

**From:** Don V

**Sent:** Friday, February 21, 2020 10:45 AM

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

**Subject:** Please prioritize Gun Harm Reduction!

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Councilmember Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownerships and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. Money is the least of the problem compared with lives lost and shattered, but the point of the Mayor's plan is that a combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts. Let San Jose lead the way!

Sincerely,

Don Veith  
Sunnyvale Resident  
Santa Clara County Chapter  
Brady United

**From:** Dwaine Taylor

**Sent:** Friday, February 21, 2020 12:01 PM

**To:** City Clerk; 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>;  
The Office of Mayor Sam Liccardo

**Subject:** Insurance Proposal

The proposed law requiring private gun owners to insure their guns is outrageous! It poses an undue financial burden on gun owners to the extent that it virtually eliminates citizens right to bear arms under the 2d Amendment of our Constitution. The proposal should be rejected completely.

Dwaine Taylor

**From:** Charlie  
**Sent:** Friday, February 21, 2020 2:36 PM  
**To:** City Clerk  
**Subject:** MANDATORY GUN INSURANCE LAW

[External Email]

Please Vote NO! Thank you.



From: kirk vartan

Sent: Friday, February 21, 2020 3:16 PM

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

Cc: Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Ratana, Christopher

<christopher.ratana@sanjoseca.gov>; Montenegro, Melissa

<Melissa.Montenegro@sanjoseca.gov>; Pereira, Paul <Paul.Pereira@sanjoseca.gov>

Subject: Do NOT support "Gun Harm Reduction" as a council priority on Tues, Feb. 25th

Mayor and Council,

Whether you like guns or not, they are a part of this country. On Tuesday, Feb 25 - 1:30pm, I am asking you to NOT support Mayor Sam Liccardo's proposal called, "Gun Harm Reduction" as a council priority.

I have asked the Mayor publicly, privately, in emails, in council chambers: Participate and actively support a BALANCED panel/forum on guns in our society...a conversation that is inclusive and diverse. The effort to pass more gun laws and taxes gun owners or mandate insurance is an idea worth exploring as part of a larger conversation. But leading the conversation with more laws and taxes on lawful citizens is not how the conversation should start.

I wrote this article last year in response to the Mayor's initial ideas. I asked multiple times to help organize or promote a larger regional conversation as I do not have the political or regional reach the Mayor does. I have offered to do the work, yet nothing has not happened. I continue to offer my time and energy in helping organize at the grass roots level so it is meaningful and fair.

If gun issues are important to this council (and they should be), prioritize the need for a robust conversation and discussion. Please DO NOT prioritize a pre-baked plan on new taxes and laws. Be inclusive.

Thank you,

Kirk Vartan

District 6

<https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsanjosespotlight.com%2Fvartan-silicon-valley-needs-a-public-discussion-on-guns%2F&data=01%7C01%7Ccity.clerk%40sanjoseca.gov%7Cb1c658e129d74d17f8a208d7b723fb30%7C0fe33be061424f969b8d7817d5c26139%7C1&sdata=svlrEZHgDbIKG00WKCEWeX%2Bgncfdl4UkYeV7A73p9FA%3D&reserved=0>

**From:** Mary U. Wall

**Sent:** Sunday, February 23, 2020 6:18 PM

**To:** City Clerk ; 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>; The Office of Mayor Sam Liccardo ; Mary U. Wall

**Subject:** Firearm safety and insurance

Dear City Council,

I urge you to vote for the Gum Harm Reduction proposal of Mayor Sam Liccardo, Vice Mayor Charles Jones, and council member Raul Peralez. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

Sincerely yours,

Mary U. Wall

**From:** Sana Sethi

**Sent:** Sunday, February 23, 2020 4:28 PM

**To:** City Clerk; 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>; The Office of Mayor Sam Liccardo

**Subject:** Gun Harm Reduction Proposal

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Councilmember Perez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

Thank you for your time.

Best wishes,  
Sana Sethi

**From:** Jess B. Guy

**Sent:** Saturday, February 22, 2020 7:26 PM

**To:** City Clerk

**Cc:** District9 <district9@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>; District 10 <District10@sanjoseca.gov>

**Subject:** Firearms Insurance Proposal

A few simple words about Mayor Liccardo's firearms insurance proposal.

Unrealistic, unenforceable, and divisive.

Isolating and segregating honest firearms owners with a new "tax" is political posturing.

No insurance company is going to underwrite gang members and their firearms.

I find nothing in the Constitution or the Bill of Rights which allows this edict

Jess B. Guy

**From:** Harriet

**Sent:** Saturday, February 22, 2020 1:08 PM

**To:** City Clerk

**Subject:** Gun Harm Reduction proposal

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Council member Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000/year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

Sincerely,

Harriet Wolf



**From:** kpandula

**Sent:** Monday, February 24, 2020 8:18 AM

**To:** City Clerk; 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>; The Office of Mayor Sam Liccardo

**Subject:** Please vote YES to prioritize the Gun Harm Reduction proposal

Dear San Jose City Council members,

I am writing in support of the Mayor's, Vice Mayor, and Council member Peralez's Gun Harm Reduction proposal and ask that you vote to prioritize this proposal at Tuesday's City Council meeting.

Our daughter was killed in San Jose in 2011 by a gun that was handed down from parent to son. I hope this proposal will encourage responsible gun ownership.

Thank you for your service and courage to take bold action to reduce gun violence.

Karen Pandula

**From:** Larry Schultz  
**Sent:** Monday, February 24, 2020 8:10 AM  
**To:** City Clerk  
**Subject:** re: gun insurance

Dear City Clerk,

As a resident of San Jose, I find the proposed “solution” to “gun violence” absurd.

You are asking residents of San Jose, who are legal and responsible gun owners, to seek out and pay for gun insurance against what? Insurance companies will deny claims for guns that are legally owned, and subsequently stolen. These are the guns used in the majority of gun violence. The bad people that possess guns not legally purchased, are the ones committing the crimes, not the legal gun owners.

This proposed bill, law, or whatever you want to call it, will put money in the pockets of Insurance Companies, who will not be liable for most, if not all, violence with a gun. You will be taken money from law abiding citizens to make the insurance companies rich, and the citizens poor. If you can show me an insurance company that will pay a claim on a gun insured by them, that has been stolen and subsequently used in a crime, I “MAY” change my mind. For now, this is a badly flawed idea.

I’m was born in Los Altos, and have stayed in the Bay Area for over 73 years. I don’t have any dementia, and think clearly. Do you?

*Larry Schultz*

**From:** Rick Umstattd

**Sent:** Monday, February 24, 2020 9:40 AM

**To:** City Clerk ; 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>; The Office of Mayor Sam Liccardo

**Subject:** Proposed Gun Insurance/ Gun Harm Reduction

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Councilmember Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownerships and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

It makes perfect sense that if I want to own a firearm I should be required to carry insurance on it. I think this insurance will help tackle the costs on society of assault rifles, as I expect that insurance for them will be higher than insurance for pistols and hunting rifles.

Thank you for your service,  
-Rick

Rick Umstattd  
San Jose, CA

**From:** Michael Palma [

**Sent:** Saturday, February 22, 2020 5:37 PM

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

**Subject:** Sam's Idiocy on Firearm Violence and Insurance

Mayor Liccardo and members of the San Jose City Council -

The problem is violence, whether the perpetrator uses a firearm, a knife, or a truck. You are lying to the public if you say the answer to firearm violence is to further attack firearm ownership. Be honest and just say you don't know what to do about the problem but you are personally scared of objects made of iron, wood, and plastics, so that is what we will focus on. It is easier to attack an object than try to actually address a social problem. At least then the public would be informed before they vote.

Sam's lack of knowledge of insurance is as glaring. Who will write and carry the insurance? If I shoot someone in self-defense, does my insurance still have to pay for the person who had just tried to sever my arm with a butcher's knife? How would you bill criminals for unpaid liability insurance policies? Would insurance companies have to insure drug dealers who illegally owned firearms?

Why don't politicians honestly state the end results of all the anti-firearm laws that state has passed for the last 30 years is that California has a higher rate of firearm homicides than Texas and Florida, two states with much higher firearm ownership rates than California? Maybe our political leaders don't know what they are talking about?

If guns were the root cause of gun violence, then with around 8 million gun owners in California we would expect massive numbers non-criminal injuries from firearms. In reality, the number of injuries from firearms is at less than 1/100<sup>th</sup> of 1% of gun owners. So maybe we need to rethink this quasi "religious" belief that firearms cause violence and firearms owners should bear the costs of violence in our society.

If our so called leaders knew anything about the population they are attempting to regulate, then they would know that firearm ownership and participation in firearm related sporting activities promotes personal responsibility; concern for safety and care for others; a sense of community and belonging; respect for laws and public safety; and the value of human life. These personal attributes cut across race, gender, and economic class lines. Aren't these characteristics exactly what we want each citizen to embrace? So why would you continue to attack law abiding firearm owners? At the same time, the people who commit firearms violence exhibit none of these attributes. Why are you not focusing on how to correct this situation, which would actually reduce crime?

Why has not Sam shared his thoughts on what is causing violence? Maybe if he did, the focus would look at what has changed in our society over the past 40 years that has raised the level violence we now experience. Maybe he would want to examine the failure of our public education system to prepare students for productive adult lives and why the police and social services have been unable to intervene when people first begin to become involved in crime and violence. Maybe he would see what has been done to mental health services and outreach to help people in need before they act out. Maybe Sam would examine what has happened to our morality and ethics that make it ok for some people to hurt others. But in Sam's wisdom, we don't look at these issues.

In the idiocy of Sam, the failure of our public institutions and to prevent violence should be paid by a subset of our society who we actually know will not contribute to violence? I have to wonder how someone with this level of thinking could convince so many that he is the right choice to lead a great city. Maybe this is why the quality of life in San Jose has been falling?

Sam's other proposals are just as off target as his gun insurance scheme. The focus must be on actually addressing the causes of violence. California's 30 years of irrational anti-firearms initiatives have only seen violence increase in the state at a faster rate than in the rest of the country; generated a fully confused compilation of laws that no judge, DA, or police officer can wholly comprehend; continues racist laws and law enforcement; leaves tens of thousands of felons in possible possession of firearms for at least a decade; and has created thousands of human rights abuses on our law abiding citizens every year.

Sam raised his hand to protect and defend the constitution, including the second amendment. So has the mayor lied when he took the oath of office or does he now feel that he is no longer bound by that oath? If his best idea is to charge insurance fees, then the city might as well give up because our mayor is numb above the shoulders. The likely answer to this problem is to focus on the causes of violence, the people who cause it and the people who will become its victims. Sam and his city council brethren should lift their heads out of the sand and actually do something that will have an impact or get out of the way for new leaders who actually know how to address tragedies.

Sincerely,  
Michael Palma

**From:** John Donoghue

**Sent:** Monday, February 24, 2020 12:29 PM

**To:** City Clerk; 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>; The Office of Mayor Sam Liccardo

**Subject:** Gun Harm Reduction Proposal support

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Council member Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000/year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

Sincerely,

Jay Donoghue

*San Jose Resident*

**From:** Raeda Ashkar  
**Sent:** Monday, February 24, 2020 1:27 PM  
**To:** District 10 <[District10@sanjoseca.gov](mailto:District10@sanjoseca.gov)>; Taber, Toni  
**Cc:** The Office of Mayor Sam Liccardo  
**Subject:** Gun Harm Reduction

Hello Council member Khamis,

I know that you are running for the state senate as I am a voter in your district and have gone to hear you speak. I and others have been supportive of your bid for the senate seat because of your **YES** vote on the Safe Storage of Firearms legislation that was passed in San Jose in 2017.

I and others within our district are counting on you to vote **YES** for the **Prioritization of the Gun Harm Reduction proposal this Tuesday at the City Council meeting**. It is critical that we understand the cost of gun violence and its resulting harm not just to people's lives, but to the financial drain on our cities, in particular San Jose. We need to stop subsidizing gun ownership. I urge you to once again stand for sensible gun safety regulations.

