



# Memorandum

**TO:** Honorable Mayor &  
City Council

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

**SUBJECT:** The Public Record  
February 18, 2021 to February 25, 2021

**DATE:** March 3, 2021

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

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

#### **Letters from the Public**

1. Letter from Tho Au, dated February 18, 2021.
2. Letter from African American Community Services Agency, dated February 18, 2021.
3. Letter from National Coalition of 100 Black Women, Inc., dated February 19, 2021.
4. Letter from Blair Beekman, dated February 25, 2021 regarding Blair Beekman. Public Record. 3.3.21.

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Toni J. Taber, CMC  
City Clerk

The Honorable Mayor Sam Liccardo and Councilmembers  
San Jose City Council  
200 E. Santa Clara St.  
San José, CA 95113

February 18, 2021

Dear Mayor and Council Members,

My name is Tho Au and I am a student at San Jose State University. I also am interning at Breathe California as an Emerging Community Leader. Additionally, I reside in District 7.

Growing up in San Jose, there were always a few liquor stores across or a few blocks away from where I live or go to school. I remember a liquor store located in front of my middle school, Bridges Academy, where they sell tobacco-related products. It was accessible and I've witnessed many teenagers smoking on their way home from school. I feel like by now it's the norm for teenagers to smoke that many people don't acknowledge as a problem anymore. Teens start young without realizing the consequences as it comes later when they're older. Many young teens believe that vaping is "safer", but it is not. This is a preventable issue, only if we can start having a stronger tobacco retail license and banning all flavored tobacco products.

As you may know, in 2010, Santa Clara County passed an ordinance banning tobacco retail from opening any new stores within 1,000 feet of a school or 500 feet of another retailer. If we were to convert these numbers into miles, 1,000 feet is equivalent to 0.189 miles and 500 feet is equivalent to 0.0947 miles. On average, it takes 15 to 20 minutes to walk 1 mile, so 1,000 feet is simply a small walk for many youths who walk home from school. With those numbers in mind, I guess we can see how short of a distance this is for youth to still gain access to any tobacco retail stores nearby.

By establishing a stronger tobacco retail license and adding in a couple of vital provisions, we will not only help protect the health of San Jose residents and youth, but we would also advance health equity with the following:

- **Ban ALL flavored tobacco products, including hookah, in all locations**
- **Restrict e-cigarette and vape product sales**
- **Restrict the density of tobacco retailers near schools and existing retailers**
- **Eliminate the adult-only store exemption**
- **Reducing racial and geographic targets and inequality**
- **Reducing income-based inequality among people who smoke**
- **Encouraging people who want tries to quit smoking to stop**
- **Discouraging kids from trying to smoking**

I've come to learn that many communities have already taken action to prevent further harmful tobacco products among the youth population. So, I believe that it's about time to start taking preventative measures to protect residents of San Jose.

For the reasons above, we strongly urge that you strengthen the tobacco retailer licensing laws in San Jose to protect the community and youth.

Sincerely,

Tho Au



## AFRICAN AMERICAN COMMUNITY SERVICE AGENCY

STRENGTH IN UNITY – SINCE 1978

HEADQUARTERS: 304 N. 6<sup>TH</sup> STREET | SAN JOSE, CA 95112

OFFICE: 408.292.3157 | FAX: 408.292.3276

WEBSITE: <http://www.sjaacsa.org> | EMAIL : [info@sjaacsa.org](mailto:info@sjaacsa.org)

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

February 18, 2021

Dear Mayor and Council Members,

We at the AACSA urge you to strengthen your tobacco retailer licensing law and restrict flavored tobacco products in the City of San Jose.

During this challenging time, it is even more important to take action on the pressing public health issue of tobacco. There is growing evidence that smokers are at a greater risk of hospitalization and severe illness due to COVID-19. In addition, there is evidence that vaping can also harm lung health. These factors put smokers and vapers at greater risk when confronted with coronavirus.

In November 2018, the U.S. Food and Drug Administration (FDA) and the U.S. Centers for Disease Control and Prevention (CDC) reported a dramatic increase in youth nicotine use, leading the Surgeon General and the FDA to declare youth e-cigarette use an epidemic in the United States.

Tobacco companies are using candy-flavored products to hook kids into a dangerous addiction to nicotine. Most 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.

