

Fw: LED Billboards

City Clerk <city.clerk@sanjoseca.gov>

Mon 1/17/2022 12:44 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>; Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

From: Mark Baker [REDACTED]
Sent: Saturday, January 15, 2022 3:44 PM
To: Foley, Pam <Pam.Foley@sanjoseca.gov>; ericneese@ [REDACTED]
Cc: Airport Commission 1 <AirportCom1@sanjoseca.gov>; Airport Commission 10 <AirportCom10@sanjoseca.gov>; Airport Commission 3 <AirportCom3@sanjoseca.gov>; Airport Commission 4 <airportcom4@sanjoseca.gov>; Airport Commission 5 <AirportCom5@sanjoseca.gov>; Airport Commission 6 <airportcom6@sanjoseca.gov>; Airport Commission 7 <AirportCom7@sanjoseca.gov>; Airport Commission 8 <airportcom8@sanjoseca.gov>; Airport Commission 9 <AirportCom9@sanjoseca.gov>; Airport Commission CW <AirportComCW@sanjoseca.gov>; CAO Main <cao.main@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Cheng Qian [REDACTED] Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; NO DIGITAL BILLBOARDS IN SAN JOSE [REDACTED] Qualls, Bruce [REDACTED] Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; ADA <ADA@sanjoseca.gov>; Petersen, Adam <Adam.Petersen@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; cnguyen [REDACTED] Lloyd [REDACTED] [REDACTED] mangst [REDACTED] [REDACTED]
Kazmierczak, Matthew [REDACTED]
Subject: Re: LED Billboards

[External Email]

Bruce Qualls retired?!!! Bruce Qualls has retired and no longer works for Clear Channel. Please contact Erik Neese [REDACTED]

Well now Mayor Licardo no longer is obligated to keep his commitment to Mr. Qualls. Mayor Licardo's feelings of guilt are now completely lifted. Bruce Qualls retired, and so now we can retire the idiotic, dangerous, and discriminatory idea of blasting San Jose residents with unwanted electromagnetic radiation and messaging from LED billboards. What great news!

Mark Baker
President
[REDACTED]

On Sat, Jan 15, 2022 at 3:22 PM Mark Baker [REDACTED] wrote:

Well here you go, a total race to the bottom. The viral spread of LED billboards will result in attempts to vaccinate ourselves from the LED billboard virus. As the city installs LED billboards, residents will be installing palm trees to cover them up.

<https://www.stuff.co.nz/national/127496392/developer-cranes-in-palm-trees-to-shield-hotel-from-bothersome-billboard>



STUFF.CO.NZ ✓

Developer cranes in palm trees to shield hotel from bothersome billboard

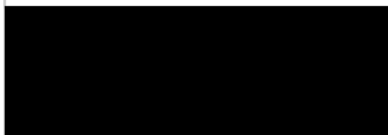
Richard Diver's solution to his friend's bothersome billboard involved two giant palm trees, a c...

One of our members wrote that walking outside now feels like wandering around inside a website, never a chance to relax, always being assaulted by LED light beams and being told to buy a product.

San Jose has the opportunity to set the stage for their children right now. Is San Jose dooming them to a world of constant information and electromagnetic overload, or will San Jose allow children the opportunity to grow up in a world free of electromagnetic smog?

Sincerely,

Mark Baker
President



On Tue, Jan 4, 2022 at 10:55 PM Mark Baker [REDACTED] wrote:

Dear Pam Foley, Councilmember, District 9,

We completely agree with the op-ed in the San Jose Spotlight about the out-of-control San Jose City staff: <https://sanjosespotlight.com/op-ed-city-staff-should-not-be-in-service-to-the-billboard-lobby/>

It is incredible that one person, Chris Burton, is allowed to be the decision maker for the entire rest of society. 93% percent of San Jose residents don't want LED billboards, but Mr. Burton's decisions are all that anyone cares about? Who made this person King?



The photo in the op-ed should be analyzed in-depth. It appears that somebody paid an architect to design a building that is aesthetically pleasing, there is landscaping, and there are positive messages such as "Grow, Make, Create, Solve, Play, Learn" in front of this building, but then on top, all of that architecture and landscaping and positive messaging is obliterated by an LED billboard pusing unwanted and discriminatory electromagnetic radiation into people's eyes. Why have any architecture at all? Why have landscaping? Why have positive messaging, if it all gets blotted out by a McDonald's commercial? This is a violation of basic civil rights.



The op-ed deftly identified many false claims by Mr. Burton or other city staff. We wish to add to that list of false claims. Mr. Burton wrote to the council on November 29th, 2021 the following *"Note that while the comment asserts that 'LED billboards also violate the ADA because they put persons with autism at high risk of injury or death,' no evidence is provided to support that conclusion for this specific project. Therefore, the City concludes that the comment does not provide substantial evidence that the project would result in a significant impact with regard to drivers on U.S. 101."* - It's unbelievable that the city of San Jose has been notified by the public that LED billboards violate the ADA, but because "no evidence was provided", Mr. Burton decided that the comment is unimportant.

