



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
September 5 – September 11

DATE: September 18, 2019

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public

1. Letter from Blair Beekman, dated September 5, 2019, regarding Smart Cities Committee/The San Jose Privacy Policy/Open Forum Speech.
2. Letter from Blair Beekman, dated September 6, 2019, regarding August 2019. S.J. Audit Report - City Govt. Technology Accountability.
3. Letter from Barb MacNeil, dated September 6, 2019, regarding (CP18-022 & T18-034) 397 Blossom Hill Road, San José, CA.
4. Letter from Barb MacNeil, dated September 6, 2019, regarding (CP18-022 & T18-034) 397 Blossom Hill Road, San José, CA. (Link)
5. Letter from Kathryn Funk, dated September 8, 2019, regarding The Light Tower.
6. Letter from Shani Kleinhaus, dated September 9, 2019, regarding Stormwater Infrastructure (Item 7.1 on Sept 10 2019 Agenda).
7. Letter from Blair Beekman, dated September 9, 2019, regarding Thoughts & Revised Speech. BAUASI Approval Authority Meeting. Thursday Aug. 8, 2019.
8. Letter from West Area CPUC, dated September 10, 2019, regarding CPUC Notification - Verizon Wireless - CA_SJ_SANJOSE_DT 857, West 065, 142 (3).
9. Letter from Rachel Mino, dated September 11, 2019, regarding Updates on Changes to the Immigration Public Charge Rules.
10. Letters regarding 5G Technology:
 - a. Letter from Elizabeth Milligan, dated September 5, 2019, regarding Warning and Notice about the Risks of 5G Technology.
 - b. Letter from Pelton Walter, dated September 5, 2019, regarding 5G Deployments and Liability.
 - c. Letter from Emily Scholl, dated September 6, 2019, regarding Warning and Notice about the Risks of 5G Technology.

- d. Letter from Christina Ocampo, dated September 6, 2019, regarding 5G Rollouts.
- e. Letter from Amanda Griffin, dated September 7, 2019, regarding 5G Deployments and Liability.
- f. Letter from Pamela Lau, dated September 7, 2019, regarding We Don't Want 5G!
- g. Letter from Keith Barrick, dated September 8, 2019, regarding Do Not Allow Untested 5G Deployment.
- h. Letter from Cynthia Barrick, dated September 8, 2019, regarding Warning and Notice about the Risks of 5G Technology.
- i. Letter from Kimberly Potts, dated September 10, 2019, regarding Join Other Local Governments & Stand Against Illegal 5G Rollouts.
- j. Letter from Joanie Murphy, dated September 11, 2019, regarding Protect the People, Not Telecoms!!
- k. Letter from Don Bergstrom, dated September 11, 2019, regarding 5G Deployments and Liability.

TJT/tt

A handwritten signature in blue ink, appearing to read "Toni J. Taber", with a stylized flourish extending to the right.

Toni J. Taber, CMC
City Clerk

From: bob tom

PUBLIC RECORD 1

Sent: Thursday, September 05, 2019 5:30 PM

Subject: a letter from Blair Beekman - Thursday Sept. 5, 2019. Smart Cities Committee. _____ The San Jose Privacy Policy. Open Forum Speech.

Dear city govt. of San Jose,

We may be at an interesting time, as San Jose local govt. may be starting to see, a good practicality, in developing a cooperative effort, with the everyday public, about community tech. issues.

For all its early accounting needs, I still hope, time can be found, for the Measure T public oversight process, to be a place, as a good early bridge, to the future, of better technology public oversight and accountability practices, in San Jose.

To conclude, I hope we are all trying to learn, from our past mistakes. I think, we can all feel, hopeful, open minded, and simply want to help contribute to, what can be, the good and positive development. of good tech. accountability.

And that, this simple positiveness, can actually be very hopeful, in what will actually be worked on, in the next few years.

A good luck to all of us, and how good democracy, can always be a process, of growth and learning.

A thank you, to important work from Victor Sin, of the Santa Clara Valley ACLU. And with, San Jose working group committees, on the future of technology accountability.

sincerely,

blair beekman

From: bob tom

Sent: Friday, September 06, 2019 3:30 PM

Subject: a letter from Blair Beekman. Friday Sept. 6, 2019. _____ August 2019. S.J. Audit Report - City Govt. Technology Accountability.

Dear city govt. of San Jose,

Happy Friday. A few ideas, hopefully for good weekend reading.

To speak to what may be, one of the last public audit reports, by Sharon Erikson - she tries to offer, the new role of a CIO, should have the responsibility, to monitor a checks and balances system, between city govt. depts., when technology projects, are assigned to a specific city dept.

For the city of San Jose, to be developing, some new roles, for a City Information Officer, a CIO - it sounds as if you are reviewing, the 2006-07 San Jose sunshine ordinance, and its Task Force work.

It was the good intentions, of the San Jose Sunshine Ordinance Task Force, of 2006-07, to help towards, a more open, accountable future for San Jose. And, help lead us, out of the era of 9.11 and war.

Among its many ideas and subjects, the 2006-07 Task Force, had the ideas, of something like, 'a 2nd in command', to your own, recent, CIO ideas.

In what I feel, are your new ideas, of a CIO, that will be more versatile, & cover a lot of territory - I feel, a '2nd in command', from Civic Innovation, and as part of its job title, can help with, heavy loads, practical decision making, & budgetary efficiency.

The 2007, San Jose sunshine ordinance, & Task Force, seems an important reference for yourselves, and possibly for all of us, at this time. Thank you.