Yours,  
Raeda Ashkar  
San Jose

From: John Ireland

Sent: Saturday, February 22, 2020 3:42 PM

To: City Clerk ; District1 <[district1@sanjoseca.gov](mailto:district1@sanjoseca.gov)>; District2 <[District2@sanjoseca.gov](mailto:District2@sanjoseca.gov)>; District3 <[district3@sanjoseca.gov](mailto:district3@sanjoseca.gov)>; District4 <[District4@sanjoseca.gov](mailto:District4@sanjoseca.gov)>; District5 <[District5@sanjoseca.gov](mailto:District5@sanjoseca.gov)>; District 6 <[district6@sanjoseca.gov](mailto:district6@sanjoseca.gov)>; District7 <[District7@sanjoseca.gov](mailto:District7@sanjoseca.gov)>; District8 <[district8@sanjoseca.gov](mailto:district8@sanjoseca.gov)>; District9 <[district9@sanjoseca.gov](mailto:district9@sanjoseca.gov)>; District 10 <[District10@sanjoseca.gov](mailto:District10@sanjoseca.gov)>; The Office of Mayor Sam Liccardo

Subject: Gun owner insurance

I don't even live in San Jose, but when I heard about your anti-second amendment BS I have made it my point to be there on Feb. 25th, with my bells and balls on, plus I'll be bringing some friends from down here in Southern California. We may even hold some rallies outside your homes that evening. After all, if you violate our peaceful and quiet lives, and you should expect the same.

Your political ideology is a greater threat to this country than all our guns combined.

Jl



**From:** Rachel M

**Sent:** Monday, February 24, 2020 3:59 PM

**Subject:** Gun Harm Study

Dear City Council,

I am writing, as a concerned citizen of Santa Clara County, to ask you to vote yes in moving forward with the Mayor's proposal to conduct research around gun violence.

Best,  
Rachel

**From:** Nicholas Ah Kun  
**Sent:** Monday, February 24, 2020 3:01 PM  
**To:** City Clerk ; The Office of Mayor Sam Liccardo  
**Subject:** SJ mandatory insurance ordinance

Mayor Liccardo, members of the city council

I am writing in opposition to the proposed mandatory insurance requirements in San Jose.

The claim is that the insurance is to cover the cost of 'gun violence', a loosely defined term which includes suicides (approximately 60% of gun deaths per the New York Times). Consequently please provide the study / reference showing the actual cost to the public for the last 10 years, by year, and comparative statistics for the public cost of violence via blunt objects, sharp objects, and costs (including personal injury) from traffic accidents from uninsured and unlicensed drivers in the city, vs those from firearms. Please also provide the calculation for how the amount of insurance will be determined, and how you arrived at the data. Please provide your calculations.

**Secondly**, as stated in the media report, San Jose would need to maintain a registry with very substantial privacy issues. How do you intend to execute this? What is the **redress** for residents when (not if) the data 'leaks' / is breached or similar? Leaks of this type of data would put residents at increased risk for burglaries. Do you intend to provide additional police patrols for affected residents due to such increased risk brought about by your ordinance?

**Third**, if this is such a pressing item, why is this not on the agenda? Why is this not open for debate or public comment? Why is this hidden in the consent calendar?

**Fourth**, if the concern is truly for the 'cost' of gun violence, why does the ordinance not instead mandate a penalty/fine with an additional civil lawsuit that is levied against any person who is **convicted** of **any** violent crime, to such extent that it covers the cost of the first responders, and the victims' medical and legal costs.

**Fifth**, since law abiding gun owners do NOT cause additional costs to the county, the insurance should be mandatory for criminals or those who intend to commit crimes only (with any tool, including knives, hammers, baseball bats, hands, feet, vehicles or similar). Sounds ridiculous I agree, so is this ordinance.

Mayor Liccardo himself even stated that 'crooks won't pay the fee' (ref washington post 8/26/19 "San Jose Mayor: Why i'm requiring my residents to insure guns").

Please address real issues. The rate of car thefts, car break-ins and even home invasions is on the rise (a complex neighboring ours had a resident's door kicked in while she was home). The amount of package theft is reaching untenable levels and the police department is largely indifferent to it. What will it take for you to start **addressing these actual issues** and **solving real crime**.

Lastly I would like to remind you, the Bill of Rights lays out what **YOU** as elected officials **may NOT do**. You "**shall not ... infringe**" on the right to keep and bear arms, you "**shall make no law**...abridging the freedom of speech or the press", "the right of the people to be secure..., against unreasonable searches and seizures, **shall not be violated**" etc.

Please **be true to your oath** and the pledge of allegiance you recite at each City Council meeting, and stop abridging our rights as law abiding residents. Instead focus your efforts on those who perpetrate crime, stop the package thefts, car break ins and home invasions and stop finding politically expedient issues that will have zero impact to actual problems our city faces.

The election ballots have arrived, please keep this in mind when seeking our votes.

Sincerely

Nicholas Ah Kun

**From:** Lareen Jacobs

**Sent:** Saturday, February 22, 2020 12:37 PM

**To:** khamis.johnny@sanjoseca.gov

**Cc:** Ratana, Christopher ; Taber, Toni

**Subject:** Re: Gun Harm Reduction proposal at this Tuesday's City Council meeting

Hello Council Member Khamis,

I hope this email finds you doing well.

It has been quite a while since I last communicated with you, which was in regard to the Safe Storage of Firearms legislation. I along with many other voters applaud you for your YES vote on its passage in 2017. Once again, I urge your support and this time it is for the prioritization of Gun Harm Reduction proposal coming before the council this Tuesday. I am unable to attend the meeting, thus the reason for my emailing you today.

It is critical that we understand the cost of gun violence and its resulting harm not just to people's lives, but to the financial drain on cities, in this instance San Jose. I am sure you are familiar with this statistic: examining 9 years, 2007-2016, firearms related emergency visits in Santa Clara County, averaged a cost of almost \$2,200,000/year! That number is staggering! We need to stop subsidizing gun ownership.

With a combination of fees and insurance to help defray the financial cost to the city and taxpayers, this proposal will encourage law abiding gun owners to adopt gun safety practices, i.e. to install child safety locks and gun safes, and to take gun safety courses to receive premium discounts.

Thank you again for your years of service to San Jose and good luck in your upcoming bid for the State Senate. I do want to share with you that several of those people, who are in your district and whom I know, have been influenced in your current campaign because of your support of the 2017 Safe Storage of Firearms Legislation.

Best regards,  
Lareen Jacobs

**From:** Lareen Jacobs

**Sent:** Saturday, February 22, 2020 12:36 PM

**To:** 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>; District2 <District2@sanjoseca.gov>

**Cc:** Taber, Toni

**Subject:** Re: Gun Harm Reduction proposal at this Tuesday's City Council meeting

Dear San Jose City Council Members,

I hope this email finds you all doing well.

It has been quite a while since I last communicated with most of you regarding the Safe Storage of Firearms legislation in 2017.

Since I am unable to attend the meeting this Tuesday, I am emailing you today regarding this critically important gun harm reduction proposal that addresses gun related financial costs to our city and promotes gun safety. I am counting on you to be in **support** of the **Prioritization of the Gun Harm Reduction proposal** at this Tuesday's City Council meeting.

It is **critical** that we understand the cost of gun violence and its resulting harm not just to people's lives, but to the financial drain on our city, San Jose. I am sure you are familiar with this statistic: *examining 9 years, 2007-2016, firearms related emergency visits in Santa Clara County, averaged a cost of almost \$2,200,000/year!* That number is staggering!

**Over \$2 million!**

We need to **stop subsidizing** gun ownership.

With a combination of fees and insurance to help defray the financial cost to the city and taxpayers, this proposal will encourage law abiding gun owners to adopt gun safety practices, i.e. to install child safety locks and gun safes, and to take gun safety courses to receive premium discounts.

I urge you to vote yes for the prioritization of this proposal and thank you for your service to our city San Jose.

Lareen Jacobs

**From:** Lareen Jacobs

**Sent:** Saturday, February 22, 2020 11:59 AM

**To:** Perez, Raul ; Jones, Chappie

**Cc:** The Office of Mayor Sam Liccardo ; Ratana, Christopher ; Taber, Toni

**Subject:** Re: Gun Harm Reduction proposal at this Tuesday's City Council meeting

Hello Vice Mayor Jones and Council Member Raul,

I hope this email finds you both doing well.

It has been quite a while since I last saw and communicated with you both, which was in regard to the Safe Storage of Firearms legislation in 2017.

Working with you on that legislation and knowing your commitment to gun safety, I wanted to express once again my deep gratitude for your continued commitment toward bringing forth Gun Safety legislation. The Gun Harm Reduction proposal, through its combination of fees and insurance, will help defray the financial cost to San Jose and taxpayers, but of great importance too, it will ensure that our communities are safer by its encouraging law abiding gun owners to adopt gun safety practices - to install child safety locks and gun safes, and to take gun safety courses to receive premium discounts.

I am not able to attend this Tuesday's meeting but will be writing each council member to urge them to prioritize the Gun Harm Reduction proposal.

Thank you again for your years of service to San Jose and all my best to you, Raul and Chappie,

Lareen Jacobs

**From:** Richard Reizner  
**Sent:** Tuesday, February 25, 2020 7:37 AM  
**To:** City Clerk  
**Subject:** "Harm Reduction" proposal

Please oppose the "Harm Reduction" proposal in Tuesday's prioritization meeting.

1. The proposal saps city staff from other, much more important priorities for San Jose residents.
2. It's poorly crafted and researched; there's no data to believe it will be effective.
3. The provisions invite expensive and time consuming litigation.
4. The juvenile 'stop & frisk' and home searches result in further alienation between the minority community and SJPd.
5. No evidence or reason to believe any beneficial effect.

Sincerely,  
Dick Reizner

**From:** BRAD ALEXANDER  
**Sent:** Tuesday, February 25, 2020 4:55 AM  
**To:** City Clerk  
**Subject:** Harm Reduction Proposal

Please distribute to the Mayor and all city council members.

Please oppose the "Harm Reduction" proposal in Tuesday's prioritization meeting.

1. The proposal saps city staff from other, much more important priorities for San Jose residents.
2. It's poorly crafted and researched; there's no data to believe it will be effective.
3. The provisions invite expensive and time consuming litigation. State insurance law prohibits cities from providing insurance.
4. The juvenile 'stop & frisk' and home searches result in further alienation between the minority community and SJPd.
5. No evidence or reason to believe any beneficial effect. Criminals will not participate in the program.
6. This proposal is a "Tax" as it benefits the government and not the fee payer.
7. Who will enforce this proposal and by what methods? No data base exists to determine who is required to have this insurance.

Sincerely,  
Bradford Alexander

**From:** Stacy Weil

**Sent:** Monday, February 24, 2020 11:14 PM

**To:** City Clerk; 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>; The Office of Mayor Sam Liccardo

**Subject:** Gun safety

Dear Mayor and San Jose City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Councilmember Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

Thank you,  
Stacy Weil



**From:** Sara Munns

**Sent:** Monday, February 24, 2020 11:07 PM

**To:** City Clerk; 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>; The Office of Mayor Sam Liccardo

**Subject:** Gun Harm Reduction Proposal and Firearm Insurance

Dear Mayor and San Jose City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Councilmember Perez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

My son Michael Munns III was just 21 years old when he was shot on 12/13/19 and ultimately succumbed to his injuries on 1/12/20. Michael was the first homicide of San Jose in 2020 and the new decade do to this senseless gun violence that could have been prevented if certain measures were taken to ensure the gun being safely secured. If the person responsible for my son's death did not have access to that gun then he would have been alive today. Since my son's death there has been a void in me that cannot really be described in just words alone. The loss and grief that I feel as I have had to bury my boy is so immense. The trauma that Michael's siblings have endured from his shooting and death has impacted them not just emotionally, but also with their ability to focus on their studies in school. Everyday that we wake up seems almost as a bad dream however, the reality is that this is just our life without Michael.

We need to pay attention to what we can do to reduce the harm of gun violence in our community. How can we be in the solution instead of stuck in the problem? The reality is that gun violence has become an epidemic and we need to work together to get ahead of the problem. Please consider my thoughts on this as well as vote for the proposal of Mayor Liccardo, Vice Mayor and Councilmember Peralaz's Gun Harm Reduction so that less mothers have to feel the pain in which I am feeling. Thank you in advance.

