

# Memorandum

**TO:** Honorable Mayor &  
City Council

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

**SUBJECT:** The Public Record  
January 31, 2020 – February 6, 2020

**DATE:** February 12, 2020

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## **ITEMS FILED FOR THE PUBLIC RECORD**

### **Letters from Boards, Commissions, and Committees**

1. Letter from San José Housing and Community Development Commission, received February 4, 2020, regarding: Recommendation to Support the New General Plan Mobilehome Park Designation and Apply to All Mobilehome Parks.

### **Letters from the Public**

1. Letter from Blair Beekman, received January 31, 2020, regarding: Speech to RaOG. Public Record.1.29.20. \_\_\_\_ Wi-fi Cell Antenna Placement.
2. Letter from Blair Beekman, received January 31, 2020, regarding: Speech to RaOG. Open Forum. 1.29.20. \_\_\_\_ Accountabilty in San Jose in 2020.
3. Letter from Blair Beekman, received January 31, 2020, regarding: Speech to RaOG. Open Forum. 1.29.20. \_\_\_\_ The future of Measure B funding.
4. Letter from Bill Rankin, President of Save Our Trails, received February 3, 2020, regarding: Trails and Capital Repairs.
5. Letter from Rachel Miño, Senior Attorney at Law Foundation of Silicon Valley, received February 4, 2020, regarding: Public Charge Rule Current Status.
6. Letter from Santa Clara Valley Transportation Authority, received February 5, 2020, regarding 2020 VTA Appointments to Joint Powers Boards and Policy Advisory Boards.
7. Letter from Verizon, received February 5, 2020, regarding: Notification Letter for CA\_SJ\_SANJOSE\_SOUTH\_253 - A, SAN JOSE, CA/GTE Mobilnet California LP.
8. Letter from Verizon, received February 5, 2020, regarding: CA\_SJ\_SANJOSE\_SOUTH\_093 - A, San José, CA/GTE Mobilnet California LP.

Rules and Open Government Committee  
February 12, 2020  
Subject: Public Record  
Page 2

9. Letter from Martha O'Connell, GSMOL Regional Manager, received February 6, 2020, regarding: HCDC vote – Apply MH Designation to All Parks.

A handwritten signature in black ink, appearing to read 'Toni J. Taber', written over a horizontal line.

Toni J. Taber, CMC  
City Clerk

TJT/tt



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*Housing and Community Development Commission*

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February 4, 2020

Mayor Sam Liccardo  
Members of the San José City Council  
200 E. Santa Clara St., 18<sup>th</sup> Floor  
San José, CA 95113

**RE: Recommendation to Support the New General Plan Mobilehome Park Designation and  
Apply to All Mobilehome Parks**

Dear Honorable Mayor Liccardo and City Council,

This letter is to convey to the Mayor and City Council the San José Housing and Community Development Commission's recommendation to support creating a new General Plan Mobilehome Park designation and to apply the new designation to all Mobilehome Parks in San José.

The Commission approved this recommendation by an 8-0-2 vote at its January 23, 2020 meeting.

Thank you for your consideration of these recommendations. If you have any questions, please feel free to contact me at [HCDC6@sanjoseca.gov](mailto:HCDC6@sanjoseca.gov).

Sincerely,

/s/  
Andrea Wheeler  
Commission Chair

cc: Rosalynn Hughey, Department of Planning, Building & Code Enforcement

from blair beekman-2. \_\_\_\_ Speech to RaOG. Public Record.1.29.20. \_\_\_\_ Wi-fi Cell Antenna Placement.

b. beekman [REDACTED]

Fri 1/31/2020 12:30 PM

[External Email]

Dear San Jose city govt., and community,

With your continual placement, into the Public Record, of new and updated cell towers, and powerful wi-fi antennae.

I wanted to ask about, a fairly large cell antenna, placed upon, a modified, smart streetlight.

It is on the corner, of 7th st. & San Fernando.

It is only, about 30 ft, from a 3rd story apt.

Has the person, of the apt. and the entire neighborhood, next to San Jose state, received a courtesy notice ?

Were apt. renters, as both, individuals, and as neighborhood associations, allowed much time, for rebuttle, appeal, & debate, with their city govt., for this issue ?

