

# Memorandum

**TO:** Honorable Mayor &  
City Council Members

**FROM:** Lee Price, MMC  
City Clerk

**SUBJECT:** The Public Record  
March 26-April 2, 2009

**DATE:** April 3, 2009

---

## ITEMS TRANSMITTED TO THE ADMINISTRATION

### ITEMS FILED FOR THE PUBLIC RECORD

- (a) Letter from TMobile to Consumer Protection and Safety Division dated February 12, 2009 regarding OCI Site Number SFO4545/San Jose, CA.
- (b) Notification letter from Verizonwireless to Consumer Protection and Safety Division dated March 24, 2009 for HWY 880 Brokaw GTE Mobilnet of California Limited Partnership (U-3002-C), of San Jose, CA MSA.
- (c) Letter from David S. Wall to Mayor Reed and City Council dated March 26, 2009 regarding "Water availability, sustainability and housing."
- (d) Letter from David S. Wall to Mayor Reed and City Council dated March 26, 2009 regarding "Relocate Bail Bond Establishments, in toto, north of Charcot Avenue on North First Street."
- (e) Letter from David S. Wall to Mayor Reed and City Council dated March 26, 2009 regarding "San José's Housing Department, a Communist Manifesto? (It's worse then that)."
- (f) Letter from David S. Wall to Mayor Reed and City Council dated March 26, 2009 regarding "City Hall Retail: An irresponsible use of much needed City Hall Space."
- (g) Email from Margaret Yamasaki to Councilmember Herrera received March 26, 2009 regarding library hours.
- (h) Letter from Sister Miriam Daniel Fahey dated March 24, 2009 requesting that Redevelopment money be allocated to cover the expense of a community center in the Tully-Senter Area.

- (i) Letter from David S. Wall to Mayor Reed and City Council dated April 2, 2009 regarding "Screw the A's and the special interests save Downtown Neighborhoods – support San José Giants. The Oakland Athletics (the A's) should stay in Oakland or go elsewhere. Liccardo passes out bananas while Mayor Reed swings from trees."
- (j) Letter from David S. Wall to Mayor Reed and City Council dated April 2, 2009 regarding "Guadalupe River Entitlement Program (GREP): 'Down by the River' (Issue #2)."
- (k) Letter from David S. Wall to Mayor Reed and City Council dated April 2, 2009 regarding "The Ghetto Life: Update on the SCEP."



Lee Price, MMC  
City Clerk

LP/np

Distribution: Mayor/Council  
City Manager  
Assistant City Manager  
Assistant to City Manager  
Council Liaison  
Director of Planning  
City Attorney  
City Auditor  
Director of Public Works  
Director of Finance  
Public Information Officer  
San José Mercury News  
Library

RECEIVED  
San Jose City Clerk

2009 MAR 27 P 5:17

T-Mobile

February 12, 2009

Ms Anna Hom  
Consumer Protection and Safety Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

RE: OCI Site Number SF04545/ San Jose, CA (LA)

This is to provide the Commission with notice pursuant to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") that:

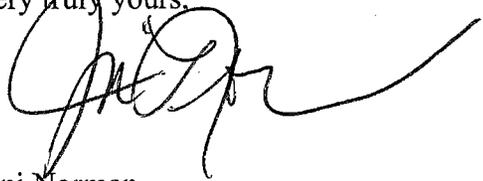
(a) The cellular company has obtained all requisite land use approval for the project described in Attachment A.

(b) That no land use approval is required because \_\_\_\_\_.

---

A copy of this notification is also being provided to the local governmental agency identified below. Should the Commission or the local government agency have any questions regarding this project, or if anyone disagrees with the information contained herein, please contact Joni Norman of T-Mobile at (925) 521-5987 or Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at (415) 703-2699.