Sara Huff

**From:** rmail723

**Sent:** Monday, February 24, 2020 9:52 PM

**To:** City Clerk

**Subject:** Gun harm reduction proposal

Please circulate this to all City council members for tomorrow's (Tuesday) meeting.

I am writing today to express my strong disagreement with this proposal.

Law-abiding gun owners have been nicked and dined and have had legislation passed to restrict our rights consistently. When will this stop? Every law you pass takes away one of my freedoms.

Clearly, the people presenting these proposals have not thought them through. From what I am reading there is no clear thoughts expressed here. No definitive way to obtain insurance, and if not I know the city will not be able to provide it.

To me this is like a poll tax. A tax on all of us to cover those people who are not knowledgeable enough to elect the right people. So the tax would be to correct the mistakes made by these inexperienced elected officials.

I have been a San Jose resident for over 30 years. None of these things you are doing make it a better place to live. Let's get with the program ladies and gentlemen.

Again, please circulate this to all the city council members.

**From:** Trisha Leeper

**Sent:** Monday, February 24, 2020 9:22 PM

**To:** The Office of Mayor Sam Liccardo

**Cc:** City Clerk; 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>

**Subject:** re: Gun Harm Reduction proposal.

Dear Mayor and San Jose City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Council member Perales's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

My own personal experience at the age of 6 when my special needs brother gained access to my father's fire arms ( Stored in the attic of our house) and threatened to shoot my father with the fire arm until the SJ Police arrived and talked my brother into surrendering the firearm is something that could have easily been prevented if the Gun Harm Reduction proposal was in place. Most recently in Dec 2019 my childhood friend's son from San Jose was shot while he and his friends were handling a loaded firearm that went off and shot and killed him. The person holding the gun when it went off was only 18 and the firearm was not registered.

Let's all agree that taking measures for safety is our goal and saving lives and the well being of our community.

Sincerely,  
Trisha Leeper

**From:** Mitali Khanzode  
**Sent:** Tuesday, February 25, 2020 7:41 AM  
**To:** Mitali Khanzode  
**Subject:** Gun Insurance/Fee Proposal

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Council member Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

In addition, the social and emotional cost of gun violence to our community will be limited. Gun violence deeply affects even those who aren't shot through anxiety, post traumatic stress disorder, and simple fear. No one should have to live in fear of being shot at any given point.

By voting for this proposal, you are taking the first step toward reducing the fear and bodily harm that your constituents may face on a daily basis. You are not only making their lives safer, but also acting in a way that allows for a better use of taxpayer money. You are setting a precedent for the rest of the nation.

Thank you!

Mitali Khanzode  
Lead Coordinator for March For Our Lives San José

**From:** Phil Wayman

**Sent:** Monday, February 24, 2020 8:10 PM

**To:** District9 <district9@sanjoseca.gov>; The Office of Mayor Sam Liccardo; City Clerk

**Subject:** Oppose "Harm Reduction" Proposal, and Request it Receive a LOW PRIORITY

Dear Mayor Liccardo and Councilperson Foley,

I am writing to express my opposition to, and request the "Harm Reduction" proposal in Tuesday's prioritization meeting receive a LOW PRIORITY.

1. The proposal saps city staff from other, much more important priorities for San Jose residents.
2. It's poorly crafted and researched; there's no data to believe it will be effective. It appears to be aimed at singling out and punishing a specific portion of the law abiding citizenry of San Jose, and infringing on a constitutionally protected right, instead of punishing any criminal behavior.
3. The provisions invite expensive and time consuming litigation. The requirement to provide evidence of insurance or audit households for gun ownership for payment of a household fee amounts to a defacto registration of firearms in conflict with provisions of state law.
4. The requirement to have insurance for "intentional acts of third parties who steal" the gun is unreasonable, and not likely to be agreed to by any insurance company at reasonable cost. This is tantamount to stating a victim of for instance, a carjacking can be held liable for any damage or injury caused to others by the carjacking.
5. The juvenile 'stop & frisk' and home searches result in further alienation between the minority community and SJPd.
6. No evidence or reason to believe any beneficial effect. There are currently scores of firearms related laws on the books in California. Anyone truly interested in reducing gun violence or keeping guns out of the hands of criminals would focus on executing the existing laws instead of adding additional, and in this case probably unconstitutional, municipal codes that will do nothing more than harm the law abiding citizens of San Jose.

Sincerely,  
Phil Wayman

**From:** Erik Swanson

**Sent:** Monday, February 24, 2020 6:59 PM

**To:** City Clerk ; 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>; The Office of Mayor Sam Liccardo

**Subject:** Please support the Mayor's firearm safety measures

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Councilmember Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownerships and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000 a year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts. Please work to make our society ever more safe. Blessings, Erik

Rev. Erik Swanson

Pastor, Westhope Presbyterian Church

**From:** Anthony Mendoza

**Sent:** Monday, February 24, 2020 6:22 PM

**To:** Anthony Mendoza

**Subject:** Please oppose the "Harm Reduction" proposal

I respectfully ask that you please oppose the "Harm Reduction" proposal in Tuesday's prioritization meeting. Here are some of the reasons this should be low to no priority:

1. The proposal saps city staff from other, much more important priorities for San Jose residents.
2. It's poorly crafted and researched; there's no data to believe it will be effective.
3. The provisions invite expensive and time consuming litigation.
4. The juvenile 'stop & frisk' and home searches result in further alienation between the minority community and SJPd.
5. No evidence or reason to believe any beneficial effect.
6. The only people this will impact are the law abiding citizens of our community.

Sincerely,  
Anthony Mendoza

**From:** Steve

**Sent:** Monday, February 24, 2020 5:37 PM

**To:** City Clerk; 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>; The Office of Mayor Sam Liccardo

**Subject:** Gun Violence Reduction

Dear City Council,

I urge you to vote for the Mayor's, Vice Mayor, and Council member Peralez's Gun Harm Reduction proposal. We need to understand the cost of gun violence and stop subsidizing gun ownership and its associated harms. Direct cost of gun violence to California taxpayers exceeded \$1.4 billion last year. In Santa Clara County, firearm related emergency department visits averaged \$2,178,000/year between 2007-2016. A combination of insurance and fees can help modify behavior and promote gun safety by encouraging law abiding gun owners to purchase gun safes, install child safety locks, or take gun safety courses to receive premium discounts.

In San Jose there have been 336 suicide fatalities between 2011 and 2015, and San Jose residents have the highest youth suicide rate in the county. The percentage of suicides by guns is about 50% and many of the gun related suicides are by children younger than 17, which again places a financial burden on to the community.

Respectfully,

Steve Jacobs

Cupertino/San Jose Resident and shopper



**From:** Carl.Beck

**Sent:** Tuesday, February 25, 2020 10:42 AM

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

**Subject:** Opposed to Gun Control Proposals

Dear Council Members and Honorable Mayor,

As a long time San Jose resident I am opposed to the gun control measures now before you because they are unconstitutional and will not in any way subdue crime.

Thank you for your consideration.

-- Carl Beck

From: Wallace Gardner  
Sent: Tuesday, February 25, 2020 11:25 AM  
To: City Clerk  
Subject: Please provide this to the Rules Committee and the City Council

The mayor's proposal won't work. It only abuses law-abiding gun owners.

Insurance: Neither my home owners policy, my umbrella liability policy nor, my auto insurance policy cover third party injuries suffered at the hands of someone who stole my car or my gun. I am not covered by any of the policies if I break the law. If someone broke into my house and attacked my family the insurance might cover me if the intruder sued me.

Fee to Fund Public Pool to Address: Gun Violence: This is unfair. Society created the criminal who robs, rapes and, kills. If we need more money to get bad people off the street we need to tax everyone. The gangs need to be broken up. We need to address the social and economic issues that create the monsters. Poverty, housing, mental health, bullying in schools, ostracizing and harassing of children in schools. When a child's peers are abusing him/her because they are different in some way, potentially from kindergarten on they finish high school with a gut full of hate. God help the person who pushes just a little too far. This has to be addressed by counseling the victim of the abuse to be a little more socially acceptable and counseling the peer group to be a little more tolerant.

We need to reopen places like Agnews to provide care for the people suffering from mental illness. These places were closed down to balance the state budget.

Taxes: Guns and ammunition are already becoming prohibitively expensive. Firearms ownership will soon be the right of only the rich, their armed body guards, the police and, the criminals.

If the criminals want guns they will import them with the tons of drugs and other contraband coming into this country on a monthly basis.

San Jose doesn't have enough police now. My neighbor was locked out of his home, his family was at work and school. I asked if he'd called 911. His cell phone was dead. I called 911. The dispatcher wanted to know if someone was in the house. I said the family wasn't and we suspected an intruder had locked the house from the inside. She was reluctant to send help. I finally asked if she wanted us to break in and search the house. She sent police. My neighbor had been robbed for the second time.

My alarm company told me when I signed up they wouldn't call police until they talked to a resident who could certify there was an intruder in the home.

At a public meeting I listened to a gentleman tell a police Lieutenant or Captain if they didn't get their act together he was going to buy a gun. He and his wife were 15 minutes out on a trip and received a call from their alarm company. They returned home. Standing on the sidewalk the man saw his door had been kicked in. He called 911. He was asked if anyone was in the house. He was told no one was available to respond. After a prolonged time he searched the home himself. The next time it happened he was in the home. A prowler was peering in windows. Calling 911 hadn't done any good so he called 311. No one was available to respond.

My daughter in Milpitas came home to find the back door open. She called 311. Within a short time she had 3 officers and a police dog. My daughter had been robbed. The lady officer admonished her to call 911 the next time. My daughter had been robbed. That's the way it should be.

Wallace S. Gardner

**From:** Dave Truslow

**Sent:** Tuesday, February 25, 2020 12:05 AM

**To:** City Clerk

**Subject:** "GUN VIOLENCE HARM REDUCTION" Priority Item - 2/25 Agenda

Please convey to Council. I believe the agenda item is 20-173, and will appreciate your correction if necessary.

The proposal is fatally flawed. It:

- ignores the violence reduction proposals suggested by President's Obama's National Academies of Science group in 2013,
- fails to give any rational basis for improvement or expected outcomes (e.g., 25% violence reduction in 18 months).
- appears to be unenforceable without resorting to legally dubious Gestapo tactics

and positions San Jose as a prime litigation target and years of delays assuming legal hurdles can be resolved.

No other proposal is comparable to this "bag of hurt". If prioritized, it will consume hundreds of staff hours and prevent other vital ones from being addressed.

Other than engaging anti-gun advocates, Mayor Liccardo has failed to seek input from the gun owning community despite offers to help. Mayor Liccardo's staff has been soliciting participation by the anti-gun Brady organization and no invites to gun owners that the proposal impacts and disenfranchises.

Please downvote this proposal so that other, more worthwhile ones can be addressed. Otherwise, direct staff to include input from those that will bear the burden.

