



# Memorandum

**TO:** Honorable Mayor &  
City Council

**FROM:** Toni J. Taber, CMC  
City Clerk

**SUBJECT:** The Public Record  
February 9 – 15, 2018

**DATE:** February 16, 2018

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## ITEMS FILED FOR THE PUBLIC RECORD

1. Letter from Lori Ortiz, dated February 12, 2018, entitled "Re: Kaplan / Bay Area Air Quality Management District."
2. Letter from Jesus Flores, dated February 12, 2018, related to the Station Area Advisory Group.
3. Letter from John C. Baker, dated February 12, 2018, entitled "CPUC proposed decision lowers San Jose Water's allowable rate of equity."
4. Notification from Verizon Wireless to the California Public Utilities Commission, dated February 12, 2018, entitled "Notification Letter for Hwy 280 17 Relo."
5. Notification from Verizon Wireless to the California Public Utilities Commission, dated February 12, 2018, entitled "Notification Letter for San Jose Small Cells 020 & 174."
6. Notification from Verizon Wireless to the California Public Utilities Commission, dated February 12, 2018, entitled "Notification Letter for San Jose 172."
7. Letter from Caroline Smith, dated February 13, 2018, entitled "Single family homes rent law."
8. Letter from Jeffrey Buchanan, dated February 15, 2018, entitled "Request related to Google NDA story in Mercury News."
9. Letter from Sarita Gupta, received February 15, 2018, entitled "Secret Negotiations with Google over massive development."
10. Letter from Nikki Fortunato Bas, dated February 15, 2018, entitled "Secret Negotiations with Google Regarding Public Land."

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Toni J. Taber, CMC  
City Clerk

**From:** Lori Ortiz  
**Sent:** Monday, February 12, 2018 9:35:27 AM  
**To:** City Clerk  
**Subject:** Re: Kaplan / Bay Area Air Quality Management District

Ms. Toni Taber,

Dear Mayor and City Commissioners,

I am a(n) resident. I am writing to urge you to support the reappointment of Oakland City Councilmember At-Large, Rebecca Kaplan, to the Bay Area Air Quality Management District, and to support the rescinding of any Alameda County rule that limits board appointments only to mayors.

Oakland is the largest city in Alameda County and until Ms. Kaplan's appointment last year to fill a vacancy, Oakland did not have a representative on the BAAQMD board for over 25 years. As an at-large Councilmember, Ms. Kaplan represents communities in Oakland that have been disproportionately hard-hit by pollution and that need strong representation in our region's air quality decision-making. Excluding Ms. Kaplan from continuing to serve the needs of Oakland and all Alameda County on the board will leave Oakland unrepresented. This would be unacceptable.

Ms. Kaplan is highly qualified to serve on the board. In her short time on the BAAQMD board, Ms. Kaplan rose into leadership position, becoming Vice Chair of Public Engagement. She proposed and passed significant new programs and funding for needed improvements throughout our communities. For example, she successfully obtained over \$600,000 to replace a very old, heavily polluting diesel locomotive engine operating near hard-hit West Oakland communities, with a new, cleaner engine. Ms. Kaplan worked successfully to expand funding availability for shuttles that connect "last mile" locations to transit and key destinations using "Spare the Air" funds. The new shuttle funding is not only connecting a key regional transit hub with the Oakland Broadway Shuttle, it's also benefiting other communities, such as with rail in Livermore, and the ability to spread such efforts to additional cities. She proposed, and got adopted by the board, a program to help clean up truck

pollution by funding buy-outs for some of the most heavily polluting diesel trucks, and enable people to get cleaner vehicles. The above are only a short list of her accomplishments on the BAAQMD board.

Ms. Kaplan's successes and funding wins go beyond just working to help Oakland—by coming up with new solutions, Kaplan's proposals are making new funding and efforts available for all Alameda cities.

Ms. Kaplan also has served for several years on the Alameda County Transportation Commission and is the Chair of the Board. In that role, she has helped to win billions of dollars to improve our region's transit, pedestrian safety, and roads, while advancing clean air projects.

