



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
February 14, 2020 – February 20, 2020

DATE: February 26, 2020

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public

1. Letter from Law Foundation of Silicon Valley, dated February 12, 2020, regarding: GPT19-003, GP19-005 and GP19-006.
2. Letter from Blair Beekman, received February 14, 2020, regarding: speech. blair beekman. _____ (NSE). Neighborhood Services & Education Committee. Thursday. February 13, 2020. _____ Community Meetings on Equity & Vision Zero action plan - A summer bridge.
3. Letter from Verizon, dated February 14, 2020, regarding: Notification Letter for CA_SJ_SANJOSE_NORTH_289 – A, CA_SJ_SANJOSE_NORTH_299 – A, CA_SJ_SANJOSE_SOUTH_169 - A, SAN JOSE, CA/GTE Mobilnet California LP.
4. Letter from Verizon, dated February 17, 2020, regarding: Notification Letter for CA_SJ_SANJOSE_NORTH_150 - A, San José, CA/GTE Mobilnet California LP.
5. Letter from Verizon, dated February 17, 2020, regarding: Notification Letter for BERGER GISH SC1, San José, CA/GTE Mobilnet California LP.
6. Letter from State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit, received February 18, 2020, regarding: Federal assistance applications.
7. Letter from Verizon, dated February 18, 2020, regarding: Notification Letter for CA_SJ_SANJOSE_WEST_022 – A, CA_SJ_SANJOSE_WEST_059 – A, CA_SJ_SANJOSE_WEST_094 – A, CA_SJ_SANJOSE_WEST_104 – A, San José, CA /GTE Mobilnet California LP.
8. Letter from Nina Wong-Dobkin, Administrator 2 at Santa Clara Valley Science and Engineering Fair Association, dated February 18, 2020, regarding: Science Fair Week and Proclamation Request.

9. Letter from Anna Dagum, dated February 18, 2020, regarding: Thank you for advocating for pedestrian/cyclist safety!
10. Letter from Diane Solomon, dated February 20, 2020, regarding: Thank you for Approving the Vision Zero Plan.
11. Letter from Michele Mashburn, Director of San José Peace & Justice Center, dated February 20, 2020, regarding: Universal Design Guidelines and Standards.

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

**LAW FOUNDATION of Silicon Valley**4 N. 2nd Street., 13th Floor

San Jose, California 95113

Fax (408) 293-0106 • Telephone (408) 280-2453 • TDD (408) 294-5667

By Electronic Mail

February 12, 2020

Planning Commission
San José City Hall
200 East Santa Clara Street
San José, CA 95113

Re: GPT19-003, GP19-005 and GP19-006

Dear Planning Commission:

The Law Foundation supports the proposal to add a Mobile Home Park General Plan designation to Mountain Springs and Westwinds Mobile Home Park, but urge the Planning Commission to recommend that this designation apply to *all* parks whose current General Plan designation puts them at risk of redevelopment. Additionally, we recommend that the Planning Commission encourage Council to take additional steps to protect mobile home parks, as outlined in our prior letters (attached).

It is unfortunate that we are here, nearly two years after the City Council declined to move forward with a General Plan designation for all at-risk parks, to move with urgency to protect Westwinds Mobile Home Park. As mobile home parks continue to be at risk of development, this City should **take all necessary steps** to ensure that the over 35,000 mobile home residents, many low-income, seniors, and people of color remain in San Jose. When that many residents are at risk of displacement, the answer should never be that we've done enough as a City, but instead that we will take the most protective steps we can. As the memo admits, the City has chosen staffing concerns over the most expansive protections for our mobile home residents. Let us not wait until yet again another park is at risk of closure before we are back here asking to take further action; let us take the most protective steps now.

Additionally, we encourage the City to consider other protections for mobile home resident, including considering preservation strategies such as community-based and resident-based homeownership models. Thank you for considering the Law Foundation's comments. We welcome the opportunity to discuss our letter.

Sincerely,

Nadia Aziz, Directing Attorney

speech. blair beekman. ____ (NSE). Neighborhood Services & Education Committee.
Thursday. February 13, 2020. ____ Community Meetings on Equity & Vision Zero
action plan - A summer bridge.

b. beekman [REDACTED]

Fri 2/14/2020 8:30 AM

[External Email]

Dear San Jose city govt., and community,

Community Meetings on Equity.