Thank you,  
-dave truslow

## “HARM REDUCTION” FACT SHEET (rev. 2/23-2)

- Firearms injuries (incl. fatalities): 81% reduction since 1930, by 94% since 1904’s high despite about 10 million firearms sold per year.
- All Accidental Deaths: guns (0.05%), vehicles (29%), poisoning (27%), falls (21%)
- Children Accidental Deaths: guns (1.5%), vehicles (34%), suffocation (27%), drowning (17%)
- Medical errors (3<sup>rd</sup> leading cause): 17X to 30X greater than non-suicide firearms fatalities.
- Proposal disproportionately burdens and will criminalize low income residents - i.e., most ‘at risk’

CLAIM	FACTS
“harm reduction” purpose	<p><i>a. <u>No data (credible or otherwise) to support proposal’s purpose.</u></i></p> <p><i>b. <u>Fails to identify or address effective measures</u></i></p> <p><i>c. <u>All revenue to easily diverted General Fund</u></i></p> <p><i>d. <u>No ‘sunset’ provision to assess value</u></i></p> <p><i>e. <u>No Goals &amp; Objectives tangible success criteria</u></i></p> <p><i>f. <u>Duplicates available free resources with expensive alternatives</u></i></p> <p><i>g. <u>Invites distracting litigation</u></i></p> <p><i>h. <u>Kills jobs and economic prosperity</u></i></p> <p><i>i. <u>Runs afoul of CA insurance regulations</u></i></p>
Mandatory SJ risk pool	<p>a. No commercial insurance available - CSJ risk pool only option</p> <p>b. Lawful gun owners among most law-abiding (better than law enforcement)</p> <p>c. Criminals won’t be bothered. Ex-felons can’t lawfully possess</p>
Fee to offset “gun violence subsidy”	<p>a. Using ‘harm reduction’ logic, CSJ should subsidize lawful gun owners - not penalize them</p> <p>b. Defensive Gun Uses prevents a minimum of 300,000 violent crimes each year per CDC data</p> <p>c. Obama’s 2013 CDC study says it could be 3 million per year<sup>1</sup></p>
Insurance “fee”	Technically a tax since it benefits government - not fee payers
Higher “fees” < 25 + 2/3 Prop 26 ballot requirement.	If OK to discrimination by age, then by gender, race, etc. due to actuarial differences?
2/3 majority Prop 26 ballot requirement	On 2022 ballot? Cost?
“cover reasonable costs”	Optimistically, < 30% <sup>2</sup> of gun owners likely to pay due to scofflaws. The tax must be 3-5X higher due to low compliance

<sup>1</sup> Firearm Related Violence, © 2013 National Academies of Sciences, Engineering, Medicine

<sup>2</sup> Voluntary compliance expected to less than 30% animal tag registration compliance unless CA DOJ records

	<b>CLAIM</b>	<b>FACTS</b>
	“reduce or eliminate the fee” upon completion of a “sanctioned firearms safety course”	Virtually all lawful gun owners possess a CA Firearms Safety Certificate and must be retested every 5 years
	\$ 2,178,000 annual social cost estimate from County Public Health	Estimate wildly different from published SCC DPH data.
	“additional tax on ammo and firearms” to fund gun safety classes, violence prevention programs, victim assistance not already covered.	<p>Gun safety already offered in San Jose for free or at little cost (\$25 state FSC fee extra) including civic and school programs, school risk assessment, and grants for equipment and supplies.</p> <p>SJPD has hundreds of gun locks to be provided for free, but no staff to handle so they sit in storage.</p> <p>Area gun clubs fulfill the need by providing free Project ChildSafe locks.</p> <p>Seattle shootings increased 30% in first year of their firearm and ammo tax projected to raise \$500,000, but only \$93,000 collected. Tax projections shrinking as retailers leave Seattle.</p> <p>Jobs lost, economic impact as gun stores relocated to suburbs.</p> <p>9<sup>th</sup> Circuit Federal judge overruled tax, “The government need not arm the poor, but it cannot impose uncommon burdens on their ability to exercise their fundamental constitutional rights.”</p> <p>The 10<sup>th</sup> St range free Outreach” program estimates over 10,000 trained in 10 year operation</p>

	Juvenile "Consent-to-Search"	<p>The discredited "Stop &amp; Frisk" program damages community relations as non-whites are disproportionately cited; <u>two studies show it was ineffective in NY on robbery and burglary rates.</u></p> <p>Described as "racial profiling" by Federal judge that halted NYC's program.</p> <p>NYC, St. Louis, and Philadelphia incurred significant litigation costs; San Francisco dropped consideration in 2010. IPA complaints about SJPD up 12% without Stop &amp; Frisk.</p>
	"seize any weapons [in home] in exchange for no prosecution"	<p>'Catch &amp; release' Increases crime. This is why SJPD and DA are prosecuting under Federal v. CA law.</p> <p>Failure to prosecute is why our Armed Prohibited Persons list has more than doubled in 10 years. We now have over 24,000. Many are repeat offenders.</p> <p>Most illegal guns obtained from 'friends and family'. WA nabbed over 400 in 1<sup>st</sup> year. v. 12 by US Attorneys.</p> <p>CA has no 'lie and try' law. CSJ should enact and make a legislative agenda to join states that do.</p>
	Gun Bounty Program like Pittsburg	<p>Crime Stoppers already offers up to \$1,000 bounty for all County residents. Unclear why one specifically for guns will be different. Despite the bounty, crime continues to increase in San Jose.</p> <p>Pittsburg's 3 recent laws overturned by court.</p> <p>Baltimore: \$500 / illegal functioning recovered gun; \$500 / arrest; up to \$2,000 per tip. Miami pays 1,000 / tip that leads to arrest.</p>

Dear Mayor and Councilmembers,

We are writing to urge you to support Priority Q “Develop a City-wide Transit First Policy Framework” which was submitted by Councilmember Foley.

Transportation is one of the biggest challenges for all of us here in San Jose -- everyone from commuters who spend long hours on congested roads to get to work to students who spend hours each day just to get to school as they struggle with the current transit system.

And, to accommodate the projected job and population growth, we must increase ridership by prioritizing transit modes including buses and light rail which are far more space-efficient than cars. The growth that has already occurred has resulted in more congestion including slower and slower transit speeds which has led to a drop in transit ridership.

According to VTA, the declining transit speeds cost almost \$70M just to operate at the same service levels that we had in 1990.<sup>1</sup> VTA is spending more money to provide less service. If transit speeds are improved, residents will be able to get from point A to point B faster and VTA can use the money they save to improve transit frequency and provide service to areas that currently lack access to transit. And if we can increase VTA ridership, everyone will benefit through reduced congestion.

Additionally, the transportation sector is responsible for 63% of GHG emissions in San Jose<sup>2</sup>. We need to change direction quickly if we want to create a livable future for ourselves and future generations.

We applaud Councilmember Foley for submitting this nomination and hope that you will vote for the Transit First Priority.

Sincerely,

1. Monica Mallon, Silicon Valley Youth Climate Action, Silicon Valley Transit Users
2. Kryssel Elevazo
3. Jennifer Rita Custodio
4. James Zetterberg, West Valley College Student, Bus Rider

---

<sup>1</sup> <https://blog.goswift.ly/speeding-up-transit-and-project-timelines-at-santa-clara-vta-24b2f997576d>

<sup>2</sup> <https://www.sanjoseca.gov/home/showdocument?id=44752>

5. Susan Butler-Graham, Mothers Out Front South Bay
6. Hoi Y. Poon, Co-founder, SV Youth Climate Action; Board member, Bay Area for Clean Environment
7. Abhimanyu Jayaraman, HS student, San Jose D1, SVYCA team
8. Bruce Naegel member of multiple sustainability groups and a VTA user for 12 years
9. Carolina Villa, VTA user for 4 years, Silicon Valley Youth Climate Action Team, Presentation High School Student
10. Linda Hutchins-Knowles, Co-founder of Mothers Out Front South Bay
11. Ina Roy-Faderman,
12. Peri Plantenberg, Co-founder, Silicon Valley Youth Climate Strikes, Co-chair, HHS FBLA Community Service Project.
13. Neil Park-McClintick, Chair, Cupertino for All
14. Hoai-An Truong, Mothers Out Front South Bay, Transit rider, D3 resident
15. Helen Deng, San Jose D1 resident, Silicon Valley Youth Climate Strikes co-lead
16. Scott Mace, San Jose D3 resident, California Association of Bicycling Organizations, District 4 (South) representative
17. Mary Williams, D1 resident, VTA rider, cyclist, member of The Climate Reality Project Santa Clara County and Orchard City Indivisible
18. Martina Keim, Mothers Out Front South Bay
19. Jane Mulcaster, D6 resident, Mothers Out Front South Bay
20. Carolyn Nguyen
21. Lotina Nishijima, D1 resident, Mothers Out Front South Bay
22. Jenny Green, D9 resident, Mothers Out Front South Bay



23. Gladwyn d'Souza, Co-Chair, Conservation Committee,  
Loma Prieta Chapter, Sierra Club
24. Tara Sreekrishnan, Co-Founder of Silicon Valley Youth Climate Action
25. Daniel Huynh, Santa Clara resident and San Jose Student
26. Nick Cortez, South Bay Progressive Alliance
27. Stephanie Morris, Mothers Out Front South Bay
28. David W. Poeschel, Silicon Valley Youth Climate Action Advisory
29. Jamie Minden, Silicon Valley Youth Climate Strikes Co-Founder, Sunrise Palo Alto Leadership Team, Saint Francis Environmental Club President
30. Nicole Dioquino, San Jose State University student
31. Jake Tonkel, Candidate for San José City Council District 6
32. Sitt Phone Paing San Jose resident and SJSU student
33. Kat Wilson, The Climate Reality Project, Santa Clara County



34. Peter Pham, San Jose Youth Climate Action Team Lead and De Anza College student
35. Susan DesJardin, San Jose Resident, Executive Committee Member of the Loma Prieta Chapter of the Sierra ClubLawrence Deng
36. Brian Haberly, 350 Silicon Valley Board Member and San Jose Resident
37. Mimi Spreadbury, San Jose Resident, student, Orchard City Indivisible Environmental Justice, Divest SV
38. Cole Cameron, Cambrian resident
39. Michael Hazelton, SJ resident and transit rider
40. Eugene Bradley, Founder, Silicon Valley Transit Users. Also, transit rider for more than 35 years.
41. Michael Kutilek, San Jose resident

**From:** J Margolin

**Sent:** Tuesday, February 25, 2020 11:48 AM

**To:** City Clerk; The Office of Mayor Sam Liccardo; 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>

**Subject:** Transit solves problems and makes us more competitive

Please strongly consider supporting this common-sense measure. I would like my son and his exceptionally talented peers to be able to return to the bay area after their graduate degrees. They are best-in-the-world engineers, and though they love the area they can't imagine we will stay competitive with transportation so over-reliant on cars.

<https://www.slideshare.net/alevin/san-jose-transit-first-policy-nomination>

**From:** Kevin Burke

**Sent:** Tuesday, February 25, 2020 11:40 AM

**To:** City Clerk; The Office of Mayor Sam Liccardo

**Subject:** Support Transit First policy

I think this will be good for moving people around, to help combat climate change and good for air quality in San Jose.

Kevin



## **Breathe California of the Bay Area**

1469 Park Avenue  
San Jose, CA 95126  
Phone: (408) 998-5865  
Toll-Free: 1-877-3-BREATHE  
Fax: (408) 998-0578  
www.breathebayarea.org  
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Tax ID#: 94-1156307

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#### **Acting Executive Director**

Margo Sidener, MS, CHES

A member of the  
**Breathe America**™  
Alliance

September 17, 2019

Rules Committee, City of San Jose

The Honorable Mayor Sam Liccardo and Councilmembers Chappie Jones, Sylvia  
Arenas, Dev Davis, and Johnny Khamis

City of San José

200 East Santa Clara Street

San Jose, CA 95113

Dear Committee Members:

The call for an ordinance to control flavored tobacco and electronic cigarettes by Councilmember Magdalena Carrasco is such welcome news in an otherwise dire public health situation. Breathe California stands 100% in support of this move and urges the Committee to recommend this measure for the full Council's consideration.

One need only tune in to the nightly news to be informed of the horrible repercussions accompanying e-cigarette use nationwide. Fortunately, our Santa Clara County Public Health Department has collected data on usage in our own backyard; unfortunately, the statistics locally are just as grim.

When these products hit the market, those of us in lung health thought it was only common sense that sucking any kind of chemicals into the lung was bad news, that flavors would be youth magnets, and that these products needed careful study before allowing them to be sold. Sadly, we were right. The details are well-documented in the memo accompanying the agenda today.

Thanks to Councilmember Carrasco and City staff for preparing comprehensive recommendations that get to the heart of managing this public health threat. Each and every one of their recommendations is an important, research-based component that is integral to stopping the damage from e-cigarettes and other tobacco products: banning the sale until FDA approval; limiting the over-concentration of tobacco sellers and prohibiting sales near schools and other youth-sensitive areas; removing the tobacco retail license exemption; and supporting state and federal bans on the sales of e-cigarettes and flavored tobacco.