To also consider - for all its early accounting needs, I hope Measure T public oversight, with technology issues, can become an early good bridge, to what can be, better public oversight and accountability practices, for the future of San Jose.

It is my own, deep feeling, a new CIO job title, should include, how to organize, and give, day to day, accounts, summaries, daily memo's, and daily press briefings, of how, tech. projects & the many projects of a city govt., are currently developing, within the community.

We are at a new beginnings, in how to leave, a previous era, of war, opacity, fear, and superstitions. As with, good local newspapers, I am sure you recognize the value, of sharing good information, can work towards, for both everyday community and local govt. as well.

And that, openness and accountability, in creating better democratic practices & community sustainability, usually creates, more efficient and economical city budgets, as well.

It seems, we are at a time, of more comprehensive, good, privacy policy beginnings, that will take, a few more years, to more fully implement. The question remains, what of, current, day to day accountability and openness, with tech. and other issues, with the everyday public.

How do we develop, in the next few years, a responsibility, with San Jose technology concepts, and privacy principles, that both local govt., and everyday people of the community, will want to be interested in.

sincerely,

blair beekman

From: Barb MacNeil

Sent: Friday, September 6, 2019 1:47 PM

To: The Office of Mayor Sam Liccardo

Subject: (CP18-022 & T18-034) 397 Blossom Hill Road, San Jose, CA

(CP18-022 & T18-034) 397 Blossom Hill Road, San Jose, CA

Mental health services: these services will not only be made available to the seniors living at this complex, but to the "outer community" REGARDLESS OF AGE. The Charities Housing rep who spoke at Hayes Mansion meeting was asked if the mental health services will be a 24/7 operation. She would not give a definite answer but did mention that beds will be available on an "as needed basis" from all over the county. She also told media they intend for this site to be a services hub. This is very contrary to what they have been telling people from day 1. They made people believe that the only community service would be a day care for seniors and other services for the residents.

This may be an OK project on the surface, but NOT in a highly congested residential area with residential housing, Oak Grove High School less than 2 blocks away, or where two separate HOAs a block away recently hired armed security guards because the area is plagued with crime. If you think this is acceptable, put it in your own residential areas.

Barb MacNeil

From: Barb MacNeil

Sent: Friday, September 6, 2019 2:22 PM

To:

Subject: (CP18-022 & T18-034) 397 Blossom Hill Road, San Jose, CA

The second half of this video is when they read the questions from the audience and is the most important! Imagine this being in your neighborhood where you were promised a park!

Barb MacNeil

https://m.facebook.com/story.php?story_fbid=1098637546992471&id=40495627987883&refsrc=https%3A%2F%2Fm.facebook.com%2FD2SergioJimenez%2Fvideos%2F1098637546992471%2F&rdrr

From: Kathryn Funk
Sent: Sunday, September 08, 2019 10:41 PM
To: City Clerk
Subject: The Light Tower

PUBLIC RECORD 5

Dear Mayor Licardo and City Council,

I am a staunch supporter of public art - both temporary and permanent. In fact, I believe temporary works of art that lead to permanent is an effective manner for allowing the public to weigh in on what they want as part of their environment in their city.

But I am opposed to the use of the Arena Green as the site for the proposed "Light Tower." This corridor between the Guadalupe and Los Gatos creeks where the Arena Green park is one of the most environmentally sensitive areas in our city's core. These considerations were even noted by one of the consultants for the project. This is NOT the location for an "iconic public art work." This is a park that serves its public as a park. It is an area - one of the very few - where migratory birds safely make their way on their journeys and we get to enjoy them.

San Jose made choices about its street lighting systems to accommodate not only the observatories but also because of bird migrations. It was the right choice on all counts.

Let's work toward locations for public art that don't impact our natural environment so negatively.

Thank you for your time.

Sincerely,

Kathryn Funk

From: Shani Kleinhaus

Sent: Monday, September 09, 2019 12:22 PM

To: The Office of Mayor Sam Liccardo <>; District1 <>; District2 <>; District3 <i>; District4 <>; District5 < District 6 <>; District7 <>; District8 <>; District9 <>; District 10 <>

Cc: Romanow, Kerrie <K>; City Clerk <>

Subject: Stormwater infrastructure (Item 7.1 on Sept 10 2019 Agenda)

Dear Mayor Liccardo and San Jose Council Members,

The Santa Clara Valley Audubon Society appreciates the City of San Jose's intent and efforts to install Green Infrastructure to manage stormwater and improve the quality of water flowing into our creeks and the San Francisco Bay.

We are, however, concerned that the proposed infrastructure in City Parks could:

- Leave unresolved the most impactful source of fecal bacteria in creeks since the proposed investment does not address the primary cause of contamination, namely hopelessness.
- Cause substantial loss of parkland and recreation space, remove trees and prevent the planting of large trees or construction of park facilities on top of the underground infrastructure.
- Increase the cost of maintaining parks for City residents, and continue the ongoing lag in maintenance of existing facilities.

Please discuss these issues at the Council meeting, and ensure that tree canopy and recreation open space are not lost or degraded.

Thank you

Shani Kleinhaus, Ph.D.
Environmental Advocate

From: bob tom

Sent: Monday, September 09, 2019 4:51 PM

Subject: a letter from Blair Beekman-1. Monday Sept. 9, 2019. _____ Thoughts & Revised Speech. BAUASI Approval Authority Meeting. Thursday Aug. 8, 2019.