From the city council meeting, this past Tuesday, 2.11.20 - Concejales Arenas & Khamis, both spoke, of the need, for openness, to better understand, the future of San Jose Equity issues

The mayor offered, how he would like, the issue of Equity, to have an impact, with the youth of San Jose

Concejal Peralez, questioned - how can there be, a bit more public input, with the future of Wage Theft policies.

I feel, in the past few years, SAAG meetings, have started, a very good example - of how city govt., can facilitate well, a public community meeting process.

I hope, it can be explained, to the community - a well-structured,, beginning public process, with the questions of Equity, may or may not create, definitive absolutes.

But, a well structured, public process, can very much help with, a learning process,, & awareness building, for all of us. And for the future, of San Jose.

I feel, organized, centralized ideas, of Equity, with the yearly budget, can now allow space, for a decent minded, community public process, this summer and fall. And work as, a healer & bridge

builder, for all sides, both locally & nationally, in 2020.

And very much work, to prepare, and to address, the concerns of the east side, & all of San Jose, with the future questions of Google, in San Jose.

Good luck, in what seems, as the beginnings, of good dialogue. And an issue, that can be respected, by all sides, of the political spectrum, in San Jose.

From this, its political will, has the potential to grow, in good terms. As we all, can try to consider, how to build a local future, as a whole community effort.

Vision Zero action plan.

To speak to, what can be, a good future, of the Vision Zero, community meeting process.

I would like to thank, everyone of the community, for what seemed, a sense of responsibility & good practices, at the city council meeting, on this item, this past Tuesday, 2.11.20.

From this, I hope you can consider, the depth, of why I am continually asking for accountability, & open policy practices.

Notice, that these practices, and similar, human & civil rights ideas, arrived in San Jose, & across the country, at about the same time, as Vision Zero concepts.

I feel good Vision Zero ideals, are meant to consider, community harmony, stability, green sustainability, and enjoyment, before the uses, of more law enforcement & surveillance technology.

I feel, most everyone of San Jose, can like the ideas, of more open, accountable practices, with technology.

Together, with patience and cooperation, we can all try to work towards, initial, responsible Vision Zero ideals.

This can also work, to be a part of, other progressive practices, of civil rights, human rights, & peace in San Jose, and across the country, in 2020.

sincerely,

blair beekman

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

Feb 14, 2020

PUBLIC RECORD 3

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_NORTH_289 - A
CA_SJ_SANJOSE_NORTH_299 - A
CA_SJ_SANJOSE_SOUTH_169 - 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_NORTH_289 - A		295 BALLYBUNION WAY, San Jose , CA95116		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°20'40.69"N	121°51'14.29"W	573971	Antenna Rad 25.6	30.1	Permitting	12/11/2019	

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

• Install (N) FCC signage

• Install (N) Disconnect

• Install (N) Smart Meter

• Install (N) Fiber Junction Box

• Install (N) Concrete Slab Per CSJ Standards

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_NORTH_299 - A		660 S 22ND ST, SAN JOSE , CA95116		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°20'11.32"N	121°51'49.72"W	573960	Antenna Rad 25.6	30.1	Permitting	12/11/2019	

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

• Install (N) FCC signage

• Install (N) Disconnect

• Install (N) Smart Meter

• Install (N) Fiber Junction Box

• Install (N) Concrete Slab Per CSJ Standards

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_SOUTH_169 - A		1000 Azores St, SAN JOSE , CA95136		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°16'59.909"N	121°51'52.24"W NAD(83)	573655	Antenna Rad 25.6	30.1	Permitting	12/11/2019	

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

• Install (N) FCC signage

• Install (N) Disconnect

• Install (N) Smart Meter

• Install (N) Fiber Junction Box

• Install (N) Concrete Slab Per CSJ Standards

Feb 17, 2020

PUBLIC RECORD 4

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_NORTH_150 - 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_NORTH_150 - A		1674 COMMODORE DR, SAN JOSE , CA95133		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°22'14.459"N	121°52'18.571"W	541916	Antenna Rad 25.6	30	Permitting	11/21/2019	