It is vital that cities become involved in this fight, for they can act much more swiftly than the federal government! Thank you for your leadership.

Sincerely,

A black rectangular box redacting the signature of Margo Sidener.

Margo Sidener, CEO



**Breathe California  
of the Bay Area,  
Golden Gate, and  
Central Coast**

1469 Park Avenue  
San Jose, CA 95126  
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**Chief Executive Officer**  
Margo Sidener, MS, CHES

A member of the  
**Breathe America™**  
Alliance

February 24, 2020

The Honorable Mayor Sam Liccardo and Councilmembers  
City of San José  
200 East Santa Clara Street  
San Jose, CA 95113

Dear Mayor and Councilmembers:

I am writing to urge you to give the very highest prioritization to the adoption of an ordinance to ban the sale of flavored tobacco, including e-cigarettes, in the City of San Jose.

It is vital that cities become involved in this fight, for the actions of the federal government and our state have been woefully inadequate! The federal rule allows many types of flavored tobacco and electronic cigarettes to still be sold, and CA SB793 was introduced almost two months ago with no action yet beyond referral to committee.

As you may know, four out of five youth who have tried tobacco started with a flavored product. The tobacco industry uses flavored tobacco products to entice vulnerable populations; these products both mask the harshness of tobacco and make it more difficult to quit. E-cigarettes are even more dangerous, sometimes leading to serious lung damage and even death in youth who have smoked them only a matter of months. Still 31% of Santa Clara County youth have used them.

In addition, Breathe California supports and recommends prioritization for all the other recommendations in Councilmember Carrasco's memo of September: limiting the over-concentration of tobacco sellers; prohibiting sales near schools and other youth-sensitive areas; removing the tobacco retail license exemption; and supporting state and federal bans on the sales of e-cigarettes and flavored tobacco.

Breathe California was founded in San Jose, California in 1911 and has a mission to fight lung disease in all its forms. As the local clean air and healthy lungs leader, Breathe California works with its communities to promote lung health. Thus, our organization is dedicated to working to eliminate the negative impacts caused by tobacco use and to prevent initiation.

Again, we urge you to prioritize control of flavored tobacco and e-cigarettes as the number one issue to be tackled by the San Jose City Council this year.

Sincerely,

Margo Sidener, MS, CHES  
Chief Executive Officer



February 21, 2020

The Honorable Sam Liccardo  
Members of the San Jose City Council  
200 E. Santa Clara St.  
San Jose, Ca 95113

Dear Mayor Liccardo and Members of the San Jose City Council:

We are deeply concerned about the epidemic of teenage e-cigarette use fueled by the availability of flavored tobacco products. By moving this issue forward through the Rules and Open Government Committee, you have made it clear that you are concerned, too. The consensus of the public health community is that it is flavors that are driving the epidemic of e-cigarette use among teenagers and the best way to address that epidemic is to remove flavors from retail tobacco sellers.

We are writing today to urge you to prioritize addressing this issue of youth tobacco use through a comprehensive tobacco control policy that would prohibit the sale of all flavored tobacco products, including menthol cigarettes, flavored hookah and little cigars from all stores in San Jose with no exemptions. This provision functions best under the umbrella of a tobacco retailer license as a self-sustaining mechanism of enforcement, and we applaud your decision to adopt this back in 2011. Comprehensive tobacco control policies are a proven strategy to help reduce youth access to tobacco products, which can help protect kids from a lifetime addiction to a deadly product.

Provisions that would lead to an *ineffective* ordinance would include:

- Banning all e-cigarettes, while leaving other flavored tobacco products on the shelves
- Exemptions for some types of flavored tobacco products like menthol cigarettes
- Exemptions for adult only stores
- Flavor restrictions without a tobacco retailer license
- Criminalization of possession of tobacco products for those under 21 years of age.

The epidemic of e-cigarette use is alarming, but e-cigarettes are not the only flavored product being used by youth. Flavors are driving the epidemic of teenage e-cigarette use. Prohibiting the sale of some types of flavored tobacco products while leaving menthol cigarettes or other flavored products available in your community means that flavored products will still find their way into the hands of youth. The long-term health consequences of e-cigarette use are just now emerging. However, the health impacts of other forms of tobacco have long been known, and policies that could push young people from one tobacco product to another should be avoided. We encourage you to prioritize the strongest possible ordinance—one that ends the sale of all flavored tobacco products—to help protect all youth in your jurisdiction.

More than 70 communities throughout California, including such diverse communities as the cities of San Francisco, Sacramento, Richmond, Oroville and Carson, as well as the counties of Los Angeles, Contra Costa and Santa Barbara have adopted strong policies to end the sale of flavored tobacco products. It's time to join them and put the health of San Jose youth first by prioritizing adding a provision to end the sale of all flavored tobacco products to your existing comprehensive tobacco retailer license in all stores in your City's Policy Plan for 2020.

Sincerely,



Jen Grand-Lejano  
Government Relations Director, Northern California  
American Cancer Society Cancer Action Network



The First 5 years.  
Make them count.

February 25, 2020

The Honorable Sam Liccardo  
San Jose City Council Members  
200 E. Santa Clara St.  
San Jose, CA 95113

**RE: Agenda Item 3.3 – 2020-2021 Council Priority Setting**

Dear Honorable Mayor Liccardo and San Jose City Council:

FIRST 5 Santa Clara County strongly supports the development of ordinances ending the sale of electronic cigarettes (e-cigarettes) and flavored tobacco by tobacco retail establishments and prohibiting new tobacco retailers from locating near youth-sensitive areas and existing tobacco retailers. As an agency that focuses on the health and wellbeing of Santa Clara County's youngest children and their families, we urge the City Council to prioritize these public health policies.

A report released by the Santa Clara County Public Health Department in 2019 found that over 1/3 of high school students in Santa Clara County have used e-cigarettes. Further, the report also highlights that among teens currently using tobacco products, 80% report using a flavored product.<sup>i</sup> The American Academy of Pediatrics recognizes that there are multiple factors that have created a vaping epidemic among youth.<sup>ii</sup> The tobacco industry and e-cigarette companies have primarily targeted children and youth by offering various scents, flavors and packaging that are appealing to young people. E-cigarette and flavored tobacco products have become easily accessible and vaping has become an integral part of youth culture. Studies have found that one of the top reasons that children start to use tobacco products is because they see it modeled by family members and/or friends/peers.

FIRST 5 Santa Clara County understands that a child's brain develops dramatically during the first five years of life and is influenced by many environmental factors. The human brain continues to develop until the age of 25, and the CDC has identified that the exposure to nicotine and tobacco products at an early age, including e-cigarettes and flavored tobacco, can adversely impact a child's attention, memory, and learning ability.<sup>iii</sup>

Unintentional exposure to nicotine products largely affects children under the age of 6. Young children are primarily exposed to e-cigarettes through second-hand smoke which the American Academy of Pediatrics warns can adversely impact lung development.<sup>iv</sup> Moving into adolescence, continued exposure can cause heart and kidney problems.<sup>iii</sup> An American Academy of Pediatrics Study published in 2016 found that children who are exposed to e-cigarettes have 5.2 times the odds of being admitted to a health care facility.<sup>v</sup>



Additionally, the prenatal period is also an important developmental time to consider the impacts of e-cigarette use, particularly since there is a common misperception that e-cigarettes are relatively safer to use during pregnancy compared to other tobacco products.<sup>vi</sup> The American Academy of Pediatrics highlights that no amount of nicotine or tobacco is known to be safe during pregnancy and that tobacco use during pregnancy is the largest preventable cause of low birth weight, prematurity, intrauterine growth restriction, and perinatal mortality.<sup>vii</sup>

We believe that the recent increase in e-cigarette and flavored tobacco use and the associated risk to young children and their families demonstrates a need to take action. To protect the health of San Jose's youngest children and their families, FIRST 5 Santa Clara County urges the City of San Jose to ban the sale of e-cigarettes and flavored tobacco and prohibit new tobacco retailers from locating near youth-sensitive areas and existing tobacco retailers.

Sincerely,



Jolene Smith  
Chief Executive Officer

---

<sup>i</sup> Zhu SH, Zhuang YL, Braden K, Cole A, Wolfson T, Gamst A. Tobacco use among high school students in Santa Clara County: Findings from the 2017-18 California Student Tobacco Survey. San Diego, CA: Center for Research and Intervention in Tobacco Control (CRITC), University of California, San Diego. 2019.

<sup>ii</sup> American Academy of Pediatrics. Electronic Nicotine Delivery Systems: Policy Statement. *Pediatrics*. 2015;136(5).

<sup>iii</sup> (2019). Quick Facts on the Risks of E-cigarettes for Kids, Teens, and Young Adults | CDC. Retrieved from [https://www.cdc.gov/tobacco/basic\\_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html](https://www.cdc.gov/tobacco/basic_information/e-cigarettes/Quick-Facts-on-the-Risks-of-E-cigarettes-for-Kids-Teens-and-Young-Adults.html)

<sup>iv</sup> Clinical Practice Policy to Protect Children From Tobacco, Nicotine, and Tobacco Smoke. *Pediatrics*. 2015;136(5)1008-1017: DOI: 10.1542/peds.2015-3108

<sup>v</sup> Kamboj A, Spiller HA, Casavant MJ, et al. Pediatric Exposure to E-Cigarettes, Nicotine, and Tobacco Products in the United States. *Pediatrics*. 2016;137(6):e20160041

<sup>vi</sup> Spindel ER, McEvoy CT. The Role of Nicotine in the Effects of Maternal Smoking during Pregnancy on Lung Development and Childhood Respiratory Disease. Implications for Dangers of E-Cigarettes. *Am J Respir Crit Care Med*. 2016;193(5):486–494.

<sup>vii</sup> Anderson TM, Lavista JM, Ren SY, Moon RY, Goldstein RD, Ramirez JM, Mitchell EA. Maternal smoking during pregnancy and the risk of sudden unexpected infant death. *Pediatrics*. 2019;143(4) DOI: 10.1542/peds.2018-3325

September 17, 2019

Councilmember Magdalena Carrasco  
San Jose City Hall  
200 East Santa Clara Street, 18<sup>th</sup> Floor  
San Jose, CA 95113

**Re: Ban on e-cigarettes – SUPPORT**

Dear Councilmember Carrasco:

I am writing on behalf of Lucile Packard Children's Hospital Stanford to express our support for the development of an ordinance prohibiting the sale by tobacco retail establishments of electronic cigarettes (e-cigarettes), which we believe will help protect youth from the harm of tobacco products, including e-cigarettes.

Our pediatricians and researchers are extremely alarmed by the increase in teen use of e-cigarettes. The US Food and Drug Administration and the US Centers for Disease Control and Prevention released a report in November 2018 showing that more than 3.6 million middle and high school students are using e-cigarettes. Between 2017 and 2018 we saw a 78% increase in e-cigarette use by high school students and a 48% increase by middle school students. 80% of young people who have ever used tobacco started with a flavored product. These products often mimic popular candies, drinks, or snacks in both packaging and flavor, making them particularly appealing to youth. A variety of flavored tobacco products like cotton candy, bubble gum, and mango are widely available on retail shelves.

We believe that the recent surges in youth tobacco usage and the associated public health risks demonstrate the need for California to take action. We applaud the efforts of San Jose in taking the necessary steps to protect our youth from addiction and dangerous health risks.

For these reasons we support the effort to ban e-cigarettes and flavored tobacco and update the City's ordinances. I ask for this committee to allow this important issue to continue and for the Council to do what is right for the youth and residents of San Jose.