Mr. Burton seems to be ignorant of or willfully ignoring the federal law called the Americans with Disabilities Act. This federal law requires the city to ensure that the infrastructure they install is safe for everyone. It is definitely not up to the public to provide the evidence of discrimination. It is up to the city to locate the evidence that LED billboards are not discriminatory and do not cause epileptic seizures and do not capture the minds of people with autism, and do not cause migraines (LED billboards do all of these things). Certainly from a liability aspect, Mr. Burton's actions of ignoring the notice from the public that LED billboards are discriminatory will put Mr. Burton and the city on the losing end of any ADA lawsuit since there was zero due diligence performed.

The San Jose City Council needs to wrest control back from the city staff. The City Council is elected to serve the public, and city staff are there to assist. We did not elect Chris Burton and he is not the King, so why is he having so much influence on our lives?

In closing, we provide a link to a new research study about LED billboards and the hazards they pose: <https://iopscience.iop.org/article/10.1088/1757-899X/1202/1/012035/pdf> The city may locate additional studies about the hazards of LED billboards on our website: www.softlights.org/resources

Sincerely,

Mark Baker
President



This message is from outside the City email system. Do not open links or attachments from untrusted sources.

City Council Meeting 2/1/22 Agenda Item 5.1 Digital Billboards

Leslie Levitt [REDACTED]

Mon 1/24/2022 3:34 PM

To: City Clerk [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

[External Email]

[External Email]

Hello

I also left a detailed voicemail message.

We are writing to ask that Agenda Item 5.1 Digital Billboard be deferred. The City Council considered this issue in November and sent it back to the Airport Commission. The Airport Commission is holding a special study session on this topic this week 1/26/22 at 6PM followed by a regular meeting to consider the topic for a vote.

The issue is that this same topic is already back on the Council Agenda. It was put on the agenda by Airport Staff. We contend this is premature and not allowing sufficient time for either Council review or public input.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

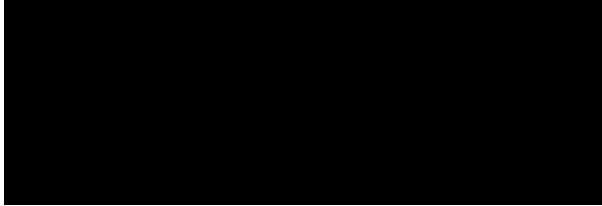
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: Opposition to the Airport Billboards

City Clerk <[REDACTED]>

Wed 1/26/2022 9:30 AM

To: Agendadesk <[REDACTED]>



How is our service? [Please take our short survey.](#)

From: Tim Clauson <[REDACTED]>

Sent: Wednesday, January 26, 2022 8:47 AM

To: Airport Commission 1 <[REDACTED]> Airport Commission 2 <[REDACTED]>
 Airport Commission 4 <[REDACTED]> Airport Commission 6 <[REDACTED]>
 Airport Commission 7 <[REDACTED]> Airport Commission 8 <[REDACTED]>
 Airport Commission 9 <[REDACTED]> Airport Commission CW <[REDACTED]>
 Airport Commission 10 <[REDACTED]> City Clerk <[REDACTED]> Airport
 Commission 3 <[REDACTED]> Airport Commission 5 <[REDACTED]>

Cc: Kazmierczak, Matthew <[REDACTED]> steering.committ
 steering.committ <[REDACTED]> Liccardo, Sam <[REDACTED]> Jones, Chappie
 <[REDACTED]> Peralez, Raul <[REDACTED]> Davis, Dev
 <[REDACTED]> Mahan, Matt <Matt.[REDACTED]> Cohen, David
 <[REDACTED]> Carrasco, Magdalena <[REDACTED]> Esparza, Maya
 <[REDACTED]> Arenas, Sylvia <[REDACTED]> Foley, Pam
 <[REDACTED]>

Subject: Opposition to the Airport Billboards

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

[External Email]

Dear Airport Commissioners,

I strongly implore you to take a stance and reject the airport's plans to install the digital billboards on airport property. I am a victim of divided attention while traveling on our freeway system that resulted in a multiple car accident. I endure pain even after back surgery. The fact that these electronic billboards will be running six second commercials to draw the attention away from our residents commuting on the road is exactly why this should not be approved. San Jose residents have been polled and it is overwhelmingly found that the people of this city are against this proposal. It's sad

that the community outreach was not conducted before so much money and time was committed to the project but money and time should not be a factor when we are dealing with the health and safety of our citizens. In addition to the safety issues these billboards will produce more BLIGHT.

