



## Memorandum

**TO:** Honorable Mayor &  
City Council

**SUBJECT:** The Public Record  
March 16-22, 2018

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

**DATE:** March 23, 2018


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### ITEMS FILED FOR THE PUBLIC RECORD

#### Letters from the Public

1. Letters from Blair Beekman, dated March 16, 2018 through March 19, 2018, regarding various projects in Downtown San Jose.
2. Letter from James Cohen, dated March 18, 2018 to the Mayor and Council regarding Bridge Housing Communities (BHC) in District 3 at VTA Construction Staging Area near Berryessa BART Station.

TJTat



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Toni J. Taber, CMC  
City Clerk

**From:** bob tom

**Sent:** Friday, March 16, 2018 3:20 PM

**Cc:** Harkness, Kip; Ortbal, Jim; Wells, Laura; Doyle, Richard; City Clerk; Civic Innovation; Batra, Arjun; Santosham, Shireen; Beckel, Dolan; District1; District 6; District9; District 10; Diep, Lan; District5; District3; Jimenez, Sergio; Arenas, Sylvia; District7; Walesh, Kim; Moran, Ed; Romanow, Kerrie; Morales-Ferrand, Jacky; VanderVeen, Rachel; IPA; Nurre, Shivaun; Lib.Jill Bourne; Wilcox, Leland; The Office of Mayor Sam Liccardo; Reed, Jim; Cueto, Ruth; Rios, Angel; Cano, Matt; Mata, Anthony; Knopf, Dave; Garcia, Edgardo; Dwyer, Jason; Riordan, Ray; Greene, Shasta; staff Amy Anderson;

, Staff Corrina M. Dixon; Staff Danielle Ratliff; Staff Derrick Seaver; staff Jason Su; staff Jonathan Borca; staff Julie Carlson; staff Nate LeBlanc; Staff Peggy Bradly; staff Rick Jenson; Knies, Scott; b g; Sheriff PIO; Supervisor Cindy Chavez; Cortese, Dave; Supervisor Joseph Simitian; Supervisor Ken Yeager; Supervisor Mike Wasserman; Pblc.Dfndr.Damon Silver; District Attorney

**Subject:** a letter from Blair Beekman. Friday March 16, 2018. \_\_\_\_ The Big Belly - Smart Trash Can Project. Downtown San Jose.

Dear VTA, city of San Jose, county of Santa Clara, s.j. downtown assoc. and others,

I missed on important Finance Committee meeting of the VTA yesterday.

I must write today, to begin more formal questions, for the VTA, its committees process, about the Big Belly smart trash can project.

I have spoken a few times, with Scott Knies, of the s.j. downtown assoc. a co-sponsor of this project.

My letter below, is an introductory letter, to the work I do in my life, at this time.

And what I feel, must be considered, a more comprehensive, holistic idea, for the future of technology, within a community.

It should make for good weekend reading.

By Monday, it will begin time, to more seriously start to question,

how long will be the future, of the smart trash can project downtown.

And to begin to better question, how to begin to talk about,

what can be a more peaceful, sustainable, and well reasoned future,

in how to introduce technology, to a community.

I hope this project can be labeled an experiment. But it is an experiment, of the lives of innocent people.

And as an experiment, into the depths of your own personal beliefs, ideas, and feelings.

I feel we can have prepared, simple ideas in homelessness counseling and drug counseling, within a month.

And, also have simple parameters, of this sort of smart technology, to be better understood, within a month from now.

And from this, we can then have, this badly introduced and badly reasoned, Big Belly smart trash can experiment removed.

Scattering the local population in a week, does not answer the long term questions, of the health issues and civil rights, of this trash can smart tech.

I feel you can accomplish a lot of simple, statistical data, in a month. And then remove this project, before its surveillance issues and health issues, begin to hurt peoples lives permanently.

I would like, continued, conversations and updates, on this process. And what I feel, is its need, for immediate removal.

It is the date of this removal, we can learn to talk about, in polite terms.

This is, a need to be removed soonest issue. But how soon ?

I may be a bit inexperienced, but I think, every person's voice should be listened to, in noting what should be,

the incredible concern, in the long term health effects, and civil rights questions, this Big Belly smart trash can project, will have on downtown San Jose.

