

From: Puragra Guhathakurta <>

Sent: Monday, November 20, 2017 11:14 AM

To: Nusbaum, Jenny; Ankola, Aparna; Henriques, Arthur

Cc: Raja Guha Thakurta; Claire Max; Claire Max; Paul Lynam; Kostas Chloros; Bob Kibrick; Anna Korossy

Subject: Coordination Regarding Electronic Billboards and LED Streetlighting

Dear Ms. Nusbaum, Ms. Ankola, and Mr. Henriques,

We are writing on behalf of Lick Observatory, the main CA-based astronomy/astrophysics research facility of the University of California. Our 129-year-old observatory has enjoyed a long-standing and mutually beneficial partnership with the city of San Jose on issues of street lighting and advertising lights. Our partnership is similar to other city-observatory partnerships (e.g., Tucson, AZ and Kitt Peak National Observatory). We at Lick Observatory are looking forward to continuing and strengthening our partnership with San Jose.

As you know, light pollution is an important issue for all observatories today, as city light scattered into the night sky makes it considerably more difficult to observe faint astronomical objects. In particular, a brighter night sky due to electronic billboards and incorrectly designed LED streetlights is a concern for us.

The world astronomy community has developed useful guidelines for the types of electronic billboards and LED streetlights that can have a less deleterious effects on night-time astronomical observations. We have appended a summary of these guidelines to the end of this email.

We have been searching the City of San Jose website to learn more about your plans for future policy regarding electronic billboards. In particular, we'd like to reference the following presentation:

http://sanjose.granicus.com/MetaViewer.php?meta_id=630507

With regard to the policies on slide #4, Lick Observatory is keen to add an item about the importance of mitigating light pollution so as to minimize its impact on astronomical research at Lick Observatory.

We would love to discuss these issues with you at your earliest convenience, in order to have specific and timely input into the city's development of new LED streetlighting and electronic billboard ordinances. In a separate email, we have suggested that we set up such a meeting.

Best regards,

Raja GuhaThakurta and Claire Max

Raja GuhaThakurta

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Claire E. Max

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[Dr. Claire E. Max - Lick
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The following recommendations (in blue) are from Professor Martin Aubé, Department of Physics at CÉGEP de Sherbrooke in Quebec. He is an expert on the effects of lighting on astronomical observation; this is based on his many years of research on the topic. He gave a keynote talk at the American Astronomical Society meeting in Grapevine, TX in January 2017 entitled: “The LED Outdoor Lighting Revolution: Opportunities, Threats and Mitigation.”

Electronic billboards

For the billboard, what we recommend here in Mont Megantic DS reserve is to tilt the billboard by about 15 degrees toward the ground and also we ask advertisements to be dominated by dark colors. Meaning that for example an image with white or bright background is forbidden. But a dark background with bright text is allowed. These two measures mitigate their impact a lot.

LED street lights

About the LED, the key element is the reduction of the blue content. So now the best technology to favor is the Pc Amber LED. Many companies are producing them now like as an example CREE. Please contact the providers to get the relevant information for you region. If ever the city administrators are against amber light then you have to be very careful with white LED. But if you do not have the choice then one solution can be to suggest a 2700K LED but with a minimal reduction of the installed flux (Lumen) to 30% of its initial value. Such a limit to the flux will keep the impact of the lamps as it was with HPS lamps.

Raja GuhaThakurta

Professor/Astronomer, UCO/Lick Observatory, Dept of Astronomy and Astrophysics



Community and Economic Development Committee
 City of San Jose
 Via City Clerk
 200 E. Santa Clara Street, Tower 14th Floor
 San José, CA 95113

November 27, 2017

Dear Chairman Khamis and Committee Members,

We would like to take this opportunity to commend staff for their hard work and recognize that they solicited and listened to industry input in the preparation of the current staff report. The prioritization to pursue opportunities on City owned and controlled sites citywide first is a positive step forward.

There are three items in the staff report that relate to project economics and scope that we would like to draw your attention to:

1. Page 5: The staff report contemplates a 10:1 exchange of existing static billboards for new electronic billboards. The report does not state whether this exchange ratio is based upon structures, display faces, or display area square footage. We support the concept of a reduction requirement and recommend the City use a square footage reduction ratio that is consistent with other Cities throughout the Bay Area, as detailed below. Using a square footage reduction ratio as opposed to a per face or structure ratio will ensure that a proportionate amount of signage is reduced in the City.

Bay Area Relocation/Development/Franchise Agreements

City – Project	Sq Ft built	Sq Ft reduction ratio
Belmont	1,344	2.06:1
Benicia	1,344	1.07:1
Berkeley	1,344	1.62:1
Hayward	1,344	1.79:1
Martinez	1,344	1.00:1
Millbrae	1,344	No reduction
Milpitas – McCarthy Ranch	2,688	No reduction
Milpitas – Piercey Toyota	1,344	No reduction
Newark	2,688	No reduction
Oakland - Ettie, 198 th , Oakport	8,064	2.15:1
Oakland - Louise	1,344	1.69:1
Oakland - 5 th St	1,344	1:71:1
Oakland - Wattling @ 38 th	1,344	1.12:1
Oakland - EBMUD	4,032	2.03:1
Oakland - Port of Oakland	6,720	No reduction
San Carlos	1,344	0.22:1
Santa Clara - Laurelwood	1,344	1.89:1
Santa Clara - Duane	1,344	1.39:1
South San Francisco	1,344	2.06:1

2. In order to maximize reduction and revenue to the City we recommend the inclusion of City owned/controlled right of way as part of “City own sites, citywide”.
3. This program was placed on the City Council’s priority list in December 2015 and the proposed schedule shows implementation in 2019. In order to expedite the process, complete the policy, and ensure compliance with Federal and State outdoor advertising regulations we recommend that the Committee direct Staff to work with the industry on regulatory changes and program implementation.

