



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
March 29-April 5, 2018

DATE: April 6, 2018

ITEMS FILED FOR THE PUBLIC RECORD

Letters from the Public

1. Notification from AT & T, dated March 28, 2018, regarding AT & T Mobility Site at 2440 South 10th Street in San Jose.
2. Letters from Blair Beekman, dated March 29, 2018 through April 3, 2018, regarding smart trash can technology.
3. Letter from Marco Guang Xiong, dated April 1, 2018, regarding homeless shelters in the Berryessa neighborhood.
4. Letters from Linnie M. Drolet, dated April 2, 2018, regarding Community Choice Aggregation.
5. Letter from Eric Christen, dated April 3, 2018, entitled "Failed Project Labor Agreement Pilot Project in Santa Clara County."
6. Letter from Blair Beekman, dated April 4, 2018, regarding dockless bicycles and scooters.

TJT/mc

Toni J. Taber, CMC
City Clerk



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San Jose City Clerk
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3/28/2018

VIA EMAIL

Ms. Anna Hom
CONSUMER PROTECTION & SAFETY DIVISION
California Public Utilities Commission
[REDACTED]

RE: AT&T Mobility Site - 10151458 – CCL06072 / CCL02862 – CN6072 – 2440 SOUTH 10TH STREET, SAN JOSE, California 95112

This is to provide the Commission with notice to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") that:

(a) AT&T Mobility has obtained all site land use approval(s) for the modification of the project listed above described in Attachment A.

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

Sincerely,

[REDACTED]

Attachment

cc: City Planning Director
City Clerk
City Manager
City of San Jose
200 E. Santa Clara St., San Jose, California 95113



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San Jose City Clerk
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ATTACHMENT A

- 1-9 Project Location:** Modification
- Site Identification Number: CCL06072 / CCL02862
- Project Number: 3701A07GEV
- Site Name: CN6072
- Site Address: 2440 SOUTH 10TH STREET, SAN JOSE, California
95112
- County: SANTA CLARA
- Assessor's Parcel Number: 471-21-088
- Latitude: 37-18-24.6
- Longitude: 121-51-19.9
- 10-14 Project Description:**
- Number of Antennae to be installed: 6 antennas total approved at
68 in height
- Tower Design: MONOPOLE
- Tower Appearance: MONOPOLE
- Tower Height:
- A) Structure Height 68
- B) Top of antenna Height 68
- Building Size(s): N/A
- 15 Business addresses of all Governmental Agencies (from permit)**
- City of San Jose
200 E. Santa Clara St., San Jose, California 95113
(408) 535-7633
- 16 Land Use Approval:** Antenna Modification: remove all existing coax & install 1/2" coax, swap out 9 antennas with 6 antennas, install 9 DRMA's, install 3 new RRUS 11 for LTE2C, install 3 RRUS32 B30 for WCS, install 3 RRUS32 B66 for AWS, install 3 RRUS11 B29 for 700 DIE, and install 3 RRUS 11 B5 for 850
- 17 If Land Use approval was *not* required:** N/A

From: bob tom [REDACTED]

Sent: Thursday, March 29, 2018 2:15 PM

Subject: Re: a letter from Blair Beekman. Thursday March 29, 2018. _____ A time of waiting.

Dear VTA, city of San Jose, county of Santa Clara, the S.J. Downtown Assoc., and others,

As early forms, of dialogue, respectfulness, and compromise, at this time,

I hope we can all consider, the Big Belly, smart trash can technology, in downtown San Jose, as short term, or as a temporary experiment, if you are not already.

In this time, I hope that everyday people, local city government, and anyone else interested - can each day, study the downtown, Big Belly, smart trash can project.

In this current waiting time, we may be in, I hope we can all learn to make, more accurate, clear, and honest judgments,

- if BF broadband tech., and its emissions, will be of harm to people, being placed in such close proximity and contact, with the everyday people, of a populated area or neighborhood.

- if fears of violent crime, gunfire, a take over by gangs, big time drug sales, and national security issues, in downtown, has been a bit, over-estimated, or over-reactive.

- And a time, to also begin, to better understand, new developing ideas, along with, friendly and familiar ideas, in civil rights, civil protections, individual privacy rights, and accountability.

