



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
September 19 – September 26

DATE: October 2, 2019

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public

1. Letter from Blair Beekman, dated September 20, 2019, regarding BAUASI Approval Authority Meeting August 8, 2019.
2. Letter from Carle Virginie dated September 21, 2019, regarding wireless “small cell” deployments and surveillance facilities.
3. Letter from Verizon Wireless, dated September 24, 2019, regarding CPUC Notification – Verizon Wireless - CA_SJ_SANJOSE_DT821, North 036, 151, West 097, 117, 139, 149, 152(8).
4. Letter from Blair Beekman, dated September 25, 2019, regarding 2nd BAUASI Public Meeting.
5. Letter from Mike Sommers, dated September 26, 2019, regarding Ethanol Policy Should Put Workers and Consumers First.

TJT/tt

Toni J. Taber, CMC
City Clerk

From: bob tom

Sent: Friday, September 20, 2019 3:30 PM

Subject: a letter from Blair Beekman-2. Friday Sept. 20, 2019. _____ After-thoughts. BAUASI Approval Authority Meeting. August 8, 2019.

Dear BAUASI, Bay Area local govts., govt. agencies, public advocacy, and the everyday public.

Some after-thoughts, of the Aug 8 2019, BAUASI approval authority public. This is letter. no. 2, from Sept. 9, 2019

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

To make a particular point, I feel, it may always be important, for BAUASI to publicly announce, what form of 'exception', from the Brown Act, will be used - for a closed meeting, within, a BAUASI approval authority public meeting.

As an example, it is my thinking, the closed meeting, within the Aug. 8, 2019 approval authority public meeting, would work under, the exceptions of, ' personnel, public security, and multi-law enforcement agencies.' As this is listed, within the Brown Act, closed meeting guidelines.

To finalize, whatever type, of closed meeting process, there may be - I hope, BAUASI, will be considering, a few words, or a few sentence minute/summary, in the days following, a BAUASI closed public meeting.

It can be, a simple, good reasoning - to have, a formal public announcement, to be then be noted, within a public minutes process, for whatever type, of closed public meeting, BAUASI may have.

I hope, all of this, can be considered, as we are now allowed, to better look for, and work toward, better accountability, good democratic practices, and ideas of peace, instead of continual war.

Item 03. Approval of July 13, Approval Authority Minutes.

To try to bring up a subject, that I think may be of interest, around local, S.F. Bay Area, city council meetings.

I feel, public comment, from previous, public agenda meeting items - should be considered, a part of, the council approval process, of its weekly/monthly, public agenda, meeting minutes.

Some, are of the opinion, it is only the agenda items, themselves, that should be approved, by a council body.

I feel, it is a matter, of not just approving, the agenda of the previous meeting. But, that a council body, is approving ' the minutes ', that have recorded, of an entire public meeting, and its democratic process.

It is with this reasoning, that should allow for, current public comment, for both, previous agenda items, and its previous, public comment.

Item 06. Regional Coordination Exercise Update.

As there was some discussion, in the roles, of S.F. & Oakland, with federal law enforcement, to try to describe - San Francisco, has fed. govt. representatives, that have been handling, the NCRIC duties - for S.F. & the Oakland-East Bay area.

While, the city of Oakland, has fed.govt. representatives, that have been handling, JTTF duties & issues, for San Francisco & the Oakland-East Bay area.

The JTTF, was asked to leave San Francisco, by its supervisors and community. The Oakland-East Bay, and its local communities, have been trying to figure out, how to create distance, from NCRIC, with its data collection practices, and its SARS reporting.

The city of Oakland, Privacy Advisory Commission, can better explain, how this is can be related, to the important development, of civil protection & data collection practices. As they are working to define, the ideas of national security and peace, that can be, more accountable and less intrusive, to everyday communities & local neighborhoods.

Item 08. Air Quality Messaging Project Update.

A thank you, to the Ca. state agency, in their work, with emergency air filtration systems, for the future of buildings. The quality & continuation of heat, in the Bay Area, this summer, feels like climate change, is very much here. So their work, is needed.

But, in their own good goals, their Aug. 8, BAUASI agenda item memos, describe N95 masks - specifically, as harmful. I worry, if this interpretation, may be too strong, or not fully accurate.