There is this similar situation, two blocks west, on 5th st. & San Fernando. at a Catholic Charities, shelter and housing center.

Although we all try, to work towards, our decency - San Jose govt., is continually trying to sneak in, & squeak by, to fill demands, in strategic & optimal terms, where cell antennae, needs to be placed.

And, to be placed, before the needs, of human living spaces, and human health.

This is 2020, are you still going to say, health effects are inconclusive. And from this, we are still, in

an experimental phase, placing cell antennae, so close to people, and their everyday living quarters.

sincerely,  
blair beekman

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



from blair beekman-1. \_\_\_\_ Speech to RaOG. Open Forum. 1.29.20. \_\_\_\_ Accountabilty in San Jose in 2020.

b. beekman [REDACTED]

Fri 1/31/2020 12:31 PM

[External Email]

Dear San Jose city govt., and community,

I want to learn, how friendly, cooperative, words & ideas, can help to end a confusion, of how to report statistics in San Jose, at this time.

I hope new ideas, in tech. accountability, and open good public policies, can be seen as compatible, with responsible, green sustainability practices, and neighborhood safely, at this time, as well.

A thank you, to those of San Jose community &, govt., who are understanding, the use of technology, & law enforcement, should try to have, only a smaller, more auxiliary role, in the larger questions, of Vision Zero. And its initial ideas, of a greener, more harmonious, sustainable, community future.

And that accountability, and open public policy guidelines, are important concepts, for a future, of better democracy, sustainability, & peace.

sincerely,  
blair beekman

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

from blair beekman-3. \_\_\_\_ Speech to RaOG. Open Forum. 1.29.20. \_\_\_\_The future of Measure B funding.

b. beekman [REDACTED]

Fri 1/31/2020 12:31 PM

[External Email]

Dear San Jose city govt. and community,

From the heartfelt feelings, from all sides, at s.j. city council, Jan.28, 2020, with the resolution, of the future, with Measure B funding -

Some are asking for, fiscal responsibility to voters. Others are stating, this can be achieved - and that it is time, to more openly question, the use of fossil fuels, in county planning.

I feel, there can be, a somewhat natural lull, for few more years, that will be needed, simply to prepare, what exactly can be, meaningful highway & interchange expansion ideas.

From this, I hope the next few years, can be an important time, to learn how to better explain, to regional voters, and for voters to understand - the important years of study & good choices, that are available, in beginning to more leave fossil fuels, at this time, in our human history.

A thank you, to the local advocacy, and their initial good work, in that it may becoming easier, for all of us, to understand these things. I think we are all hoping, they can continue to work towards, their friendly, creative ideas, to raise awareness and understanding, for all of us.

I hope this city council, will know how to treat this resolution process, with incredible sensitivity, care, and balance, for all sides. As I think, we all can be, hopeful & curious, what can be, a better, more creative, sustainable future, that is possible. And in learning to leave, fossil fuel use.

sincerely,  
blair beekman

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**From:** Bill Rankin

**Sent:** Monday, February 03, 2020 11:43 AM

**To:** Davis, Dev <dev.davis@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Esparza, Maya <Maya.Esparza@sanjoseca.gov>; Ortbal, Jim <Jim.Ortbal@sanjoseca.gov>; Green, Scott <scott.green@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

**Subject:** Trails and Capital Repairs

To the Transportation and Environment Committee and staff,

I am writing to you to express my concern for the ongoing lack of maintenance in San Jose parks and on trails and the compounded effect that we are seeing from the very minimal maintenance on these local open spaces and trails.

- With trails being swept only once per year in the spring (after the rainy season), mud and dirt sits on top of trails causing the surfaces to degrade and break down more quickly than they should. This is likely to be more expensive in the long run than if we swept the trails more often.

- By deferring repairs to cracks and not filling them with tar or other substance, the small holes are growing into potholes, which is also a bigger capital expense in the long run.

To be truly fiscally conservative, the city should spend money on maintenance sooner and more frequently so that large-scale expensive repairs are not needed in the long run.

San Jose's trails are a key part of the city's plan to reduce car travel so their good working condition is strategically important to the city.

I support the PRNS plan to reserve funds for the next fiscal year to perform periodic resurfacing to sustain the longevity of trail pavement.