She brings to BAAQMD the invaluable experiences and expertise she has gained while on the ACTC. For the reasons stated above, I urge you to support the reappointment of Rebecca Kaplan to the BAAQMD Board, and encourage you to retain her leadership for the benefit of all of us.

Sincerely,

Lori Ortiz

San Jose, CA 95125

February 12, 2018

PUBLIC RECORD 2

Attn:

Mayor Sam Liccardo

Vice Mayor Magdalena Carrasco, and

San Jose City Council

Re: January 30<sup>th</sup> Agenda item 3.6. Station Area Advisory Group (SAAG) Membership,  
Underrepresentation by Small Business Community

Honorable Mayor and Councilmembers,

This document addresses some of the concerns expressed in Councilmember Jimenez' memo dated 1.29.18 to the San Jose Mayor and City Council. I am concerned specifically about the underrepresentation of small business in the SAAG Membership and request reconsideration be given to the diverse business community stakeholders such as local neighborhood San Jose Business Associations such as the Alum Rock Santa Clara Street Business Association as well as several of the ethnic and underrepresented chambers/ associations including but not limited to the Hispanic Chamber of Silicon Valley, the Black Chamber, the Vietnamese Chamber, the LGBTQ Chamber and others.

I respect the suggestion by Councilmember Jimenez to include the Minority Business Consortium as a like entity but emphasize that it is insufficient to represent our communities.

I would also like to acknowledge Vice Mayor Carrasco's comments at the 1/30 council meeting where she recognized the lack of representation from both ethnic business communities and East San Jose representation as a whole.

In East San Jose, VTA's BRT project had a very serious adverse impact on neighboring Alum Rock businesses. As of now over 20 businesses have closed due to being negatively impacted by construction related to the BRT. The BRT project is miniscule compared to the magnitude of adverse effects that may come from Google when they begin to break ground.

A strong line of communication as well as community engagement will create for a stronger partnership for all parties involved and so that this experience comes out as a positive one where everybody can benefit.

Many of these concerns are referenced in the Silicon Valley Rising note...

*"The SAAG membership must include the wide range of residents who will be negatively impacted by this proposed deal and who reflect the makeup of San Jose. Specifically, the advisory group should be amended to ensure the following:*

- *Tenants that will be impacted by rising rents and evictions as a result of this deal are represented;*
- *Including representatives of communities at greatest risk of displacement and gentrification outside of the downtown area that will nevertheless face impacts by the proposed development;*
- *Adding a representative of the thousands of houseless residents of San Jose given the potential of this project to increase homelessness;*
- *Ensuring the SAAG has racial and ethnic diversity that reflects our city and region*

*The Administration should explicitly task the SAAG with assessing and making recommendations to ensure that the benefits of this development are shared more broadly with the community including specifically:*

- *Protecting families from extreme rent increases, evictions and homelessness through supporting tenants' rights and supporting production and preservation of extremely low, very low- and low-income housing;*
- *Promoting racial and gender inclusion through programs to help local workers access high paying Google jobs;*
- *Standards to promote good, family-supporting jobs and a voice at work among subcontracted service and construction jobs generated by the project;*
- *Support for small businesses and other sources of employment that are also at risk of displacement; and*
- *Mitigations to traffic and environmental impacts."*

Google coming to San Jose is great from an economic development perspective. However, a company of this magnitude coming to San Jose may have an adverse impact on existing neighborhoods throughout the city. For that reason ethnic chambers, local business associations, and community stakeholders throughout San Jose deserve to have a seat at the table to have their voices heard throughout this process.

Respectfully,

Jesus Flores  
President, Alum Rock Santa Clara St. Business Association

CC: Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco  
City Council  
City Clerk

**From:** Baker, John C.

**Sent:** Monday, February 12, 2018 3:04 PM

**To:** Baker, John C.

**Subject:** CPUC proposed decision lowers San Jose Water's allowable rate of equity

Dear Santa Clara County stakeholders,

This note is to keep you updated on the results of last fall's "costs of capital" hearings for various water companies. Such cost of capital hearings are used to determine local investor-owned water utilities' maximum allowable "rate of equity." The rate of equity determined as part of these hearings will be a significant factor considered in the CPUC's determination of allowable rates.