At, the August 8, BAUASI public meeting, when asked - they seem to offer, N95 masks, tend to be effective, on a more, individual, case by case basis. And, would not be a guarantee, for full protection.

This felt like, what is, the more generalized, overall opinion, of N95 masks, at this time.

It had been, my own personal feeling, N95 masks, can possibly be, of some immediate relief, to fallout particles. But, they simply may not be, a continual, reliable guarantee, for all individuals.

Should, N95 masks, be prioritized, with a lower level of urgency, as the larger ideas and goals, of building air filtration systems, can always be, a high level of importance. To avoid future snafus, and mistaken planning, will it be necessary, to re-adjust, policy ideas, goals, and current wording, towards N95 masks - with a slightly different, but still, rigorous approach.

To better address this project, there can be disclaimers, like -

' although, it can be of some help - the N95 mask, has not proven, to be fully effective - as each individual person & condition, may vary. '

Overall, I think I am understanding, there should not be, an all out effort, to create a reliance, for N95 masks. But maybe, a bit of different wording, in how to think about it & prioritize it, can be helpful and needed.

I hope this letter, can be passed along, to the people, of the Ca. state agency, working on this project.

sincerely,

blair beekman

From: Virginie Carle
Sent: Saturday, September 21, 2019 7:51 AM
To: City Clerk
Subject: Notice regarding wireless "small cell" deployments and surveillance facilities

Re: Notice regarding wireless "small cell" deployments and surveillance facilities

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 the 5Gsummit.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.

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,

Virginie Carle

From: West Area CPUC

Sent: Tuesday, September 24, 2019 12:56 PM

To: Koki, Elizabeth ;Webmaster Manager ; City Clerk

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

Subject: CPUC Notification - Verizon Wireless - CA_SJ_SANJOSE_DT 821, North 036, 151, West 097, 117, 139, 149, 152 (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



September 24, 2019

[REDACTED]
Consumer Protection and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Notification Letter for CA_SJ_SANJOSE_DT 821, North 036, 151, West 097, 117, 139, 149, 152 (8)

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
1515 Woodfield Road, #1400, Schaumburg, IL 60173
WestAreaCPUC@VerizonWireless.com

VZW LEGAL ENTITY	JURISDICTION	DEPUTY DIRECTOR - PLANNING	CITYMANAGER	CITYCLERK	COUNTY	CPUC Attachment A					verizon				
GTE Mobilnet of California Limited Partnership	CITY OF SAN JOSE	Elizabeth.Koki@sanjoseca.gov	webmaster.manager@sanjoseca.gov	cityclerk@sanjoseca.gov	Santa Clara	Initial Build (new presence for Verizon Wireless)									
Site Name	PS Location Code	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number
CA_SJ_SANJOSE_DT_821	517305	400 East San Fernando St San Jose, CA 95112	Public ROW	37° 20' 16.87" NORTH	• Install (N) Street Light Pole on (E) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install (N) CSJ Pull Box	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street Light Pole Centerline 25'6"	30'-0"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19872DT	N/A
				121° 52' 52.16" WEST											
CA_SJ_SANJOSE_NORTH_036	517748	3056 Zanker Road San Jose, CA 95134	Public ROW	37° 23' 54.11" NORTH	• Install (N) Street Light Pole on (E) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install (N) Concrete Slab • Remove and install (N) Conductors (see E-1 Sheet) • Remove and install (N) Luminaire (see E-1 Sheet)	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street Light Pole Centerline 25'6"	30'-0"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19861N	N/A
				121° 55' 53.20" WEST											
CA_SJ_SANJOSE_NORTH_151	541917	1797 CAPE CORAL DR San Jose, CA 95133	Public ROW	37° 22' 26.18" NORTH	• Install (N) Street Light Pole on (N) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install (N) CSJ Pull Box • Install (N) CSJ Service Pull Box • Install (N) Concrete Pad Per CSJ STD	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street Light Pole Centerline 25'6"	30'-0"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19806N	N/A
				121° 52' 06.50" WEST											
CA_SJ_SANJOSE_WEST_097	517851	5149 MOORPARK AVE San Jose, CA 95129	Public ROW	37° 18' 34.62" NORTH	• Install (N) Street Light Pole on (N) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install 2(N) CSJ Pull Box • Install (N) Concrete Pad Per CSJ STD	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street Light Pole Centerline 25'6"	30'-0"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19848W	N/A
				121° 59' 34.73" WEST											
CA_SJ_SANJOSE_WEST_117	517886	1114 POLK LN San Jose, CA 95117	Public ROW	37° 18' 22.88" NORTH	• Install (N) Street Light Pole on (N) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install (N) CSJ Pull Box	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street Light Pole Centerline 25'6"	25'-6"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19776W	N/A
				121° 57' 48.65" WEST											
CA_SJ_SANJOSE_WEST_139	517938	1304 ESSEX WAY San Jose, CA 95117	Public ROW	37° 18' 04.93" NORTH	• Install (N) Street Light Pole on (E) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install (N) Concrete Slab • Remove and install (N) Luminaire (see E-1 Sheet)	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street Light Pole Centerline 25'6"	30'-7"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19884W	N/A
				121° 57' 23.45" WEST											
CA_SJ_SANJOSE_WEST_149	517948	3494 CADILLAC DR San Jose, CA 95134	Public ROW	37° 17' 47.62" NORTH	• Install (N) Street Light Pole on (N) CIDH Pile Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole • Install (N) Disconnect	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRU's Mounted On the City Street	30'-0"	N/A	Encroachment	9/16/2019	9/16/2019	SC19790W	N/A

