



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
January 5 - 11, 2018

DATE: January 12, 2018

ITEMS FILED FOR THE PUBLIC RECORD

Letters from the Public

1. Letter from Blair Beekman dated January 5, 2018, to the Mayor and City Council, entitled "a letter from Blair Beekman. January 5, 2018. _____ The IPA, mid-January Study Session."
2. Letter from Marylynn Wheeler- Reynolds dated January 3, 2018, to the Mayor and City Council, Federal Trade Commission, California Attorney General, and California Insurance Commissioner regarding San Jose Municipal Water Company.
3. Letter from Jen Johnson dated January 11, 2018, to the City Clerk, entitled "ACO Furniture Site."
4. Letter from Patrice Anderson dated January 11, 2018, to the Mayor and City Council, entitled "Charities Housing at the ACO Furniture Location."
5. Notification from Pacific Gas and Electric Company dated January 2, 2018 regarding Pacific Gas and Electric Company's Rate Design Window Application (A.17-12-011).

Toni J. Taber, CMC
City Clerk

TJT/mc

From: bob tom

Sent: Friday, January 5, 2018 3:29 PM

Subject: a letter from Blair Beekman. January 5, 2018. _____ The IPA, mid-January Study Session.

Dear city government of San Jose,

San Jose has had two, very good, previous IPA's, that have helped make clear, what can be a good thinking future, for all of us. And how good, long term decisions, can be made, for the future of San Jose

Questions of the mayor, for the January study session, need to be answered, in how the IPA will function, and how it will be accountable and transparent, to the public, and community matters. at this time.

At the January, IPA study session, with these basic understandings, I hope city government and advocacy, can then also try to work on, and set an organized time and space, to also talk about, the DII citizen oversight process.

And to be able to talk about, the simple, public guidelines, accountability, and civil protection ideas, now more possible, with surveillance and technology, and other important issues, that have been around the community, and the IPA, for years now.

These ideas, among others, have been a large part, in how the current IPA was hired. His bureaucratic sense of things, seems to offer, he is both idealistic, and likes to do things neatly. And can describe something, in how we can all proceed, in the next few years.

I feel with good organization and study, beforehand, the IPA study session in January, can then offer the time and space, for ideas and thought, and the somewhat open, public process, we all like to think about, and work toward, what an IPA office can be.

There may be certain parameters, the mayor, and the San Jose IPA, are thinking of, in how it can be accountable to the public, at this time.

But part of the accountability of this office, has been defined, by the past two IPA's, in an open, creative idealism they have had. It has set a course and a roadmap, that we will all be counting on, now, and into the long term future of San Jose.

However you look at it, in nice terms, we are at another hopeful beginning, with a new IPA, in San Jose. I hope we can all think of it well.

Sincerely,
Blair Beekman

To state again,

I feel, with good organization, before the January IPA study session, this can allow, for many, good concepts, to be open for discussion.

I feel there are good ways of organizing, the IPA study session, beforehand, that can allow, not only an outline, of the mayors ideas, for the current IPA,

but to have an organized set of ideas, to talk about DII and public oversight, along with public guidelines, and accountability ideas, for new technology, along with other community ideas.

Mailed to F.T.C.: Cert Mail # 2017 2680 0000 2880 0333

To: Federal Trade Commission (F.T.C.), California Attorney General
California Insurance Commissioner

To: San Jose Mayor Liccardo, San Jose City Council, City Clerk,
San Jose City Attorney, Santa Clara County District
Attorneys Office

To: Ripon Police Department, Chief Ormonde

To: Congressional Black Caucus, N.A.A.C.P., and C.O.R.E.

Enclosure: Article, "Hearing Set as San Jose Water Company Requests Rate Hike"

From: MaryAnn Wheeler-Reynolds

Date: Jan 3, 2018

P.S. I hope that the aforementioned can read my writing: Swollen fingers.

Subjects: 1) Request Federal Trade Commission to Investigate
San Jose Municipal Water Company, San Jose
Water Company and California Submeters
for Water Bill Price-Gauging

1.i) Request Ripon Police Dept. be Investigated for Towing/Stealing My Car

2) California Public Utilities Commission (CPUC)

Wrote and informed me of their Lack of
Jurisdiction over San Jose Municipal Water
Company: Who is San Jose Municipal Water
Company accountable to?

3) Some Water Bills are High as a
Mortgage Payment: Artificial Debt via
Price-Gauging

4) The Grassroots Organization ("WRATES")
Created a mathematical algorithm, proving
the average waterpayer received a 72%
increase; this is unacceptable.

