downtown neighbors. Thank you.