Site Name	PS Location Code	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (In feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number
		CA 95117		121° 57' 30.19" WEST	<ul style="list-style-type: none"> • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install 2(N) CSJ Pull Box • Install (N) Concrete Pad Per CSJ STD 		Pole	Light Pole Centerline 25'6"			Permit Approval				
CA_SJ_SANJOSE_WEST_152	517551	1455 DARRYL DR San Jose, CA 95130	Public ROW	37° 17' 50.79" NORTH	<ul style="list-style-type: none"> • Install (N) Street Light Pole on (N) CIDH Pole Foundation • Install (3) (N) Antenna/Radio on (N) Street Light Pole • Install (N) FCC signage on (N) Street Light Pole <ul style="list-style-type: none"> • Install (N) Disconnect • Install (N) Smart Meter • Install (N) Fiber Junction Box • Install (N) CSJ Pull Box • Install (N) Concrete Pad Per CSJ STD 	(3) Ericsson 6701	San Jose City Street Light Pole	(3) Antenna RRUs Mounted On the City Street Light Pole Centerline 22'0"	30'-0"	N/A	Encroachment Permit Approval	9/16/2019	9/16/2019	SC19654W	N/A
				121° 57' 48.61" WEST											

From: bob tom

Sent: Wednesday, September 25, 2019 4:25 PM

Subject: a letter from Blair Beekman. Wednesday Sept. 25, 2019. _____ a 2nd BAUASI public meeting.

Dear BAUASI, Bay Area local govts., govt. agencies, public advocacy, and the everyday public.

To refer to, the Aug. 8, 2019 BAUASI approval authority meeting, Item 05, the Brown Act. I would like to address, BAUASI uses, of the Brown Act, and ideas of the public process.

I feel it is important to ask, with the expansion of the CBRNE program, and as, several remaining, BAUASI programs, will have closed public meetings, with much less dialogue, with the publicly minded, SF Card process,

Is the return, of a monthly, 2nd BAUASI public meeting, or some form, of better public oversight, still being considered, for the several remaining, BAUASI programs, that will not be using SF Card, and its more public process. ?

It should be important to ask first, if expanding CBRNE, will actually be necessary.

We are at a time, to formally end, the era of 9.11.01, & war. There are very good guidelines, examples, and Ca. state legal precedents, that can work towards, openness, accountability, and civil protections, at the local level. This can make for important demands, in how we can all practice, in better reasoned, more peaceful terms.

I can also, very much understand, how an expanded CBRNE program, may now actually be, more needed.

As early mistakes, by many countries, in the past several years, has led to, a u.s. heightening of nuclear tensions. And as, the current u.s. administration, has also been ending, several nuclear arms treaties, with good intl. protections & oversight, while, continuing to develop, its own, questionable, intl. u.s. proxy relationships.