Dear everybody,

This letter will offer, a revised version, of my public words, at the August 8, 2019, BAUASI, approval authority meeting.

I will send, a 2nd letter, this Thursday. It will offer, a few post meeting thoughts. And, a few, rough draft ideas, of agenda items, from the, August 8, BAUASI approval authority meeting.

I hope my bulky writing, & beginners attempts, to offer advice & constructive criticism, can make for good weekend reading, if it is a busy week.

- blair.

Item 02, NCRIC Bay Area Threat Briefing. (Closed Session)

As it can be respected, that sometimes, there may be certain needs, for the closed meeting process, at BAUASI program meeting discussions, and, approval authority meetings -

I hope, BAUASI, will work towards, how the closed meeting process, can be used, as infrequently, as possible.

I also hope, the practice, of a few word/sentence summary, can seriously be considered, for the closed meeting process.

And, to practice, a simply worded, summary process, for the meeting minutes, of approval authority meetings, as well.

I feel, agenda items, 02, 03, 05, can be related subjects. And related with, Brown Act Training ideas, below.

Item 03, Approval of July 2019 Meeting Minutes.

As I have been asking, through 2019 - Can BAUASI, learn to replace, the anonymity of its current standard - ' one person from the public, made a comment. ', that is used, in the approval authority meeting minutes process.

A few words, or a few sentences, can create, a good summary and understanding, of public ideas & viewpoints, of BAUASI agenda item, meeting minutes. It sometimes takes some practice, to learn how to summarize, a persons words or feelings. But a simple understanding and vocabulary, can usually develop.

Interestingly, this can be of good practice, in how to write, a few words or sentences, for a summary, of the closed meeting process, as well.

As stated above, I hope items, 02, 03, 05, can be seen as related. And, as an overall reminder, of how to work towards, peace and better democracy, through accountability.

Item 04, General Manager's report.

A thank you to the work, of General Manager, Craig Dziedzic.

As local funding practices, have often become confused - Mr. Dziedzic, has been working towards, a more organized and reliable, funding program, at the state level, that can keep NCRIC-COLA salaries, separate, from actual BAUASI project spending.

These are, the good govt. practices, of accountability and sustainability. It can create a steadiness, that can allow for, a more clear and better reasoning. And from this, more open, peaceful, & democratic practices.

To offer CalOES, some good faith, at this time, I hope BAUASI will think of, how to develop, good, open, local accountability examples, for Bay Area partner cities. As it may be, of some help, to immediate BAUASI funding needs.

Item 05. Brown Act Training.

As BAUASI, is in a current transition period; with the many, complex factors, in having to expand, CBRNE; and with, a possible continual dread, of federal auditors -

It has probably been, a common thought, & sometimes relief, how a 2nd public meeting process, can be of help, with openness and accountability.

I want to ask, only in decent terms - Can the return, of a 2nd public meeting process, offer an additional level, of constructive criticism. and good advice, with an additional voice and reasoning, from the public.

As part of good practices and fair compromise, John Lindsay Poland, has previously offered, an interesting option - To ask, if meeting summary notes, or the meeting minutes, from BAUASI closed session, program meetings, can become available, to the public, after a closed meeting.

In the least, a public review, of summary minutes, from a closed meeting process, can give, an important degree of oversight, accountability, and eventual good advice.

I am often mentioning, how to practice, a few words or a few sentences, that can help summarize, both, a closed meeting, and meeting minute process.

A thank you, for the BAUASI decision, in retaining, a full time attorney. Who can help, with the beginning developments, of BAUASI.

I will, very much try , to follow up on these matters.

A simple reminder, that SF Card, can offer, a practical, day to day help , to govt agencies, corporate sponsors, advocacy, everyday people, and govt.

Item 06. Regional Coordination Exercise Update.

As I have tried to warn yourselves previously - with BAUASI, dissolving the Alameda Co. Urban Shield program, and then, re-distributing large amounts of dollars, to Bay Area city's and counties - money & technology projects, may not always be fully accountable, in the next few years.

Technically, BAUASI may not be responsible, once money is reallocated, to other Bay Area cities. But for BAUASI, to set up, a fair -minded, oversight system, to track allocation money, would offer the examples, of organization, responsibility, create better efficiency. And, can work as, a morale booster, for good democratic practices, as well.

As, a plan B idea, BAUASI authority approval persons, from each city & county, should at least, learn how to simply follow, exactly where, extra allocation money, will now be spent, on local projects, within in their area.

And, for the next few years, learn to be prepared, and willing to share their understandings, when asked, by BAUASI, and the public .

A thank you, for your memo, on this item. And, how the memo process, can describe, both, a projects strengths, and its shortcomings, in a few sentences & paragraphs.

I hope we can all understand, what a few, small, extra steps, can accomplish.

Item 07 BayRics JPA Quarterly Report & TCIP Project Update.

Thank you, for the graphics, to describe how this program, is developing.

To ask - How are projects developing, for the everyday public, to have, a good, open channel, of wireless communication, the same as emergency responders, during a time, of a natural disaster /emergency event ?

'The public, to have their own freeway lane, during a time of an emergency. And, that would have, some sort of, 'off-ramps', to not fully clog up, emergency first-responder channels.' This was something of the words, at an approval authority meeting, a few years ago, by a Texas/Oklahoma company.