While staff has worked diligently over the past two years there are a couple of clarifications we would like to address in the staff report.

1. Page 3, State and Federal Regulations: The staff report indicates that off-site signage is prohibited on landscaped freeway segments. State law allows signs to be placed on landscaped freeway segments as part of a relocation agreement. Dozens of digital signs across the state have been developed in landscaped freeway segments through relocation agreements with local jurisdictions and Caltrans.
2. Page 7: The staff report states that “there are significant limitations under State and Federal law to procuring any revenue beyond cost recovery from off-site signage on non-City-owned property.” This statement is inaccurate as dozens, if not hundreds, of signs have been permitted across the State of California where the approving agency shares revenue above cost recovery on non-public owned sites. The Outdoor Advertising Act, pursuant to sections 5412 and 5443, clearly provides cities and counties these rights.

Thank you for your consideration, we look forward to continuing to work with you and your Staff to finalize a process that will greatly benefit the City of San Jose.

Respectfully,



Jeff McCuen
Outfront Media



Alex Belenson
Allvision



November 27, 2017

Councilmember Johnny Khamis, Chair
Community & Economic Development Committee
City of San Jose
200 E. Santa Clara Street, 18th Floor
San Jose, CA 95112

RE: 11/27 CED Committee Mtg., Item (d)(2): Off-site Advertising and Downtown Sign Intensification

Dear Councilmember Khamis,

I am writing to you on behalf of Sharks Sports & Entertainment and its affiliates (SSE) regarding the above-referenced matter.

Over four years ago, SSE began discussions with the City regarding the installation of two digital billboards along local freeways, which could be used to promote events at the arena and generate additional advertising and sponsorship revenues. Such billboards would help ensure the arena's ongoing success as a major economic driver in San Jose, by keeping it competitive with other regional sports and entertainment venues that enjoy the benefits of freeway-facing digital signage.

Over two years ago, pursuant to the Term Sheet approved by Council on May 19, 2015, the City officially agreed that SSE could "install two digital signage structures along freeways at mutually agreeable locations" subject to appropriate amendments to the City's sign ordinance. This was an important economic inducement to keep the San Jose Sharks playing at SAP Center through 2040, and a strong statement of commitment to one of the City's most important economic development partners.

We have worked diligently with City staff for more than two years to facilitate this signage commitment, even while the City Council has begun to consider other digital signage proposals from the billboard industry. As the Council moves toward a work plan that includes policy and regulatory changes to support digital billboards, we ask that the Committee remember the City's prior contractual obligation to SSE, and that you direct staff to give precedence to the Sharks/SAP Center digital signage commitment when considering this larger signage initiative.

We also ask that the Committee adopt a work plan and recommendations that clearly provide for a legislative mechanism to be developed that would allow SSE to install two digital signage structures on City-owned sites along freeways (and not just in the Downtown Sign Zone), as contemplated by the Term Sheet. In particular, the static billboard replacement obligation should not apply to the arena signage, for the obvious reason that the arena currently has no static signage that would qualify for replacement or relocation. SSE's billboards would be new.



Sharks Sports & Entertainment (SSE) Comment Letter
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The City and SSE have had a long and mutually successful partnership, and we trust you will agree that securing new digital signage for the Sharks/SAP Center is important for the City as well as for the Sharks. Creating these additional, state-of-the-art advertising and promotional opportunities will help us compete with newer venues, attract top events, and enhance the reputation and visibility of San Jose. We will be able to continue as a source of civic pride and economic benefit for the entire City – and as the most valuable branding opportunity the City has in the region, nation and world.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Jim Goddard
Executive Vice President, Government Affairs

Subject: FW: Electronic signage

Importance: High

From: Ankola, Aparna
Sent: Monday, November 27, 2017 12:42 PM
To: Chaparro, Isela <Isela.Chaparro@sanjoseca.gov>
Subject: Fw: Electronic signage

Please see below [Public Comment received for the Electronic Billboards scheduled for CED Committee meeting today \(Item d2\)](#)

Thanks!

Aparna Ankola

Planner II - Ordinance and Policy Update Team

Planning Division - PBCE, City of San Jose

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From: Dave Holbrook <dj.holbrook52@gmail.com>
Sent: Friday, November 24, 2017 7:42 PM
To: Ankola, Aparna
Subject: Electronic signage

Being during the day, I can't attend a daytime meeting. I'm a planner with San Mateo Co. Building & Planning Dept. I realize (in some cases), the City is looking to capture revenue (\$\$) from such signage. But I'm telling you, this is just the beginning of a proliferation of outdoor HD signage that's electronic (often with moving images) that is not stoppable once it's allowed. It's the continuation of bright visual advertising blight. All those distopian movies of the future (not to mention major cities of the world) showed exactly this degree of lighting gone overboard. I ask & hope that this position is submitted before the Council & that they look to see past the money they believe will generate from such displays. Thanks.