I also support a fiscal allocation for staff to perform condition assessments of the trail system periodically throughout the year to make this a systematic process of evaluation. Small problems can be caught before they turn into an unsafe condition.

Thank you,

Bill Rankin  
President, Save Our Trails



**FW: Public Charge Rule Current Status**

City Clerk &lt;city.clerk@sanjoseca.gov&gt;

Wed 2/5/2020 8:45 AM

To: Rules and Open Government Committee Agendas &lt;rulescommitteeagenda@sanjoseca.gov&gt;

📎 1 attachments (296 KB)

Public Charge Does This Apply To Me - January 2020 (English).docx;

**From:** Rachel Mino [REDACTED]**Sent:** Tuesday, February 04, 2020 11:23 AM

**To:** The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

**Subject:** Public Charge Rule Current Status

[External Email]

Dear Mayor Liccardo and City Council members,

I am writing to you to provide you with an update on the status of the Public Charge Rule, which we are sharing widely with our Santa Clara County partners. As you probably know, the Law Foundation has been actively tracking the Public Charge rule since it was first leaked in early 2018. On Monday January 27<sup>th</sup>, the United States Supreme Court lifted the last nation-wide injunction against the new public charge regulation, meaning that the new public charge rule is allowed to go into effect. Shortly after the decision, the United States Custom and Immigration Services (USCIS) announced that the new rule will go into effect on **February 24, 2020**. This means that USCIS will not consider an immigrant's receipt of the new benefits in a public charge determination if the benefits are received any time before February 24, 2020.

Even though the new rule goes into effect on February 24, 2020, there are a few important things to remember and to remind your staff and the constituents you serve:

- The new public charge rule only applies to immigrants residing in the United States who are either applying for entry into the United States or applying for Lawful Permanent Resident Status (LPR) (also known as a green card);
- The new public charge rule does not apply to LPRs (unless an LPR leaves the country for six months or longer);
- There are many exceptions to the immigrants who might otherwise be impacted by the rule (for example the rule doesn't apply to asylees, refugees, U-Visa applicants, T-Visa applicants and a host of other immigrants);
- While the new public charge rule does consider new benefits that weren't considered under the old rule, it still excludes many benefits from consideration (for example the rule doesn't consider the use of Medi-Cal for persons under 21, pregnancy Medi-Cal, state funded Medi-Cal, and various other benefits).

What does this mean for you and your constituents? It means that the rule is complex and whether any given individual is subject to the public charge rule or whether the benefits the individual receives are considered in the public charge determination should be done on a case-by-case basis. For your benefit, I am attaching a two page handout entitled "Public Charge Does This Apply To Me – January 2020". The flyer has helpful information on who is impacted by the rule and what to do to get help. Feel free to share widely. We also encourage you to let your constituents know that they can call the Law Foundation's Health intake line at (408) 280-2420 to seek counsel and advice. Finally, our office is happy to provide outreach and education to you and your staff, should you be interested. Please feel free to e-mail me directly if you would like to set up an outreach presentation.

While this news is extremely disappointing, litigation challenging the rule continues and we hope that the litigation will be successful, even though the real-time harm caused by the rule has been felt ever since the proposed rule was leaked in early 2018.

Thank you and please do not hesitate to reach out for questions, concerns, and outreach opportunities.

Kind regards,  
Rachel Miño

**Rachel Miño | Senior Attorney | Health**

Pronoun: she/her/hers



4 North Second Street, Suite 1300  
San Jose, California 95113



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**We have moved! Please note our new address.**

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## MAKE THE RIGHT CHOICE FOR YOU AND YOUR FAMILY



**Public charge does not apply to all immigrants.** Every family is different, and the programs that help your family might not be part of new changes to the policy. **There are lots of people and organizations that can help you.** An attorney familiar with immigration and public benefits can give you advice based on your specific situation. Local non-profits may also be able to provide help and legal advice.