I am understanding, in emergency/natural disaster situations, cell phone tower use, may be severely limited. Yet, cell phone communication, for the everyday public, in a time of emergency, is an important subject, for both everyday people and local govt

Can BAUASI, begin to more openly address, the use of a cell phone channel, for the public, in times of urgent emergency. Whether, in its recent steps, accomplishments, & setbacks. Or, in simply, the good idea it has.

To note, community/govt., ham radio efforts, are being well established

Item 08 Air Quality Messaging Project Update.

Item 08 today, air quality equipment & instruments, will also have many technologies, including scientific & surveillance, that should be, a part of this discussion, on the future of tech. & accountability.

And can be related, to the accountability issues, of item 06.

I hope I can remind, to please share, the developing ideas, of better technology guidelines & accountability, with the MTC, at this time, as well.

Everyone should be allowed a voice, about the technology, in their community.

Good, democratic guidelines for tech., can make it easier, for more honest, efficient, & simpler fact sharing, while still respecting the needs, of national security.

It is these ideas, of trust, openness, & well reasoned, democratic practices, that is how to work towards, the long terms ideas, of community accountability, sustainability, and peace.

And, in trying to learn, how to better leave an era of war, and its backwards logic.

Item 09 Bay Area UASI Spending Report.

Thank you for the example, of a good accounting chart, with the spending report, from Nov. 2018 to Dec. 2019.

With the dissolution of Urban Shield, I think it would be helpful, to have, graphs, charts, and examples, how extra allocation money, is now being spent, in each city, county, and hub.

sincerely,

blair beekman

From: West Area CPUC

Sent: Tuesday, September 10, 2019 7:56 AM

To: Koki, Elizabeth <>; Webmaster Manager <>; City Clerk <>

Cc: GO159Areports@cpuc.ca.gov; West Area CPUC <>

Subject: CPUC Notification - Verizon Wireless - CA_SJ_SANJOSE_DT 857, West 065, 142 (3)

PUBLIC RECORD 8

This is to provide your agency with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC"). This notice is being provided pursuant to Section IV.C.2.

Thank you.

Verizon Wireless

ATTACHMENT



September 10, 2019

RE: Notification Letter for CA_SJ_SANJOSE_DT 857, West 065, 142 (3)

San Jose, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

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,

Ann Goldstein

Verizon Wireless
Coordinator RE & Compliance – West Territory

[illegible]

From: Rachel Mino

Sent: Wednesday, September 11, 2019 9:14 AM

To: The Office of Mayor Sam Liccardo <>; District1 <>; District2 <>; District3 <>; District4 <>; District5 <>; District 6 <>; District7 <>; District8 <>; District9 <>; District 10 <>; City Clerk <>

Subject: Updates on changes to the immigration public charge rules

Dear City Council,

The Law Foundation of Silicon Valley has compiled information regarding the recent public charge rule published by the Department of Homeland Security. This information was compiled to help partner organizations understand and respond to constituent questions about the Department of Homeland Security's new Public Charge rule. I wanted to take a moment to share these materials with you, to the extent that you may find them helpful.

You may have recently heard that the Department of Homeland Security issued a new Public Charge rule, with changes that impact persons who are either seeking admission to the United States or who are applying for Lawful Permanent Residence (LPR) status (also known as applying for a green card). The new rule, which was published to the Federal Register on August 14th, will go into effect on October 15, 2019. I am writing to provide you with information that I hope will be helpful to your organization, in the event your clients may have questions or concerns about the new rule and its impact.

The new rule is harmful to immigrant communities nationwide for a variety of reasons. First, the new rule greatly expands the type of public benefits that can be considered in determining whether a person is likely to become a public charge, which will be considered as a negative factor when a person applies either for admission to the United States or for LPR status.

Second, the new rule has had a rippling effect among immigrant communities, causing widespread fear and anxiety for immigrants and for organizations serving immigrant populations. There has been evidence that many people, even those to whom the rule may not even apply, have foregone the use of essential public benefits in order to ensure that they are not denied the right to adjust their status. The result is that many immigrant families have lost essential access to housing, food, and health care assistance, to their detriment.

Our organization has followed the new public charge rule very closely since the draft of the rule was leaked in early 2018. After the publication of the final rule, our organization compiled an information sheet that seeks to address the rule and its impact. I am including a copy of this information sheet, entitled "Public Charge Rule – Information Sheet", in the event it is helpful to you and your staff. Please do not share this information sheet with constituents, as it is meant for internal use. Instead, I am also including a one- page information sheet, in English and Spanish, entitled "Helpful Information to Share with Immigrant Families", which we keep on hand for concerned constituents. Please feel free to share this second sheet with and encourage concerned persons to call our office with additional questions or concerns. Clients can reach Mental Health Advocacy Project (MHA).

Finally, if you are interested in additional materials concerning the new public charge rule, the Protecting Immigrant Families campaign has many resources and tools on its website: <https://protectingimmigrantfamilies.org/>. I encourage you to review the website for helpful information, updates, and tips on how to get involved with their work.

I know that this is a troubling time for the communities with whom we work. We hope that information included along with this letter serves as a helpful resource as we navigate the harmful changes introduced by the new rule. Please feel free to reach out to MHAP should you have any questions or concerns.