Sincerely,



Sherri R. Sager  
Chief Government and Community Relations Officer

**From:** Maimona Afzal Berta

**Sent:** Tuesday, February 25, 2020 6:56 AM

**To:** The Office of Mayor Sam Liccardo

**Cc:** Herbert, Frances <frances.herbert@sanjoseca.gov>; Juan Cruz <juan.cruz@fmsd.org>; Nicole Coxe <Nicole.Coxe@phd.sccgov.org>; Elizabeth Alvarez <ealvarez@catholiccharitiesscc.org>; District5 <District5@sanjoseca.gov>; Don Tran <don.tran@phd.sccgov.org>

**Subject:** Today's Priority Setting Meeting- Youth Tobacco/Vaping Access Memo

Hello San Jose City Councilmembers & Mayor,

I am reaching out to you as Vice President of Franklin-McKinley School Board (District 7) and as current chair of the Franklin-McKinley Children's Initiative (FMCI) committee. Our District, FMCI, and stakeholders across our community have been organizing around the serious issue of youth tobacco/vaping access and use. As a public school teacher in District 5, I have witnessed firsthand the harmful and adverse impacts tobacco/vaping use and access has on our students. In the last year the Franklin-McKinley School Board unanimously approved Resolution 2019-23, A RESOLUTION IN SUPPORT OF LOCAL GOVERNMENT ACTION TO PREVENT AND REDUCE YOUTH TOBACCO USE THROUGH TOBACCO SALES RESTRICTIONS, INCLUDING SALES OF FLAVORED TOBACCO PRODUCTS & REDUCING DENSITY OF TOBACCO STORES. I have attached a copy of the resolution for your reference.

I am writing to you in support of Councilmember Carrasco's memo calling for a ban of flavored tobacco and e-cigarette products in preparation for today's Priorities Setting Meeting. Most specifically the items below:

1. Develop an ordinance prohibiting the sale by tobacco retail establishments of electronic cigarettes that require, but have not received, an order from the Food and Drug Administration (FDA) approving their marketing; and prohibiting the sale and distribution to any person in San Jose of flavored tobacco products and electronic cigarettes that require, but have not received, an FDA order approving their marketing.
2. Develop an ordinance that will limit any further overconcentration of tobacco businesses by:
  - Limiting the sale of tobacco products near schools and other youth-sensitive areas or/and;
  - Limiting the sale of tobacco products near existing businesses that sell tobacco products
3. Remove the tobacco retail license exemption from the San Jose Municipal Code 6.87.210 that allows eighteen and over tobacco retailers to obtain a City license exemption.

I implore you to act with urgency around these issues that impacts some of our most vulnerable youth and communities. Thank you for your consideration.

Best Wishes,

**Maimona Afzal Berta**

Pronouns: She, Her, Hers

Governing Board Member

Franklin-McKinley School District

# FRANKLIN-MCKINLEY SCHOOL DISTRICT

## Resolution No. 2019-23

### **A RESOLUTION IN SUPPORT OF LOCAL GOVERNMENT ACTION TO PREVENT AND REDUCE YOUTH TOBACCO USE THROUGH TOBACCO SALES RESTRICTIONS, INCLUDING SALES OF FLAVORED TOBACCO PRODUCTS & REDUCING DENSITY OF TOBACCO STORES**

**WHEREAS**, the Franklin-McKinley School District, the Santa Clara County Public Health Department and the Tobacco Free Coalition of Santa Clara County have aligned beliefs that communities need to work to ensure that the conditions in which youth learn and live, support optimal health and equitable achievement at the highest levels; and

**WHEREAS**, smoking is the leading preventable cause of death and disease. Within Santa Clara County, direct health care costs and indirect costs (such as lost productivity) due to smoking, accounts for costs of \$700 million dollars annually within the County;<sup>1</sup> and

**WHEREAS**, its customers succumb to tobacco-related illness and death, the tobacco industry continually adapts to changing regulatory and market environments, innovating around electronic smoking devices and flavored tobacco products to create a new, younger generation of customers; and

**WHEREAS**, the Tobacco Industry targets young people and vulnerable communities with the marketing of tobacco products that mask the harsh taste of tobacco with flavors highly appealing to youth and with advertising designed to attract young people; and

**WHEREAS**, in Santa Clara County, more than 1 in 10 (approximately 10.9%)<sup>2</sup> youth use tobacco products, including electronic smoking devices, and almost 40% of youth who smoke; stated that they acquired their cigarettes from a store;<sup>3</sup> and

**WHEREAS**, from 2017 to 2018, current e-cigarette use by high school students increased 78 percent, from 11.7 to 20.8 percent, accounting for a troubling 3.05 million American high school students using e-cigarettes in 2018. In addition, the proportion of current e-cigarette users in high school who reported use on 20 days or more in the past 30-day period increased from 20 percent to 27.7 percent between 2017 and 2018;<sup>4</sup> and

**WHEREAS**, there are more than 1200 stores that sell tobacco products in Santa Clara County and more than a quarter (26.8%) are located within 2 blocks of a school;<sup>5</sup> and

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<sup>1</sup> Max et al., University of California, San Francisco, Institute for Health & Aging, School of Nursing, The Cost of Smoking in California, 2009, available at: <http://www.trdrp.org/files/cost-smoking-ca-final-report.pdf>.

<sup>2</sup> California Student Tobacco Survey, 2016

<sup>3</sup> California Healthy Kids Survey, 2008-9.

<sup>4</sup> Cullen KA, Ambrose BK, Gentzke AS, Apelberg BJ, Jamal A, King BA. Notes from the Field: Increase in use of electronic cigarettes and any tobacco product among middle and high school students — United States, 2011–2018. MMWR Morbid Mortal Wkly Rep. 2018;67(45).

<sup>5</sup> California Board of Equalization, 2017

**WHEREAS**, the tobacco industry purposely markets flavored (including menthol) tobacco products to lure the youth, which is evident by the fact that 80% of youth who ever used a tobacco product, started with a flavored product;<sup>6</sup> and

**WHEREAS**, flavors in tobacco products are problematic, as they can be very appealing to youth, and are frequently listed as one of the top three reasons this population uses e-cigarettes. Additionally, kids whose first tobacco product was flavored are more likely to become current tobacco users than those whose first product was tobacco-flavored; and

**WHEREAS**, tobacco use rates are affected by where tobacco retailers are located and how concentrated, or dense, they are in a given area. Increased availability of tobacco products is associated with increases in both youth and adult smoking rates,<sup>7,8</sup> even when other neighborhood factors like racial composition and socioeconomic status are taken into consideration.<sup>9</sup> In particular, studies have consistently shown that children are more likely to smoke when they live or go to school in neighborhoods with a high density of tobacco retailers;<sup>10,11,12,13</sup> and

**WHEREAS**, local jurisdictions in California have the authority to enact regulations on the sale of tobacco products through local tobacco retail licensing in an effort to decrease availability and use of tobacco products by youth, including restrictions on the sale of flavored tobacco products (including electronic smoking devices and menthol cigarettes), establishing maximum thresholds of tobacco retailer densities, establishing distance requirements near schools and other youth-sensitive areas; and

**WHEREAS**, an increased awareness about the public health impact of flavored tobacco products, including electronic smoking devices and menthol cigarettes, is imperative to close loopholes in existing law, the Franklin-McKinley School District finds it is in the best interests of the health, safety and welfare of youth and vulnerable populations of Santa Clara County and San Jose.

**NOW, THEREFORE BE IT RESOLVED THAT THE FRANKLIN-MCKINLEY SCHOOL DISTRICT** supports and encourages action by local cities, under their regulatory authority, to restrict the sale of tobacco products in order to prevent youth access and use, including prohibiting the sale of flavored tobacco products and reducing the concentration and density of tobacco stores, particularly near schools and other youth sensitive areas.

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<sup>6</sup> Ambrose, B.K., et al., Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. JAMA, 2015.

<sup>7</sup> Lipperman-Kreda S, Grube JW, Friend KB, Mair C. Tobacco outlet density, retailer cigarette sales without ID checks and enforcement of underage tobacco laws: Associations with youths' cigarette smoking and beliefs. Addiction. 2016; 111(3).

<sup>8</sup> Chuang YC, Cubbin C, Ahn D, Winkleby MA. Effects of neighbourhood socioeconomic status and convenience store concentration on individual level smoking. J Epidemiol Community Health. 2005; 59(7): 568-73.

<sup>9</sup> Novak SP, Reardon SF, Raudenbush SW, Buka SL. Retail tobacco outlet density and youth cigarette smoking: A propensity-modeling approach. Am J Public Health. 2006; 96(4): 670-76.

<sup>10</sup> Henriksen L, Feighery EC, Schleicher NC, Cowling DW, Kline RS, Fortmann SP. Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools? Prev Med. 2008; 47(2): 210-4.

<sup>11</sup> Leatherdale ST, Strath JM. Tobacco retailer density surrounding schools and cigarette access behaviors among underage smoking students. Ann Behav, Med. 2007; 33(1): 105-11.

<sup>12</sup> West JH, Blumberg EJ, Kelley NJ, et al. Does proximity to retailers influence alcohol and tobacco use among Latino adolescents? J Immigr Minor Health. 2010; 12(5): 626-33.

<sup>13</sup> Chan WC, Leatherdale ST. Tobacco retailer density surrounding schools and youth smoking behaviour: a multi-level analysis. Tob Induc Dis. 2011; 9(1):9.

**NOW, THEREFORE BE IT RESOLVED** that the governing Board of the Franklin-McKinley School District in Support of Local Government Action to Prevent and Reduce Youth Tobacco Use Through Tobacco Sales Restrictions, Including Sales of Flavored Tobacco Products & Reducing Density of Tobacco Stores.

**PASSED AND ADOPTED** by the Board of Education of the Franklin-McKinley School District at a meeting held on June 25, 2019 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

I, Juan Cruz, Secretary of the Board, hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a regular meeting thereof, held at its regular place of meeting on the date shown above and by the vote above stated, which resolution is on file in the office of the said Board.

---

Secretary of the Board of Education  
Franklin-McKinley School District

From: **Tricia Barr**

Date: Tue, Feb 25, 2020 at 10:37 AM

Subject: In support of ordinance prohibiting flavored tobacco / e-cigarettes

To: <[mayoremail@sanjoseca.gov](mailto:mayoremail@sanjoseca.gov)>, <[District1@sanjoseca.gov](mailto:District1@sanjoseca.gov)>, <[District2@sanjoseca.gov](mailto:District2@sanjoseca.gov)>, <[District3@sanjoseca.gov](mailto:District3@sanjoseca.gov)>, <[District4@sanjoseca.gov](mailto:District4@sanjoseca.gov)>, <[District5@sanjoseca.gov](mailto:District5@sanjoseca.gov)>, <[district6@sanjoseca.gov](mailto:district6@sanjoseca.gov)>, <[District7@sanjoseca.gov](mailto:District7@sanjoseca.gov)>, <[district8@sanjoseca.gov](mailto:district8@sanjoseca.gov)>, <[District9@sanjoseca.gov](mailto:District9@sanjoseca.gov)>, <[District10@sanjoseca.gov](mailto:District10@sanjoseca.gov)>

Dear City Council,

I'm a parent of kids in 5th, 8th and 11th grade.

Please use your local authority to prioritize an ordinance to restrict the sale of flavored tobacco and e-cigarettes. Santa Clara County already has a model ordinance in place that the City could adopt. This ordinance also limits tobacco retailer density near schools and near other tobacco retailers, which is important. Kids are buying these products at "adult only" tobacco shops and vape shops - please do not allow exemptions.

These products are all over our schools, even middle schools. The FDA hasn't gone far enough to address the issue. Please take action at the local level.

I'm sorry I won't be able to attend the meeting in person. I was off work with my oldest son last week and can't take more time off to attend today. I know other parents are in a similar situation - please know it's important to us!

Best regards,  
Tricia Barr  
PTA Member Advocate



SAN JOSE/SILICON VALLEY BRANCH OF THE  
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

---

1313 North Milpitas Blvd Suite #163, Milpitas, CA 95035  
Phone (669) 284-2173

February 24, 2020

**Re: Support for Flavored Tobacco & E-Cigarette Regulations (Priority E)**

Dear Mayor and San Jose City Councilmembers,

The NAACP is very concerned with the use of tobacco products in the community. In 2016 we passed a resolution at our national convention in support of state and local regulation of flavored tobacco products.

The tobacco industry is responsible for the disproportionate negative health care outcomes in poor and minority neighborhoods. They have purposely targeted these neighborhoods as a way to increase their profits. New e-cigarette products are deceptively marketed as harmless and aimed at our children.

