

<b>NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION</b> 11 <sup>th</sup> Floor, State Capitol P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	<b>POTENTIAL CONFLICT OF INTEREST STATEMENT</b>	POSTMARK DATE	
		MICROFILM NUMBER	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3	<b>NADC FORM C-2</b>	OFFICE USE ONLY	
		<b>FILED</b> MAY 20 2008 CITY CLERK'S OFFICE LINCOLN, NEBRASKA	

- An official or employee of the executive branch of state government or any other official or employee required to file Statements of Financial Interests must file this form if he or she has a potential conflict of interest.
- Elected officials of school districts and elected officials of villages and cities (except Omaha and Lincoln) should not use this form. Use Potential Conflict of Interest Statement Form C-2A.
- File this Potential Conflict of Interest Statement with the Nebraska Accountability and Disclosure Commission and with your immediate superior (if any) whenever a potential conflict of interest situation arises.
- Persons who fail to disclose a potential conflict of interest or who otherwise do not comply with the law are subject to penalties.

<b>ITEM 1</b>	<b>NAME, ADDRESS AND TELEPHONE NUMBER</b>
Name	Eschliman Robin Telephone No. (402) 420-3239
	Last First Middle
Address	7341 South 35 <sup>th</sup> Street Lincoln NE 68516
	STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

<b>ITEM 2</b>	<b>TITLE, AGENCY, ADDRESS, PHONE AND SUPERIOR</b>
Your Title	Council Member Agency Lincoln City Council
Agency Address	555 South 10 <sup>th</sup> Street, Lincoln, NE 68508 Agency Phone (402) 441-7515
Name of Immediate Superior	Title

<b>ITEM 3</b>	<b>DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 7 Continuation, if necessary)</b>
Date action is to be taken or decision is to be made: _____	
Description of Potential Conflict:	
Public Hearing and Action - May 19, 2008	
08R-111, Resolution approving and adopting a proposed amendment to the Lincoln Center Redevelopment Plan for the establishment of Phase V of the 12 <sup>th</sup> Street Revitalization Area (Gallup Redevelopment Project) at N. 11 <sup>th</sup> and P Street.	
Prior to this Resolution coming before Council, a tenant in a building who fears it will be displaced by the landlord due to the Gallup renovation plan contacted my firm for assistance finding other space. I performed a real estate showing at one of my listings but never heard back from this company. The Resolution came before the Council last week. This week the company contacted me and again expressed interest in my listing.	

February 2008

**ITEM 4 PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT**

You

Member of your Immediate Family:

Robin Eschliman

NAME

Business With Which You

Are Associated (See Definitions)

Eschliman Commercial Real Estate

NAME OF BUSINESS

**ITEM 5 NATURE OF FINANCIAL BENEFIT OR DETRIMENT**

**ITEM 6 FOR MEMBERS OF THE LEGISLATURE ONLY**

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

**ITEM 7 CONTINUATION**

Robin Eschliman

(SIGNATURE)

5/16/08

(DATE)

# State of Nebraska Accountability and Disclosure Commission

P.O. BOX 95086  
Lincoln, Nebraska 68509  
nadc.nol.org



11th Floor, State Capitol  
Phone (402) 471-2522  
Fax (402) 471-6599

May 16, 2008

Robin Eschliman  
Lincoln City Council  
7341 South 35<sup>th</sup> Street  
Lincoln, NE 68516

Dear Ms. Eschliman:

Reference is made to your Potential Conflict of Interest Statement which was received by this office on May 16, 2008. As I understand it, you serve on the Lincoln City Council. On May 19<sup>th</sup> the City Council will consider Resolution 08R-111. This resolution is a proposed amendment to the Lincoln Center Redevelopment Plan. It calls for the establishment of Phase V of the 12<sup>th</sup> Street Revitalization Area at North 11<sup>th</sup> and P Streets. The effect of this resolution, if passed, would be that two separate buildings in the downtown area would be connected. The occupant of one building would expand its business into the second building. A likely side effect is that tenants of the second building would be displaced.

You state that you are a real estate broker. In anticipation of City Council action, a current tenant of the second building who is likely to be displaced has expressed interest in your listings. In fact, you believe that that tenant will submit an offer to you next week and that it is reasonably foreseeable that you will ultimately receive a commission.

Section 49-1499.03 of the Nebraska Political Accountability and Disclosure Act provides that an official of a political subdivision designated in section 49-1493 (including a member of the Lincoln City Council) has a potential conflict of interest if he or she is faced with taking an official action or making an official decision which may result in a financial benefit or detriment to: a) the public official; b) a member of his or her immediate family; or c) a business with which he or she is associated. This benefit or detriment must be distinguishable from that experienced by the general public or a broad segment of it.

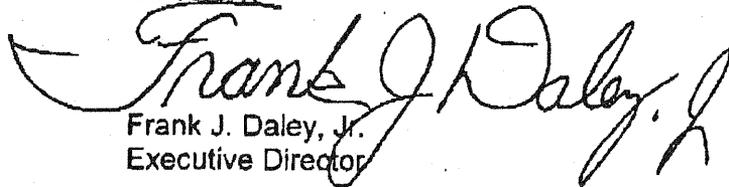
Robin Eschliman  
May 16, 2008  
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In determining whether a public official has a conflict of interest, the Commission has used the "reasonably foreseeable" test. That is, a public official has a potential conflict of interest if it is reasonably foreseeable that the action or decision with which he is faced will result in a financial benefit or detriment. In applying the "reasonably foreseeable" test, the Commission has stated that there is no conflict of interest if the financial benefit or detriment is remote, contingent, speculative, uncertain or de minimis. See Commission Advisory Opinion #77.

Since you have determined that it is reasonably foreseeable that you will experience financial gain if the resolution passes, you have a potential conflict of interest. You should abstain from participating or voting on the matter of Resolution 08R-111.

Please understand that this is a staff opinion only and not a formal Commission Advisory Opinion. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank J. Daley, Jr.", written in a cursive style. The signature is positioned above the typed name and title.

Frank J. Daley, Jr.  
Executive Director