As you may recall, San Jose Water Company (SJW) had requested (in Application 17-04-001) that the CPUC allow it to seek a 10.8 percent return on equity (ROE), up from its current 9.43 percent. The utility said that would result in an 8.63 percent effective rate of return for its investors, after cost of debt was included.

But a proposed decision issued last week by a CPUC administrative law judge instead authorizes SJW an 8.3 percent ROE – lower than both the California and National average ROE during 2017. This would effectively offer SJW a 7.19 percent rate of return, after cost of debt was included.

Despite the lower ROE, it is not a forgone conclusion that this decision will result in a rate decrease for these utilities' customers because labor, maintenance, and other direct business costs all will be taken into account as part of the utilities' general ratemaking process. It does, however, mean that any requested rate increases could be blunted by the lower ROE, making any rise a bit less sharp.

This decision was after a long comment period, during which more than 400 ratepayers appeared at public hearings, and the lower ROE matches the recommendation of the CPUC's Office of Ratepayer Advocates (ORA). The judge wrote that ORA "has demonstrated that its recommended capital structures, returns on equity and CD for the Applicants are reasonable and should be adopted by this Commission."

This proposed decision is tentatively scheduled to be heard at the Commission's March 22, 2018, Business Meeting. The actual terms of the proposed decision, including some financial analysis too in-depth to put into this informational e-mail, are online at: <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=209550731>

Thanks for your time,

**John C. Baker**

Local Government Liaison, Executive Division  
California Public Utilities Commission  
San Francisco CA 94102

PS - As a reminder, San Jose Water Company put in its rate application for 2019-2021 in January. The rate of equity determined in this proceeding will affect that application. You can review the rate application (A.18-01-004) online at: <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=All&DocID=204158668>



February 12, 2018

Ms. Anna Hom  
Consumer Protection and Enforcement Division  
California Public Utilities Commission

San Francisco, CA 94102

RE: Notification Letter for Hwy 280 17 Relo  
San Jose, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

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This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Sincerely,