Overall, there may be, a confused, haphazard policy, at the u.s. intl. level. From this, people at BAUASI, CalOES, and, at the local Bay Area community level, may not be given, honest & accurate information, for local CBRNE projects, and their funding needs.

In the least, BAUASI has developed, some good, beginning, internal oversight protection, for the expanded CBRNE program. Thank you, for this.

Over the past few years, Phillip White, long-time project manager of CBRNE, and I am sure others, of BAUASI, have had considerable worries. Including, what additional oversight, can be helpful, for the remaining, BAUASI closed meeting programs. And, that may be effected, by an expanded CBRNE program.

The arc of working toward, good democratic practices, usually works towards, what is positive and hopeful.

I feel a good role, for myself, at this time, is to simply ask yourselves, that for, the remainder of 2019, into 2020, & with BAUASI, in a period of flux & transition -

Does BAUASI, still need to consider, what can be, better ideas of oversight, and democratic practices, for the closed meeting programs of BAUASI ?

John Lindsay Poland, has offered, an interesting, low-key idea, of summary/meeting minutes, for the BAUASI, closed meeting programs. A few words, or few sentences, summary description, of BAUASI closed meetings, can give the public, simple, necessary info., that can offer, good-minded, public follow up.

And, can be an example, of how working towards, simple, good, democratic practices, can allow, helpful, additional needed thought, oversight, and good reasoning.

A good luck, in early CBRNE, good oversight & guideline ideas, can be part of, a BAUASI philosophy, of 'do no harm'. And then, how to relate this, to local Bay Area communities, working towards, better democratic practices and its reasoning, at this time.

From much, current work, in the S.F. Bay Area, along with, some recent, U.S. Defense Dept. & NSA appointments, I am hoping, with better guidelines, examples, public oversight, and a sharing of responsibilities, by intl. countries, at this time -

this can bring, a better reasoning, for what has become, years of, erratic, u.s. decision making, in how to address, violence, terrorism, and extremism.

sincerely,

blair beekman

From: Mike Sommers, API

Sent: Thursday, September 26, 2019 7:35 AM

To: City Clerk

Subject: Ethanol Policy Should Put Workers and Consumers First



September 26, 2019

Ethanol Policy Should Put Workers and Consumers First

Dear Toni,

Higher-ethanol fuels can cause engine damage for vehicles that aren't designed for it, and most vehicles aren't. Nearly 70 percent of vehicles on the road today were not designed to run on fuel with 15 percent ethanol volume, known as E15. Using it can void warranties and require costly repairs. Plus, it's less energy dense than ethanol-free gasoline, requiring more frequent fill-ups. That's why the [Renewable Fuel Standard](#) (RFS), which mandates yearly ethanol quotas, is so bad for consumers.

Regulators have options to protect consumers. But producers of [corn-based ethanol](#) are pushing back – calling on regulators to force more ethanol into the fuel supply whether consumers want it or not.

Arbitrarily increasing renewable fuel volumes would be a mistake. As detailed in [a recent joint op-ed](#) from API, North America's Building Trades Unions, and American Fuels and Petrochemical Manufacturers, artificially increasing the mandates yet again will do nothing more than increase costs on U.S. manufacturing while increasing incentives for more imports.

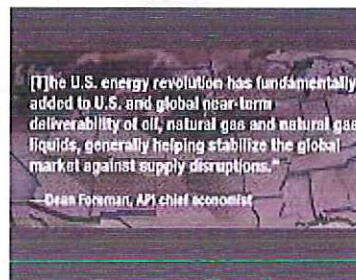
Let's hope the White House changes course and puts [consumers](#) and the thousands of hardworking Americans employed by refineries at the center of ethanol policy.

Sincerely,

Mike Sommers
President and CEO
API

U.S. Production is Protecting Domestic Markets, Consumers

At a time of energy uncertainty in the world, the U.S. natural gas and oil industry has been producing at levels that have helped cushion domestic markets and American consumers against global supply disruptions that once would have put severe pressure on our economy here at home. [Get the scoop from API's chief economist.](#)





WE ARE
energynation



- AMERICAN PETROLEUM INSTITUTE -