5) Legislation Needed to Cap Water Bill Increases

I am a retired Senior Citizen, a graduate of San
Jose State University, who has observed the San Jose, CA
black population exit Silicon Valley due to the high

Cost of living, high black unemployment and incarceration rate and various forms of racism, including anti-black wealth hate experienced by those who have achieved modest success. Because I have owned properties in San Jose for over thirty years, I recall when the City of San Jose had a 60-million dollar deficit in the 1980's. Authors used San Jose as an example of a financial disaster. Currently, the City of San Jose has an approximately 40-million dollar deficit. I wrote a letter to the mayor and city council and made it clear that the City of San Jose was utilizing exorbitant water bills as a means to close the deficit gap. I also publically and orally addressed Mayor Liccardo and the San Jose City Council regarding the generation of exorbitant water bills. In furtherance of due diligence, I wrote a water bill complaint-letter to the California Public Utilities Commission (CPUC). To my chagrin, the Commission stated the agency does not have jurisdiction over the San Jose Municipal Water Company. Since the CPUC has no jurisdiction over San Jose Municipal Water Company, I am requesting the Federal Trade Commission (FTC) to investigate all of the Santa Clara County water-providers that serve the public. Various water companies charge different rates. The "WRATES" organization created a mathematical algorithm that proved the average waterpayer received a 72 percent increase; this is unacceptable.

I have received wildly fluctuating water bills from San Jose Municipal Water Company. In late 2014, I received a water bill for approximately \$400.00. I paid the bill in full. Then, miraculously, the next bill returned to

the normal billing rate of approximately \$84.00. The water bill escalated in 2017. From January 2017 through April, 2017, the San Jose Municipal Water Company drastically increased my water bill almost ten-fold: \$84.00, to \$303.00, to \$784.00. I paid the \$84.00 in full; I paid the \$303.00 in full. I paid 84⁰⁰ of the \$784.00 because \$84.00 is my normal water bill rate. Thus, I reduced the \$784.00 to \$700.00. In April, 2017 I contacted the City of San Jose both in-person and in-writing requesting the City of San Jose cut off the water due to price-gauging. It became clear that as long as I paid price-gauged water bills, the San Jose Municipal Water Company would continue to generate exorbitant, illegitimate, fraudulent water bills. I met with members of the San Jose Finance Department. It was agreed that the cubic feet associated with the \$784.00 water bill was enough water to fill a swimming pool. San Jose Municipal Water Company came to

and saw for themselves that there was no pool and no leak, either. I paid a plumber to look for a leak; he found no leak. Mr. Lemon of the San Jose Finance Department presented a letter from San Jose Municipal Water Company. The letter was based solely on supposition and not tangible evidence. The bottomline is San Jose Municipal Water Company found no water leak and had no justification for generating the exorbitant water bills. San Jose Water Company, which is the water-provider for my

rental property, has admitted to over-charging its waterpaying customers. San Jose Municipal Water Company is not infallible; it has over-charged its waterpayers, as well. San Jose Water Company utilizes a Middleman, California Submeters.

California Submeters refuse to shut off the water when the rental is vacant or undergoing repairs. In the past, I both wrote and telephoned the company explaining the circumstances. Nevertheless, California Submeters continued to generate unnecessary water bills, whether or not the rental is vacant. Conversely, owners of large apartment complexes are allowed to shut off the water to their vacant units. (The little guy is held hostage to the water company.) The aforementioned circumstances constitute unfair trade practices. The grassroots organization, "WRATES" created a mathematical algorithm, proving the average waterpayer received a 72 percent increase; this is price-gauging and this is unacceptable. Price-gauging generates artificial debt. My current price-gauged water bill is over fifteen hundred dollars, which is equal to some mortgage payments. In an effort to bully me into paying the exorbitant water bill, a code enforcement officer came to the Baldrige property and condemned my property, listing unsubstantiated violations. I later learned that code enforcement was not the entity authorized to do so but only the health department. Instead of investigating the water bill price-gauging, code enforcement sought to bully me into paying the exorbitant water bill.

The Congressional Black Caucus needs to be informed that utility bill price-gauging is creating artificial debt and squeezing people of color out of their homes and rental properties. Neither landlords nor tenants can afford these water bills. I hope that the Congressional Black Caucus will initiate and draft legislation that would place caps on water bill increases. A 72 percent water bill increase is unconscionable.