Have a good weekend. Please read my introductory letter below.

In the spirit of friendly words, and good thinking,

I will continue to write, and I feel we should start this back up again, Monday.

sincerely,  
blair beekman

Dear VTA, San Jose Downtown Association, and others,

Hi, my name is Blair Beekman. Below, is an introduction to the work, I am currently a part of, in my life.

As in the days, following World War II, ideas have started, in how this country, can better distance itself, from its past fifteen years of war,

It is a time, we can begin a new era, and return to, the better reasoning and democratic ideals, of this country, and its local communities.

And to more simply and holisitically ask, what is community, what is democracy, what is sustainability, and what is peace.

There can be many, new, good paths of reasoning, and legal precedents, around a project called the Surveillance and Technology ordinance.

This policy guideline process, introduced by former San Jose IPA, LaDoris Cordell, and Santa Clara County supervisor Joseph Simitian, in the summer of 2014.

It is a remarkable, coordinated, well organized set of guidelines, structural models, state legal precedents, helpful ideas and understandings.

It is a part of, well established, peaceful, sustainable, democratic ideas, meant for everyone of a community.

It is work, sponsored by the ACLU, the state of California, the u.n., and even the u.s dept. of navy, among others.

From these impressive, new beginnings and possibilities, is is our time, here in San Jose, to work on these good precedents, and its good future.

Although inexperienced, if nothing else, I feel I can have a role, so you can begin to understand, what is possible, at this time.

The question is, can you make the more mature steps and compromises, as needed at this time, in how to talk about the Smart Trash Can Project.

Can I ?

As the saying goes, it is from the first steps of learning, we can all eventually grow.

There is a simple set, of more friendly, more open, democratic choices, structures, and organizational models, that are now more available to all of us.

And, easier ways to understand, the peace, good reasoning and accessibility, there can be, in civil rights and civil protection ideas.

With this, ideas of war, secrecy, and insecurity, can give way,

to better developed, more holistic ideas and practices, of trust, openness, and accountability, for a community, its local democracy, sustainability and peace.

Please check out, the Surveillance and Technology Ordinance, completed and approved, by the Santa Clara County, Board of Supervisors, June 2016.

Oakland, Berkeley, Palo Alto, and San Francisco, are currently working on, their own tech accountability questions, and ordinances.

It is setting a standard, in a more holistic, well rounded way, to talk about the future of innovation for technology, This is not a story of more rules and regulations.

This is how to think of idea, of what can be openness, the local democratic process, community peace, and sustainability.

It is simply, an important third leg in a stool, to describe social responsibility in technology, should be just as important, as inventiveness and finance.

The future of a healthy, sustainable, peaceful, democratic process, can simply be the most exciting idea, in what can be innovative about technology, at this time.

Overall, thank you for your time and patience.

This is something, of how I would like to talk about, the issues of technology, for a community.

And, how I would like to talk about, the Smart Trash Can Project, with yourselves, at this time.

sincerely,  
blair beekman

**From:** bob tom

**Sent:** Friday, March 16, 2018 3:29 PM

**Cc:** Sykes, Dave; Harkness, Kip; Maguire, Jennifer; Wells, Laura; Ortbal, Jim; Doyle, Richard; City Clerk; Civic Innovation; Batra, Arjun; Santosham, Shireen; Beckel, Dolan; District1; District 6; District9; District 10; Diep, Lan; District5; District3; Jimenez, Sergio; Arenas, Sylvia; District8; District7; Agendadesk; Walesh, Kim; VanderVeen, Rachel; Morales-Ferrand, Jacky; Romanow, Kerrie; IPA; Lib.Jill Bourne; Wilcox, Leland; Cueto, Ruth; The Office of Mayor Sam Liccardo; Reed, Jim; OES; Rios, Angel; Cano, Matt; Garcia, Edgardo; Randol, Heather; Dwyer, Jason; Mata, Anthony; Knopf, Dave; Riordan, Ray; Greene, Shasta; staff Amy Anderson; Staff Corrina M. Dixon; Staff Danielle Ratliff; Staff Derrick Seaver; staff Jason Su; staff Jonathan Borca; staff Julie Carlson; staff Nate LeBlanc; Staff Peggy Bradley; staff Rick Jenson; Knies, Scott; District Attorney; Pblc.Dfndr.Damon Silver; Sheriff PIO; Supervisor Cindy Chavez; Cortese, Dave; Supervisor Joseph Simitian; Supervisor Ken Yeager; Supervisor Mike Wasserman  
**Subject:** a letter from Blair Beekman-2. Friday March 16, 2018. \_\_\_\_\_ The Big Belly - Smart Trash Can Project. Downtown San Jose.