Melinda Salem  
Engr IV Spec-RE/Regulatory  
Irvine, CA 92618



## CPUC Attachment A

<b>Site Name</b>	Hwy 280 17 Relo	<b>Site Coordinates</b>  <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Degrees</th> <th>Minutes</th> <th>Seconds</th> </tr> </thead> <tbody> <tr> <td>Latitude</td> <td>37</td> <td>19</td> <td>3.60</td> </tr> <tr> <td>Longitude</td> <td>121</td> <td>56</td> <td>53.7</td> </tr> <tr> <td colspan="4" style="text-align: center;">NAD 83</td> </tr> </tbody> </table>		Degrees	Minutes	Seconds	Latitude	37	19	3.60	Longitude	121	56	53.7	NAD 83											
	Degrees		Minutes	Seconds																						
Latitude	37		19	3.60																						
Longitude	121		56	53.7																						
NAD 83																										
<b>Legal Entity</b>	GTE Mobilnet of California LP																									
<b>Type of Project</b>	Initial Build (new presence for VZW)																									
<b>Street Address of Site</b>	560 S Winchester																									
<b>Site Location City</b>	San Jose																									
<b>Site Location Zip Code</b>	95128																									
<b>Site Location County</b>	Santa Clara																									
<b>Site Location APN Number</b>	277-39-011																									
<b>Brief Description of Project</b> (16) 6' tall panel Antennas, (24) RRU's, (8) Raycaps, (4) Hybrid Cables, (12) Coax Cables, (1) 20kw standby Generator w/96 gal diesel tank on 11'-6" x 20'-0" prefabricated steel platform, 568 sq ft Equipment Antenna lease area																										
<b>Number &amp; type of Antennas / Dishes</b>  <b>Tower Design</b>  <b>Tower Appearance</b>  <b>Tower Height (in feet)</b>  <b>Size of Building or NA</b>	16 panel antennas Rooftop Antennas at 93' RAD 96' tall N/A																									
<b>Planning Director (or equivalent)</b> <b>Contact 1 Email Address</b> <b>Contact 1 Agency Name</b> <b>Contact 1 Street Address</b> <b>Contact 1 City, State ZIP</b>	Planning Official Steve.McHarris@sanjoseca.gov City of San Jose 200 E. Santa Clara St San Jose, CA 95113																									
<b>City Manager (or equivalent)</b> <b>Contact 2 Email Address</b> <b>Contact 2 Agency Name</b> <b>Contact 2 Street Address</b> <b>Contact 2 City, State ZIP</b>	City Manager's Office sandra.cranford@sanjoseca.gov City of San Jose 200 E. Santa Clara St San Jose, CA 95113																									
<b>City Clerk (or equivalent)</b> <b>Contact 3 Email Address</b> <b>Contact 3 Agency Name</b> <b>Contact 3 Street Address</b> <b>Contact 3 City, State ZIP</b>	City Clerk cityclerk@sanjoseca.gov City of San Jose 200 E. Santa Clara St San Jose, CA 95113																									
<b>Director of School Board (or equivalent)</b> <b>Contact 4 Email Address</b> <b>Contact 4 Agency Name</b> <b>Contact 4 Street Address</b> <b>Contact 4 City, State ZIP</b>	N/A     																									
<div style="text-align: center;"><b>LAND USE OR BUILDING APPROVALS</b></div> <table style="width: 100%;"> <tr> <td><b>Type of Approval Issued</b></td> <td>Development Permit Adjustment</td> </tr> <tr> <td><b>Issue Date of Approval</b></td> <td>1/9/2018</td> </tr> <tr> <td><b>Effective Date of Approval</b></td> <td>1/9/2018</td> </tr> <tr> <td><b>Agency Name</b></td> <td>City of San Jose</td> </tr> <tr> <td><b>Approval Permit Number</b></td> <td>AD18-024</td> </tr> <tr> <td><b>Resolution Number</b></td> <td>N/A</td> </tr> <tr> <td><b>Type of Approval Issued (2)</b></td> <td></td> </tr> <tr> <td><b>Issue Date of Approval (2)</b></td> <td></td> </tr> <tr> <td><b>Effective Date of Approval (2)</b></td> <td></td> </tr> <tr> <td><b>Agency Name (2)</b></td> <td></td> </tr> <tr> <td><b>Approval Permit Number (2)</b></td> <td></td> </tr> <tr> <td><b>Resolution Number (2)</b></td> <td></td> </tr> </table>			<b>Type of Approval Issued</b>	Development Permit Adjustment	<b>Issue Date of Approval</b>	1/9/2018	<b>Effective Date of Approval</b>	1/9/2018	<b>Agency Name</b>	City of San Jose	<b>Approval Permit Number</b>	AD18-024	<b>Resolution Number</b>	N/A	<b>Type of Approval Issued (2)</b>		<b>Issue Date of Approval (2)</b>		<b>Effective Date of Approval (2)</b>		<b>Agency Name (2)</b>		<b>Approval Permit Number (2)</b>		<b>Resolution Number (2)</b>	
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<b>Resolution Number (2)</b>																										
<b>Notes/Comments:</b>  Permit to be Adjusted: H71-194																										



February 12, 2018

Ms. Anna Hom  
Consumer Protection and Enforcement Division  
California Public Utilities Commission

San Francisco, CA 94102

RE: Notification Letter for San Jose Small Cells 020 & 174  
San Jose, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

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This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") for the projects described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Sincerely,

Melinda Salem  
Engr IV Spec-RE/Regulatory  
Irvine, CA 92618



## CPUC Attachment A

Initial Build (new presence for Verizon Wireless)

VZW LEGAL ENTITY	JURISDICTION	PLANNING OFFICIAL	CITY MANAGER OFFICE	CITY CLERK	COUNTY
GTE Moblnet of California Limited Partnership	City of San Jose	<a href="mailto:Steve.McHarris@sanjoseca.gov">Steve.McHarris@sanjoseca.gov</a>	<a href="mailto:sandra.cranford@sanjoseca.gov">sandra.cranford@sanjoseca.gov</a>	<a href="mailto:cityclerk@sanjoseca.gov">cityclerk@sanjoseca.gov</a>	Santa Clara