Kind regards,

Rachel Miño

Rachel Miño | Senior Attorney | Health
Pronoun: she/her/hers

ATTACHMENT

Public Charge Information Sheet

Public Charge Rule

- Public charge is defined as a person who “receives one or more public benefits [from list below] ...for more than 12 months in the aggregate within any 36-month period.” Note that receipt of two benefits in one month counts as two months.
 - In the past only the receipt of cash assistance and/or long-term care were considered in the context of public charge.
 - Under the new rule the definition of public charge is broadened to consider the use of many other public benefits, in addition to cash assistance and/or long-term care, including:
 - Earned Income Tax Credit (EITC)
 - Medicaid (with exceptions for benefits received by children under age of 21, pregnant women (up to 60 days postpartum), and all treatment for emergency medical conditions)
 - Children’s Health Insurance Program (CHIP)
 - Subsidies provided for under the Affordable Care Act (ACA)
 - Supplemental Nutrition Assistance Program (SNAP)
 - Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
 - Housing Assistance such as Section 8 housing vouchers
 - Low-Income Home Energy Assistance Program (LIHEAP)
 - Comparable state and local programs
 - The new rule also adds specific requirements to the public charge test for income, health, age, skills, and English proficiency.
 - The new rule will NOT look at the benefits received by family members that are United States citizens.
 - However, the new rule will consider whether someone has filed an application for benefits, even if no benefits were received.

What happens after the Public Charge Rule is published?

- The new rule will not take effect until at least 60 days after the official publication date.
- The National Immigration Law Center (NILC) and partner organizations plan to sue to block the final rule from taking effect.
- Several other additional lawsuits are expected to be filed to block the final rule from taking effect.
- Our office will continue to track the progress of the rule and will update our materials accordingly.

- Please note that the retrospective receipt of non-cash benefits will not be considered in the public charge determination. The new public charge rule will only focus on non-cash benefits received after the passage of the rule.

Who is subject to the public charge test?

Individuals applying for admission to the United States or adjustment of status (a green card) are subject to public charge.

Who is not subject to the public charge test?

There are certain groups of people who are either exempt from the public charge rule or may get a waiver for public charge when applying for admission to the United States, a green card, or other USCIS benefits. These include:

- Refugees and asylum applicants
- Refugees and asylees applying for adjustment to permanent resident status
- Amerasian immigrants (for their initial admission)
- Individuals granted relief under the Cuban Adjustment Act (CAA)
- Individuals granted relief under the Nicaraguan and Central American Relief Act (NACARA)
- Individuals granted relief under the Haitian Refugee Immigration Fairness Act (HRIFA)
- Individuals applying for a T Visa
- Individuals applying for a U Visa
- Individuals who possess a T Visa and are applying for adjustment to permanent resident status
- Individuals who possess a U Visa and are applying for adjustment to permanent resident status
- Special immigrant juveniles
- VAWA self-petitioners
- Applicants for Temporary Protected Status (TPS)
- Individuals applying to renew DACA status

United States Citizens

Definition: People who are either born in the United States or have become “naturalized” after three to five years as a permanent resident. These citizens can never be deported (unless citizenship was obtained through fraud). You can work legally and receive any public benefits you qualify for.

Impact of Public Charge rule: Persons who are United States citizens are not impacted by the new Public Charge rule.

Individuals applying for admission to the United or Adjustment of Status

Definition: People who live outside the United States but are applying for admission to the United States or people who are already in the United States and are applying to adjust their status to Lawful Permanent Resident (LPR)

Impact of Public Charge rule: Persons seeking admission to the United States or persons in the United States seeking to adjust their status to LPR are directly impacted by the public charge rule. A person who falls into either of these categories may be denied admission to the United States or may be denied adjustment of status to LPR based on, among other things, their receipt of public benefits.

Permanent or Conditional Residents

Definition: Legal Permanent Residents (LPRs) are those who have a "green card". This means the person has been granted authorization to live and work in the United States on a permanent basis. Conditional residents are people who have been married less than two years before they received their green card. Both types of residents have permission to live and work permanently in the U.S. unless they are guilty of a serious criminal offense or some other immigration violation. Generally, if you have been an LPR for five years, you can apply to become a naturalized citizen. If you became an LPR based on marriage to a U.S. citizen you can apply to become a naturalized citizen after three years. Just because you are an LPR does not guarantee that you will become a citizen.

Impact of Public Charge rule: Persons who are already Permanent or Conditional Residents are not impacted by the new Public Charge rule.

Non-immigrants

Definition: People who are in this country legally, but only for a temporary basis. These include people on student visas, business visitors, or tourists, people on a fiancée visa, and individuals granted temporary protected status. In general, persons in this category do not intend to immigrate to the United States. If a person in the country on any of the aforementioned visas overstays or violates the visa, his or her legal status will change to undocumented.

Impact of Public Charge rule: Non-immigrants are not impacted by the new Public Charge rule.

Undocumented

Definition: People who are in the country without permission. Undocumented persons do not have permission to live in the United States. They are not authorized to work and they have no access to public benefits. An undocumented person runs the risk of being deported or having deportation proceedings started against them at any time.

Impact of Public Charge rule: Undocumented persons are not impacted by the new Public Charge rule.

Updated August 11, 2019

The information provided in this information sheet is not legal advice. For information about a specific case, please contact an immigration expert. Referrals for immigration experts and rapid response providers are included below.

