

Memorandum

TO: Honorable Mayor &
City Council Members

FROM: Lee Price, MMC
City Clerk

SUBJECT: The Public Record
July 23-30, 2009

DATE: July 31, 2009

ITEMS TRANSMITTED TO THE ADMINISTRATION

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Four notification letters from T-Mobile to Consumer Protection Safety Division dated July 21, 2009 regarding Omnipoint Communications, Inc. d/b/a T-Mobile (Wireless ID #: U-3056-C) Sites No. SF15006D, BA12765C, SF15124B, and SF14167D.
- (b) Invitation from Santa Clara University to attend a special Public Sector Roundtable Luncheon on Monday, August 10, 2009.
- (c) Letter from David S. Wall to Mayor Reed and City Council dated July 20, 2009 regarding the Ghetto Life: Update on the SCEP.
- (d) Invitation from the Santa Clara Cities Association received via email July 30, 2009 to attend Census 2010 Partnership Network Breakfast Briefing on Wednesday, August 12, 2009.

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

July 21, 2009

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

RECEIVED
San Jose City Clerk
2009 JUL 29 P 3:21

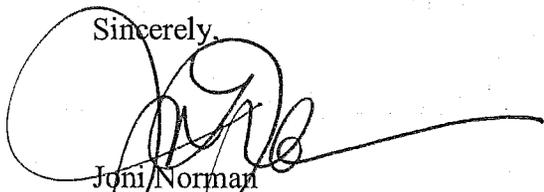
**RE: OMNIPOINT COMMUNICATIONS, INC. d/b/a T-MOBILE (Wireless ID #: U-3056-C)
Notification Letter for T-Mobile Site No. SF15006D:**

This letter provides 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 with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required
Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations.

A copy of this notification letter is being sent to the local government agency identified below for its information. 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, Senior Development Manager for T-Mobile, at (925) 521-5987, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at 415-703-2699.

Sincerely,



Joni Norman
Sr. Development Manager
Omnipoint Communications, Inc. dba T-Mobile

Enclosed: Attachment A

CC:

Debra J. Figone, City Manager, City of San Jose, 200 East Santa Clara St., San Jose, CA 95113
Joesph Horwedel, Planning Director, City of San Jose, East Santa Clara St., San Jose, CA 95113
Lee Price, City Clerk, City of San Jose, East Santa Clara St., San Jose, CA 95113

ATTACHMENT A

1. Project Location

Site Identification Number: SF15006D

Site Name: Skywalker Rock B3

Site Address: Skywalker Dr. and Red Peak Lane

County: Santa Clara

Assessor's Parcel Number: City Right of Way

Latitude: 37° 16' 33.39"N

Longitude: 121° 44' 17.89" W

2. Project Description

Number of Antennas to be installed: Four

Tower Design: Existing Street Light

Tower Appearance: City Street Light

Tower Height: 30 ft

Size of Building: NA (existing street light)

3. Business Addresses of all Governmental Agencies

Debra J. Figone, City Manager City of San Jose 200 East Santa Clara St. San Jose, CA 95113	Joseph Horwedel, Planning Director City of San Jose East Santa Clara St. San Jose, CA 95113	Lee Price, City Clerk City of San Jose East Santa Clara St. San Jose, CA 95113
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4. Land Use Approvals

Date Zoning Approval Issued: NA

Land Use Permit #: NA

If Land use Approval was not required: Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations. Utility Excavation Permit No. F08021 issued on November 7, 2008, city project No. 060086.

T-Mobile

Omnipoint Communications, Inc., dba T-Mobile
1855 Gateway Boulevard, 9th Floor
Concord, CA 94520

2 of 4

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San Jose City Clerk
2009 JUL 29 P 3:21

July 21, 2009

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

**RE: OMNIPPOINT COMMUNICATIONS, INC. d/b/a T-MOBILE (Wireless ID #: U-3056-C)
Notification Letter for T-Mobile Site No. BA12765C:**

This letter provides 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 with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required
Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations.