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 Bo

Feb 17, 2020

PUBLIC RECORD 5

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 BERGER GISH SC1
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 Mobilonet California LP		BERGER GISH SC1		Corner of Berger Dr & E Gish Rd, San Jose , CA95112		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°22'11.511"N	121°53'49.06"W NAD(83)	277257	Antenna Rad 37.7	39.4	Permitting	06/20/2019	

Project Description: SWAP ANTENNA TO 4T CAPABLE (dimension increase to 4 footer), RUN 2 ADDITIONAL JUMPERS. SC BROWN POLE for CBRS.



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

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

PUBLIC RECORD 6

Dear City Clerk,

The State Clearinghouse at the Governor's Office of Planning and Research (OPR) is the State's Single Point of Contact for the review of federal assistance applications pursuant to Presidential Executive Order 12372. OPR publishes notices of applications for federal funds on its website at <https://cfda.opr.ca.gov/#/submissions>.

Elected officials can receive automated notices of applications submitted in their city, county, or district by registering online at <https://cfda.opr.ca.gov/#/registration>. Please share with the local elected officials in your jurisdiction.

Executive Order 12372 calls for federal funding agencies to provide State and local elected officials opportunities to comment on certain potential federally funded activities to be performed within their specific areas of authority, and the State Clearinghouse is tasked with ensuring that elected officials throughout California are made aware of completed applications for federal assistance in their respective areas that are subject to this Order.

Find more information on OPR Federal Grants Resources, including a **new E-list** for new federal grant opportunities and trainings, at <http://www.opr.ca.gov/clearinghouse/ceqa/federal-grants>.

Thank you,

Amy Miller
Federal Grant Administrator
State Clearinghouse
Office of Planning and Research

Feb 18, 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_WEST_022 - A
 CA_SJ_SANJOSE_WEST_059 - A
 CA_SJ_SANJOSE_WEST_094 - A
 CA_SJ_SANJOSE_WEST_104 - 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.

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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_WEST_022 - A		4829 Capistrano Avenue, San Jose , CA95129		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°19'15.86"N	121°59'13.33"W	517701	Antenna Rad 25.6	30	Permitting	08/26/2019	

Project Description: • 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

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_WEST_059 - A		607 Bolton Court, San Jose , CA95129		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°18'56.639"N	121°58'47.759"W	517768	Antenna Rad 25.6	30	Permitting	08/26/2019	

Project Description: • 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

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_WEST_094 - A		974 LEIGH AVE, San Jose , CA95128		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°18'32.199"N	121°55'20.032"W NAD(83)	517848	Antenna Rad 25.6	30.10	Permitting	08/26/2019	

Project Description: • 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

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SJ_SANJOSE_WEST_104 - A		1008 MARILLA AVE, San Jose , CA95129		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°18'30.352"N	121°59'2.58"W NAD(83)	517858	Antenna Rad 25.6	30	Permitting	08/26/2019	

Project Description: • 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

FW: Science Fair Week and Proclamation Request

City Clerk <city.clerk@sanjoseca.gov>

Tue 2/18/2020 4:51 PM

To: Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

From: ninawongdobkir [REDACTED]
Sent: Tuesday, February 18, 2020 3:37 PM
To: NinaWongDobkir [REDACTED]
Cc: [REDACTED] Katherine Jarvis [REDACTED]
Subject: Science Fair Week and Proclamation Request

[External Email]

**"Science Fair Week" and Proclamation for
The Week of 3/9/2020
Santa Clara County Science Fair, the Synopsys Championship**

Dear Mayor and Councilmembers,

The Santa Clara Valley Science and Engineering Fair Association is hosting the **Synopsys Silicon Valley Science and Technology Championship**, a regional science fair, on March 11-12, 2020. Students from Santa Clara County (grades 6-12) will have their science, engineering, and math projects evaluated by experts in the field. It is going to be an exciting time for students, judges, educators, parents and visitors. We extend an invitation to you to attend this fair and join in the excitement. Your presence will be a significant source of encouragement for our students. We look forward to your attendance.