## WHAT IS PUBLIC CHARGE?

Some people who apply for a green card (lawful permanent residence) or a visa to enter the U.S. must pass a “public charge” test – which looks at whether the person is likely to use certain government services in the future. In making this determination, immigration officials review all of a person’s circumstances, including their age, income, health, education or skills (including English language skills), and their sponsor’s affidavit of support or contract. They can also consider whether a person has used certain public programs. **The new rules only apply to applications for green cards filed within the U.S. on/after Feb. 24, 2020.**

**DHS’ new public charge test considers whether the person applying has received:**

- Federal Supplemental Nutrition Assistance Program (“CalFresh” or “Food Stamps”)
- Federal Public Housing and Section 8 assistance
- Federal Medicaid (except for emergency services, children under 21 years, pregnant women, and new mothers)
- Cash assistance programs (like SSI, CalWORKs, General Assistance)

Most people who are subject to the new rule are not eligible for the above-listed benefits. Services that are not listed above will not be counted in the public charge test for decisions made inside the U.S. This includes state-funded Medi-Cal or state-funded CalFresh, WIC, CHIP, school lunches, food banks, shelters, state or local health care programs, and many more. **Benefits received by other household members (like children or a spouse) will not count against the immigrant.**



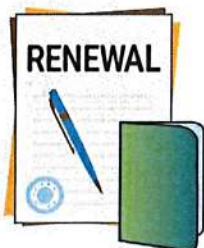
# PUBLIC CHARGE: DOES THIS APPLY TO ME?

UPDATED JANUARY 2020



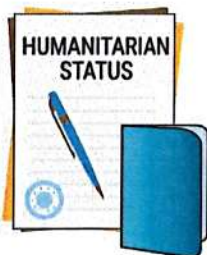
## Are you and your family members U.S. Citizens?

Public charge does NOT apply to you. You should continue to enroll in programs you are eligible for.



## Do you and your family members already have green cards?

Public charge and any changes under new rules WILL NOT affect you when you renew your green card or apply to become a U.S. Citizen. However, if you plan to leave the country for more than 6 months, it is a good idea to talk with an immigration attorney.



**Are you applying for or do you have one of the following statuses? TPS, U or T Visa, Asylum or Refugee status, VAWA self-petition, or Special Immigrant Juvenile Status?** The public charge test does NOT apply to all immigrants, including the categories listed here. If you already have or are in the process of applying for one of these immigration statuses, you can continue to use any government programs that you qualify for. Benefits you get while in these statuses also won't count against you when you apply for a green card.



## Does your family plan to apply for a green card or visa from inside the United States?

The public charge test may apply to you. For those with adjustment interviews in the U.S., only the use of the public programs listed on first page will be considered in the public charge test. Your income, age, health, education, skills, family situation, and sponsor's affidavit of support will also be considered.



## Does your family plan to apply for a green card or visa from outside the United States?

U.S. consular offices abroad use different rules in making this decision. You should talk with an expert for advice on your case before making any decisions. For free or low-cost options in your area, go to:

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>





January 27, 2020

Toni Taber  
City Clerk  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

SUBJECT: 2020 VTA Appointments to Joint Powers Boards and Policy Advisory Boards

This letter is to inform you that at the January 9, 2020, Santa Clara Valley Transportation Authority (VTA) Board of Directors meeting, the Board approved the appointments of Mayor Sam Liccardo and Councilmember Sylvia Arenas to the following VTA Policy Advisory Boards:

**Mayor Sam Liccardo**

- Silicon Valley Rapid Transit Corridor/Warm Springs Extension Policy Advisory Board

**Councilmember Sylvia Arenas**

- Eastridge to BART Regional Connector Policy Advisory Board (formerly Downtown East Valley Policy Advisory Board)

Thank you and please contact me at (408) 321-5680 if you have any questions regarding the appointments.

Sincerely,



Elaine F. Baltao, Board Secretary  
Santa Clara Valley Transportation Authority

Feb 05, 2020

PUBLIC RECORD 7

Consumer Protection and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
GO159Areports@cpuc.ca.gov

RE: Notification Letter for CA\_SJ\_SANJOSE\_SOUTH\_253 - A  
SAN JOSE, CA /GTE Mobilnet California LP

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

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

Verizon Wireless

Ann Goldstein  
Coordinator RE & Compliance - West Territory  
1515 Woodfield Road, #1400  
Schaumburg, IL 60173  
WestAreaCPUC@VerizonWireless.com

JURISDICTION	PLANNING MANAGER	CITY MANAGER	CITY CLERK	DIRECTOR OF SCHOOL BOARD	COUNTY
City of San Jose	Elizabeth.Koki@sanjoseca.gov	webmaster.manager@sanjoseca.gov	cityclerk@sanjoseca.gov		Santa Clara