Resources and Referrals

Protecting Immigrant Families (PIF): <https://protectingimmigrantfamilies.org/>

Online directory for allowing persons to search for local non-profit organizations that provide legal help and advice: <https://www.immigrationlawhelp.org/>

Services, Immigrant Rights, and Education Network (SIREN): <http://www.siren-bayarea.org/>

National Immigration Law Center (NILC): <https://www.nilc.org/>

Rapid Response Agencies in Northern California:

BAY AREA & NORCAL RAPID RESPONSE		
San Francisco Rapid Response Network HOTLINE: 415-200-1548	Marin County Rapid Response Network HOTLINE: 415-991-4545	Monterey County Rapid Response Network HOTLINE: 831-643-5225
Sacramento Rapid Response HOTLINE: 916-245-6773	Sonoma/Napa Rapid Response Network HOTLINE: 707-800-4544	Santa Cruz County Your Allied Rapid Response HOTLINE: 831-239-4289
SIREN's Rapid Response TEXT ONLY , for Community members: 201-468-6088 & for Allies: 918-609-4480	Santa Clara County Rapid Response Network HOTLINE: 408-290-1144	Alameda County Immigration Legal & Education Partnership HOTLINE: 510-241-4011
OPEN 24/7! SUPPORT VARIES FROM: <i>General questions - report /verify ICE activity - legal observation - referrals to attorneys - deportation defense support - know your rights tools</i>		San Mateo Rapid Response Network HOTLINE: 203-NO MIGRA

Illustration: A person holding a phone, with police and ICE officers nearby.

Updated August 11, 2019



Helpful Information to Share with Immigrant Families

Use of public benefits alone will not make you a public charge.

Immigration officials must look at all your circumstances in determining whether you are likely to become a public charge in the future. This includes your age, health, income, assets, resources, education/skills, family you must support, and family who will support you. Positive factors, like having a job, can be weighed against negative factors, like having used certain public benefits.

The public charge test is about what will happen in the future - not what happened in the past.

Health care, nutrition, and housing programs can help you and your children remain strong, productive, and stable. Even if the rules change, you will have a chance to show why you are not likely to rely on certain benefits in the future.

The public charge test does not apply to every immigrant.

Exempt immigrants (or those eligible for a waiver) include: refugees; asylees; survivors of trafficking, domestic violence, or other serious crimes (T or U visa applicants/holders); VAWA self-petitioners; special immigrant juveniles; and certain people paroled into the U.S. And lawful permanent residents (green card-holders) are not subject to the public charge test when they apply for U.S. citizenship. These laws will remain in place, even if the proposed regulation is finalized.

The proposed rule is not retroactive.

Under the proposal, benefits previously excluded from the public charge determination (such as Medicaid and SNAP, the Supplemental Nutrition Assistance Program) will be considered only if those benefits are received after the final rule is published. Using benefits now can help you or your family members become healthier, stronger, and more employable in the future.

Your personal information is safe.

Federal and state laws protect the privacy of people who apply for or receive health care coverage, nutrition, economic support, or other public benefits. Applications for public programs should not request information about the immigration status of non applicants in the household. Benefit agencies may share information with other government agencies only for purposes of administering their programs, with limited exceptions. You can provide only the information necessary and should not misrepresent anything when completing public benefit applications or dealing with any government agency.

We'll keep fighting!!!

This proposal is cruel. Advocates will use every tool at their disposal — including in the courtroom — to stop it. Organizations and advocates are already preparing legal challenges, and state governments are also planning to sue if the administration goes further.

FOR MORE INFORMATION AND RESOURCES, VISIT:

www.ProtectingImmigrantFamilies.org



Otra información útil para compartir con familias inmigrantes en la medida necesaria

Usted no es una carga pública simplemente porque usa beneficios públicos.

Los funcionarios de inmigración tienen que analizar todas sus circunstancias para determinar si es probable que se convierta en una carga pública en el futuro. Estas circunstancias incluyen su edad, estado de salud, ingresos, bienes, recursos, educación/habilidades, si tiene familiares que tiene que mantener y familiares que lo van a mantener a usted. Los factores positivos, como tener un trabajo, se pueden balancear con factores negativos, como haber usado ciertos beneficios públicos.

La determinación de carga pública es una prueba que mira hacia el futuro.

Los programas de salud, nutrición y vivienda pueden ayudar a que usted y sus hijos permanezcan fuertes, productivos y estables. Aunque la regla cambie, tendrá la oportunidad de demostrar por qué es poco probable que dependa de ciertos beneficios en el futuro.

Algunos inmigrantes quedan exentos por ley de la prueba de carga pública.

Los inmigrantes exentos (o aquellos que son elegibles para una exención) son: refugiados; asilados; sobrevivientes de la trata de personas, violencia en el hogar u otros delitos graves (solicitantes o beneficiarios de visas T o U); solicitantes bajo la ley VAWA auto-peticionarios; menores inmigrantes especiales; y ciertas personas bajo libertad condicional ("parole") en EE.UU. Además, los residentes legales permanentes (con tarjeta verde) no quedan sujetos a la prueba de carga pública cuando solicitan su ciudadanía de EE.UU. Estas leyes seguirán vigentes, incluso si la reglamentación propuesta se promulga.

La regla propuesta no es retroactiva.

Bajo la propuesta, los beneficios anteriormente excluidos de la determinación de carga pública (como Medicaid o SNAP, el programa de asistencia de nutrición suplementaria) solo se tendrán en cuenta si son recibidos después de haberse publicado la regla final. El uso de beneficios ahora puede ayudarle a usted y a sus familiares a ser más saludables, fuertes y empleables en el futuro.

Su información personal está segura.