Attached below is a sample PROCLAMATION. We are asking that you formally proclaim the **week of March 9th as Science Fair Week**.

(City Clerks, please distribute as is appropriate. The official Proclamation may be presented at your Council Meeting, or sent to: **SCVSEFA, P.O. Box 307, Los Altos, CA 94023.**)

Thanks very much for your consideration.

A sample of the proclamation we have received in previous years is shown below.

PROCLAMATION

WHEREAS, the Santa Clara Valley Science and Engineering Fair Association, educators, judges and a host of dedicated volunteers will host the Synopsys Silicon Valley Science and Engineering Championship, an exciting Science and Engineering Fair, the 11th and 12th of March, 2020, and

WHEREAS, this Science and Engineering Fair will be held for the benefit of our young people, their parents, teachers and the communities of Santa Clara County to stimulate interest in the various aspects of the sciences and engineering, and

WHEREAS, this event will direct public attention towards the fields of science and engineering by setting aside a time for creative participation on the part of all interested students

NOW, THEREFORE, I _____, Mayor of the City of
_____, do hereby proclaim the week of March 9th, 2020, as

“SCIENCE FAIR WEEK”

within our City and hereby urge all residents, particularly young people, to take part in the observation of this inspiring and rewarding event.

(signed) Mayor

City of _____

Date _____

~Nina Wong-Dobkin~

SCVSEFA Administrator 2



(Santa Clara Valley Science and Engineering Fair Association)

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

From: Anna Dagum
Sent: Tuesday, February 18, 2020 6:33 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Cc: John@
Subject: Thank you for advocating for pedestrian/cyclist safety!



[External Email]

Good evening,

I am writing to express my gratitude for the city's approval of the transportation safety vision zero action plan. As a bike commuter and employee of Children's Discovery Museum of San Jose, I am overjoyed to see the city council taking progressive action on improving bike infrastructure and making our city more safe and accessible.

Keep up the good work.

Best,
Anna

From: Diane Solomon
Sent: Thursday, February 20, 2020 10:42 AM
To: City Clerk <city.clerk@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>
Cc: John Cordes
Subject: Thank you for Approving the Vision Zero Plan



[External Email]

Dear Honorable Mayor Liccardo and San Jose City Councilmembers,

I'm a bicyclist, pedestrian, motorist, and a resident of District 6. I have lived in San Jose and have worked near San Jose most of my life.

A million thanks for prioritizing and investing in our safety via the Transportation Safety Vision Zero Action Plan.

Sadly, more motorists are ignoring speed limits, signal lights, and laws regarding phone usage when they drive.

I now find it more dangerous to bicycle, walk, and to drive.

I'm VERY concerned about the high number of pedestrian and bicyclist fatalities here. I hope that this revitalization of the City's Vision Zero commitment will kick-start a huge coordinated effort to reduce our City's traffic fatalities.

Many thanks for your leadership and concern.

Best regards,

Diane Solomon

cc:
John Cordes, Silicon Valley Bicycle Coalition

February 19, 2020

San Jose Mayor and City Council Members
200 E. Santa Clara St.
San José, CA 95113

RE: Universal Design Guidelines and Standards

Dear Mayor and City Council Members of San Jose:

This letter is to support the policy proposal nominated by Raul Peralez to develop Universal Design guidelines and standards during the City Council's 2020-2021 Council priority setting session.

Urban environments, infrastructures, facilities and services can inherently exclude and alienate members of society. Accessibility limitations contribute to the disadvantages and marginalization faced by persons with disabilities that may lead to higher rates of poverty, deprivation, and exclusion. Even with the presence of the American Disabilities Act (1990) and current state laws, buildings are being constructed without equitable access for all people. This impacts not only persons with chronic disabilities but also people recovering from an accident or injury, those with small children, the elderly, and more. We need to take it a step further and prioritize inclusion. Choices made in the process of planning can be the difference between a welcoming environment and a closed door.

The United Nations [2030 Agenda for Sustainable Development](#) calls for actions to ensure accessibility, following the Universal Design approach by removing existing barriers in society to support the fullest potential of all citizens. Universal Design was defined by the Ireland Disability Act 2005 as a way to design an environment so that it may be accessed, understood, and used to the greatest extent possible by all people regardless of their age, size, ability or disability without need for adaptation, modification, assistive devices or specialized solutions.