Very truly yours,



Joni Norman  
Senior Development Director

cc: City of San Jose, City Planner (w/ Attachment)  
City of San Jose, City Clerk (w/ Attachment)  
City of San Jose, City Manager (w/ Attachment)

## ATTACHMENT A

### 1. Project Location:

Site Identification Number: SF04545  
 Site Name: Trimble Road  
 Site Address: 2625 Zanker Rd.,  
 County: Santa Clara County  
 Site Location: San Jose, CA 95134  
 Assessor's Parcel Number: 101-300-26  
 Latitude: NAD 83 37-18--56.52  
 Longitude: NAD 83 121-58--19.19

### 2. Project Description:

Number of Antennas to be installed: Relocation of (6) six existing antennas affixed to building roof-top to alternate location on roof-top. No addition of antennas.  
 Tower Design: N/A  
 Tower Appearance: N/A  
 Tower Height: N/A  
     A) Building 37'0"  
     B) Structure Height 37'0"  
     C) Top of Antenna Height 49'-0"  
 Lease Area: No change to existing.

### 3. Business addresses of all Governmental Agencies

City of San Jose	City of San Jose	City of San Jose
City Planner: John Kim	City Clerk: Lee Price	City Manager: Debra Figone
200 East Santa Clara St., 2 <sup>nd</sup> . Flr.,	200 East Santa Clara St., 2 <sup>nd</sup> . Flr.,	200 East Santa Clara St., 2 <sup>nd</sup> . Flr.,
San Jose, CA 95113	San Jose, CA 95113	San Jose, CA 95113

### 4. Land Use Approval:

Planning Approval: AD08 -999  
 Issued: 08/07/2008  
 Building Permit: 2008-051959-CI

### 5. If Land Use approval was **not** required: *Explain reason for exemption and attach documentation from the jurisdiction (i.e. copy of ordinance) that officially states exemption:*

12/16/2008

PUBLIC RECORD b

RECEIVED  
San Jose City Clerk

2009 MAR 27 P 5:19

**verizon**wireless

1120 Sanctuary Pkwy  
Suite 150  
MC: GASASREG  
Alpharetta, GA 30009  
(770) 797-1070

March 24, 2009

Ms. Anna Hom  
**Consumer Protection and Safety Division**  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
[alh@cpuc.ca.gov](mailto:alh@cpuc.ca.gov)

Re: Notification Letter for **HWY 880 Brokaw** GTE Mobilnet of California Limited  
Partnership (U-3002-C), of San Jose, CA MSA

---

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

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact Alice Silverthorn of Verizon Wireless at (770) 797-1062.

Very truly yours,



**Alice Silverthorn**  
MTS Network Compliance

**Attachment A**

CPUC CELL SITE REPORT GTE Mobilnet of California Limited Partnership (U-3002-C)

**PROJECT LOCATION: HWY 880 Brokaw – I/B**

SITE NAME: HWY 880 Brokaw  
SITE ADDRESS: 1760 Junction Avenue  
LOCATION: San Jose, CA 95112  
COUNTY: Santa Clara  
APN: 237-08-073  
COORDINATES: 37° 22' 45.00"/121° 54' 14.53" (NAD83)

**1. PROJECT DESCRIPTION:**

GTE Mobilnet of California Limited Partnership (U-3002-C) proposes the installation of six (6) panel antennas mounted on an a new 60 foot tall slim line pole; along with one (1) new equipment shelter with two (2) GPS antennas and one (1) new generator.

ANTENNAS: Six (6) panel antennas  
Two (2) GPS antennas  
TOWER DESIGN: Slim line Tower with raydome  
TOWER APPEARANCE: Three (3) antennas at 58' centerline;  
Three (3) antennas at 52' centerline  
TOWER HEIGHT: 60'  
BUILDING SIZE: 12' x 16' equipment shelter  
OTHER: N/A

Notification Letter  
GTE Mobilnet of California Limited Partnership (U-3002-C)  
March 24, 2009  
Page 3

**3. BUSINESS ADDRESSES OF ALL LOCAL GOVERNMENT AGENCIES:**

Cc: Joseph Horweldel  
Director of Planning  
San Jose Department of Planning, Building and Development  
200 East Santa Clara Street  
San Jose, CA 95113

Debra Figone  
City Manager  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