A copy of this notification letter is being sent to the local government agency identified below for its information. 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, Senior Development Manager for T-Mobile, at (925) 521-5987, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at 415-703-2699.

Sincerely,



Joni Norman
Sr. Development Manager
Omnipoint Communications, Inc. dba T-Mobile

Enclosed: Attachment A

CC:

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Joesph Horwedel, Planning Director, City of San Jose, East Santa Clara St., San Jose, CA 95113
Lee Price, City Clerk, City of San Jose, East Santa Clara St., San Jose, CA 95113

ATTACHMENT A

1. Project Location

Site Identification Number: BA12765C

Site Name: Ashley Rock B3

Site Address: 5299 Ashley Way

County: Santa Clara

Assessor's Parcel Number: City Right of Way

Latitude: 37° 17' 22.98" N

Longitude: 121° 45' 49.47" W

2. Project Description

Number of Antennas to be installed: Four

Tower Design: Existing Street Light

Tower Appearance: City Street Light

Tower Height: 30 ft

Size of Building: NA (existing street light)

3. Business Addresses of all Governmental Agencies

Debra J. Figone, City Manager City of San Jose 200 East Santa Clara St. San Jose, CA 95113	Joesph Horwedel, Planning Director City of San Jose East Santa Clara St. San Jose, CA 95113	Lee Price, City Clerk City of San Jose East Santa Clara St. San Jose, CA 95113
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4. Land Use Approvals

Date Zoning Approval Issued: NA

Land Use Permit #: NA

If Land use Approval was not required: Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations. Utility Excavation Permit No. F08057 issued on November 7, 2008, city project No. 060086.

T-Mobile

Omnipoint Communications, Inc., dba T-Mobile
1855 Gateway Boulevard, 9th Floor
Concord, CA 94520

344

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Joni Rose City Clerk
2009 JUL 29 P 3:21

July 21, 2009

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

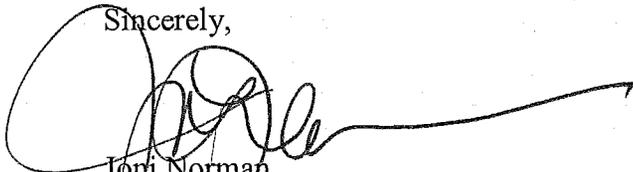
**RE: OMNIPOINT COMMUNICATIONS, INC. d/b/a T-MOBILE (Wireless ID #: U-3056-C)
Notification Letter for T-Mobile Site No. SF15124B:**

This letter provides 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 with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required
Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations.

A copy of this notification letter is being sent to the local government agency identified below for its information. 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, Senior Development Manager for T-Mobile, at (925) 521-5987, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at 415-703-2699.

Sincerely,



Joni Norman
Sr. Development Manager
Omnipoint Communications, Inc. dba T-Mobile

Enclosed: Attachment A

CC:

Debra J. Figone, City Manager, City of San Jose, 200 East Santa Clara St., San Jose, CA 95113
Joesph Horwedel, Planning Director, City of San Jose, East Santa Clara St., San Jose, CA 95113
Lee Price, City Clerk, City of San Jose, East Santa Clara St., San Jose, CA 95113

ATTACHMENT A

1. Project Location

Site Identification Number: SF15124B

Site Name: Lincoln and Laurie Rock

Site Address: 1785 Laurie Ave.

County: Santa Clara

Assessor's Parcel Number: City Right of Way

Latitude: 37° 17' 48.83"N

Longitude: 121° 53' 34.46" W

2. Project Description

Number of Antennas to be installed: Four

Tower Design: Existing Street Light

Tower Appearance: City Street Light

Tower Height: 30 ft

Size of Building: NA (existing street light)

3. Business Addresses of all Governmental Agencies

Debra J. Figone, City Manager City of San Jose 200 East Santa Clara St. San Jose, CA 95113	Joseph Horwedel, Planning Director City of San Jose East Santa Clara St. San Jose, CA 95113	Lee Price, City Clerk City of San Jose East Santa Clara St. San Jose, CA 95113
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4. Land Use Approvals

Date Zoning Approval Issued: NA

Land Use Permit #: NA

If Land use Approval was not required: Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations. Utility Excavation Permit No. F08056 issued on November 10, 2008, city project No. 060086.