Please listen to the will of the people and not the power of the almighty dollar that will enrich the advertising community and add to the diminishing quality of life we deal with on a daily basis due to poor policy decisions. We need "common sense" decisions and support for our Vision Zero San Jose goal.

Sincerely,

Tim Clauson
D3 Resident

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Fw: I OPPOSE all electronic billboards

City Clerk <[REDACTED]>

Wed 1/26/2022 9:30 AM

To: Agendadesk <[REDACTED]>

1 attachment (1 MB)

billboards 012622.docx;



How is our service? [Please take our short survey.](#)

From: Tod <[REDACTED]>

Sent: Wednesday, January 26, 2022 8:44 AM

To: Airport Commission 1 <[REDACTED]> Airport Commission 2 <[REDACTED]>
Airport Commission 3 <[REDACTED]> Airport Commission 4 <[REDACTED]>
Airport Commission 5 <[REDACTED]> Airport Commission 6 <[REDACTED]>
Airport Commission 7 <[REDACTED]> Airport Commission 8 <[REDACTED]>
Airport Commission 9 <[REDACTED]> Airport Commission 10 <[REDACTED]>
Airport Commission CW <[REDACTED]> Kazmierczak, Matthew <[REDACTED]>

Cc: Liccardo, Sam <[REDACTED]> Jones, Chappie <[REDACTED]> Cohen, David <[REDACTED]>
<[REDACTED]> Davis, Dev <[REDACTED]> Carrasco, Magdalena <[REDACTED]>
<[REDACTED]> Mahan, Matt <[REDACTED]> Esparza, Maya <[REDACTED]>
<[REDACTED]> Foley, Pam <[REDACTED]> Peralez, Raul <[REDACTED]>
<[REDACTED]> Jimenez, Sergio <[REDACTED]> Arenas, Sylvia <[REDACTED]>
<[REDACTED]> Petersen, Adam <[REDACTED]> City Clerk <[REDACTED]>

NO DIGITAL BILLBOARDS IN SAN JOSE <[REDACTED]>

Subject: I OPPOSE all electronic billboards

[External Email]

Plan for the future of San Jose!!

Please review the **attached letter** and add to the official record.

Thank you,
Tod William

Concerned San Jose Resident

P.S. The ban has been in place since 1985.

.

From city website/staffs initial recommendation:
“...any decision to allow new billboards is a weighty one with long-term implications; once billboards are in place, options for removing them are likely to be very expensive, regardless of changes in community expectations and public policy.”

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

January 26, 2022

Dear Airport Commission,

This is only reason this proposal is being pushed back to the Airport Commission is because of “big money”. It is just another attempt to wear down the common citizen. They are not doing us any favors with the reduction of static billboards; the current static billboards have been losing their value and big corporate advertisers have been replaced with accident injury attorneys. I’m sure new electronic billboards will be shiny and new at first but will have the same fate as the run-down static billboards. People have cellphones to get their directions and information. It’s time to let billboards become a thing of the past.

The Vendome (see map below) is a small historic neighborhood in downtown San Jose (2 blocks wide by 9 blocks long). It includes a small park (Ryland) and two current static billboards. Our residential homes (many over 100 years old) are directly bordered by the SR87 freeway. We are in a unique location along the freeway as the only neighborhood in this area on the west side of North 1st Street.

The proposal starts with giant 1000 square foot digital billboards at the Airport which has been rejected by the public and the airport commission. Additionally, the phase one plan follows with many billboards targeted to freeway areas especially along SR87 from Julian to the airport. This will directly impact our residential neighborhood. The buffer zone between an electronic billboard and a residential home is only 150 feet. *All* residential areas should be exempt from having these disruptive billboards in their neighborhoods.

Also, on the west side of the SR87 is the Guadalupe River Parkway. While the parkland currently has other issues including homeless encampments, it has great potential to be a feature of the expanded downtown and North 1st Street Transit Village (plan for the future; think Golden Gate Park or Central Park). Our parks are invaluable and should be protected from billboard pollution.

While my neighborhood would be particularly affected by the two above issues, billboards in general are a type of pollution and blight. I find it telling that none of the renderings for the Google Village or other green development projects include billboards?? Develop and stick with a plan to eliminate all billboards in San Jose (Maybe a grassroots boycott of billboard advertisers?). 93% of residents surveyed opposed billboards on freeway facing property and 80% opposed billboards on buildings downtown. Please represent the will of San Jose residents. You still have time to do the right thing and reject these misguided proposals again. The whole concept should be scrapped. Few might remember the 101 highway littered with billboards. The decade’s long ban has been in place for a reason. “Money isn’t everything.....”

Thank you.

Tod Williams