This shorter version, of my previous letter today, may easier on the eyes and brain. -blair.

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Overall, thank you for your time and patience.

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And, how I would like to talk about, the Smart Trash Can Project, with yourselves, at this time.

sincerely,  
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**From:** bob tom

**Sent:** Monday, March 19, 2018 3:10 PM

**Subject:** a letter from Blair Beekman. Monday March 19, 2018. \_\_\_\_\_ The Big Belly - Smart Trash Can Project & Downtown San Jose.

Dear VTA, city of San Jose, county of Santa Clara, s.j. downtown assoc. and others,

After a, long, poorly written, introduction letter, last Friday.

I then emailed, a shorter, more clear, 2nd version. Also last Friday.

I have an inexperience, that can appear, in my thinking and work. I am sorry about this.

Overall, I try to work, to create a balanced, safe space, to honestly talk about issues.

It is now Monday, and as I tried to state, it is time to begin, how to more openly talk about, the VTA - San Jose Downtown Assoc., Big Belly, smart trash can project.

I would like to focus on, 4 items.

- How to be open, to label this project, a short term experiment.
- How to be open, to ideas of minimal use and zero use, of Smart Trash Can, surveillance tools and broadband RF emissions, during this experimental time.
- At this time, learn to create, both short term, and long term goals, of open communication, advocacy, one-on-one counseling, and health programs, around the regular downtown questions, of homelessness, and small time drug use.
- And, with all of this said, please plan, to have this project removed soon.

You have answered short term questions, and have possibly scattered some people, of 1st st. and Santa Clara St. in downtown San Jose.

But what are the long terms questions, of six Big Belly smart trash cans, within one city block.

You are experimenting, with the health and lives of everyday people, of downtown.

And you are experimenting, with new ideas in civil rights, that you have not been fully thought through.

And, that you have not worked out, with advocacy, and the everyday public  
To make clear, I feel this project, should not be about, gunfire in the downtown area, violent crime, gangs, or new national security threats.

As these issues, are already, mostly well practiced, and well trained.

As this Big Belly, smart trash can project. started in late February 2018, I feel you can compile, a lot of beginning, statistical data, by mid-April 2018.

And then, you can remove this project, to analyze the results.

I feel you can also prepare, at this time, a few short term, and long term ideas, in one-on-one counseling, advocacy, and health programs, for homelessness and drug issues, in the downtown area.

As I feel, it is homelessness and small time drug use, that are the most important issues, and worries of downtown.

I hope this project, can eventually be labeled, simply an experiment.

It needs to be noted, either as, an on-going project, or as a short term experiment, it may really hurt peoples lives.

In its Broadband RF emissions, and its not understood, health issues.

And, with law enforcement, acting on surveillance technology, And not better understanding, fair minded, civil rights, civil protection, and privacy issues.

I hope these can be, good, beginning ideas, in constructive thinking, and good compromise.

I hope by mid-April 2018, after a sixty day trial run, since mid-Feb.2018, the Big Belly smart trash can project, can be removed from downtown.

And, we can all prepare, to return to, and rely on, a usual good pattern, for downtown San Jose.

A pattern that talks with local advocacy, and the people of downtown themselves, with ideas in open communication, one-on-one counseling, and health programs.

I may be a bit inexperienced, but I think there should be incredible amounts of concern, in the long term health effects, and civil rights questions, of the Big Belly smart trash can project, to continue in downtown San Jose.

In the spirit of friendly words, openness, and good thinking, I will continue to write, ideas and feelings about the Big Belly project.

It is process, I hope we can all have a safe space, to describe our different ideas, hopes, and feelings.

I would like, continued, conversations and updates, on this process.

I feel this project should be removed immediately.