We are entering a new era, since the time of 9/11/01. We can begin to think of ideas, in peace, instead of war.

We are now allowed, to begin to work toward, a healthier, more peaceful, more well rounded definition, of what can be, a sustainable community, for the future.

I hope it can be also be noticed, how the Big Belly, may seriously over addresses, the needs and concerns, of downtown San Jose.

It is my feeling, simpler, more organic ideas, of counseling, trust, advocacy, open communication, and social health services, can reach better, more holistic results.

Ideas of trust and open communication, is a respected tradition, and the basis, of why there is, a continued mellowness of downtown.

It is how to politely build, a future idea of downtown, that can be for everyone.

It is these ideas, downtown San Jose, already knows how to work with well, - and usually tries to return to.

sincerely,

blair Beekman

p.s.

a congratulations to the work of many, and the Alameda County Board of Supervisors, voting to end the current Urban Shield program, for the entire Bay Area.

And, in their future work to develop, in more peaceful and reasoned and terms, very outdated, nexus of terrorism policies.

From: bob tom [REDACTED]

Sent: Monday, April 2, 2018 8:55 PM

Subject: Re: a letter from Blair Beekman. Monday April 2, 2018. _____ The Big Belly Smart Trash Can Project. Downtown San Jose.

Your e-mail censor, has grown too strict. sorry for the hour.

sincerely,

blair beekman.

Dear San Jose Downtown Assoc., VTA, city govt of San Jose, county govt. of Santa Clara County, and others,

Many people have helped, the Alameda County Board of Supervisors, decide to end the Urban Shield, nexus of terrorism practices, in its current form.

The East Bay, and San Francisco, are looking into how develop ideas of peace, better reasoning, and better communication practices, between everyday people of local neighborhoods and their local governments.

San Jose, at this time, has been creating, its own very good practices, in community advocacy. And should begin to learn, how to better integrate, this important work, going on in the Bay Area, and around the rest of the country.

New ideas, in technological inventiveness, and the term, innovation, should not have to be, at the price, to avoid, ignore, and even compete,

with a new era that has started, in the ideas of peace, openness, accountability, democracy, sustainability and community.

Among its hazards to human health, and its civil rights questions, I am assuming, you can plan to call, the Big Belly smart trash can, an experiment, if you have to.

And, can look into, how to phase out the Big Belly, if needed.

I hope we can all begin to understand, we are simply at a time, everyone is now more allowed, to ask questions of peace and better reasoning, for surveillance and technology projects, such as these.

I sincerely hope, at minimum, and as a part of, this smart trash can project,

the city of San Jose, is learning how to develop counseling, social service programs, advocacy, trust, openness, and good communication, for downtown San Jose, at this time.

These concepts, have always been, a good, longstanding tradition, of downtown San Jose.

These simple, eternal ideas, will have to be returned to, in order to bridge important concepts, for the future of downtown, as well.

Sincerely,

Blair Beekman

Please understand, these important references, below, can help add an important dimension, in the ideas of civil rights and civil protections, openness, and accountability, with surveillance and tech. projects, for a local community.

Good ideas and concepts, that you may have felt, have been too difficult, to ask about, and work with, in the past fifteen years of war.

Helpful, friendly, familiar ideas, and legal precedents, to work with you, at your own pace, at this point, in our lives.

And not meant to work against you, and local govt. projects.

- The County of Santa Clara, Surveillance and Technology Ordinance, from Supv. Joe Simitian, June 2014-2016.

- the beginning of, my 1st letter, & my entire 2nd letter, of Friday, March 16, 2018,

- Studies, reports, and legal precedents, from the U.N. the state of California, the ACLU, and the dept. of the navy.

- New city charter amendments, in the city of Oakland, and a re-dedication, to the rights, of the everyday person, and their voice within local government.

- the city of Oakland, Privacy Advisory Committee. OPAC.

- The work of, the city of Berkeley, Police Review Commission.

- The Alameda County, Urban Shield Task Force Commission

- Your own years, of ideas, beliefs, and good work, in what is local democracy, sustainability, civil rights, civil protections, openness and accountability.

From: bob tom [REDACTED]

Sent: Tuesday, April 3, 2018 12:53 PM

Subject: Re: a letter from Blair Beekman. Tuesday April 3, 2018. _____ 4 Items of Study, for the VTA, Big Belly smart trash can project. Downtown San Jose.