Las leyes federales y estatales protegen la privacidad de la gente que solicita o recibe cobertura de salud, nutrición, apoyo económico u otros beneficios públicos. Las solicitudes para programas públicos no deberían pedir información sobre la condición migratoria de los miembros del hogar que no son parte de la solicitud. Las agencias que otorgan beneficios pueden compartir información con otras dependencias gubernamentales solo con el fin de administrar sus programas, con ciertas excepciones. Puede proporcionar solo la información necesaria, y no debería decir nada falso o incorrecto al llenar las solicitudes de beneficios públicos o hacer un trámite en una dependencia gubernamental.

Seguiremos luchando contra este ataque!!!

Esta propuesta no solamente es cruel, sino que usaremos todas las herramientas a nuestra disposición, incluso legales, para detenerla. Las organizaciones y los activistas ya están preparando acciones legales, y los gobiernos estatales también piensan iniciar una demanda si la administración persiste con esta regla.

PARA MÁS INFORMACIÓN Y RECURSOS, VISITE:
www.ProtectingImmigrantFamilies.org

From: Elizabeth Milligan
Sent: Thursday, September 05, 2019 11:48 PM
To: City Clerk
Subject: Warning and notice about the risks of 5G technology

Re: Warning and notice about the risks of 5G technology

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

Contamination of my home with 5G may cause damage to my home if it becomes a health risk to me and thus render my home uninhabitable. Irradiating me with wireless non-ionizing electromagnetic radiation against my consent would be an application of force against my person and which causes fear of bodily injury and could be classed as a civil trespass and/or a criminal assault.

Any level of exposure of man-made non-ionizing electromagnetic radiation can be diagnosed by my medical practitioner as an adverse health effect pursuant to the WHO's International Classification of Diseases ICD-10, code W90 thus rendering any safety limit as set by the government safety standards obsolete as to protecting my health. As needed, I may see my doctor for advice on the 5G issue.

If 5G technology is deployed within your constituency, I expect that you as my elected representative will exercise due diligence to certify that all parties deploying 5G technologies have sufficient insurance cover to compensate for damage or harm caused by the emission of wireless non-ionizing electromagnetic radiation. Please note that this could be a problem, since underwriters such as Lloyds of London do not insure for such harm and damage.

I urge you, as my elected official, to act in the public interest by addressing the potential cumulative harms of densification (the crowding of small cells into a limited area to enable 5G) and insisting that public safety regulatory authorities need to prove that such densification of 5G technology is safe and that any deployment of 5G, Artificial Intelligence (AI), and/or the Internet of Things (IoT), is regulated appropriately to ensure that the national security and the safety and privacy of the public and myself is not compromised.

You need to protect the public from other harmful wireless technologies such as Wi-Fi in schools, "smart" meters on dwellings, and the like, and to replace those technologies with safe and efficient wired technologies, such as Ethernet and/or fiber optics, as the end-nodes of internet delivery systems to dwellings, schools and commercial buildings. Forward-thinking cities are already doing this.

I implore you, as my elected official, to act in the public interest by protecting the public and myself from being persecuted by the passing of laws that restrict the Courts, law enforcement agencies, municipal councils and local governments from taking action to protect the public from harm to health and damage, caused by 5G and other wireless technologies.

I am genuinely concerned for your welfare, the general public and mine, and this is a situation of the utmost urgency. I have studied the relevant facts and am thus aware of the danger. As a result I am in fear and I take the risk of harm and damage to me very seriously.

To help bring you up to speed on this extremely important topic, please go to the5Gsummit.com, and listen for free to what 40 highly regarded experts inclusive of scientists, medical practitioners and lawyers from around the world have to say on the 5G subject. Experts who are not censored by the telecommunications industry, nor their captured governments, nor the captured media. Further, to assist with your education, please look at the Bio-initiative Report 2012 (updated 2017) - A Rationale for Biologically-based Public Exposure Standards for Electromagnetic Fields (ELF and RF) bioinitiative.org and Physicians for Safe Technology – 5G Mobile Communications mdsafetech.org.

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As an elected official I believe you are at risk of being liable if you do not take appropriate action to attempt to abate, or prevent such harm to me or the public.

Your people are rising up and I implore you to take leadership and be a champion for the health and safety of all of us. If you do, many voters, legislators and I will wholeheartedly support and campaign for you.

Sincerely,
Elizabeth Milligan

From: walter pelton

Sent: Thursday, September 05, 2019 6:49 PM

To: City Clerk

Subject: Notice regarding 5G deployments and liability

Re: Notice regarding 5G deployments and liability

Dear Ms. Taber,

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Your people are rising up and I implore you to take leadership and be a champion for the health and safety of all of us. If you do, many voters, legislators and I will wholeheartedly support and campaign for you.

Sincerely,
walter pelton

From: Emily Scholl
Sent: Friday, September 06, 2019 4:49 PM
To: City Clerk
Subject: Warning and notice about the risks of 5G technology

Re: Warning and notice about the risks of 5G technology

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

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Sincerely,
Emily Scholl

From: Christina Ocampo
Sent: Friday, September 06, 2019 6:45 PM
To: City Clerk
Subject: Notice regarding 5G rollouts

PUBLIC RECORD 10.d

Re: Notice regarding 5G rollouts

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

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Sincerely,
Christina Ocampo

Constituent

From: Amanda Griffin

Sent: Saturday, September 07, 2019 10:58 PM

To: City Clerk

Subject: Notice regarding 5G deployments and liability

PUBLIC RECORD 10.e.

Re: Notice regarding 5G deployments and liability

Dear Ms. Taber,

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Sincerely,
Amanda Griffin

Constituent

From: Pamela Lau
Sent: Saturday, September 07, 2019 1:45 PM
To: City Clerk
Subject: We don't want 5G!