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

**4. LAND USE APPROVALS:**

Type:	Special Use Permit SP08-008
Issued:	02/25/09
Effective:	02/27/09
Agency:	City of San Jose
Permit No.:	SP08-008
Resolution No.:	N/A

**David S. Wall**  
**Post Office Box 7621**  
**San José, California 95150**  
**Phone / Facsimile (408) - 295 - 5999**

PUBLIC RECORD \_\_\_\_\_ C  
RECEIVED  
San Jose City Clerk

2009 MAR 26 P 4: 07

**March 26, 2009**

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: WATER AVAILABILITY, SUSTAINABILITY AND HOUSING**

It is now Thursday, March 26<sup>th</sup>.

Some of YOU will get the chance to hear the Santa Clara Valley Water District give their report on Water Availability on Aril 23<sup>rd</sup>.

I have warned YOU many times to cease and desist from permitting anymore housing of any kind.

Housing projects of all kinds should be prohibited, not only in San José that is too easy, but for the entire service area of the Santa Clara Valley Water District.

**YOU DO NOT HAVE A SUSTAINABLE WATER SUPPLY.**

**CEASE AND DESIST FROM PERMITTING ANYMORE HOUSING OF ANY KIND.**

*Respectfully submitted,*

David S. Wall  
03.26.09

///  
///  
///

**Cc: City Attorney / Auditor / City Manager**

David S. Wall  
Post Office Box 7621  
San José, California 95150  
Phone / Facsimile (408) - 295 - 5999

PUBLIC RECORD d

RECEIVED  
San Jose City Clerk

March 26, 2009

2009 MAR 26 P 4:08

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: Relocate Bail Bond Establishments, *In toto*, north of Charcot Avenue on North First Street.**

Yesterday, (Wednesday, 03.25.09) at the Open Government and Rules Committee meeting (Rules) the Regulation of Bail Bond Establishments was discussed in some detail. The specific items were 10.1 and 10.2 on the aforementioned AGENDA.

The Director of Planning Building and Code Enforcement (PBCE) put forth the administration's position concerning; "Bail Bonds Workload assessment" (Item 10.1) with the "**Recommendation:** Accept the workload assessment for the regulation of bail bond establishments." Why, am I not surprised?

The debate concerning the issue of how Bail Bond establishments are defined under Municipal Code in conjunction with the declaratory admonition made by the Director of PBCE who having resided in the same neighborhood where these establishments are located and having knowledge of the increase in the number of Bail Bond Establishments, is a damning indicator of the lack of responsibility of government to adapt to the changing needs of the City.

***Specifically, the negative impacts that the clientele and "friends of the clientele" that require the services of Bail Bonds businesses, to wit, several citizens petitioned the RULES COMMITTEE for relief from the acts of debauchery, threats to children at the nearby middle school, crimes of other serious nature and to the loss of property values.***

Although the rightfully, restrained and aggrieved neighbors were, they failed to also notice City officials as to the loss of the peaceful enjoyment of their properties- A Public and Private Nuisance that flows from the City of San José's negligence in not enforcing existing regulations and by conferring a benefit of exclusion from the law to the Bail Bond establishments, *to wit*, harm has been done, is being done and continues unabatedly at the time and date of these words.

There are a plethora of additional Torts that can and will be added in an official cause of action, yet to be determined by the aggrieved.

**My "Recommendations":**

(1) Use Redevelopment Agency funds to purchase Bail Bond properties, through eminent domain if necessary, and pay the costs to move these business entities to an abandoned light industrial area on North First Street, north of Charcot Avenue, the eventual use of acquired properties to remain as "open space" for the foreseeable future; (2) Redefine Municipal Code what a "Bail Bonds business" is; (3) Prohibit "the Bail Bonds business" from neighborhoods and at a great proximity from schools. And...do the aforementioned with the necessary dispatch to alleviate the unwarranted suffering of good and decent residents.