I hope this letter can go through.

sincerely,

blair beekman

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

How can we more openly, and simply talk about, the current Big Belly smart trash can project, downtown.

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

But I am trying to offer, good beginning understandings, dialogue, and ways to create,

a balanced, safe space, to honestly talk about, both good and bad points, of this project.

Please note, peoples lives are being affected, by civil rights and health questions,

in continuing to allow, this broadband & surveillance technology.

At least 4 ideas, should be important, at this time,

- How to be open, to label this project, a short term experiment.
- How to be open, to minimal use and zero use, of surveillance technology, and with, Broadband RF emissions tech., as a Station Point.
- How to create, a simple, 90 day period, for this project. Starting around, mid-February 2018, and ending around, mid-May 2018.

This would allow yourselves, a large, beginning set, of data collecting ideas, for study and analysis, within this time.

- And, within this same, current, 90 day period, local govts., even the VTA, can begin to develop, both short term and long term goals, of open communication, trust, advocacy, counseling, and social health programs, for downtown.

The downtown BART extension, may not be ready for construction, until mid-2019-20. This being a possible condition, of removing the Big Belly project.

I offer, a simple 90 day plan, to avoid the months of back and forth, when or when not, to remove the Big Belly smart trash cans, from downtown.

Although, you may have many sides, and ways to look at this project, and in ways, I would like to safely learn about, as well

I feel, for the most part, we are not fully prepared, in how to talk about, and work with, its health issues, its IOT ideas, how to more publicly introduce, a project like this, and its current civil rights, and civil protection questions.

I hope you are learning, some important life lessons, at this time. And how this smart trash can, can be phased out, in a reasonable amount of time, and soon.

And, its data can be studied, and better understood, for a more open, public process, at a later date.

It takes work, but I feel everyone, from the police, to local government, to everyday people, themselves,

tries to help to be sure, there is minimal, violent crime, gunshots, gang activity, big time drug sales, and national security issues, downtown.

To remind yourselves, there is a rhythm of downtown. There is sometimes, a clamor, for law and order.

Yet, for over 40 years, there is almost always a return to, a compassionate, mellow understanding, for all sides, in how to work on the issues of downtown.

It is this tradition of caring, openness, and good, that is how to build, what is a healthy, important bridge, for the future of downtown San Jose, at this time, as well.

sincerely,

blair beekman

From: Marco Guang Xiong [REDACTED]
Sent: Sunday, April 1, 2018 4:23 PM
To: Liccardo, Sam; City Clerk; BridgeHousingCommunities; Rork, Christopher; Duenas, Norberto
Subject: strongly AGAINST homeless shelters in Berryessa area

Dear Officers,

I and my family are really worried about setting up homeless shelters in Residential Area, especially close to schools, parks, and residential area.

Lan Diep has said homeless shelters absolutely cannot be built in poor neighborhood. He has implied homeless shelters have **BIG NEGATIVE** impacts on the residents. Why it is ok to do put our kids in a negative environment?

The current BHC idea is not cost effective at all, \$1.5M for 25 homeless people and \$0.5M a year to maintain it. There are thousands of homeless people. The plan does not benefit homeless nor residents.

The city government is going to suck all the money out of the residents by asking them to pay higher tax and provide less service. The city government will turn San Jose into a Shit town.

For every cause there is an effect. When city decided to take down the homeless encampment, they did not have a plan of action to place them. And the homeless issue suddenly becomes emergency.

First, the city government created the issue by showing how successfully they drove homeless out of the jungle, now the city decided to punish the residents and the children for their mistakes and continue to give benefits to the large corporation while they are the ones with resources and money to take care of the homeless.

□

Build large encampment or homeless shelters in the industrial area and manage them centrally. Mayor's point is we **cannot** inquire about land owned by others in good faith when we are unwilling to consider our own. That point is NOT logical at all.

I am surprised it showed up in one of the city's official communication. My parents are teachers. They still sent me to school to receive the education. In his logic, I should be homeschooled.

This is about what is the best solution for your people and homeless. The negotiation might take a little longer, but it worth it. Please don't do it in a rush just for the sake of Mayor's resume. Both Residents and homeless will be hurt.