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number
San Jose 174	524 Giuffrida Ave San Jose, CA 95123	Public ROW	37° 15' 11.09 N 121° 49' 56.44 W	Install (1) canister antenna on new replacement utility pole. Install power cabinet at ground level. Install (3) RRU's, (2) disconnect switches, (1) electrical meter, FCC signage, ground rods, buss bar, and (3) conduits for power, telco, and coax. Install power cabinet and handhole at ground level.	(1) 48" Amphenol canister antenna	Utility pole	Antenna RAD-center at 58'-10"	60'-10"	N/A	Encroachment permit	1/18/2018	1/18/2018	F17216	N/A
San Jose 020	2229 Cherry Ave San Jose, CA 95125	Public ROW	37° 17' 11.51 N 121° 53' 53.72 W	Install (1) canister antenna on new bayonet extension on existing utility pole. Install (1) power cabinet at ground level and electrical meter on power cabinet. Install (3) RRU's, (2) utility disconnect switches, FCC signage, buss bar, and conduit for power, fiber, and coax on pole.	(1) 48" Amphenol canister antenna	Utility pole	Antenna RAD-center at 53'-4"	55'-4"	N/A	Encroachment permit	1/18/2018	1/18/2018	F18008	N/A



February 12, 2018

Ms. Anna Hom  
Consumer Protection and Enforcement Division  
California Public Utilities Commission

San Francisco, CA 94102

RE: Notification Letter for San Jose 172  
San Jose, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

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This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Sincerely,

Melinda Salem  
Engr IV Spec-RE/Regulatory  
Irvine, CA 92618



## CPUC Attachment A

Initial Build (new presence for Verizon Wireless)

VZW LEGAL ENTITY	JURISDICTION	PLANNING OFFICIAL	CITY MANAGER OFFICE	CITY CLERK	COUNTY
GTE Mobilnet of California LP	City of San Jose	<a href="mailto:Steve.McHarris@sanjoseca.gov">Steve.McHarris@sanjoseca.gov</a>	<a href="mailto:sandra.cranford@sanjoseca.gov">sandra.cranford@sanjoseca.gov</a>	<a href="mailto:cityclerk@sanjoseca.gov">cityclerk@sanjoseca.gov</a>	Santa Clara

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number
San Jose 172	F/O 1484 Old Piedmont Rd San Jose, CA 95132	N/A - Public ROW	37° 24' 29.85 N 121° 50' 48.43 W	Install (1) canister antenna on new replacement utility pole. Install power cabinet at ground level. Install (3) RRU's, (1) disconnect switch, electrical meter, FCC signage, ground rods, buss bar, and (3) conduits for power, telco, and coax	(1) 48" Amphenol canister antenna	Utility pole	Antenna RAD-center at 58'-10"	60'-10"	N/A	Encroachment permit	1/9/2018	1/9/2018	F18002	N/A

**From:** Caroline Gross

**Sent:** Tuesday, February 13, 2018 11:18 AM

**To:** mayremail@sanjosec.gov; Webmaster Manager; City Clerk; District1; District2; District3; District4; District5; District7; District8; District9; District 10; Malloy, Maria; Wright, Sara; Lowry, Jessica