The results of the 2017-18 California Student Tobacco Survey for Santa Clara County shows that more than 13% (1 in 8) of teens are using tobacco products. Despite cigarette smoking declining across the county overall, the rate of cigarette smoking among Black teens is more than 3x that of Latino, Asian and White students. Declining rates of smoking are also at risk due to more teens taking up e-cigarettes.

Most students purchased their own tobacco products, either directly or through a proxy. Only 23% of them reported being asked for proof of age. The current situation where there is only a sign saying no one under 21 allowed is not a deterrent to youth purchases. The tobacco industry has marketed to young people through flavored products. While the Federal and State governments have produced bans on flavored cigarettes, they have exempted the most popular and most deadly flavor: Menthol.

Menthol has a much greater affect on Black Americans, than other ethnicities. It interacts with the high levels of melanin that is present in their skin, resulting in nicotine and other harmful substances from tobacco (such as the cancer causing carcinogens) being stored in tissues containing melanin. Menthol makes absorption in the lungs easier and more potent.

The tobacco industry has waged a decades long campaign to market to the Black community. This is targeted genocide as tobacco kills more Black people than AIDS and gun violence combined. Tobacco is responsible for the deaths of 47,000 Black Americans per year. Seven out of 10 Black youth ages 12-17 who smoke use menthol cigarettes. Nationwide 88% of Black Americans smoke menthol cigarettes as opposed to 24% of Whites.

Therefore we urge you to give the proposal to regulate the sale of flavored tobacco products and e-cigarettes your highest priority. Furthermore, we request that you add menthol to the list of banned flavors.

We applaud you for addressing the retail exemption and the loophole it gives the retailers. Removing this exemption is a big step to reducing the onsite purchase of tobacco products by our youth.

Respectfully,

James A. Staten, Health Chair SJ/SV NAACP

**Website: <http://www.sanjosenaacp.org>**

**Email: [sjnaacp@sanjosenaacp.org](mailto:sjnaacp@sanjosenaacp.org)**





February 24, 2020  
Mayor Sam Liccardo  
c/o City of San Jose  
200 E. Santa Clara St.  
San Jose, CA 95113

**RE: Council Agenda February 25, 2020, Item 3.3: BIA Opposition to Private Percent for Art Ordinance Consideration in the Council Priority Setting Session**

Dear Mayor Liccardo,

On behalf of BIA Bay Area, representing more than 400 members of the residential development and building industry, I take this opportunity to register opposition to Council member Carrasco's request to prioritize the development of a Private Percent for Art Ordinance in the Fiscal Year 2020-21.

The Building Industry Association of the Bay Area (BIA Bay Area) continues to strongly object to the inclusion in the Council policy prioritization process of a "percent for public art" ordinance intended to mandate private development to either provide public art onsite or pay an in lieu fee. BIA Bay Area has not modified its position on the development and/or implementation of a mandated public art funding mechanism on private development as previously outlined in our December 1, 2015 and our March 3, 2017 letter to the City opposing a percent for public art ordinance.

BIA Bay Area urges the Council to reject a public art mandate because City fees are already a significant factor in the escalating cost of housing in San Jose as well as the Bay Area region. BIA Bay Area also believes that public art funding ordinances violate both the Fifth Amendment's ban on uncompensated takings and the First Amendment's prohibition against compulsory speech.

The City of San Jose has completed multiple cost of development studies, including the October 2019 Keyser Marsten Cost of Development Study, that prove development is not feasible in many areas of the City. City Cost of Development studies show that impact fees, taxes and extractions are a significant contributing factor in the rising development costs impeding housing development.

BIA is extremely concerned by the spiraling cost of development and construction, including impact fees assessed by government. Affordable housing requirements, park fees, traffic fees, facility fees, sewer and water fees, school fees, public art fees, etc., etc., all add huge cost to building a new housing unit, pricing thousands of California families out of the market each day. Rising impact fees must be administered much more judiciously. BIA urges that Council to reject the percent for public art proposal as a fee too far.

The Turner Center for Housing Innovation at UC Berkeley has concluded in its March 2018 report, "It All Adds Up: The Cost of Housing Development Fees in Seven California Cities", individual fees add up and substantially increase the cost of building housing. Findings from this report show that development impact fees have significant implications for the cost and delivery of new housing in California. For example, Turner Center research found that total fees can amount to anywhere from 6 percent to 18 percent of the median price of a new home depending on location.

## BIA Bay Area



Additionally, the City Council should factor into its decision the declining rate of building permit issuance in the City. Permits issued have decreased over the last 2 years, and a 5-year average of approximately 2500 building permits per year is far below the 5,000 permit goal that the City has adopted. The City should be looking for ways to decrease fees and project costs, not for new mandates on housing and development that just add to the cost of business in San Jose.

BIA strongly urges the San Jose City Council to reject Councilmember Carrasco's request for the City Council to prioritize an ordinance to extract a percent for public art on private development.



Patricia E. Sausedo, Director  
Government Affairs  
BIA Bay Area

Cc: City Council  
City Clerk  
Attach: (1)



February 25, 2020

Dear Vice Mayor Jones,

On February 25, 2020, the San Jose City Council will be setting priorities for the upcoming year. I am writing this letter on behalf of ROC United in support of Councilmember Sergio Jimenez' priority - Hospitality Surcharge. It has become common practice in the hospitality industry for "service charges" to be collected. Restaurant owners keep the "service charge," or a large portion of the service charge, and do not pass it on to the restaurant workers. Restaurant patrons often believe that the service charge is in lieu of a tip, and, therefore, do not leave the tip to workers. However, in almost all instances, the owner keeps the service charge or a large portion of the service charge. Transparency is also a problem. Employers do not provide clear notice of the surcharge and its use and do not share with employees how they distribute service charge proceeds or keep records of service charge revenue and spending. This practice hurts hospitality workers and affects their pay.

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<https://sanjosespotlight.com/the-dark-side-of-luxury-capital-club-accused-of-unfair-wages/>

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We urge the San Jose City Council to follow Santa Monica, Oakland, Berkeley, and Emeryville and make a service charge ordinance a priority at the Priority Setting Council meeting on February 25.



Sincerely,



Maria Moreno  
Community Organizer  
ROC The Bay.



February 25, 2020

Dear Councilmember Arenas,

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February 25, 2020

Dear Councilmember Esparza,

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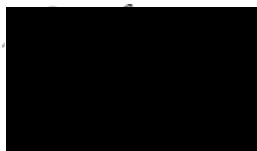
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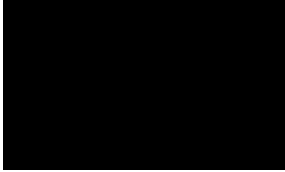
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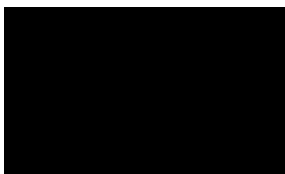
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ROC The Bay.



February 25, 2020

Dear Mayor Liccardo,

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Community Organizer  
ROC The Bay.



February 25, 2020

Dear Councilmember Foley,

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February 25, 2020

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February 25, 2020

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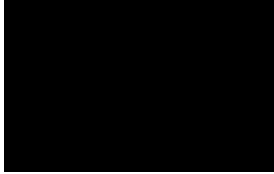
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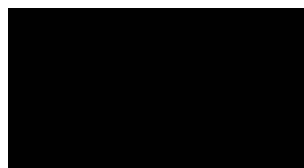
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February 25, 2020

Dear Honorable Mayor and Councilmembers:

This letter is to express SPUR's support for the following six items that have been nominated as part of the priority-setting process:

- **Privately Owned-Public Space (Councilmember Diep)**
- **Equity Task Force (Councilmember Carrasco) and Equity Funding and Analysis (Councilmember Esparza)**
- **Land Banking (Councilmember Carrasco)**
- **Density cap removal for affordable housing (Councilmember Jones)**
- **Local Businesses in New Development (Councilmember Jones)** - *SPUR recommends that a comprehensive study and feasibility analysis be completed prior to any policy change in response to this priority item.*
- **Develop a City-wide Transit First Policy Framework (Councilmember Foley)** - *SPUR recommends that this framework be made in coordination with other transportation planning initiatives such as the city-wide access and mobility study.*

These initiatives further the transition to a more vibrant, inclusive transit-supporting city, showcasing the importance of public life and neighborhood wellbeing. SPUR encourages the City Council to adopt these items as city-wide priorities. We look forward to working with City Staff to further develop these plans and projects.

Additionally, we ask that the City Council consider the following items as additional priority items:

### **Go Big on Guadalupe River Park**

Downtown San Jose is changing rapidly. Over the last five years, the urban core has seen a significant upturn in private acquisition and development of commercial and residential properties. It is important to balance the investment in physical infrastructure with that of open public green spaces, which bring people together, connect urban habitats and provide a healthier quality of life. Guadalupe River Park is a critical physical connector within San Jose and the spine of downtown — and has been long overlooked.

Now is the time to leverage the public and private capital flowing through San Jose to realize the full potential of the river park to not only serve and benefit San Jose residents, but to become a regional hub for social and civic activity. **The decisions we make today for Guadalupe River Park are those that will stand for the next fifty years.** Therefore, we ask that City Council adopt the following items in an effort to better support the success of Guadalupe River Park:

- **Allocate funding to support trail operations and maintenance.** With 60 miles of trails within San Jose, it is imperative that the City allocate resources to maintain and operate our open green spaces. In order to encourage trail use be it for recreation or commuting, SPUR recommends the

City Council establish and adequately fund a long-needed dedicated trail maintenance program to service our city's trails and ensure that they remain clean, safe and welcoming for our residents.

- **A fully-staffed and expanded park ranger program:** SPUR fully supports the proposal put forth by the Guadalupe River Park Conservancy, Keep Coyote Creek Beautiful, South Bay Clean Creeks Coalition, History San Jose and Save our Trails to increase the capacity and staffing of our park ranger program. As an urban public space, Guadalupe River Park sees both the challenges and benefits of being located in a downtown environment. This park should have dedicated full-time rangers with equivalent training in crisis intervention, mental health first aid, citation authority, and access and connections to services that can aid people experiencing homelessness.

### **Prioritize Public Life**

Acknowledging the growth and change on the horizon, we need to rethink how to work with residents to help design and plan for such changes. Currently community engagement efforts are mainly exercised on a project by project basis. While this has helped inform site specific plans, it has not provided residents with a continuous pathway for receiving information, providing input and feeling a part of shaping the change to come.

In SPUR's white paper, *It Takes a Village: Strategies for successful implementation of San Jose's urban village vision*, we found that robust community engagement is absolutely required to facilitate new denser development. Strategy four of the white paper recommends that the City "*implement an equitable and inclusive planning process*" which includes education training for community members and leaders as well as opportunities for residents to stay engaged after a site specific plan is developed.

The City has done an excellent job to find new ways to engage with residents, specifically through the Diridon Station Area Advisory Group process and through urban village planning efforts. **SPUR recommends adding an Office of Public Life with two dedicated staff members to develop and oversee city-wide community engagement efforts as well as coordinate public life activities across departments.** This department would also allow staff to further carry out the strategies and principles put forth in the adopted public life strategy made in partnership with the Knight Foundation and Gehl Architects.

### **Advance the future planning of Coyote Valley**

SPUR is thrilled with the recent City Council action to rezone 937 acres of North Coyote Valley to open space. To advance a new vision for Coyote Valley, SPUR convened staff from many of the various city, county, and special district agencies that have a role in planning the land uses in Coyote Valley to discuss how best to coordinate their respective planning efforts for this area. What became clear from that conversation is the need for a long-term multi-agency planning effort.

For that effort to succeed, we urge you to **support additional staff capacity, either through a temporary consultant or new position, to allow the planning staff to fully develop a vision and joint planning effort with the County.** Additionally, we ask that you make joint planning for the future of Coyote Valley one of the Planning Department's priorities for the coming year. Given the current context - with multiple agency planning efforts aligning -- the topic is extremely timely and San Jose and Santa Clara County have a unique opportunity to take advantage of it by embarking on a joint planning effort for Coyote Valley in 2020.