*Respectfully submitted,*

David S. Wall  
03.26.09

**Cc: City Attorney / Auditor / City Manager  
Mr. William Lambson**

David S. Wall  
Post Office Box 7621  
San José, California 95150  
Phone / Facsimile (408) - 295 - 5999

PUBLIC RECORD e

RECEIVED  
San Jose City Clerk

March 26, 2009

2009 MAR 26 P 4: 09

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: San José's Housing Department, a *Communist Manifesto*? (It's worse than that)**

At the Community and Economic Development Committee meeting, (Monday, 03.23.09) two issues pertaining to the Housing Department (Items 3.4 and 3.5 on the AGENDA) were discussed. The resulting conversations made me want to puke, but there were no receptacles to receive my vomit so, I had to sit there and holding my vomit in check.

There is not enough room on this page to explain the outrage of the give away and or mismanagement of taxpayer monies by the worthless Housing Department, at the Direction of the San José Council, in my opinion.

The Housing Department's continued existence is the actual and proximate causation why the City of San José is the Regional Ghetto for Santa Clara County.

Cities like; Palo Alto, Monte Sereno, Los Gatos, Saratoga, Los Altos Hills just to name a few, do not have; slums, ghettos, "Inclusionary housing Ponzi schemes" or areas where; no-income, very low income, low income and moderate income people live.

In those locales life has a simple axiom, if you cannot afford to live here move to San José where the *communist manifesto* is alive and well.

In the next few letters on the topic of *San José's Communist Manifesto*, the Housing Department's response to the Housing and Economic Recovery Act (HERA) to fund the Neighborhood Stabilization Program (NSP) will be flushed out. In short, YOU *should never have assented* to "take this money" because of all the stringent "strings" that are attached to this money that will permanently enshrine "slums" in the City of San José.

This money will not be around for ever. But the slums that it will create will have a deleterious affect for many, many years to come. Like the funding of basic services, crime, congestion and what to do with people who will not be able to find gainful or sustainable employment.

The only people who benefit from these programs are: Politicians, Developers, Highly paid City administrators, some financial institutions, and the recipients of the "give away program".

*The taxpayers are the real losers here. In more ways than are being realized.*

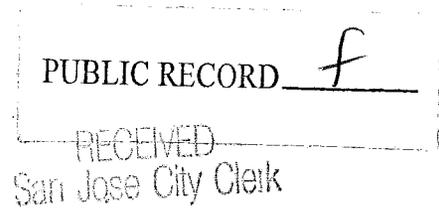
In the meantime, explain the statement, "The homes will then be sold to income qualified households at or below the City's cost of acquisition and rehabilitation."

*Respectfully submitted,*

**Cc: City Attorney / Auditor / City Manager**

David S. Wall  
03.26.09

David S. Wall  
Post Office Box 7621  
San José, California 95150  
Phone / Facsimile (408) - 295 - 5999



March 26, 2009

2009 MAR 26 P 4:09

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: City Hall Retail: An irresponsible use of much needed City Hall Space.**

At the Community and Economic Development Committee meeting, (Monday, 03.23.09) the issue of City Hall Retail (Item 2.2 on the AGENDA) was discussed. The resulting conversations were a disappointment because the taxpayers deserve better decisions, in my opinion.

The "new" City Hall was justified, in part to the taxpayers, to reign in the contract costs of providing office space for City employees. Now, we see otherwise. Once again the taxpayers "have been fed a belly full of lies".

The \$150,000 taxpayer dollars per year that is being spent to provide contracted office space for City employees is just cause not to use City Hall for Retail.

Retail at City Hall is just plain stupid. There are plenty of vacant "retail shops" that are vacant on East Santa Clara Street just across south Fourth Street from City Hall.

The quaint notion of a sidewalk café where patrons can take in the bucolic view of "Gang bangers" riding their bicycles on the sidewalks or other social derelicts milling about for spare change somehow negates the painfully inane "Downtown experience" that the City tries to purport.

**My "Recommendations":**

(1) Save the \$150,000 dollars a year. City Hall should be used for office space for which it was built.