**Subject:** Single family homes rent law

To Mayor & City Council,

I'm writing to you today, for help and to address housing protection for renters. I live in a Home I am renting and there are no laws in the city ordinances to protect me or renters like me. The property owner always raises my rent when I have problems with the property and I can't file any complaints with the city housing rental rights mediation because the program only protects apartments, not single family homes or duplexes. This needs to be changed, as this affects our quality of living in San Jose and many families like mine have no where to go for help. We continue to get bullied by owners, rent raised, our rights violated as a renter. I am a mother of two teenage girls living in a 3 bedroom duplex. My husband and I do work, but it's hard to pay bills when the property manager raised our rent by \$400 because we called the city inspector about things that are not getting fixed in the house. I find that to be unfair. We have lived in the house for almost 5 years now. The property manager is always arguing with us and telling me that our rent is always late. He is always threaten to kick us out and tells me that it would be in our best interest if we just do what he wants. The last conversation that I had with him was that I was letting him know that the rent is going to be late and wanted to confirm what our late fee is. He charges 7% of the rent. So, if he keeps raising our rent the late fee is going to be more and more. Our rent right now is \$2850 and 7% of that is \$199.50. Not only is he charging us a late fee but also \$75 for what he calls servicing fee. I have the rent agreement and I don't see anything on there that states that I have to pay a servicing fee and yet he threatens me and I have to pay the amount. He also gives us 3 days to pay the rent and on the rental agreement it says 5 days. He takes forever to get anything fixed and when he does he takes the short cut of fixing it. For example we get holes on the floor because of the type of floor that it is. It needs to be replaced, but he refuses to do anything about it except to have the person put putty over the hole which just comes back and he wants to put the blame on us for the holes coming back. Unless the thing that we need fixed has to be fixed he won't get a work order done and sometimes we have to keep bugging him to get those things fixed and it takes him months before he does anything. He has called me names and told me that I not very educated. Before raising my rent he tells me that he smells the rent going up. He refuses to answer my calls and won't call me back. I work and can't go to the office to pay the rent. By the time that I get off work they are closed or almost closing. One day I had to run to the store to get a cashier's check and get to the office before they close so my rent would not be late. I called him and called him and got no answer or a call back. By the time I got the cashier's check the office was closed and I was not able to pay my rent on that day. Normally the property manager David Krause does not call me back, but for some reason he did the next day. He told me that my rent is late and does not care that I tried to call him the day before. I went to the office that day to pay my rent to find out that the office hours changed and I could have made it. I checked the website for the hours and even on the website it is not changed. Till this day the hours of operation when you google the company still says that they close at 5pm and not 6pm. On Fridays they do close at 5pm. The name of the property management is Norcall Property Manager. My rent could have been on time if he at least text me and let me know or changed the hours of operation online. I also found out that he has been taking the late fee and servicing fee from my deposit that I never gave him permission to do except for once and he did it more than one time. He tells me no wonder no one wants to rent a house to you. He knows that I have bad credit and it's hard for someone like me to get a roof over our heads and gives us problems because he knows he can. Please please please, change the law for people like me who lives in the homes that the rental law does not protect. I want better things for my children and it's hard when you have to fight with the property manager about rent and getting things fixed around the house.

Thank you,  
Caroline Smith

**From:** Jeffrey Buchanan

**Sent:** Thursday, February 15, 2018 8:52 AM

**To:** The Office of Mayor Sam Liccardo; City Clerk; Davis, Dev; Diep, Lan; Jimenez, Sergio; Carrasco, Magdalena; Arenas, Sylvia; Peralez, Raul; Rocha, Donald; Jones, Chappie; Nguyen, Tam; Khamis, Johnny

**Cc:** Sykes, Dave; Wilcox, Leland; Klein, Nanci; Becker, Tamara

**Subject:** Request related to Google NDA story in Mercury News

Dear Mayor and Councilmembers:

Please see the attached letter on behalf of the Silicon Valley Rising coalition in response to this morning's story in the Mercury News regarding the Non-Disclosure Agreements Google reportedly pushed many in City Hall to sign.

In the spirit of transparency and protecting the public trust and the public process surrounding the Google deal, we request the City publicly release all of the executed Non-Disclosure Agreements signed by any City officials related to the Google-Diridon Station land sale and potential development.

Please let me know if you have any questions related to this request.

Best,  
Jeffrey

Jeffrey Buchanan, Director of Public Policy  
Working Partnerships USA

Office:

Cell:

[www.wpusa.org](http://www.wpusa.org)

# Silicon Valley RISING

February 14, 2018

Honorable Mayor and City Council  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

RE: Secret Negotiations with Google over massive development

Dear Mayor and Council,

Transparency is paramount to fostering trust between city leaders and the local residents they represent. Conducting secret negotiations about the future of San Jose while shutting out local residents is an attack on community trust.

Whatever backroom deal is being negotiated with Google deserves to have the light of day shone on it. That is impossible with the non-disclosure agreements signed between the Mayor and various city officials and Google that keeps the ongoing negotiations secret. Already we have heard of examples of city officials being unable to share information because of these agreements. The public deserves to know which city agencies and officials may be unable to fully disclose their discussions with the company going forward.