We are strongly AGAINST any attempt to force the burden back to tax-payers by either locating shelters at residential areas or using public resources/facilities for education purposes. We encourage the City to retrieve back such short-sighted decision and place the safety and development of our children as first priority. Investing in teacher wellness makes more sense than wasting money attracting homeless to visit our neighborhood.

Thanks,
Marco

From: Foothill Tax Payers Association [REDACTED]
Sent: Monday, April 2, 2018 12:22 PM
Subject: Information to consider about CCA's 1 of 2

Honorable Council Members,

Here is information for your consideration and review regarding Community Choice Aggregation (CCA). It has been our experience that critical decisions are made, based on staff and consultant recommendations that glaze over potential problems of CCAs. Elected officials need to proceed with caution regarding this complex subject and ask difficult questions. To do that, they must be educated enough to ask an educated question. That is where ACSC's research can help.

To continue reading open attachments.

Please let me know you received this information.

Regards,

Linnie M Drolet
Foothill Tax Payers Association

From: Foothill Tax Payers Association [REDACTED]
Sent: Monday, April 2, 2018 12:23 PM
Subject: Add'l Information to consider about CCA's 2 of 2

**Due to the large size of the attachment, please see
separate link under Item E.1.**

**The full document can be viewed in the Office of the
City Clerk.**

From: ericchristen [REDACTED]
Sent: Tuesday, April 3, 2018 8:04 AM
To: The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10
Cc: [REDACTED]; City Clerk; Webmaster Manager; [REDACTED]
Subject: Failed Project Labor Agreement Pilot Project in Santa Clara County

“The Project Labor Agreement had nothing to do with it!”

Engineer's Estimate	\$11,500,000.00
Winning Bid	\$18,661,000.00
Final Cost	\$20,527,100.00

Applied Arts and Sciences Building Renovation Project - West Valley-Mission Community College District Project Labor Agreement Pilot Project

Dear San Jose City Councilmembers:

On October 3, union officials will ask you to impose a Project Labor Agreement mandate on construction companies working on city contracts.

For good reason, you will NOT hear from union officials about the recent “Project Labor Agreement Pilot Project” at the West Valley-Mission Community College District. Estimated at **\$11,500,000** when the contract was advertised for bid, the winning bid came in at **\$18,661,000**. The final cost of the project with change orders was **\$20,527,100** - almost double the estimate.

The independent evaluation of the pilot project could not identify any benefits purported by the unions, and the college does not plan to mandate any additional Project Labor Agreements. In fact, it is clear that the Project Labor Agreement was a political scheme pushed by one board member, Chris Stampolis, who subsequently was elected to the Santa Clara Unified School District board and began pushing on behalf of unions for Project Labor Agreements there.

Below is a timeline of the Pilot Project, from 2012 proposal to 2017 final report, prepared by the Coalition for Fair Employment in Construction for the benefit of your policy deliberations.

See 21 background documents (totaling 52 pages) cited in the 2012-2017 timeline here:

[West Valley-Mission Community College District Project Labor Agreement Timeline 2012-2017](#)

The December 2012 Project Labor Agreement report from the Chancellor can be found here:

[West Valley-Mission College District Vice Chancellor Project Labor Agreement Report 2012](#)

The August 2017 final independent evaluation of the pilot project can be found here:

[West Valley-Mission Community College District Project Labor Agreement Pilot Project Evaluation 2017](#)

The 2013 Project Labor Agreement itself, with all of its failed promises, can be found here:

[West Valley-Mission Community College District Project Labor Agreement 2013](#)

TIMELINE FOR PROJECT LABOR AGREEMENT PILOT PROJECT AT WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT - 2012-2017

May 12, 2012 - The head of the Santa Clara & San Benito Building and Construction Trades Council makes a scheduled formal presentation to the board about Project Labor Agreements.

October 2, 2012 - During this board meeting, board member Chris Stampolis asks the Chancellor's office to schedule a Project Labor Agreement discussion.

October 16, 2012 - Board member Chris Stampolis demands a revision to the October 2, 2012 minutes indicating he wanted a Project Labor Agreement discussion at an *October* meeting, not an *upcoming* meeting. The board approved the revision.