For example, **The Office of the City Clerk needs more space to manage the voluminous documents and other activities associated with the "people's business"**. Very valued added work is done by the Office of the City Clerk, especially with Sunshine Reforms implementation requirements looming on the horizon. A document control center is painfully needed.

(2) Creative and appropriate use of "restricted use fund" City operations could be utilized to retrofit this area and further house City operations.

(3) Create an Office of Creativity. YOU need the help.

///

**Cc: City Attorney / Auditor / City Manager**

*Respectfully submitted,*

David S. Wall  
03.26.09

-----Original Message-----

From: [redacted]  
Sent: Thursday, March 26, 2009 8:24 PM  
To: Herrera, Rose  
Cc: City Clerk  
Subject: Save Our Library Hours

Times are particularly tough now. Libraries provide an even greater role now more than ever. Libraries provide a place for families and individuals with little to no access to computers, information, and equally important, entertainment. Libraries are providing a place for kids to hang out until their parents pick them up after work, computers to look for employment, books and movies to provide the much needed free entertainment during these stressful times. Save our library hours and library workers. They work hard to provide this invaluable service.

Sincerely,  
Margaret Yamasaki  
95148



RECEIVED  
San Jose City Clerk  
St. Maria Goretti Church  
2980 Senter Road  
San Jose, CA

2001 MAR 30 P 2:39

1382 Tami Lee Dr. #2  
San José, CA 95122  
(408) 295-08-82  
March 24, 2009

Mayor Chuck Reed and S. J. City Council Members  
Redevelopment Agency

Dear One and All,

I hasten to write to you all. I have just come from today's council meeting. I was not able to stay until the topic of the Redevelopment Agency's plans for allocating money throughout the Strong Neighborhood areas came up on the agenda..

Let me introduce myself. I have lived in District 7 for over twelve years, working among the recent Mexican immigrants. I am a member of the staff of St. Maria Goretti Parish and coordinate the little mission that we have in the Santee area.

From my arrival in the area I have been active in the community of Santee, being elected to the vice-presidency of the local group a month after moving in. The following year I was elected president for two years. As a result of this involvement in the community I was appointed to the pioneer group of residents on the Tully-Senter NAC. Following that I was an initial member of PAC until shortly before the group was "sunsetting."

Beginning in the early 2000s, I worked with the NAC members prioritizing the needs of the Tully-Senter area especially Santee. Many of our priorities are now a reality, but our #1 priority, a community center, was relegated to the last place and we are still without a place where people can meet, study, play, consult--a place to which they can turn with pride.

Our plans had proceeded so far that we even had a site which was central to the neighbors--the northwest corner of J.W. Fair School, that the Franklin-McKinley School District had agreed to let us have. A survey was taken of the residents in the region by the graduate students of the urban studies department of San José State University to identify the needs of the people. Patrice Schaffer, of Redevelopment, was a tremendous help in encouraging us and furthering the plans. Blue prints for the center were drawn up and should be in the files of the Redevelopment Office.

I hope, since the Naglee Park NAC is asking to be dropped by the RA, that the money that would have been allocated to them might be considered to cover the expense of a modest but adequate center for the Santee area.

Sincerely,

*Sister Miriam Daniel Faherty*

**David S. Wall**  
**Post Office Box 7621**  
**San José, California 95150**  
**Phone / Facsimile (408) - 295 - 5999**

PUBLIC RECORD 1

RECEIVED  
San Jose City Clerk

**April 2, 2009**

2009 APR -2 P 3:09

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: "Screw the A's and the special interests" save Downtown Neighborhoods - support San José Giants.**

**The Oakland Athletics (the A's) should stay in Oakland or go elsewhere.**

**Liccardo passes out bananas while Mayor Reed swings from trees.**

In one swoop of strategic and long range financial planning, the owner of the San Francisco Giants effectively "bitch slapped" the knuckle dragging troglodytes of Downtown baseball, Mayor Reed and Councilmember Liccardo by announcing intentions to control the S.J. Giants.