In addition to investigating waterbill price-gauging, I am requesting the Federal Trade Commission to investigate the Ripon Police Department for towing my classic 1997 Lincoln Continental Town Car from my residential building, without my consent and without a court order. Ripon police got a towing company (W.S. Towing Modesto, Calif.) to tow my car from the City of Ripon to the City of Modesto, California. Just as egregious, Ripon police violated California towing laws which states a car cannot be towed more than 10 miles from the original location, according to the website: "Get Hitched." There are tow companies in Ripon, California. Why did Ripon police not utilize a local towing company? Furthermore, after my car was towed, I was instructed to contact the Ripon Police Department for release approval and payment. Clearly, this situation is a scheme, a money-making scheme. There is no excuse for towing my car outside of the city limits. I contacted the towing company, and the company employee (George) stated he did not know the whereabouts of my car and surmised that my car may have been sold or discarded. This is unacceptable, and I am requesting that the Federal Trade Commission launch an investigation into the Ripon Police Department's car towing practices, fees, and inquire into why Modesto, California towing companies (W.S. Towing and Golden State Towing Company) are involved with the Ripon Police Department, given these two towing companies are in Modesto, Calif. The Congressional Black Caucus, NAACP, C.A.R.E., and other organizations must reintroduce: Anti-Police Profiling Act.

From: sharkfansj
Sent: Thursday, January 11, 2018 8:15 AM
To: City Clerk
Subject: ACO Furniture Site

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Good morning,

I am a resident of the Blossom Valley neighborhood. I have recently been informed that Charities Housing wants to develop the ACO Furniture site at Charities Housing is planning a 160 unit low income housing project for this site. This development is out of scale for the neighborhood and does not fit with the Urban Village concept discussed by neighbors two years ago. Many District 2 residents attended meetings to discuss the concept of an Urban Village Plan for the Blossom Hill/Snell area. Neighbors supported mixed use residential areas; revitalized retail and commercial areas and open spaces and parks. The ACO Charities Housing project is not in conformance with any of the suggestions from the summaries of those meetings.

I doubt you would find many residents who would object to a housing project that included affordable housing for teachers and public safety professionals, with some low income units included, and upscale retail and restaurants and open spaces.

This same proposal was made three years ago. At that time, neighbors and Councilman Ash Kalra worked together to engage the community to fight the proposal. Their efforts were successful and the plan was withdrawn. The proposal was a bad idea three years ago and it is a bad idea now. There is no benefit to the surrounding neighborhoods from this proposal and there is a potential for increased crime and blight and a reduction of property values. Please support us in our efforts to stop this project.

Jen Johnson

From: Patrice <

Sent: Thursday, January 11, 2018 8:34 AM

To: The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; distict8@sanjoseca.gov; District9; District 10; City Clerk

Subject: Charities Housing at the ACO Furniture Location

Good morning, I am a resident of the Blossom Valley neighborhood, and have lived here for 42 years. I have seen our neighborhoods deteriorate rapidly in the last few years. I have recently been informed that Charities Housing wants to develop the ACO Furniture site at Charities Housing is planning a 160 unit low income housing project for this site. This development is out of scale for the neighborhood and does not fit with the Urban Village concept discussed by neighbors two years ago. Many District 2 residents attended meetings to discuss the concept of an Urban Village Plan for the Blossom Hill/Snell area. Neighbors supported mixed use residential areas; revitalized retail and commercial areas and open spaces and parks. The ACO Charities Housing project is not in conformance with any of the suggestions from the summaries of those meetings.

I doubt you would find many residents who would object to a housing project that included affordable housing for teachers and public safety professionals, with some low income units included, and upscale retail and restaurants and open spaces. This same proposal was made three years ago. At that time, neighbors and Councilman Ash Kalra worked together to engage the community to fight the proposal. Their efforts were successful and the plan was withdrawn. The proposal was a bad idea three years ago and it is a bad idea now. There is no benefit to the surrounding neighborhoods from this proposal and there is a potential for increased crime and blight and a reduction of property values. Please support us in our efforts to stop this project.

I also would not object to seniors or veterans for housing at this location. Screening and monitoring of the issues that come along with this type of housing must be in place - permanently, to prevent blight, health issues for the surrounding community, etc.

Thank you for listening.

Patrice Anderson

January 2, 2018

TO: STATE, CITY AND LOCAL OFFICIALS

NOTIFICATION OF PACIFIC GAS AND ELECTRIC COMPANY'S RATE DESIGN WINDOW APPLICATION (A.17-12-011)**Summary**

On December 20, 2017, Pacific Gas and Electric Company (PG&E) filed its 2018 Rate Design Window (RDW) application with the California Public Utilities Commission (CPUC). This application complies with CPUC's requirement that all three major gas and electric utilities in California (PG&E, Southern California Edison and San Diego Gas & Electric) propose a plan for transitioning to Time-of-Use rate plans. Additionally, this application will include several residential rate options designed to promote energy efficiency and have less impact on the environment.

Background

In 2015, the CPUC launched its residential rate reform efforts to address concerns about customer bill impacts and volatility caused by the five-tiered rate structure that was put into place after the California Energy Crisis. This 2018 RDW proceeding is the next step in the CPUC's process of residential electric rate reform for all of California's major utilities.