But I hope, we can learn to talk about this removal date, in open, polite terms, and whenever it can be.

sincerely,  
blair beekman

**From:** James Cohen

**Sent:** Monday, March 19, 2018 12:20 AM

**To:** Liccardo, Sam; City Clerk; sam.licardo@sanjoseca.gov; District3; The Office of Mayor Sam Liccardo

**Cc:** BridgeHousingCommunities; Rork, Christopher; Duenas, Norberto; District1; District2; District4; District5; District 6; District7; District8; District9; District 10; Pham, Kieulan; Customer Service

**Subject:** Opposition to D3 Homeless Shelter Plan

**Dear Mayor and Councilmembers,**

Recently, various proposals, plans, and municipal code/regulation changes/ amendments targeted for solving the homeless problems in the city have been floating in the neighborhood communities. It not only caused massive confusion among the neighbors but also immediately became a public decry.

Most recent topic is about the zone selection that makes Berryessa BART station to be homeless shelter / community. Neighbors are extremely concerned and some have expressed their angers for the matter itself and how it was handled by the City.

Mayor Sam, you had an ambitious line up of panel presentations in the Feb 26th meeting. If you had listened to your constituency you would have realized you did not need to go such effort. Our requests were simple – please explain this specific Bridge Housing plan which is being squeezed into our neighborhoods. Who, what, when, where and why. So much time was wasted with your “overview” presentation and the fake image of a homeless person wearing suit (excuse me ???) and that is exactly why we did not want that approach in meeting. Whether or not you were trying to be deceitful or misleading, I assure you that is the way it came across. Even after the meeting, most of us left with as many questions as had before. Very little new details were given. Many attempts to ask the specific questions were shut down and one resident was even thrown out of the meeting room. As a democratic, you probably agree with us that this kind of behavior is not "democracy". We did not come to this meeting to have our comments merely transcribed with some tiny paper clips, we came to be heard in person by you, face to face. Now that we have lost that cherish-able opportunity to have our voice heard, it leaves us no choice but to send over this letter.

This zone D3 (Berryessa BART station) was selected as a candidate without properly soliciting public feedback and opinions before the decision and vote were made. Moreover, this amendment of homeless shelter construction near residential area was passed even without public voting. There has been very little to no community outreach during this whole process and no information is being shared to the affected communities. Many residents heard about the proposed D3 sites from the Press and not from the City or elected Council representatives. When residents complained to the media about the proposed sites that's when City staff re-evaluated the selection criteria and came up with different guidelines. Unfortunately those guidelines still leave a BHC

proposed site D3 right in our backyard.

Arbitrarily turning some lands into homeless shelters may pose great risks to the neighborhoods, and even to the City. Below are just a few of the top concerns and the list could go much longer.

#### **Life and Property Security:**

Can you please explain how this D3 site was deemed suitable despite being so close to residences? BART Berryessa Station is too close to the residentials and schools, where children/minors assemble and walk by. Having homeless people, with some of them drug users, some alcohol users, some mentally sick, nearby poses catastrophic safety/security risks to the children/minors.

A stone throws away from D3 is the flea market, which is the largest one in California that attracts countless neighbours and their kids, a shelter that contains 700~1000, or even more homeless people that are only 10 steps away will cause much severe life security issues, which we believe neither mayor Sam nor D3 Councilman Raul would want to handle. Falling in the same category is the property security due to burglar or break-in, which downtown SJ is already notorious for, and no one would want that transferred to Berryessa.

#### **Berryessa Homeless Burden:**

Yet Berryessa has been dealing with illegal homeless encampments for a while now, along I-680 Highway B4 exit, along the railroad tracks, underneath the overpasses expressway and in the local corner shopping centers. Now the City wants to place a so-called "homeless community tiny homes" in a residential area that is already dealing with its share of homeless issues.

Homeless is San Jose city issue and the whole city (all districts) should take even share of the burden instead of posting it on D3 Berryessa's shoulder. BHC zone selection is about life, about cleanness, about security, about San Jose residents happiness under Mayor Sam's leadership. It is not about which site is yelling louder or protesting harder. To D3 councilman Raul Peralez, specifically BART Berryessa station neighbours are not those should be sacrificed for your political earnings in front of your dear mayor. Mr. Raul Peralez, I understand both you and your mayor's new election campaign in 2018 is flying and you prefer keeping good relationship with Mayor or other councilman. we hope you good luck in your campaign by having this letter published nationwide.