PUBLIC RECORD 10f.

Re: We don't want 5G!

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

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Sincerely,
Pamela Lau

Constituent

From: Keith Barrick
Sent: Sunday, September 08, 2019 9:07 PM
To: City Clerk
Subject: Do not allow untested 5G deployment

PUBLIC RECORD 10.9

Re: Do not allow untested 5G deployment

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

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If 5G technology is deployed within your constituency, I expect that you as my elected representative will exercise due diligence to certify that all parties deploying 5G technologies have sufficient insurance cover to compensate for damage or harm caused by the emission of wireless non-ionizing electromagnetic radiation. Please note that this could be a problem, since underwriters such as Lloyds of London do not insure for such harm and damage.

I urge you, as my elected official, to act in the public interest by addressing the potential cumulative harms of densification (the crowding of small cells into a limited area to enable 5G) and insisting that public safety regulatory authorities need to prove that such densification of 5G technology is safe and that any deployment of 5G, Artificial Intelligence (AI), and/or the Internet of Things (IoT), is regulated appropriately to ensure that the national security and the safety and privacy of the public and myself is not compromised.

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I am genuinely concerned for your welfare, the general public and mine, and this is a situation of the utmost urgency. I have studied the relevant facts and am thus aware of the danger. As a result I am in fear and I take the risk of harm and damage to me very seriously.

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I implore you as my civic leader, and as my elected representative to get educated on this important topic, and show me by your decisions, actions and omissions that you are taking precautionary steps to address the risk of harm to me and all the people within your constituency.

As an elected official I believe you are at risk of being liable if you do not take appropriate action to attempt to abate, or prevent such harm to me or the public.

Your people are rising up and I implore you to take leadership and be a champion for the health and safety of all of us. If you do, many voters, legislators and I will wholeheartedly support and campaign for you.

Sincerely,
Keith Barrick

Constituent

From: Cynthia Barrick

Sent: Sunday, September 08, 2019 7:45 PM

To: City Clerk

Subject: Warning and notice about the risks of 5G technology

PUBLIC RECORD 10.h

Re: Warning and notice about the risks of 5G technology

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

Contamination of my home with 5G may cause damage to my home if it becomes a health risk to me and thus render my home uninhabitable. Irradiating me with wireless non-ionizing electromagnetic radiation against my consent would be an application of force against my person and which causes fear of bodily injury and could be classed as a civil trespass and/or a criminal assault.

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I urge you, as my elected official, to act in the public interest by addressing the potential cumulative harms of densification (the crowding of small cells into a limited area to enable 5G) and insisting that public safety regulatory authorities need to prove that such densification of 5G technology is safe and that any deployment of 5G, Artificial Intelligence (AI), and/or the Internet of Things (IoT), is regulated appropriately to ensure that the national security and the safety and privacy of the public and myself is not compromised.

You need to protect the public from other harmful wireless technologies such as Wi-Fi in schools, "smart" meters on dwellings, and the like, and to replace those technologies with safe and efficient wired technologies, such as Ethernet and/or fiber optics, as the end-nodes of internet delivery systems to dwellings, schools and commercial buildings. Forward-thinking cities are already doing this.

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I am genuinely concerned for your welfare, the general public and mine, and this is a situation of the utmost urgency. I have studied the relevant facts and am thus aware of the danger. As a result I am in fear and I take the risk of harm and damage to me very seriously. MY CHILDREN AND GRANDCHILDREN ARE EXPOSED AND SO ARE YOURS. THEIR BODIES ARE SO LITTLE AND EVEN MORE DEFENSELESS. I AM SO

AFRAID OF THE HARM TO WHICH THEY ARE EXPOSED. THEY HAVE NO VOICE OR CHOICE. YOU HAVE THE POWER AND ABILITY TO SPEAK FOR THEM AND TO PROTECT THEM.

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Sincerely,
Cynthia Barrick

Constituent

From: Kimberly Potts

PUBLIC RECORD 10 i.

Sent: Tuesday, September 10, 2019 7:46 PM

To: City Clerk

Subject: Join other local governments & stand against illegal 5G rollouts

Re: Join other local governments & stand against illegal 5G rollouts

Dear Ms. Taber,

You are my elected representative. This legal notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and to protect you from attracting civil and criminal liability in relation to your actions and/or omissions surrounding the deployment of 5G technology within your constituency. 4G/LTE small cells form an integral part of the 5G deployment. This 5G technology will cause me to be exposed to wireless non-ionizing electromagnetic radiation against my consent and in my home.

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I am genuinely concerned for your welfare, the general public and mine, and this is a situation of the utmost urgency. As I have studied the relevant facts and am thus aware of the danger, I experience fear and I take the risk of harm and damage to me, very seriously.

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Sincerely,
Kimberly Potts

Constituent

From: Joanie Murphy
Sent: Wednesday, September 11, 2019 9:10 AM
To: City Clerk
Subject: Protect the people, not telecoms!!

PUBLIC RECORD 10 j

Re: Protect the people, not telecoms!!

Dear Ms. Taber,

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Sincerely,
Joanie Murphy

Constituent

From: Don Bergstrom
Sent: Wednesday, September 11, 2019 1:58 PM
To: City Clerk
Subject: Notice regarding 5G deployments and liability

PUBLIC RECORD 10. k

Re: Notice regarding 5G deployments and liability

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Sincerely,
Don Bergstrom