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_SOUTH_253 - A		150 Edenvale Ave, SAN JOSE , CA95111		Utility pole/tower	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°15'49.205"N	121°49'9.966"W NAD(83)	458398	Antenna Rad 25.6	30	Permitting	02/04/2020	

Project Description: • Install (3) (N) Antenna/Radio

• Install (N) FCC sign

• Install (N) Disconnect

• Install (N) Smart Meter

• Install (N) Fiber Junction Box

• Install (N) CSJ Service Box

• Install (N) Concrete Slab Per CSJ Standard

Feb 05, 2020

PUBLIC RECORD 8

Consumer Protection and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
GO159Areports@cpuc.ca.gov

RE: Notification Letter for CA\_SJ\_SANJOSE\_SOUTH\_093 - A  
SAN JOSE, CA /GTE Mobilnet California LP

---

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.

Verizon Wireless

Ann Goldstein  
Coordinator RE & Compliance - West Territory  
1515 Woodfield Road, #1400  
Schaumburg, IL 60173  
WestAreaCPUC@VerizonWireless.com



JURISDICTION	PLANNING MANAGER	CITY MANAGER	CITY CLERK	DIRECTOR OF SCHOOL BOARD	COUNTY
City of San Jose	Elizabeth.Koki@sanjoseca.gov	webmaster.manager@sanjoseca.gov	cityclerk@sanjoseca.gov		Santa Clara

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_SOUTH_093 - A		6030 MONTEREY RD, SAN JOSE , CA95138		Public Lighting Structure	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°14'24.201"N	121°46'34"W NAD(83)	517988	Antenna Rad 25'	30	Permitting	10/29/2019	

Project Description: • Install (3) (N) Antenna/Radio on (E) Street Light Pole

• Install (N) FCC signage on (E) Street Light Pole

• Install (N) Disconnect

• Install (N) Smart Meter

• Install (N) Fiber Junction Box

GOLDEN STATE MANUFACTURED - HOME OWNERS  
LEAGUEGSMOL Region Manager Region 1 Zone A-1

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February 5, 2020

TO: Mayor and Council [REDACTED]

FROM: Martha O'Connell [REDACTED]  
GSMOL Regional Manager

RE: HCDC vote – Apply MH Designation to All Parks

On 1-23-2020 the Housing and Community Development Commission (HCDC) voted 8-0-2 to recommend to the City Council that it create a new General Plan Mobilehome Park designation and apply the new designation to all Mobilehome Parks in San Jose. See attached HCDC letter.

This recommendation has been made for years. The City of San Jose cannot continue to lurch from one Park to the other as rumors or realities of closure arise. Mobilehome Park residents need consistent and clear support from the City Council now to protect and preserve one of its last bastions of affordable housing in San Jose.

The City Council, both past and present, and/or the HCDC, have received many letters advocating this action. Three of those were from the Law Foundation of Silicon Valley and were dated 5-11-17, 3-8-18, and 1-23-20.

The current inconsistent and confusing patchwork of GP land uses for Mobilehome Parks must be ended. The City Council needs to send a strong message that it values Mobilehome Parks and that it is taking all measures available to ensure their preservation.



*Housing and Community Development Commission*

February 4, 2020

Mayor Sam Liccardo  
Members of the San José City Council  
200 E. Santa Clara St., 18<sup>th</sup> Floor  
San José, CA 95113

**RE: Recommendation to Support the New General Plan Mobilehome Park Designation and  
Apply to All Mobilehome Parks**

Dear Honorable Mayor Liccardo and City Council,

This letter is to convey to the Mayor and City Council the San José Housing and Community Development Commission's recommendation to support creating a new General Plan Mobilehome Park designation and to apply the new designation to all Mobilehome Parks in San José.

The Commission approved this recommendation by an 8-0-2 vote at its January 23, 2020 meeting.

Thank you for your consideration of these recommendations. If you have any questions, please feel free to contact me at [HCDC6@sanjoseca.gov](mailto:HCDC6@sanjoseca.gov).

Sincerely,

/s/  
Andrea Wheeler  
Commission Chair

cc: Rosalynn Hughey, Department of Planning, Building & Code Enforcement