The segregation of persons with disabilities is normalized in our society. A wheelchair user is lucky if there is room for their chair on a public bus, and is surprised if there is space for more than one. Policy hearings and governmental proceedings require up to 48 hours advance notice of any accommodation needs in order to access a meeting, and withhold the right to deny access with any less notice. Many medical facilities fail to have accessible offices and specialized equipment for all people. Persons with

disabilities intending to attend a banquet need to coordinate in advance to ensure they are provided a space, and far more often than not that space is in the periphery of the room.

Periphery is a theme embedded in the very historical structure of our society. A disabled person is to be seen in controlled settings, and not in public spaces. They become a burden.

This burden is not determined by the presence of a person with a disability, but rather the belief that they are separate and different. Whether it is a poorly maintained separate ramp, or a door which is the accessible point marked "Authorized Personnel Only," the message is clear: to be able bodied provides access to choices that a disabled person may not have.

Whenever we split rights into privileges, we start to degrade the relationships between people who may not yet be able to distinguish the difference. People with alternative needs are forced to work harder to achieve in a structure that may be against them from the start. Even those without disabilities are labeled as "less than" if they have a different need. Rather than embracing and integrating people's differences, our society sees them as a failure of some sort.

The Americans with Disabilities Act of 1990 acts as a barrier on its own. The concern is not whether a space may exclude members of society, but rather the consequences incurred of not providing accessibility; "Oh no, the disabled person in the room is going to sue us because we are not in compliance." Another example is about access on university and school campuses. Schools claim to take credit for compliance with ADA codes, and yet there are some older buildings still in place with signs displaying the International Symbol of Access that state, "Building Inaccessible, For Assistance Call..." Internalized ableism teaches us to accept this reality because it is an older building. Even disabled people are programmed to accept these limitations to universal access in society.

Accommodations are important in a society that is nowhere near universally accessible, but they do not create an equal environment. An adaptive device allows one to integrate into the mainstream throng of society, but temporary adaptations and auxiliary aids are still seen as more work. Universal Design would place disability justice in front of public and political actions rather than leaving it as an afterthought only to be addressed when a disabled person expresses a concern or files a complaint.

When elements of Universal Design are present, programs and planning are inclusive and more equitable than those that are ADA compliant. Having a disability does not limit anyone as long as the societal structure is set up to enable all people.

[The World Report on Disability](#) (2011), highlights the role of the environment in helping or limiting people with disabilities. Barriers that exist include inadequate policies and standards, negative attitudes, lack of services, problems with service delivery, inadequate funding, lack of accessibility, and the lack of consultation and involvement.

These barriers contribute to other societal disadvantages experienced by people with disabilities (e.g., poor health outcomes, lower educational achievements, less economic participation, higher rates of poverty and unemployment, increased dependency and restricted participation). In turn, our whole society is negatively impacted.

Improving accessibility increases social capital, improves health, builds independence, increases social inclusion, improves quality of life, builds resilience, saves energy, cuts costs, creates less pollution, and increases safety and mobility ([Inclusion Imperative](#)).

[From disabled activists in Williamsport, Pennsylvania](#) who are fighting for accessible City Government meetings to ADAPT members in Washington DC who continue to fight for basic human rights in the areas of employment, transportation, healthcare, physical accessibility, and telecommunications, Universal Design is about more than just inclusion of people with disabilities. It is about equity for all people.

As we live in tech-forward Silicon Valley, we should stay on the cutting edge of accessibility for all people and embrace Universal Design. It will help put our city in alignment with the United Nations [Convention on the Rights of Persons with Disabilities](#). Universal Design is viewed as sustainable and will ensure that no one is left behind in planning and programming activities.

As Michael Oliver writes in *Understanding Disability*, "it is not disabled people who need to be examined but able-bodied society; it is not a case of educating disabled and able-bodied people for integration, but of fighting institutional disablism; it is not disability relations which should be the field for study but disablism." (p. 142).

Respectfully,

Michele M. Mashburn
Director

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