T-Mobile

Omnipoint Communications, Inc., dba T-Mobile
1855 Gateway Boulevard, 9th Floor
Concord, CA 94520

4 of 4

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SAN JOSE CITY CLERK
JUL 29 P 3:21

July 21, 2009

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

**RE: OMNIPOINT COMMUNICATIONS, INC. d/b/a T-MOBILE (Wireless ID #: U-3056-C)
Notification Letter for T-Mobile Site No. SF14167D:**

This letter provides 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 with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required
Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations.

A copy of this notification letter is being sent to the local government agency identified below for its information. 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, Senior Development Manager for T-Mobile, at (925) 521-5987, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at 415-703-2699.

Sincerely,



Joni Norman
Sr Development Manager
Omnipoint Communications, Inc. dba T-Mobile

Enclosed: Attachment A

CC:

Debra J. Figone, City Manager, City of San Jose, 200 East Santa Clara St., San Jose, CA 95113
Joseph Horwedel, Planning Director, City of San Jose, East Santa Clara St., San Jose, CA 95113
Lee Price, City Clerk, City of San Jose, East Santa Clara St., San Jose, CA 95113

ATTACHMENT A

1. Project Location

Site Identification Number: SF14167D
Site Name: Mountain Meadow Rock B3
Site Address: 3434 Meadowlands Lane
County: Santa Clara
Assessor's Parcel Number: City Right of Way
Latitude: 37° 16' 57.27" N
Longitude: 121° 44' 24.93" W

2. Project Description

Number of Antennas to be installed: Four
Tower Design: Existing Street Light
Tower Appearance: City Street Light
Tower Height: 30 ft
Size of Building: NA (existing street light)

3. Business Addresses of all Governmental Agencies

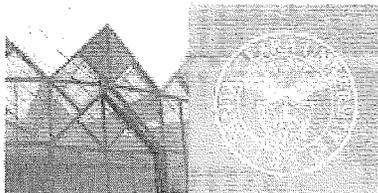
Debra J. Figone, City Manager City of San Jose 200 East Santa Clara St. San Jose, CA 95113	Joesph Horwedel, Planning Director City of San Jose East Santa Clara St. San Jose, CA 95113	Lee Price, City Clerk City of San Jose East Santa Clara St. San Jose, CA 95113
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4. Land Use Approvals

Date Zoning Approval Issued: NA

Land Use Permit #: NA

If Land use Approval was not required: Pursuant to lease with the City of San Jose, the telecommunications installation is located entirely on existing utility poles controlled by the joint pole association and is exempt from Planning and Zoning Division regulations. Utility Excavation Permit No. F08055 issued on November 7, 2008, city project No. 060086.



MARKKULA CENTER
FOR APPLIED ETHICS

PUBLIC RECORD b

SANTA CLARA UNIVERSITY

You are invited
to join other public officials
and Ethics Center staff
at a special
Public Sector Roundtable Luncheon
Monday, August 10, 2009
Wiegand Room, Santa Clara University
11:30 a.m. to 2:00 p.m.

What is on your mind? Are there ethical dilemmas you'd like to talk about during an informal lunch? Come to hear an update on some of the latest issues in government ethics, discuss a case study, and weigh in on questions such as:

- Can you be involved in community/non-profit organizations without compromising your integrity in making decisions in your elected office?
- How do you vote when your council's position on an issue is in conflict with your service on a regional board?

For more information, or to confirm your attendance, call
Judy Nadler, Senior Fellow in Government Ethics,
at 408-813-6232 or email jnadler@scu.edu

*There is no charge for this special event,
but we need to know if you are coming.
Please respond no later than Thursday, August 3*



David S. Wall

PUBLIC RECORD c

RECEIVED
Jose City Clerk

July 29, 2009

2009 JUL 29 P 1:05

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

Photographs were taken again this week of Ghetto District 3's perpetual shame.