We want to thank both the City Council and City Administration for the time and effort it took to develop a comprehensive list of priorities for San Jose. We recognize the challenges that it takes to determine the city-wide priorities for such a large, complex and dynamic city. However, we urge you to use priority setting to put forward bold, innovative ideas that will advance the future of the community at-large. While we have a responsibility to respond to the emerging crises that challenge our city daily, we need to think about the investments and priorities that will help define, shape and enhance our community for the long-term.

Thank you,

Teresa Alvarado  
San Jose Director

Michelle Huttenhoff  
Policy Director, Placemaking + Public Life

# San José Peace and Justice Center Community: Support Universal Design in San José

This letter is an accompaniment to a longer letter sent by Michele Mashburn, Director of the Peace and Justice Center, on February 19th. ([bit.ly/2020udletter](https://bit.ly/2020udletter))

Dear Mayor and City Council Members of San José:

We, the undersigned, 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.

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. 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.

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.

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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).

Respectfully,

Timestamp: 2/22/2020 1:39:24 PM

Name: Daniel M. Mayfield

District No. / City: district 3, san jose

# San José Peace and Justice Center Community: Support Universal Design in San José

This letter is an accompaniment to a longer letter sent by Michele Mashburn, Director of the Peace and Justice Center, on February 19th. ([bit.ly/2020udletter](https://bit.ly/2020udletter))

Dear Mayor and City Council Members of San José:

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Respectfully,

Timestamp: 2/22/2020 2:48:00 PM

Name: Rev. Rowan Fairgrove

District No. / City: 3, San Jose

Comments: I see new urban infill complexes going in with steps and other inaccessible features. A Universal Design policy is important for all citizens.

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Respectfully,

Timestamp: 2/22/2020 3:27:27 PM

Name: Donna Wallach

District No. / City: District 6, San Jose

Comments: It is absolutely imperative that all people have equal access to all buildings, transportation, businesses, etc. It is long past time that accessibility for all is an integral part of inclusion in designing all aspects of San Jose.

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Respectfully,

Timestamp: 2/22/2020 3:55:45 PM

Name: Tiffany Maciel

District No. / City: 3

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Respectfully,

Timestamp: 2/24/2020 11:09:17 AM

Name: Charlotte Casey

District No. / City: San Jose

Comments: We are all growing older! San Jose should adopt the proposal for Universal Design because it's essential for all members of our community regardless of their current level of ability.

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Respectfully,

Timestamp: 2/24/2020 12:00:19 PM

Name: Emily Casillas

District No. / City: San Jose

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Respectfully,

Timestamp: 2/24/2020 3:13:12 PM

Name: Allie Cannington

District No. / City: 3



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Respectfully,

Timestamp: 2/24/2020 4:12:03 PM

Name: Tara McHugh

District No. / City: District 6 / San Jose

Comments: Universal Design is essential to ensure equity for all people. Access to public spaces is a right for every person, and denying that right due to negligence is inexcusable.

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Respectfully,

Timestamp: 2/24/2020 6:46:57 PM

Name: Jake Tonkel

District No. / City: 6 / San Jose



Children's  
Discovery  
Museum  
of San Jose

February 24, 2020

The Honorable Sylvia Arenas  
Council Member, District 8  
City of San Jose, CA 95113

Re: City of San Jose's Children's Bill of Rights

Dear Council Member Arenas:

Thank you for spearheading the effort for the City of San Jose to develop and adopt a Children's Bill of Rights that will help our civic leaders to keep the needs of children and youth in the forefront when decisions are being made about citywide policies, budgets and practices.

On behalf of the Board of Directors and staff of Children's Discovery Museum of San Jose, I am writing to advocate for the city to agree to undertake this important work. Given the number and severity of issues, from food insecurity and homelessness to the widening achievement gap and increasing dropout rates, today's children need the adults in the community who can make a difference to step up and provide resources, cohesive efforts and sustained commitments.

A City of San Jose Children's Bill of Rights will identify the needs of children as a top priority and set an agenda that ensures that children are entitled to fundamental rights that cannot be taken for granted. It sets a path forward to focus local leaders, organizations, and families on ensuring that children's basic needs are met, that they have access to resources for healthy development of their mind, body and spirit, and that they have a sense of hope for the future.

As a partner with the City of San Jose in bringing interactive learning to the San Jose community and ensuring that all children have access to the unique educational opportunities we offer, Children's Discovery Museum of San Jose strongly advocates for the City of San Jose to take this important next step. We know how much our City aspires to support families and to be recognized as a great place to raise children. A San Jose Children's Bill of Rights puts a stake in the ground that ensures these intentions are sustained in the future.

Sincerely,

Marilee Jennings  
Executive Director



The First 5 years.  
Make them count.

February 24, 2020

Mayor and Councilmembers  
San Jose City Hall  
200 E. Santa Clara Street  
San José, CA 95113

Re: Support for Bill of Rights for Children & Youth

Dear Mayor and Councilmembers,

I am writing in strong support of Councilmember Sylvia Arenas' Council Policy Priority Setting proposal, "Bill of Rights for Children & Youth", that would create a comprehensive framework that establishes goals for promoting the health and positive well-being of children and evaluate the City's on-going progress towards achieving such goals.

As Chief Executive Officer of FIRST 5 Santa Clara County, our mission is to support the healthy development of children, from prenatal through age 5, and enrich the lives of their families and communities. Being a community expert in serving families and our community of all ages, I know the challenges faced by our San José families all too well. Councilmember Sylvia Arenas' proposal to establish and implement the Bill of Rights for Children & Youth would be a strong step forward to make sure that our youngest residents get the support they need to have the best future possible.

I thank Councilmember Arenas for her Council Policy Priority Setting proposal that would ensure that the City remains committed to the well-being of our children for years to come. I also thank the Mayor and City Councilmembers for your attention and leadership on this issue.

Thank you,

Jolene Smith  
Chief Executive Officer  
FIRST 5 Santa Clara County

**From:** Adam Buchbinder

**Sent:** Tuesday, February 25, 2020 12:51 PM

**To:** District9 <district9@sanjoseca.gov>

**Cc:** 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>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Sam Liccardo; City Clerk

**Subject:** In favor of transit-first policy!

Hi! I got word that you (Councilmember Foley) will be introducing a proposal to develop a transit-first policy today, and I'm entirely in favor of this! I use VTA buses and trains to go around and through San Jose regularly, and it's long befuddled me that we'll have a bus full of riders waiting behind a single-occupant car. Anything we can do to get people around the city more efficiently should be a priority in all of our planning, and transit is the most efficient mode we have!

Adam Buchbinder

From: Kevin Tran

Sent: Tuesday, February 25, 2020 1:11 PM

To: The Office of Mayor Sam Liccardo

Cc: The Office of Mayor Sam Liccardo

Subject: Stop "Total Ban on all flavors tobacco products- including menthol cigarettes, flavors dip and cigars."

Dear Paul Peralez,( District 3)/Elected Officials My name is Hue K. Nguy, the owner of a convenience store Easy Mart located at 1460 A. Oakland Rd ,San Jose,CA. 95112 I am a responsible business owner working to ensure tobacco is sold only to adult customers. The State and Federal Government already raised the age to buy tobacco product to 21 A Ban on menthol cigarettes or flavors dip and cigars will only in convenience adult consumers and carry other unintended consequences.

Please DO NOT move forward with a ban on menthol cigarettes or flavored dip and cigars We are constituents.

Easy Mart

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**Sent:** Tuesday, February 25, 2020 12:51 PM

**To:** District9 <district9@sanjoseca.gov>

**Cc:** 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>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Sam Liccardo

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Adam Buchbinder

From: jfurlow  
Sent: Tuesday, February 25, 2020 2:37 PM  
To: City Clerk  
Subject: Defeat the Mayor's Gun Harm Reduction Proposal

Dear City Council members,

I urge you to defeat Mayor Lickard's ill conceived "Gun Harm Reduction" proposal.

It would place a tremendous financial burden on law-abiding gun owners exercising their 2nd Amendment rights, while doing nothing to reduce crime.

Mandating a fee in order to exercise a right, especially when the fee is designed to inhibit law-abiding residents from doing so, is clearly unconstitutional.

San Jose has serious problems with robberies, car break-ins, home invasions, drugs, violent gangs, homeless bums, illegal aliens, etc.

I suggest you focus your attention on solving these problems, to make San Jose the great place to live that it once was.

Sincerely,

Jack Furlow  
San Jose resident





---

701 Lenzen Ave. San José, CA. 95126 • info@siliconvalleydebug.org • 408.971.4965

February 25, 2020

RE: Private Percent for Art (PPA)

To: San Jose City Council members & Mayor

As you consider priority items for the upcoming year, we echo that public art be a significant policy area.

However, we see that the Private Percent for Art proposal aims to establish a cultural bond with the existing population, mainly the people most at risk of a historic amnesiac approach to arts in the evolving cultural and civic map of San José. The proposal rightly so, is engaging developers to fund public art in spaces where they are usurping space encroaching upon our historical connections to our home, San José. The proposal seems to cater directly toward developers and business associations more than us, the community. Currently, there are mountains of evidence of current public art businesses and non-profit organizations that have partnered and or have been funded by developers for the purposes of gentrification, increasing property value and displacement so this plan as its written raises some flags. Upon review, we noticed an absence of power equity in this plan. There is much language that allows an easy exit for developers in terms of giving us a stake in our own communities' expression of itself. We want developers to cater to us, the community and have the community written into decision making.

El COMITÉ, SILICON VALLEY DE-BUG in addition to other community-based stakeholders should at least be named in this proposal as consultants to ensure a more equitable process as to where funding goes. As currently described we cannot in fully support this program, for it is objectively geared toward appeasing incoming developer's thirst for a profit via cultural appropriation and the theater of safety through beautification methods that favors gentrification in place of empowering our rich and existing communities. If we are to fight for community art, the community - members who are most vulnerable to gentrification such as system impacted, working class and undocumented folks - need to be centrally involved in the public art conversations and decisions moving forward, and we hope that the PPA can become one avenue toward that aim.

On behalf of Silicon Valley De-Bug & El Comité,

Jose M. Valle, Rich Gutierrez, and Liz Gonzalez



**February 24, 2020**

Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers Carrasco, Davis, Diep, Jimenez, Peralez, Arenas, Esparza, Foley, and Khamis:

On February 25, 2020, the San Jose City Council will be setting priorities for the upcoming year. I am writing this letter on behalf of One Fair Wage in support of Councilmember Sergio Jimenez' priority - Hospitality Surcharge. It has become common practice in the hospitality industry for "service charges" to be collected. Restaurant owner keeps the "service charge," or a large portion of the service charge, and do not pass it on to the restaurant workers. Restaurant patrons often believe that the service charge is in lieu of a tip, and, therefore, do not leave the tip to workers. However, in almost all instances, the owner keeps the service charge or a large portion of the service charge. Transparency is also a problem. Employers do not provide clear notice of the surcharge and its use and do not share with employees how they distribute service charge proceeds or keep records of service charge revenue and spending. This practice hurts hospitality workers and affects their pay.

As described in the March 15, 2019 article, "Dark Side of Luxury: Capital Club Accused of Unfair Wages," in the paper San Jose Spotlight, the Capital Club in San Jose, a lavish club that also has 20 locations around the country, pays its service workers less than minimum wage. The club boosts salaries with money from a "service charge" pool – one percent to each employee; however, "workers say they have no clue how much money is in the pool, and some claim they are receiving less than minimum wage."

<https://sanjosespotlight.com/the-dark-side-of-luxury-capital-club-accused-of-unfair-wages/>

Cities such as Santa Monica, Oakland, Berkeley, and Emeryville have enacted Service Charge Ordinances that require that employers who collect service charges from customers must pay the entirety of those charges to the workers who performed those services. Service charges can be shared between front and back of house workers. Employers must provide clear notice to customers of the charge and its use. Employers must share with employees how they distribute service charge proceeds, and must keep records of service charge revenue receipts and spending.

We urge the San Jose City Council to follow Santa Monica, Oakland, Berkeley, and Emeryville and make a service charge ordinance a priority at the Priority Setting Council meeting on February 25.

Sincerely,

Saru Jayaraman

President, One Fair Wage