We are demanding a copy of each and every executed non-disclosure agreement that pertains to the downtown San Jose Google project. If as reported in the *Mercury News* non-disclosure agreements were demanded by Google, the public certainly has the right to know why Google is insisting that it receive additional shielding from the exclusions already provided under the California Public Records Act. What is being hidden?

Public scrutiny over the terms and sale price of public land, an appropriate process around environmental reviews and the details of how this project may impact our communities are necessary to ensure we as taxpayers and residents are protected. Legally suspect non-disclosure agreements intended to keep information secret from the public weakens the legitimacy of any deal that is struck.

The City of San Jose is falling over itself as it rushes to accommodate Google and its plans to nearly double the size of downtown San Jose. We all will have to live with the fiscal, social and environmental impacts of this project for generations. A secret, backroom deal is not how San Jose should conduct the people's business.

Sincerely,

Maria Noel Fernandez  
Campaign Director, Silicon Valley Rising





tel:

| fax:

| Washington, DC 20036

| [www.jwj.org](http://www.jwj.org)

Honorable Mayor and City Council  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

RE: Secret Negotiations with Google over massive development

Dear Mayor and Council,

Transparency of city officials with respect to dealings with corporations is central to a functional democracy. Residents deserve a right to have input throughout a process that may end with their taxes going towards billion-dollar companies that don't need subsidies, which will push long-time residents out of the city, and dictate future city policies around labor standards, infrastructure, and the environment. It is thus distressing to hear that the city has had no transparency at all around their negotiations around the new Google campus.

Not only has the city shut out residents from these negotiations, but Google itself has not produced the Community Engagement Plan that was promised by its executives. Because of these two factors, there is a high level of uncertainty from residents of the plan moving forward and if they will have any input. Considering the City of San Jose is willingly keeping these negotiations closed off to residents, urgent action is needed to rectify these problems.

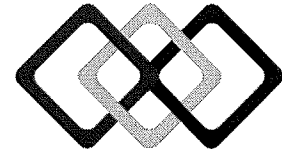
We are demanding a copy of all executed non-disclosure agreements that pertain to the Google project so that we may evaluate how best assist residents to engage in a process that, thus far, they have been shut out of. If non-disclosure agreements were demanded by Google, the public certainly has the right to know why Google is insisting that it receive additional shielding from the exclusions already provided under the California Public Records Act. What are they hiding?

The City of San Jose is rushing into a deal that will dramatically expand Google's footprint in the city while leaving the residents out in the cold. This is completely unacceptable from a city that prides itself on being forward thinking. The residents of San Jose who built the city into what it is can no longer be deliberately excluded from negotiations that will permanently change the face of their city.

Our activists and partners in the Bay Area and nationwide eagerly await your reply.

Sincerely,

Sarita Gupta, Executive Director



# Partnership for Working Families

February 15, 2018

Honorable Mayor and City Council  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

RE: Secret Negotiations with Google Regarding Public Land

Dear Mayor and Council:

I write today on behalf of our national network to express concern about reports that city officials have signed non-disclosure agreements with Google and to demand that the City of San Jose fully disclose these agreements and the circumstances under which they were signed.

The Partnership for Working Families and our 18 affiliate organizations have a long history of engagement with local governments and private developers on projects that impact our cities' landscapes and communities all over the country. We have learned that secrecy and backroom deals are toxic for democracy, shared prosperity, and healthy communities.

Whatever deal is being negotiated with Google deserves to have the light of day shone on it. That is impossible with the non-disclosure agreements reportedly signed between various city officials and Google that require secrecy in negotiations.

The scale of the proposed Google development ensures that it will change San Jose for the long-term. The publicly-owned land under discussion is among the most valuable and significant parcels in the region. The stakes are high for entire community. It is unconscionable to deliberately exclude local residents from knowing what is being negotiated.

We are demanding that you publicly release copies of all executed non-disclosure agreements that pertain to the Google project so that constituents can evaluate how best to engage. If Google demanded non-disclosure agreements, the public has the right to know why Google is insisting that it receive additional shielding from the exclusions already provided under the Public Records Act.

, Oakland, CA 94612 | (

This secret deal is not how San Jose should conduct the people's business.

Sincerely,

Nikki Fortunato Bas, Executive Director