Consider that:

- 82.3 percent of **Santa Clara County** teens currently using tobacco report using a flavored product.
- Nearly a quarter of surveyed **San Jose** tobacco retailers sold tobacco to an underage person. 11% of these illegal tobacco sales came from a tobacco/vape shop.

To protect the health of San Jose residents a strong retail ordinance should include:

- **Ban on ALL flavored tobacco products, including hookah, in all locations**
  - Menthol - Menthol flavor makes cigarettes easier to start and is disproportionately used to hook African-Americans, LGBTQ individuals and youth. Among Santa Clara County youth who smoke, 63% smoke menthol cigarettes.
  - Hookah - Hookah is a flavored tobacco and hookah use is linked to many of the same health risks as cigarette use.
  - Adult-only stores - Other cities such as Oakland have encountered implementation challenges by exempting adult-only stores, leading to an extreme proliferation of these stores.
- **Restriction of e-cigarette and vape product sales**



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- In a survey, 13.2 percent of Santa Clara County teens reported using e-cigarettes in the past month, double the amount reported in the previous survey
- **Restriction of the density of tobacco retailers near schools and existing retailers**
  - More than a quarter of San Jose tobacco retailers are located within 1,000 feet of a school.
- **Regular and ongoing enforcement and compliance checks of retailers**

products. Santa Clara County, Cupertino, Los Altos, Los Gatos, Palo Alto, and Sunnyvale have restricted flavored tobacco. And seven cities in the county have banned the sale of all vaping products in their city.

For these reasons, we urge you to strengthen the tobacco retailer licensing laws, including a strong flavored tobacco provision with no exemptions, in San Jose.

Strength in Unity,

Helen Kassa  
Policy & Advocacy Coordinator  
African American Community Services Agency



*National Coalition of 100 Black Women, Inc.*  
*Silicon Valley Chapter*

February 19, 2021

San Jose City Council  
200 E. Santa Clara St.  
San Jose, CA 95113

Dear Mayor and Council Members,

The National Coalition of 100 Black Women - Silicon Valley Chapter is urging you to strengthen your tobacco retailer licensing law and restrict flavored tobacco products in the City of San Jose.

During this challenging time, it is even more important to take action on the pressing public health issue of tobacco. There is growing evidence that smokers are at a greater risk of hospitalization and severe illness due to COVID-19. In addition, there is evidence that vaping can also harm lung health. These factors put smokers and vapers at greater risk when confronted with coronavirus.

In November 2018, the U.S. Food and Drug Administration (FDA) and the U.S. Centers for Disease Control and Prevention (CDC) reported a dramatic increase in youth nicotine use, leading the Surgeon General and the FDA to declare youth e-cigarette use an epidemic in the United States.

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- **Regular and ongoing enforcement and compliance checks of retailers**



*National Coalition of 100 Black Women, Inc.*  
*Silicon Valley Chapter*

Other communities across our county have already stepped up to protect their residents from these harmful products. Santa Clara County, Cupertino, Los Altos, Los Gatos, Palo Alto, and Sunnyvale have restricted flavored tobacco. And seven cities in the county have banned the sale of all vaping products in their city.

For these reasons, we urge you to strengthen the tobacco retailer licensing laws, including a strong flavored tobacco provision with no exemptions, in San Jose.

Sincerely,

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Sheila Johnson-Heacock  
President

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Keisha Browder  
Public Policy Committee Co-Chair

76B8CB1F6724E6  
Sabrina-Mone Lamontagne  
Public Policy Committee Co-Chair

**Blair Beekman. Public Record. 3.3.21.**

b. beekman [REDACTED]

Thu 2/25/2021 12:56 PM

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

[External Email]

Dear community of San Jose, and city govt.,

To ask, am I missing something, about current SJPd candidate, Deputy Mata?

Why is there not, more open support, for him ?

Am I misjudging, that Deputy Mata, may already be, too much a part of, an SJPd inside himself, to offer real change.

Or is our progressive community, simply misjudging, how Deputy Mata, with his patient, progressive ideas, and mellow disposition -

He may actually be, the exact person, that can work, to help bridge, a low key, yet very constructive, transformative process, of equity, reimagine, open public policies, and human rights issues, that we can all feel, more invited to. And help contribute to, for the future of San Jose

And where I feel, kids could grow up, in a more relaxed atmosphere, with Deputy Mata's, indigenous, progressive outlook & understanding, of what the future of policing can be.

Sincerely,  
Blair Beekman

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