November 13, 2012 - The board provides to the Chancellor "direction for Project Labor Agreements to increase local contractor utilization for the District's capital outlay program." Evidently perplexed by this boilerplate argument for Project Labor Agreements, the Chancellor reports that 90 of the 102 contractors on the college's pre-qualification contractor list are local.

December 11, 2012 - Now a "former board member," Chris Stampolis urges the board to approve a Project Labor Agreement. The Chancellor provides a report to the board about Project Labor Agreements. The board votes to direct district staff to negotiate a Project Labor Agreement. Negotiations then continue over the next several months.

June 12, 2013 - A member of the Citizens Bond Oversight Committee objects to the district's decision to negotiate a Project Labor Agreement for the Applied Arts and Sciences Building Renovation Project.

August 20, 2013 - The board votes 5-2 to require construction contractors to sign a Project Labor Agreement with union in order to work on an upcoming "pilot project" to evaluate its performance on the Applied Arts and Sciences Building Renovation Project.

November 13, 2013 - College administrators update the Citizens Bond Oversight Committee on the Project Labor Agreement with unions.

May 22, 2014 - Bid deadline for Applied Arts and Sciences Building construction contract, with engineer's estimate set at **\$11,500,000**.

June 17, 2014 - The Board of Trustees approved the lowest responsive and responsible bid for the West Valley College Applied Arts and Sciences Renovation Project in the amount of **\$18,661,000**. Staff reports that "The budget for this project will be increased to cover escalation reflected on bids recently received for the project. The amount to be transferred is \$6,079,825." West Valley College President Brad Davis expresses disappointment with the cost increase.

September 14, 2016 - Citizens Bond Oversight Committee members ask college administrators if the district will require contractors to sign a Project Labor Agreement in order to work on the Mission College Wellness Center Project. The Vice Chancellor of Administrative Services reports that "a PLA was utilized for the Applied Arts and Sciences Building at West Valley College. That project is now complete and there are currently no plans to utilize a PLA for future projects." It was noted by the Director of Facilities that "at least 80% of contractors used by the District are union." The Chancellor told the committee that Project Labor Agreements "are no longer an issue because most unions are back at work due to the upswing in the economy and most projects are paying higher than union wages."

July 11, 2017 - The Board of Trustees authorizes a Notice of Completion for the Applied Arts and Sciences Building at West Valley College at a final cost of **\$20,527,100**.

August 1, 2017 - The Vice Chancellor presents a report prepared by a private consultant to the Board of Trustees evaluating the performance of the Project Labor Agreement. The report concluded that "no conclusive evidence that PLA had adverse or favorable impact on observable metrics for this Project" and "stakeholder opinions regarding the PLA, its impact, and efficacy appear to be pre-established with little or no empirical basis."

Please contact me at [REDACTED] or at [REDACTED] to discuss the failures of this Project Labor Agreement pilot project or any other public works project with a government-mandated Project Labor Agreement.

Eric Christen

Executive Director
Coalition for Fair Employment in Construction

###

From: bob tom [REDACTED]

Sent: Wednesday, April 4, 2018 4:15 PM

Subject: a letter from Blair Beekman. Wednesday April 4, 2018. _____ Rules and Open Govt. meeting.
Item G2. Bicycle and Scooter Issue.

Dear Rules and Open Government,

In talking about the future, of a scooter and bicycle policy. I forgot an important point to mention.

When the 'Bird' scooters, made their first appearance, a few weeks ago, their seemed to be, an almost conscious effort, by the riders themselves,

to keep both, Lime and Bird scooters, out of the middle of sidewalks, and such.

It is the sort of, self- regulatory effort, that is what we all work toward, with projects like this.

If you notice, there may be a very orderly process, to the parking of scooters, along downtown sidewalks, the past few weeks.

And perhaps, even neater, than in weeks previous.

My congratulations, and a thank you to everyone, in the early stages of this process, downtown.

And to also thank you, for what seems to be, a minimal approach, in how your city govt. is addressing this issue,

And, to very much respect, all the worry and responsibility, you have in the background, to be sure of the safety of this project.

sincerely,

blair beekman

p.s.

I am not for, the enforcement and data collection of individual riders, unless absolutely necessary.

However, I thought reducing the speed of the scooters, from 15 to 10 mph, seems a safe, and reasonable request.