In a move that will cause many in professional baseball to take note as "penny wise and pound foolish" the investment by the City of San José, *rightfully*, in the Municipal Stadium while pursuing the A's and negating the "other baseball Titan", the San Francisco Giants is a portrait of coruscating arrogance amid a failing local economy and raffishly poor business decisions.

There are other municipalities who have "Class A minor leagues" and investment in existing stadiums will yield a better return on taxpayer monies and stimulus to local economies, due in chief to the diminishing disposable incomes, than to support a Major League sports team and their corresponding multi-million dollar salaries and other excessive overhead expenditures.

Besides, supporting the established "local heroes" is always preferred than enticing the soulless mercenaries of high-end professional sports. And the whoring of the good name of your town in the process is not in the long term interests of anybody.

Now, throw into the mix the increased probability of Santa Clara, a very well managed municipality, on the verge of a deal with the San Francisco 49ers. Look at the corresponding market dynamics.

Are the San Francisco Giants going to put up with a loss of their market? No. Do not underestimate litigation costs and "bad blood" that are sure to occur. Then are other professional sports teams going to tolerate a jumbled, out of control movement of individual team owners? Only if they are stupid. And, the fact that there are diminishing jobs, high unemployment, and an excessively high tax rate, where is the money going to come from to support the A's move to San José? Where are the "honest answers" to address the predigested mess of unsupported catch phrases like "Downtown baseball is good for the local economy" and other assorted illusory promises?

Mayor Reed swings from the Tesla Motor Company tree to the Downtown baseball tree in a desultory manner while Councilmember Liccardo passes out bananas with A's stickers on them as the taxpayers watch; who is at bat, has two strikes and is a sucker for a curve ball.

*Respectfully submitted,*

**Cc: City Attorney / Auditor / City Manager**

*David S. Wall*  
04.02.09

David S. Wall  
Post Office Box 7621  
San José, California 95150  
Phone / Facsimile (408) - 295 - 5999

PUBLIC RECORD   j  

RECEIVED  
San Jose City Clerk

2009 APR -2 P 3:09

April 2, 2009

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: Guadalupe River Entitlement Program (GREP): "Down by the River" (Issue #2)**

The GREP; a popular program, sponsored in part by the *San José City Council* and in part by *Santa Clara Valley Water District (SCVWD)* permits anyone that is not wanted immediately by the Police, an entitlement to; camp, pollute, steal and commit other criminal offenses against society with virtual immunity.

After the "taking the pulse" of the SCEP (Shopping Cart Entitlement Program) on North Tenth Street @ Horning Street, I ventured over to the Guadalupe River to conduct my "neighborhood watch patrol" and to report on the GREP (Monday , 03.30.2009 approximately 1152 hours).

*A brief walk, Northbound from Coleman Avenue on the East bank of the Guadalupe River was initiated and carried out. A total of six (6) encampments were observed.*

**Photographs were taken** and will be delivered to Council Members via the receptionist on the 18<sup>th</sup> Floor at City Hall. Photos should be shared amongst Council Members. After Council Members are done with viewing the photographs, turn them over to the City Clerk for appropriate archival storage or to the City Attorney for action concerning SCVWD.

*Most encampments that were visited this date utilize five gallon plastic buckets as toilets.*

The contents of the toilets (raw sewage) are routinely discharged directly into the Guadalupe River.

**Take special note of the photograph of the "yellow bucket". Contents of this bucket will be dumped into the Guadalupe River.**

The evidence of two "bucket toilets" on their sides with a "light brown mud" oozing down the embankment is raw sewage and entered into the river. This photograph was taken in February, 2009.

Do not confuse this truthful account as a scatological treatise of this area. The pollution is real, ongoing and gives rise to a cause of action under a variety of Federal statutes.

**Environmental Services Department (ESD) "Watershed Protection" is a damnable failure.**

**(ESD) "Non-Point Source Program" poorly managed.**

The amount of pollution from "encampments" and other sources (storm drains) is a damnable and unforgivable result of substandard and or incompetent management of environmental stewardship and responsibilities of the command staff at ESD.