The State of California is taking steps to create a cleaner and more reliable energy grid by encouraging energy usage when demand is lower and renewable energy is more plentiful. Based on lessons learned from other customer classes (such as commercial and agricultural) being on Time-of-Use rate plans, the CPUC has determined that more residential customers should be moved to Time-of-Use rate plans. Time-of-Use rate plans can help bring down the overall cost of electricity, make better use of clean renewable energy such as solar, and support the needs of the electric grid. Customers will always have a choice of rate plans, meaning Time-of-Use is not mandatory.¹ The first year will be risk-free, with bill protection, and an individualized rate comparison for all customers.²

How will PG&E's Application affect me?

This application includes the following:

- Plan to transition residential customers to a Time-of-Use rate plan, meaning the cost of electricity depends on the time of day it is used.³
- Options of three core rate plans for customers to choose from, designed to meet a variety of customer needs.
- Future fixed monthly charge to reduce bill volatility and better align customer bills with cost of service. A fixed charge reduces the price per kilowatt hour, which helps reduce customer's bill volatility.
- Simplified California Alternate Rates for Energy (CARE) low-income subsidy, including a percentage discount from the total bill amount. (Note: for most customers, this change won't reduce the discount amount, it will just become easier to understand.)
- Alignment of the SmartRate™ program's peak hours with Time-of-Use rate plans to match the current highest cost and demand hours.

The transition to Time-of-Use rate plans is being piloted statewide to gain important lessons before full transition. PG&E's application proposes to start this transition on October 1, 2020, after all pilots are complete and lessons learned from pilot programs have been reflected in implementation plans.

There is no direct request to increase rates in this application. However, the proposed implementation plan will eventually impact rates as rate design changes are implemented. Specific impacts to rates have not been determined at this time. Requests to increase rates will be made in future rate increase applications and information about rate impacts will be provided at that time. This application is intended to give customers more control over their bill amounts. The majority of customers will either see a reduction in their total bill amount or see a small annual increase, depending on how much energy they are able to shift to off-peak hours when prices are lower.

How do I find out more about PG&E's proposals?

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. Para más detalles llame al **1-800-660-6789** • 詳情請致電 **1-800-893-9555**. For TTY, call **1-800-652-4712**. If you would like a copy of PG&E's filing and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company
2018 Rate Design Window Application (A.17-12-011)
P.O. Box 7442
San Francisco, CA 94120

A copy of PG&E's filing and exhibits are also available for review at the CPUC's Central Files Office by appointment only. For more information, contact aljcentralfilesid@cpuc.ca.gov or 1-415-703-2045. PG&E's Application (without exhibits) is available on the CPUC's website at www.cpuc.ca.gov.

CPUC process

This application will be assigned to an Administrative Law Judge (Judge) who will determine how to receive evidence and other related documents necessary for the CPUC to establish a record upon which to base its decision. Evidentiary hearings may be held where parties representing a wide range of interests will present their testimony and may be subject to cross-examination by other parties. These evidentiary hearings are open to the public, but only those who are formal parties in the case can participate.

After considering all proposals and evidence presented during the hearings, the assigned Judge will issue a proposed decision that may adopt PG&E's proposal, modify it or deny it. Any of the five CPUC Commissioners may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted upon at a scheduled CPUC Voting Meeting.

The Office of Ratepayer Advocates (ORA) may review this Application. ORA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. ORA has a multi-disciplinary staff with expertise in economics, finance, accounting and engineering. For more information about ORA, please call 1-415-703-1584, email ora@cpuc.ca.gov or visit ORA's website at www.ora.ca.gov.

Stay informed

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at <http://subscribe.puc.ca.gov/>. If you would like to learn how you can participate in the proceeding, have informal comments about the Application or have questions about the CPUC processes, you may access the CPUC's Public Advisor Office (PAO) webpage at <http://consumers.cpuc.ca.gov/pao/>.

You may also contact the PAO as follows:

Email: public.advisor@cpuc.ca.gov Mail: CPUC Public Advisor's Office 505 Van Ness Avenue San Francisco, CA 94102	Call: 1-866-849-8390 (toll-free) or 1-415-703-2074 TTY: 1-866-836-7825 (toll-free) or 1-415-703-5282
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If you are contacting the CPUC, please include the application number (2018 Rate Design Window Application; A.17-12-011). All comments will be circulated to the Commissioners, the assigned Judge and appropriate CPUC staff, and will become public record.

¹ Cal. Pub. Util. Code Section 745 (b)

² Cal. Pub. Util. Code Section 745 (c)(4)

³ Pending CPUC decision. Certain exclusions may apply.

RECEIVED
San Jose City Clerk
JSM/ML
2018 JAN 10 AM 10:34