#### **Shelter Maintenance Investment:**

Every Berryessa resident who lives close-by BART station agrees that finding appropriate methods to upraise homeless life quality is a necessity for the City, however many questioned the efficacy of the City's plan of BHC at D3. A total of 1.33 acres of land that is fully surrounded by residents and their RVs, schools and factories is what the City Council's recommendation? The unthoughtful selection of location and its tremendous maintenance fees as well as police security fee that City needs to bear afterwards, start to indicate to me that the City has not thought this out in a responsible and realistic way.

Following above, we are already dealing with homeless in our neighborhoods. But to formally send out the overt signal of "Berryessa Welcomes Homeless" is absolutely ridiculous. BART station will even facilitate homeless from other areas to assemble in Berryessa, once homeless finds out this is a great deal for them. How does City plan to deal with such situation that more-than-expectation homeless flock together? What we don't want to see is the shelter becoming a breeding ground for more illegal activities and blight.

#### **Taxpayer's Bill of Rights:**

As far as we are concerned, City of San Jose has been subject to financial limitations for a period of time. Homeless shelter, once built, will inevitably vary into a finance black hole. According to Taxpayer's Bill of Rights, we as taxpayers have the right to question, to request City explanation and to devote irresponsible expenditures of our money. Moreover, examples of Los Angeles as well as New York had already taught us lesson of horrible situations that could follow once homeless are officially condensed in one area but then left unattended owing to lack of economic allocations.

Los Angeles

<http://www.latimes.com/local/lanow/la-me-shelter-q-a-20170929-htmllstory.html>

New York

<https://www.nytimes.com/2017/09/29/us/homeless-housing-los-angeles.html>

#### **Environment:**

D3 area is right besides a river called Coyote Creek , which as map shows, runs all the way through lots of nearby residents and their outdoor activity areas. Having homeless people nearby poses severe health risks of water and environmental contamination.

#### **Workfare, NOT Welfare:**

There is nothing compassionate about sticking someone in an emergency sleeping cabin in a residential neighborhood far from services to address the various underlying causes of homelessness. With deinstitutionalization in the 80s and NO-funding of mental health services, many people were thrown out in the streets. A majority of them need full time intervention, and this involves more than a roof over head.

D3 site is far from existing services. Having shelter near transportation is not the same as having shelter near services. Previous projects in San Jose such as Donner Lofts or Housing First has already been proved as disaster. People are in need of services to address their underlying problems, and without those needed services it becomes a police issue, further straining an already burdened police department.

People with mental illness need full-time health services and close monitoring of medication, so as drug or alcohol additives. People with addiction services need fulltime rehabilitation services. People out of work need full-time vocational training and job placement services. Actions to homeless at Tenderloin, SF was a good example of workfare increase instead of welfare increase, with proper coding training programmes called Code Tenderloin, more than 400 homeless people now work as regular salary man, starting to contribute for community instead of being the sluggish burden. Mr.

Westbrook, the director of Code Tenderloin, was a homeless too, quoted from him "Someone from the homeless shelter told me there is such programme, I went immediately, all that in my mind at that moment was that I must leave this shelter and have my own life." Preston Phan, once homeless, is now working for LinkedIn with base pay of \$120K. Neither of them managed to get back to normal life because of a shelter.

BHC is a model which gives no incentive for rising above homelessness and keeps people dependent. It seems Mayor Sam measures success by how long people stay in the free shelter provided for them. We would measure success by people who rise up above homelessness and can stand on their own feet. We need to encourage independence and dignity for those who are capable, and full-time health services for those who are not capable.

In summary, we agree homelessness is biggest problem of San Jose and needs to be addressed, but is it worth bringing this BHC near residential neighborhood, putting our children and neighborhood at risk ? Is it worth risk unlimited financial loss on top of the already-burdened SJ treasury ? Is it worth exchanging homeless issue with crime issue ? Are there other workfare programs like those in San Francisco that could indeed help homeless rise up ? I believe taxpayers would like to see that happening instead of paying for a possible crime breed-land in the backyard.

San Jose Resident of District 3,

James Cohen