**Immediate disciplinary actions, including termination from public service, of responsible ESD command staff, is warranted and should be swiftly carried out with extreme prejudice.**

*Respectfully submitted,*

*David S. Wall*  
04.02.09

**Cc: City Attorney / Auditor / City Manager  
SCVWD Board Members**

David S. Wall  
 Post Office Box 7621  
 San José, California 95150  
 Phone / Facsimile (408) - 295 - 5999

RECEIVED  
 San Jose City Clerk

April 2, 2009

2009 APR -2 P 3:09

Mayor Reed and Members San José City Council  
 200 East Santa Clara Street  
 San José, California 95113-1905

**Re: THE GHETTO LIFE: UPDATE ON THE SCEP**

On Monday, (03.30.09) approximately 1111 hours, I ventured over to North Tenth Street @ Horning Street to "take the pulse" of the SCEP (Shopping Cart Entitlement Program). I arrived on station and found ten (10) stolen and abandoned shopping carts *A 23% decrease of theft of shopping carts from last Monday is hereby recorded.*

*There are photos of the area this week. Photos are taken by me, as they appeared to God and Country. They will be handed over to the receptionist on the 18<sup>th</sup> floor. After Council Members are done with viewing the photographs, turn them over to the City Clerk for appropriate archival storage.*

*The garbage at this locale is increasing over that of last week. Perhaps the good weather is the cause for more illegal dumping over that of last week. Garbage was mainly contained in several stolen and abandoned shopping carts. But, as usual, there was plenty of garbage and litter on the ground.*

*I did observe "Robert" dump the trash contained in a stolen and abandoned "PetsMart" shopping cart. The resulting discussion will be addressed in the "interview section" later in the SCEP report.*

*The breakdown of ownership of the stolen and abandoned shopping carts is as follows;*

99 Ranch Market (2), Mi Pueblo (2), WalMart (2), PetsMart (1), Zanotto's (1), Mercado Suvianda (1)\* and Ralph's (1).

**\*\*\*special note\*\*\*** the overall cleanliness of Shopping carts in stores should be addressed by some government agency. Unsuspecting customers may use excrement coated shopping carts without knowledge.

**Welfare Check of the Railroad Tracks Resident(s) undertaken.**

A "welfare check" to establish the status of any and all occupant(s) along the railroad tracks proceeding Northbound, approximately one hundred and twenty (120) yards on the railroad tracks from North Tenth Street @ Horning Street; *was* carried out.

"Hector's flattened hooch", characterized by the remains of several "wooden Pallets" adjacent to some unique graffiti (see photos) was inhabited by some other person who was either dead, passed out or just sleeping. All I initially observed was a dark hand and some "dread-locks" protruding from a blanket.

The "dread-locks" were definitely not "Hector's" (because Hector does not have "dread locks"). In a voice, whose tonal frequency would be considered loud, but polite, I quickly ascertained that the individual was not deceased. After a couple of questions I also ascertained the individual was not drunk or otherwise incapacitated. I asked the individual if he required medical attention and he declined, he said his name was "Emil" and that he was from Ethiopia. He went on to say he just needed some rest. I asked Emil if he had eaten and he said he had some food at the "Mission" (The Rescue Mission).

***There were two (2) interviews this week***

The encounter with "Emil the Ethiopian" has already been put forth. Now to my encounter with "Robert". As I briefly mentioned above, Robert was observed dumping the garbage contained in *a stolen and abandoned "PetsMart" shopping cart on the ground.* He did so, because the stolen \*Mercado Suvianda shopping cart that he had in his possession, "did not roll right" (according to Robert). So, he just exchanged one defective stolen shopping cart for an abandoned and stolen shopping cart which was not "defective".

All of Manuel's chickens were within the confines of the "curtilage" happily "clucking" to the effect, that their friend, the beige hen from last week, did not end up on the barbeque.

*Respectfully submitted,*

*David S. Wall*  
 04.02.09

Cc: City Attorney / Auditor / City Manager  
 Chief of Police / Director PBCE