**Garbage, stolen and abandoned shopping carts as Public Art?
or
A foretaste of the City's "Dispersion Policy"?**

On Monday, (07.27.09) approximately 1014 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 nineteen (19) stolen and abandoned shopping carts. *A 90% increase from last week as to the number of stolen and abandoned shopping carts is hereby recorded.*

Decaying garbage is in various states of decomposition and has grown in size and stature. The fact that this pile of garbage serves as a community "dump" accentuates the City of San José's forth coming "dispersion policy". *The "dispersion policy" is intended to "disperse" Ghettoization and communist ideology throughout the City.* First, acclimation of the citizens to theft of property and garbage dumped on public streets and walkways making such behavior "common place". Then disperse the swine that perpetuate this behavior into all neighborhoods under "Inclusionary Housing" espoused by Council and paid for by taxpayers.

The breakdown of ownership of the stolen and abandoned shopping cart is as follows:
Unmarked (5), Mi Pueblo (3), Trader Joe's (2), World Market (2), Target (1), PW Supermarket (1), Linens-n-Things (1), Safeway (1), WalMart (1), Food 4-Less (1) and Zanotto'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.

Manuel's chickens appeared to be in tense border negotiations with a delegation of rats from the huge pile of festering and rotting garbage. Allegations made by the chickens that the rats were "illegal aliens" were adamantly rejected by the rats. The rats countered, by stating immigration is not the issue but, both the chickens and the rats are eaten by humans in San José and that they should work together for their common good. The chickens demurred clucking, "We get eaten all the time, but where in San José do humans eat rats?" The rat spokesperson responded, "Man, those humans eat a rat on a stick almost anywhere in Districts 5, 7, and 8 and don't even know it. Hell, they think they're eating one of *you* on a stick." Another rat, after swallowing a bite of garbage, burped and said, "Don't forget District 2. Those folks drowned two of my kinfolk in sauce before putting them on the spit. You got to stay out of District 2, Councilmember Kalra shows us rats no love."

I finished photographing the area and the two sides had not reached any settlement as to terms, both parties recessed for the customary feeding opportunity.

Note: There are two (2) photographs this week. Both are the same but taken at different perspectives.

Respectfully submitted,

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

David S. Wall
07.29.09

HELP ENSURE SANTA CLARA COUNTY RECEIVES ITS FAIR SHARE OF FUNDING: SUPPORT THE 2010 CENSUS!

Join us to share ideas & learn about available resources.

CENSUS 2010 PARTNERSHIP NETWORK BREAKFAST BRIEFING

Wednesday, August 12, 2009

1555 Berger Drive, San Jose - Auditorium

7:30 – 9:00 A.M.

7:30 a.m. – Continental Breakfast & Networking

8:00 a.m. – Speakers & Discussion

8:30 a.m. – Questions & Next Steps

Event is Free & Open to the Public

This meeting location is served by VTA bus line 66, which stops near the intersection of Berger and Old Oakland Road (very close to the event).

Census Day - April 1, 2010 – is quickly approaching. An accurate census count is critical to Santa Clara County because census figures determine the allocation of over **\$300 billion per year** in federal funding to state and local programs, services, and schools. The Census officially counts every person living in the United States once every ten years. Many of Santa Clara County's diverse communities are often undercounted, including children, renters, non-English speaking residents, minorities, immigrants, the elderly, displaced homeowners, those living in high-density housing, and the homeless. California could also be in jeopardy of losing a seat in Congress.

Please join us to learn how your organization can get involved, apply for promotional outreach funds, and help increase participation in this critical civic activity.

We hope we can count you in! **Please call the reservation hotline at 408-299-6404 or e-mail census2010@ceo.sccgov.org to register for this important event.** Bring your ideas and questions and share this invitation with anyone interested in making Census 2010 the most successful count in history!



IT'S IN OUR HANDS